THE SENATE
OF THE
COMMONWEALTH OF KENTUCKY,
BEGIN AND HELD IN THE TOWN OF FRANKFORT, ON WEDNESDAY THE THIRTY-FIRST DAY OF DECEMBER, IN THE YEAR OF OUR LORD 1834, AND OF THE COMMONWEALTH THE FORTY-THIRD.

FRANKFORT:
ALBERT G. HODGES, PRINTER FOR THE STATE.

1834.

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At a General Assembly, begun and held for the State of Kentucky, at the Capitol in the town of Frankfort, on Wednesday the thirty-first day of December, in the year of our Lord one thousand eight hundred and thirty-four, and in the forty-third year of the Commonwealth.

It being the day appointed by law for the meeting of the General Assembly, Mr. James Guthrie, the Speaker elected at the last session, took the Chair, and called the Senate to order; and then stated that at the last session, on the demise of the Governor, and in the absence of the Lieutenant Governor, who was administering the Government, he had been chosen Speaker of the Senate; that he then learned there was a difference of opinion amongst Senators as to the length of time for which he was chosen, and he understood the difference of opinion still existed. He had felt it his duty to examine the question, and had come to the conclusion that he had been elected Speaker of the Senate for the balance of the term for which the Lieutenant Governor had been elected, and that he was now Speaker of the Senate. That if he was to consult his own feelings he would retire from the station; but filling, as he believed he did, an important public office, he felt it a duty he owed to the public to permit the constitutional question to be made and decided at this time; that a precedent existed in accordance with the construction which he gave to the constitution; and a precedent existed in accordance with the construction given to the constitution by those who differed with him. That the first precedent was made shortly after the adoption of the constitution, and when no political excitement existed; the second precedent was made in a time of great party excitement. He hoped it would now be decided in accordance with the constitution without feeling or excitement. He said he would not think that there were any unkind feelings in Senators towards him, should the decision be against his opinion. He did not wish the station, if he was not constitutionally entitled to it, and he would not hold it against the wishes of a majority. He proposed that the Senators elected since the last session should be qualified; that a Clerk and other officers should be chosen; and that then the question as to whether he was Speaker, should be made and decided in full Senate, and if there was a vacancy, fill it.
The following members of the Senate appeared and took their seats, viz:

From the counties of Calloway, Hickman, McCracken and Graves, Thomas James; from the counties of Livingston, Caldwell and Trigg, Matthew Lyon; from the counties of Christian and Todd, James Gholson; from the counties of Logan and Simpson, Presley Morehead; from the counties of Warren and Allen, Henry Grider; from the counties of Barren and Edmondson, Hezekiah P. Murrell; from the counties of Green and Hart, William T. Willis; from the counties of Cumberland and Monroe, Ambrose S. Bramlette; from the counties of Adair, Casey and Russell, Jesse Coffey; from the counties of Pulaski and Wayne, John McHenry; from the counties of Breckenridge, Hancock, Ohio and Daviess, William R. Griffith; from the counties of Butler, Grayson and Muhlenburg, John Harreld; from the counties of Hardin and Meade, George Roberts; from the county of Shelby, William G. Boyd; from the counties of Nelson and Spencer, Stilwell Heady; from the counties of Washington and Marion, James McDonald; from the county of Mercer, Samuel Davies; from the counties of Lincoln, Rockcastle and Laurel, William Smith; from the county of Garrard, Samuel Lusk; from the county of Madison, Robert Miller; from the counties of Knox, Clay, Harlan and Whitley, John Gilbert; from the counties of Gallatin, Boone and Grant, Philip S. Bush; from the counties of Campbell and Pendleton, Richard Southgate; from the counties of Breckinridge and Nicholas, Thomas Metcalfe; from the counties of Franklin, Anderson and Owen, Cyrus Wingate; from the counties of Harrison and Scott, Joseph Patterson, from the county of Bourbon, John R. Thornton; from the county of Fayette, Richard H. Chinn; from the counties of Woodford and Jessamine, William B. Blackburn; from the counties of Clarke and Estill, James Clark; from the counties of Montgomery and Bath, Aquilla Young; from the county of Fleming, Daniel Morgan; from the county of Mason, Robert Taylor; from the counties of Greenup, Lewis and Lawrence, William G. Carter; and from the counties of Morgan, Floyd, Pike and Perry, Samuel May.

The said Matthew Lyon, Presley Morehead, John Harreld, William G. Boyd, William Smith, Samuel Lusk, Robert Miller, Philip S. Bush, Thomas Metcalfe, Joseph Patterson, William B. Blackburn, William G. Carter, Daniel Morgan, and Samuel May, 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 was elected Clerk of the Senate, Anthony Crockett, Sergeant at Arms, and Littleberry Bachelor, Doorkeeper, during the present session; whereupon they severally took the oaths of office.
Mr. Boyd nominated Benjamin R. Pollard for the office of Assistant Clerk of the Senate; and Mr. Daviess nominated Wm. S. Scott.

Upon taking the vote, Benjamin R. Pollard having received a majority of all the votes given, was declared duly elected; whereupon he took the oaths of office.

Mr. Thornton moved the following resolution, to-wit:

James T. Morehead, Esq. having become the acting Governor, by the death of his Excellency John Breathitt,

Resolved, That the Senate choose a Speaker for the occasion.

And then the Senate adjourned.

THURSDAY, JANUARY 1, 1835.

Mr. Andrew Sisk, a member of the Senate from the counties of Hopkins, Union and Henderson, and Mr. Price Nuttall, a member of the Senate from the counties of Henry and Oldham, appeared and took their seats.

The consideration of the resolution, that the Senate choose a Speaker for the occasion, moved by Mr. Thornton on yesterday, was resumed; and the question being taken on adopting the said resolution, it was decided in the affirmative.

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


NAYS—Messrs. Bramlette, Coffey, Daviess, Gilbert, Guthrie, Heady, James, Lyon, McDonald, McHenry, May, Nuttall, Patterson, Sisk, Willis, Wingate, Young—17.

Mr. Guthrie then left the Chair, and the Senate proceeded to the election of Speaker for the occasion, without nominations; and upon taking the vote, it stood thus:


For Mr. James Guthrie—Messrs. Coffey, Heady, James, Lyon, McDonald, May, Nuttall, Patterson, Sisk, Willis, Wingate and Young—12.

For Mr. William B. Blackburn—Mr. Clark—1.

For Mr. William Smith—Mr. McHenry—1.
Mr. Clark having received a majority of all the votes given, was duly elected Speaker of the Senate for the occasion.

He was conducted to the Chair, by Messrs. Thornton and Chinn, from whence he made acknowledgments for the honor conferred.

And then the Senate adjourned.

FRIDAY, JANUARY 2, 1835.

A message was received from the House of Representatives, announcing that they had met, formed a quorum, and elected their officers, and that they were ready to proceed to legislative business.

Ordered, That Mr. Murrell inform the House of Representatives, that the Senate have met, formed a quorum, elected their officers, and are now ready to proceed to legislative business.

Messrs. Daviess, Blackburn and Murrell, were appointed a committee on the part of the Senate, to wait on the Lieutenant and Acting Governor, and inform him that the General Assembly have convened, and are now ready to receive any communication he may think proper to make; and Mr. Daviess was directed to inform the House of Representatives thereof.

A message was received from the House of Representatives, announcing that they had appointed a committee on their part.

The committee on the part of the Senate then retired, and soon after returned, when Mr. Daviess reported, that the committee had performed the duty assigned them, and were informed by the Lieutenant and Acting Governor, that he would make a communication in writing, by way of a Message, to each branch of the General Assembly in their respective chambers, to-day at twelve o'clock.

Ordered, That a committee for Courts of Justice be appointed; and a committee was appointed, consisting of Messrs. Guthrie, Thornton, Chinn, Willis, James, Blackburn and Lusk; who are to take into consideration all matters relating to Courts of Justice, and such other matters as may, from time to time, be referred to them, and report their proceedings, with their opinion thereupon to the Senate; and the said committee is to inspect the journal of the last session, and draw up a statement of the matters then pending and undetermined, and the progress made therein; also to examine what temporary laws have expired since the last session, and inspect such temporary laws as are near expiring, and report the same to the Senate, with their opinion, which of them ought to be revived and continued.
Ordered, That a committee of Propositions and Grievances be appointed; and a committee was appointed, consisting of Messrs. Daviess, Roberts, McDonald, Harrell, Carter, Morehead and Miller, 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 Elections be appointed; and a committee was appointed, consisting of Messrs. Murrell, Boyd, Smith, Sisk, Gilbert, Nuttall and Patterson; who are to take under consideration and examine all returns of election 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 be, from time to time, referred to them, and 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. Wingate, Miller, Bush, Murrell and Sisk; 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 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. Metcalfe, Blackburn, Southgate, Grider, Heady, Griffith, Morgan, Smith and May; who are to take under 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. Taylor, Thornton, Gholson, Carter, Young, McDonald and Grider; who are to take under consideration all matters and things relating to, or connected with the revenue and fiscal concerns of this Government, and such other matters and things as may be to them referred, from time to time, 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. Roberts, Willis, Nuttall, Lusk, Lyon, Young and James; who are to take under consideration all matters and things relating to education, and such other matters and things as may be, from time to time, referred
Ordered, That a committee on the Penitentiary be appointed; and a committee was appointed, consisting of Messrs. Morgan, Southgate, McHenry, Boyd, Bush and Gholson; who are to take into consideration all matters and things relating to the Penitentiary, 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.

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 Enrolments on the part of the Senate, be appointed; and a committee was appointed, consisting of Messrs. Bramlette, Murrell and Carter.

1. Mr. Guthrie presented the petition of the Stockholders in the Bank of Louisville, praying that a law may pass to amend the charter of said bank.

2. And also the memorial of Jacob Lewis, the proprietor of the Louisville Pottery, praying that the title to the land selected by him, in Hickman county, under an act of the last General Assembly, be confirmed, and that he have the privilege to select the residue of the land granted by that act, and for a further donation of some of the vacant land of the Commonwealth, to enable him to procure clays to carry on his Pottery.

3. Mr. Morehead presented the petition of the members of the Logan County Court, praying that the number of Justices of the Peace in said county may be reduced.

4. And the Speaker laid before the Senate the memorial of Mann Butler, praying that the State subscribe for a number of copies of his collection of the State Papers of Kentucky.

Which petitions and memorials were severally received and referred; the first to the committee of courts of justice; the second to the committee of internal improvements and domestic manufactures; the third to the committee of internal improvements and domestic manufactures; the third to the committee of internal improvements and domestic manufactures; and the fourth to the committee of internal improvements and domestic manufactures.

On the motion of Mr. Wingate,

Resolved, That A. G. Hodges, the publisher of "The Commonwealth," be permitted to take a seat in the Senate chamber, for the purpose of reporting the proceedings of the Senate.

On the motion of Mr. Willis,

Resolved, That the Senate of Kentucky are deeply impressed with the loss, which the State has sustained by the death of Enoch Prince, Esq., late a member of this body; and that the Senate will, as an evidence of their high estimation of the worth and gentlemanly deportment of the deceased, wear crape for one month; and that the Sergeant at Arms furnish the same.
On the motion of Mr. Southgate,

Resolved, That thirty-eight copies of the published list of Residents and Non-Residents' lands forfeited to the State of Kentucky, for the non-payment of the State tax due thereon, be procured by the assistant Clerk of the Senate, from the Auditor of this Commonwealth, in whose office the said copies are deposited, for the use of the members of the Senate.

On the motion of Mr. James,

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

Mr. Willis moved for leave to bring in a bill to take the sense of the people of this Commonwealth, as to the expediency and propriety of calling a Convention.

And the question being taken on giving leave to bring in the said bill, it was decided in the affirmative.

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

YEAS—Messrs. Bramlette, Bush, Coffey, Daviess, Gilbert, Grider, Griffith, Guthrie, Harreld, James, Lusk, Lyon, McDonald, McHenry, May, Morehead, Morgan, Nuttall, Patterson, Roberts, Sisk, Southgate, Willis and Young—24.


Messrs. Willis, Southgate, Daviess and Guthrie, were appointed a committee to prepare and bring in the said bill.

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

On the motion of Mr. Guthrie—1. A bill for the better confirmation of the estates of persons holding or claiming under conveyances from married women, and under conveyances not recorded in proper time.

On the motion of Mr. Smith—2. A bill to enlarge the constable's district in Laurel county, including the town of London.

On the motion of Mr. Morehead—3. A bill for the benefit of the Sheriff of Logan county.


On the motion of Mr. McHenry—5. A bill for the benefit of the headright settlers of this Commonwealth.

And—6. A bill for the benefit of the Sheriff of Pulaski county.

On the motion of Mr. Thornton—7. A bill to regulate proceedings in chancery against unknown heirs.

On the motion of Mr. Daviess—8. A bill to amend an act entitled "an act to provide for the improvement of the road from Franklin county to Crab Orchard in Lincoln county."
On the motion of Mr. Chinn—9. A bill to amend the laws relating to the condemnation of private property, which may be required for public purposes, on works of internal improvement.

On the motion of Mr. Wingate—10. A bill for an appropriation of money to be applied to the improvement of the navigation of the Kentucky river.

On the motion of Mr. Roberts—11. A bill concerning Physicians of the Commonwealth of Kentucky, and for other purposes.

On the motion of Mr. Southgate—12. A bill providing for an appropriation of money to improve the navigation of Licking river.

On the motion of Mr. McDonald—13. A bill allowing compensation to grand and petit juries.

On the motion of Mr. Wingate—14. A bill to amend an act entitled "an act regulating the mode of settling the accounts of executors, administrators and guardians," approved Feb. 21, 1834.

On the motion of Mr. Boyd—15. A bill for the benefit of Samuel Moor, and others.

On the motion of Mr. Morehead—16. A bill for the benefit of Benjamin Webb.

On the motion of Mr. Guthrie—17. A bill to reduce the time allowed for prosecuting a writ of right in certain cases, and to authorize a writ of right to be revived.

On the motion of Mr. Smith—18. A bill to authorize an appropriation of money to clear out the obstructions, and improve the navigation of Rockcastle river, from where the Madison road crosses the same to its junction with Cumberland river.

On the motion of Mr. Guthrie—19. A bill to amend the law against absent and non-resident defendants.


21. A bill to amend the charter of the Louisville Turnpike Company.

On the motion of Mr. Coffey—22. A bill for the benefit of the Sheriff of Casey county.

Messrs. Smith, Lusk and Boyd, were appointed a committee to prepare and bring in the second bill; Messrs. Morehead, Grider and Chinn, the third; Messrs. Roberts, Wingate and Metcalfe, the fourth; Messrs. McHenry, Bramlette and Coffey, the fifth; Messrs. McHenry, Guthrie, Bush and Willis, the sixth; Messrs. Daviess, Heady, Morgan and Smith, the eighth; Messrs. Roberts, Guthrie, Metcalfe, Blackburn, Chinn, Willis, Southgate and Grider, the eleventh; Messrs. McDonald, James, Young, Boyd and Southgate, the thirteenth; Messrs. Wingate, Blackburn and Metcalfe, the fourteenth; Messrs. Boyd, Young and Guthrie, the fifteenth; and Messrs. Coffey, Southgate and Miller, the twenty-second. The committee of courts of justice was directed to prepare and bring in the first, seventh, ninth, seventeenth, nineteenth, and twentieth;
the committee of internal improvement and domestic manufactures, the tenth, twelfth, eighteenth and twenty-first; and the committee of finance, the sixteenth.

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

By Mr. McHenry—1. A bill for the benefit of the headright settlers of this Commonwealth.

And by Mr. Roberts—2. A bill for the benefit of Greenberry A. Gaither and William R. Grigsby.

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, the former was referred to the committee of courts of justice, and the latter to the committee of finance.

On the motion of Mr. Bush, Resolved, That the committee on courts of justice be instructed to inquire into the expediency of authorizing the publication of a digest of the penal laws of this Commonwealth, for the use of grand juries.

A message in writing was received from the Lieutenant and Acting 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:

Fellow-Citizens of the Senate,

and House of Representatives:

The recurrence of the period, when according to the Constitution you are to take charge, in your legislative capacity, of the important concerns of the Commonwealth, will awaken feelings of profound gratitude to Almighty God, for the blessings of health, prosperity and abundance, with which we have been favored during the year that has just closed.

Without instituting a comparison between the present and past condition of our country, it may safely be assumed that there has been no time in our history, when under the auspices of a wise and provident legislation, the Representatives of the people had it in their power to render a greater amount of useful public service. If among the evidences of the prosperity of a community, we may reckon a general satisfaction with far the greater portion of its laws; a strong attachment to its form of government; and increasing alacrity and zeal in the usual pursuits of labor and industry; attended with a fair proportion of profit derived from both, we have ample cause for congratulation, when we advert to
the sentiments, habits and condition of our constituents; and if an ardent and patriotic solicitude on their part for the advancement of the state, can furnish any assurance that well directed efforts for its improvement will be sustained by their approbation, we may find in the lively and prevalent expression of their wishes and opinions, the most persuasive inducements to diligence and activity in the discharge of our public duties.

Since the adjournment of the last General Assembly, the resources of our fellow-citizens, as well in pecuniary capital as in a liberal and enlarged public spirit, have been signally developed, in the promptitude with which the requisite amounts of private stock have been taken in those corporations which were established by your predecessors for the improvement of our principal highways. Private or individual subscriptions to the amount of three hundred and thirty-five thousand, five hundred dollars have been made in turnpike companies, since July last: and in compliance with the requisitions of their respective charters, I have subscribed on the part of the Commonwealth, the aggregate sum of two hundred and fifty-five thousand dollars, distributed as follows: In the stock of the board of Internal Improvements for Franklin county, five thousand dollars; in the Lexington and Georgetown turnpike, ten thousand dollars; in the Danville, Lancaster and Nicholasville turnpike, thirty thousand dollars; in the Winchester and Lexington turnpike, thirty thousand dollars; in the Frankfort, Lexington and Versailles turnpike, twenty-five thousand dollars; in the Louisville and Bardstown turnpike, fifty thousand dollars; in the stock of the respective boards of Internal Improvement for the counties of Anderson, Mercer and Lincoln, fifty-five thousand dollars; and in the turnpike from Louisville, by mouth of Salt River, Elizabethtown, Munfordeville, and Bowlinggreen, to the state line in the direction to Neshville, fifty thousand dollars.—It may therefore be regarded as reasonably certain, that the artificial roads embraced by those investments will be constructed within the period usually allotted for the completion of such works; and, while I tender my congratulations to those of you who may have been instrumental in the projection of such salutary measures, I cannot, at the same time, withhold the acknowledgment of my individual sentiments, that they are intimately connected with the welfare of the community.

You do not need to be reminded that the spirit of improvement is the spirit of the age, and especially of this Republic; and while other states around us are marshalling their resources and applying them to purposes of great public utility, it was not to have been expected that the pride and the patriotism of Kentucky, would have slept
over her best and most valued interests; nor that her legislators would have consigned to future times, or to another generation, the glory of laying the foundation of a system with which her fame and her prosperity are alike identified. Remote from the sea board, and deprived of all immediate access to foreign markets, the agriculture of our citizens, their domestic manufactures, and their internal commerce, are the principal sources of their wealth, and, according to every maxim of wise legislation, should be the prominent objects of legislative encouragement and protection. It requires no argument to prove, that these objects can be most readily effectuated, by accommodating your laws to the pursuits and condition of the people. It requires none to prove, that just in proportion as you increase their facilities of inter-communication with the markets of our own state, or those of other states and nations, you widen the sphere of individual enterprise; you invigorate the spirit of active industry, and you impart to the labor and commerce of the country an energy which will be advantageously felt in all the relations of social life.

Entertaining no doubt that the prosecution and extension of the improvements which have been commenced will redound to the profit, no less than the convenience of every portion of our constituents, and cherishing the most ardent solicitude to see them prosperous and independent, I should do violence to my feelings were I not to press on your attention, with all the earnestness which the importance of the subject demands, the propriety of carrying out the system, so as to embrace the interests and contribute to the welfare of every quarter of the state.

In connexion with those plans of useful public improvement, the Lexington and Ohio Rail Road maintains a position of marked pre-eminence. This great work, which does equal honor to the distinguished gentleman who was lately at its head, and to the enterprising company, who with so much perseverance and liberality have sustained it, has been completed and put in use to the head of the inclined plane at Frankfort. Occasional impediments, neither of novel nor unexpected occurrence, have somewhat delayed its progress; but no doubt is entertained by the present able and efficient President of the Company, that a regular conveyance will be afforded from the depots in Frankfort to the City of Lexington during the present winter, or early in the spring.

I regret to inform you, that a most unfortunate accident has interrupted the entire completion of the turnpike road from Lexington to Maysville. The construction of an important bridge across Licking River, which, I understand, was the only unfinished part of the road,
had been commenced in the fall. Before it had been advanced beyond
the reach of high water, a sudden flood in the river swept off the scaffolding, and, subsequently, all the timbers of the bridge which had been erected, not being in a condition to resist the force of the drift wood, gave way, and the whole work was destroyed. Besides the loss of the life of one individual, and the severe injury of another, the pecuniary loss to the company has been estimated at not less than twenty thousand dollars. I submit to your consideration, whether, inasmuch as the Commonwealth is a large stockholder in the company, it would not be proper for you to afford some assistance in alleviating the loss.

From a late communication which I have received from the President of the Board of Commissioners of Green River, I am enabled, with great satisfaction, to state to you, that the important works for opening the navigation of that river have been undertaken, and promise to be as successful as its most sanguine friends could have anticipated. It is attributable, perhaps, to the death of the original contractor, that the lock and dam at the falls of Vienna have not been finished during the present year. Reasonable calculations had been made, that if not wholly completed, they would have been, at this time, in a condition of considerable forwardness. The death of the contractor made it necessary for the contract to be renewed. Accordingly, on the first of October, biddings were opened, and new contracts were made, including the construction of locks and dams, both at the lower and upper falls, as directed by the act of the last session of the Legislature. Both works, I understand, are now in progress, according to the most approved plan; and whatever diversity of opinion may heretofore have existed as to the practicability of removing the obstructions to the navigation of Green River by locks and dams, I shall be greatly mistaken if the practical demonstration which will be furnished by those works, of the fitness of that mode of improving our navigable watercourses, will not put all doubts to rest.

Having sustained, at one period, a close political relation with a portion of the people, who are directly interested in the pending improvements, it became my duty to acquaint myself familiarly with the extent and importance of the interests involved by them, and as far as was in my power, with the most certain and practicable means of promoting the objects to which the Legislative attention has been directed. Although that relation has been dissolved, it has been succeeded by another of a different but equally imposing character; and while I feel, as I ought to do, the weight of my official obligations to regard with steady and scrupulous attention the interests of the whole commonwealth, it
is not to be lost sight of, that the people of Kentucky compose one political family; bound together by ties of a common welfare, and that the prosperity of the several parts constitutes the prosperity of the whole. I beg leave, therefore, to recommend for your adoption, as the result of my deliberate convictions of its expediency, the policy of extending those improvements, until a slack-water navigation shall be accomplished from the highest convenient points on Green and Barren Rivers to the junction of the former with the Ohio. In support of this policy you have every inducement that can arise from state pride or patriotism. The peculiarity of our political institutions is in nothing more apparent, than in the interesting process of action and reaction of the government and the people on their respective interests. The people contribute to the support of the government. The benignity of the government, in its turn, is felt in its influence on the wants, the employments and condition of the people. Whilst the latter supply the means that fill the coffers of our common Treasury, the former is throwing them back into the community, in their application to its diversified requirements—like the process in the material world, by which the moisture which is extracted from the earth, is returned to it in mild and genial showers, to enliven and fertilize the soil.

Strongly impressed with the conviction, that the improvement of the navigation of our large rivers, will become, at no distant day, a cardinal point in our policy, I claim your indulgence whilst I offer on that subject some additional observations. Intersected as Kentucky is by various important streams communicating directly or indirectly with the Ohio, it is worthy of the most deliberate enquiry, whether by the removal of the obstructions which now impede their navigation, they cannot be adapted to the purposes of internal commerce during the greater portion of the year. The fact, that doubts of the practicability of removing those obstructions are entertained by some whose judgments deserve respect, is not conclusive, and certainly should not suppress all exertions in regard to them. The people of other states have long since had their minds directed to similar objects, and they have succeeded in converting natural into artificial channels, for slackwater navigation. Such examples, if they do not challenge our immediate imitation, should at least determine us to investigate the claims of our rivers to the like improvements. I am far from being disposed to recommend precipitate measures on this or any other subject. They are uncalled for and would be injudicious. But I would stimulate inquiry and recommend a resort to the necessary means of information, to enlighten the public mind and the legislative councils. Our sister states have expended mil-
lions of dollars in the construction of artificial canals. Such, it is presumed, is not our policy. But if our rivers are susceptible of improvement so as to be rendered constantly navigable, our condition is the more favorable, in proportion as the obstacles to be encountered are diminished in number or importance. Nature for us has kindly led the way; canals are already opened, and all that remains to be done, is to overcome occasional natural impediments with the resources of labor and art. The vast difference in our favor, between the expenditures necessary to be incurred by us, if it should be ascertained that the objects are attainable, and the expenditures of other states, leaves us without excuse for our supineness and delay. The experiment now making on Green river will put the practicability of slackwater navigation, as adapted to our rivers, to a decisive test. The question then occurs, shall we, in the mean time, be wholly quiescent in relation to the great interests, dependent on the improvement of other prominent streams? Or will we not, rather, satisfy ourselves, whether they are susceptible of any efficient artificial aid, and in what manner and at what cost that aid can be applied? Traversing a most interesting portion of the state, the Kentucky river presents strong claims to attention. It is known to you, that it has already been surveyed by a company of United States' engineers, engaged for that purpose at the instance of the temporary board of Internal Improvement of this state, but the survey was followed by no satisfactory or efficient results, bearing on any practicable mode of improving its navigation. The temporary board of internal improvement created by the legislature in 1828, still exists—nominally, and with no remaining powers. Would it not be advisable to organize a permanent board, with renewed powers to procure examinations to be made, of the obstructions to the navigation of the Kentucky river, and such other rivers as the Legislature may direct, by an able, experienced, practical engineer, on whose judgment and skill ample reliance may be placed, with a view of ascertaining, with as much certainty as possible, whether those rivers will admit of improvement; of what kind the improvements should be, and what would be their probable cost? Information thus acquired, would enable the Legislature to proceed with safety and efficiency, while those precautionary measures would not fail to give satisfaction and confidence to the public mind.

Scarcely is our attention directed to some great scheme of public improvement, originating in one direction, before it is drawn off by the glare of another, in a different quarter of the Union. A project is now announced for the construction of a Rail Road to connect Nashville, in Tennessee, with the commercial emporium of the South; and it
may not have escaped your observation, that a public meeting has been held by the citizens of Nashville, preliminary to an application to the Legislature of Tennessee, for the incorporation of a company to extend the proposed Rail Road, to the boundary line between the states in a direction to the city of Louisville. It is useless to speculate on the practicability of these movements—the announcement of which, a few years ago, would have been regarded as the wild conceit of a distempered fancy. So astonishing, however, are the resources of our favored country, so unparalleled the energies of its citizens, that while we are busied in our speculations concerning a given enterprise, calculated from its magnitude to strike us with wonder, we may almost lift our eyes on its rapid accomplishment. The irresistible force of circumstances, will not permit us, if we were willing, to be spectators only, of the stirring scenes that surround us. The period is approaching, if it has not actually arrived, when we must prepare ourselves to bear our part in them.

From the present condition of our finances, you will be gratified to perceive, that the prospect is at length afforded of the exemption of the Treasury from its embarrassments. The report of the Auditor, which will, no doubt, be presented to you at an early day of the session, will furnish you with a detailed statement of the receipts and expenditures of the government for the year ending on the tenth of October last. The expenditures on all accounts, during the past fiscal year, amounted to the sum of two hundred and twenty-nine thousand, six hundred and ninety-one dollars, fifty-four cents. In this amount is included the sum of twenty-one thousand, three hundred and fourteen dollars, ninety-nine cents, for appropriations made by the Legislature at its session of 1832; the sum of thirty-seven thousand, six hundred and sixty-eight dollars, forty-one cents, for appropriations made at the last session; and the sum of fifty-three thousand, four hundred and thirty-eight dollars, eighty-eight cents, for payments on the stock of the state in turnpike roads. Deducting these sums from the gross amount of expenditure, and there will remain the sum of one hundred and seventeen thousand, three hundred and sixty-nine dollars, twenty-six cents.

The receipts for the corresponding year amounted to the sum of one hundred and sixty-two thousand and eight dollars, sixty-eight cents. Estimating, therefore, the receipts and expenditures with regard alone to the ordinary demands upon the Treasury, there was a balance in its favor, on the 10th of October, of forty-four thousand, six hundred and thirty-nine dollars, forty-two cents.

The payments due from the Commonwealth on account of investments of road stock, made prior to the last session of the Legislature, have,
in all probability, been completed. The subscriptions of stock made by
the executive during the present year, and other appropriations under
acts of the last session, will be discharged out of the fund expressly set
apart for that purpose, by the “act to provide for the payment of sub-
scriptions and appropriations to objects of internal improvements, ap­
proved 22d February 1834.” Those subscriptions and appropriations
have, accordingly, no claim to be paid out of the moneys derived from
the ordinary sources of revenue, except in the event of the partial or
entire failure of the designated fund, to meet the demands which the
Legislature has made upon it. As there is no reasonable apprehension
entertained that such an event will happen, and as it is believed, that
the fund is sufficient to answer all the purposes of its present applica-
tion, it may be expected that the revenue arising from taxation and
other permanent sources, will in future be exempt from those extraor-
dinary demands, and that the Treasury will perhaps be enabled,
in consequence of the increased rate of taxation fixed by the law of last
session, to show an annual surplus equal to that which now exists.

It may well be doubted, whether sound policy does not consist in
avoiding, at all times, if it be practicable, heavy drafts upon the Trea-
sury, to satisfy appropriations for any other objects than those which may
be directly connected with the support of the government. For all col-
lateral disbursements, resort could be more suitably had to a specific
fund, created expressly for the subservience of those great purposes,
which in this day of light and intelligence, every wise government may
be presumed to have in view, for its own amelioration. No duty is
more incumbent upon a state, than to provide for the limitation of its
expenditures within the compass of its income, and when important ends
of public improvement are to be attained; when great obstacles are to
be overcome, which impede the progress of a people to political or moral
elevation, encroachments are easily made for want of more appropriate
means, on that fund which the law has assigned peculiarly for the im-
mediate maintenance of the government. The necessary tendency of
such a course of policy, in a community whose sources of revenue are
not more abundant than ours, is to popular dissatisfaction and the im-
povery of the Treasury.

Whether such a fund as I have suggested can be established; and if
so, when, by what means, and to what extent, are questions which I
submit with pleasure to your enlightened deliberations; satisfied, that the
public confidence has not been misplaced in its reliance on the zeal,
wisdom and fidelity, with which your duties will be performed. It may
be remarked in addition, that if any calculations are to be made on the
enlargement of the system of internal improvements; on the creation
and diffusion of common facilities of education; or any provision for those great emergencies, which in our future progress, may reasonably be expected to arise; some such fund will be indispensable to enable you to realize those calculations, to meet those emergencies, and to guide the future councils of the state, with entire convenience and safety to those other interests which the laws and the constitution have wisely confided to your charge.

The affairs of the Penitentiary, whether viewed in their connexion with the Finances, or the administration of the criminal justice of the state, are entitled to your attentive consideration. I am gratified in having it in my power to inform you, that under the administration of the enterprising gentleman to whose care it has been assigned, it is realizing the objects that may have been expected to result from the present mode of its disposal. Its organization is well adapted to comfort, as well as security; its general health, good; and while all reasonable indulgence is allowed to the inmates suitable to their unfortunate condition, the discipline of the prison is admirably preserved, and its internal polity conducted with commendable skill and judgment. The introduction of new and improved steam enginery, on the plan designed by the agent, will contribute largely to the facilities and profits of the manufacturing department. Owing to the entire failure, early in the season, of the engine heretofore in use, it became necessary, that its place should be supplied by a new one; the cost of which to the agent was one thousand three hundred and sixty-five dollars. The delay thus occasioned, together with the employment of the convicts in the construction of an entire new building for workshops and other purposes, on a scale of greater convenience and utility, may have produced some diminution in the profits of the institution during the year, but such is the high estimation in which the manufactured fabrics are held, that while it has been found to be impracticable to supply the public demand, the aggregate proceeds will nevertheless yield a handsome revenue to the commonwealth.

In directing your attention, fellow citizens, as I now proceed to do, to the important subject of our judiciary system, I comply with those just demands of public sentiment, upon the Executive branch of the government, which grow out of the subsisting relations between this department and the people. It is doubtlessly known to you, that complaints exist among a large and respectable portion of the community, in reference to the circuit courts, and the manner in which their important and responsible functions are discharged. Whether those complaints are well or ill founded, or whether
they are so general as to require your interposition, your opportunities to inform yourselves, arising from your intimate connexion with the community, will enable you to determine. If the cause of the dissatisfaction can be traced to a radical defect in the system, or to any improprieties or abuses in the administration of the public justice, no subject that could be addressed to your attention, is entitled to higher respect; no public grievance, I am sure, would receive at your hands, a more speedy corrective. Whatever may be the cause, or even if there be none for the complaints alluded to, it is certainly true, that our judicial tribunals should be as free from imperfection, as the inherent infirmity of human institutions will permit. There is no test of expediency too powerful—no legislative scrutiny too searching and severe, to which the laws that establish and the powers conferred on them, should not freely and frequently be subjected. Of all the departments of the government, none is brought into more direct and familiar contact with the dearest interests of the citizen. More than all others, it should combine, the absolute, unqualified, confidence of the community. All our rights—of life, of liberty, and property, are submitted, of necessity, to the jurisdiction of the courts: and what has been regarded as an anomaly in our criminal jurisprudence, and brings the subject home to our business and bosoms, the lives and liberty of the people are subject to adjudication, without appeal to that higher tribunal, to which, in matters of property, it is the privilege of the citizen to resort.

Such is the influence,—so unreserved are the powers, of our subordinate tribunals. The most weighty considerations of public policy and private interest, would seem to demand, that such powers should be conferred on high qualifications of intellect, of integrity and firmness. Otherwise it is perfectly apparent, that the whole class of rights secured to us by the constitution,—rights, the protection and enjoyment of which, under good laws, properly administered, can alone determine the superiority of the civilized and social, over the savage state, are staked upon the arbitrium of a single individual—not always of the highest professional attainments, and sometimes of acknowledged inferiority to his associates at the bar. Considerations like these, appeal most forcibly to you, the chosen guardians of the welfare of the people, and the constitutional organs of their will. If I am reminded of the hopelessness of enlisting invariably in that branch of the public service, men of superior talents and qualifications, for the amount of compensation now allowed by law, it may be answered, that should a higher rate of compensation, in your opinion, be indispensably necessary, for the protection of those invaluable rights—the security of those cardinal interests, confided by
the constitution to the judiciary department, it is for yourselves to consider, how far it is your duty to interpose a remedy; trusting for your support of that, as of every act of official duty, to the hitherto unshaken reliance of the public functionaries on the intelligence and patriotism of the people, and their enlightened participation in every measure, that has in view the preservation of their freedom and the guardianship of their institutions.

But the aspect already presented, is not the only one, in which the transcendent importance of the subject is to be viewed. On the score of economy, no less than principle, it is of the last consequence, that the public confidence should be fixed in the judicial tribunals. Contributing as that confidence would do assuredly, to the reduction of the number and expense of legal controversies,—especially in the court of last resort—a heavy amount of tax would be saved to the community, which would be sensibly felt by the whole mass, but particularly by that portion, who, being less wealthy, are also less competent to sustain the burthens of expensive and protracted litigation.

If for no other purpose than to awaken the public mind, and familiarize it with those interesting relations, which connect the people and the judicial branch of their government, such reflections as the foregoing, even should they have no direct application to any existing evils, cannot be out of place in a communication like this. They are intended on my part to be general; and will certainly be misconstrued, if they should be supposed to bear any personal reference or allusion whatever. Without undertaking to determine either as to the extent or the causes of the dissatisfaction that prevails, and to which a sense of duty, rather than inclination, has induced me to allude, I flatter myself that apart from any specific recommendation from me, you will consider it to be your duty to take the subject into mature consideration, and allow to it that weight in your counsels, to which the voice and the interests of the people give it claim.

The stability of its land titles is an object of the greatest importance in every well ordered government. When the Legislature of 1815, provided by law for the appropriation of the vacant lands in the Commonwealth, the avowed purpose as disclosed in the preamble to the act of that year, was "to promote population, increase the annual revenue, and erect a fund for the public use." The system of appropriation thereby adopted, has continued in operation for twenty years, and I submit to you, whether for the purpose mainly designed, it has not had its effect, and whether it would not be sound policy to discontinue it altogether, or subject it to such modifications as will shield more effectual-
by the titles to land previously appropriated under other laws, from the dangers of insecurity and litigation to which they are exposed.

The preference, which at an early period of our state legislation, was evinced for that meritorious class of citizens who encountered all the hardships of western adventure, and penetrated the wilderness in search of a settlement and a home, has characterized all the measures of the Legislature in the disposition of its unappropriated lands. One of its objects, fondly cherished and most perseveringly pursued, has been to protect the titles founded upon the original settlement of the country, by all the guards with which it had the constitutional power to invest them. The act of 1815, discovers the same jealous circumspection—the same anxious solicitude for those preferred titles, which, long before that time, had imparted to our land laws, a marked and peculiar character; for, by that act, it is expressly provided, that "for quieting litigation,—all entries heretofore made, and all titles founded upon surveys heretofore made, which by the laws for the time being, were authorized to be made, shall be deemed superior to surveys made upon warrants, obtained by virtue of this act, notwithstanding any vagueness in the entries or certificates on which such surveys were founded, and notwithstanding such surveys might not have been made conformable to entry."

Although the legislative intention thus expressed, would seem to be sufficiently explicit to assert the superiority of the titles founded on previous entries or surveys, yet important difficulties exist as to the extent of protection which the law affords them, when they are brought into conflict with the warrant claims in a court of law. It is not supposed that any proceedings on your part can affect the validity of titles heretofore derived under the act of 1815, nor the adjudications of the courts concerning them. But you have it in your power, in the benevolent spirit of that act, to quiet any future litigation that may ensue from prolonging the present mode of appropriating lands; and you may be partially instrumental in giving repose to that venerable class of titles, which are associated with all our recollections of the exploits and adventures of the early settlers of our soil.

In those portions of the state where controversies are expected chiefly to arise, owing to the indulgence in the payments of instalments which for a series of years has been uniformly granted to the owners of certificates, many titles have been permitted in the full confidence of security to remain inchoate. Recently perhaps, as the period approached when the legislative indulgence was to be withdrawn, the greater number of inchoate titles may have been consummated by grants. Nature, moreover, having denied to a large tract of country south of Green River, those
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permanant and substantial landmarks, whereby the lines and corners of sur-
veys can with greater facility be perpetuated, difficulties often occur in the
establishment of boundaries. Under these concurrent circumstances, the
practice, I apprehend, is becoming common for lands to be appropriated
by warrant, which had before been appropriated with the utmost good
faith by the actual settler, or set apart by law as a reward for military
services. The warrant holder, having paid for his warrant the reduced
price of five cents per acre—having prosecuted his claim with diligence
to the emanation of the grant, and obtained the elder legal title, now in-
sists on its superiority.

If such instances have occurred, or if they may occur by the opera-
tion of the act of 1815, I need not picture the consequences to which a per-
severance in the existing mode of appropriation must inevitably lead. As
one of those consequences, it may well be apprehended, that at some future
period, when we may be consoling ourselves with the hope of having out-
lived those scenes of litigation, which have rendered Kentucky the prover-
bial arena of legal strife and contention, new causes of litigation will arise,
which, while they may shake all remaining confidence in the security
of our land titles, may, at the same time, discourage immigration, and
force from our borders, hopeless and dissatisfied, many of our most en-
terprising and useful citizens.

I am strengthened in the correctness of my views on this subject, from
the consideration that the annual revenue derived from the sales of land
warrants is nominal merely, compared with the mischiefs expected
to result from them.

Having thought it my duty to suggest the expediency of some reform
in the mode of appropriating the vacant lands, I beg leave to recom-
mend to your notice the propriety of making some disposition of those
which have been forfeited to the Commonwealth for the non-payment
of the taxes. While I present this subject with great confidence that
it is well worthy of your careful attention, I am aware that it is not wholly
free from embarrassment and difficulty. The adjustment of a judicious
plan of appropriation, will be a task in many respects of much delicacy
as well as labor, and will require the exercise of all your discretion and
judgment. Yet it cannot be doubted that some disposition ought to be
made of them. The public interest demands that so large a portion of
territory as is covered by the forfeited claims, should not be suffered to
remain unsettled and inactive; thus depriving the Commonwealth, on the
one hand, of the increased amount of productive industry and capital,
and the Treasury on the other, of the revenue that would arise from it.
In your efforts to promote the public service, you will not, of course, be
satisfied merely with giving impulse and direction to those sources of wealth which spring from the pursuits and employments in which our fellow citizens are already engaged. You will regard it no less your duty, in view of those great objects connected with the improvement of the state, to rouse its dormant energies; to create new sources of revenue, and as far as practicable, of enterprise also; and to embody the whole of its capital stock for such distribution as the public welfare may require.

It is justly esteemed a great public misfortune, that the laws of our state contain no adequate provision for the promotion of common education. And yet there is perhaps no one circumstance, which, more than the general circulation of intelligence among the people, connected with the cultivation of correct principles, is destined to produce a salutary influence upon the institutions of our country. The improvement of the mind, and the cultivation of the moral faculties, are kindred attainments. The position indeed, has ripened into a maxim, that, in general, knowledge and virtue are inseparable. The capacity of the people to superintend and direct the operations of our complex government, is the fundamental principle on which it is founded, and would seem to imply, knowledge on their part to understand, and virtue and patriotism to sustain it. Unlike any other government, the people in ours have retained the sovereignty, delegating to their constitutional functionaries, only so much power as they have deemed to be compatible with the promotion of their happiness, and the security of their rights. When we consider, therefore, where the sovereignty resides, does it not appear to be all important to its safe and judicious exercise, that the intelligence necessary to comprehend the movements of the government, in all its diversified relations, should be as universal and widely spread as the sovereign power itself? If, at any time, encroachments should be made in the public liberties; if we are doomed to witness dangerous and high handed attempts under color of law, to overleap the limitations prescribed by the constitution, is it not greatly desirable that the judgment of the sovereign power, on questions of such great moment, should be so enlightened as to enable it to form its conclusions, with all imaginable certainty, that those conclusions are correct? In a word, when the public mind is the moral force, that wields the destinies of the government, what can be more important, than that it should be exalted to a level with its high responsibilities?

While these questions are addressed to you in your capacity of Legislators, I might not perhaps to withhold a more distinct reference to those other influences, which intellectual culture and refinement exert over the moral conduct, and social enjoyments of man. The bare allu-
It is to the honor of the Congress of the United States, that it has already done so much for the interests of common education. The endowments which it has bestowed on the Academies, Colleges and Universities of the new states and territories—the liberal appropriations made for the establishment of common schools in those states and territories, amounting to more than eight millions of acres of the national domain, sufficiently indicate the high estimation in which institutions of learning are held by the statesmen who have, from time to time, composed that assembly. When it is remembered, that the title to a portion of the public lands was acquired at the joint expense of all the states; that other portions were ceded to the federal government, “as a common fund for the use and benefit of such of the United States, as have become or shall become members of the confederation;” that the solemn pledge of the Congress of 1780, that they should “be disposed of for the common benefit of the United States,” preceded and formed part of the consideration of the acts of cession, and that Kentucky, no less than other members of the confederacy, is entitled to a participation of the “common fund;” it is to be regretted, that the act of Congress, “to appropriate for a limited time, the proceeds of the sales of the public lands of the U. S.” for the common and equal benefit of all, was not permitted to become a law. The hope, I trust, is not a vain one, founded as it is on the just claims of the old states, and the liberal sentiments of the new, that at no very distant period, some such adjustment will be made, compatible at once with the faith of the government, the admitted powers of Congress, and the reciprocal interests of the states. I do not propose to argue this subject. But—to say nothing of those other great objects, embraced by the provisions of the act of Congress—if it be true, that the general diffusion of the facilities of education is a national blessing, and intimately connected with the permanence and purity of our institutions, may it not be inquired, how the “common benefit of the United States,” can be more effectually promoted, than by extending those facilities to the door of every citizen, and by implanting in the minds of the youthful generation, safeguards for the public liberty, better adapted to its preservation, than the physical force of the republic?

I commend to your continued encouragement and support, those interesting institutions of the state, the Lunatic Asylum at Lexington—
the Deaf and Dumb Asylum at Danville, and the Cumberland Hospital at Smithland.

I refer you to the report which will be laid before you, by the President of the Bank of the Commonwealth, for a satisfactory view of the condition of that institution. The amount of notes under discount and in suit, has been reduced, during the year ending on the 30th November, the sum of one hundred and forty-seven thousand, seven hundred and ninety dollars, twenty-three cents. The expenses for the same period, including the salaries of the officers and agents, the fees paid attorneys, sheriffs, and clerks, amount to the sum of ten thousand, nine hundred and fifty-six dollars; and the interest received on notes renewed and paid in full or in part, amount to the sum of thirteen thousand, four hundred and fifty-one dollars, twenty-seven cents. During the year, one hundred thousand dollars of the notes of the Bank have been destroyed by burning; and there was on hand on the 30th November, forty-three thousand, five hundred and sixteen dollars, sixty-eight cents; leaving in circulation on that day, the sum of fifty-six thousand, four hundred and eighty-three dollars, thirty-two cents.

There are now in the employment of the Bank seven agents, whose annual salaries, to the first day of June last, amounted to the aggregate sum of four thousand, nine hundred dollars. Since that time, the aggregate amount paid them has been reduced to the sum of three thousand, three hundred dollars; and further reduction is contemplated in their number and compensation. The amount of discounts and expenses are calculated exclusive of one of the branch districts, from which no report has been received.

The expenses have no doubt been greatly enhanced within the last twelve months, in consequence of the additional number of suits, which have been made necessary by the peculiar situation in which the Bank has been placed. After much reflection on the subject, I am led to believe that it would be good policy to continue the existing mode of closing its concerns. Nothing, perhaps, would be gained, in point of economy, from a change; while the institution must derive much benefit from the familiar knowledge which the officers and agents have acquired of its various interests.

Having received from the commissioners appointed to open books for the subscription of stock in the Bank of Kentucky, a notification that ten thousand shares have been taken by individuals, companies and corporations, in the capital stock of that Bank, I have subscribed, as directed by the thirty-eighth section of the act of incorporation, twenty thousand shares on behalf of the Commonwealth. There can be no doubt, al-
though I have not received the official information, that the required amount of the capital stock, fixed by the charter, has been taken by individual subscriptions, and that the Bank will go into operation, as soon as the preparatory arrangements can be made.

Such is the view, fellow citizens, of our public affairs, which, in discharge of the duty imposed on me, I have, on the present occasion, to communicate. You will perceive, I trust, from the aspect of those affairs, a flattering presage of prosperity, in the expanding resources of the Commonwealth. In surveying the position which we occupy, and regarding the consequences to result from our labors, we cannot fail to observe, that either for good or evil, much depends on us. This consideration, although it may increase the weight of our official responsibility, will serve, nevertheless, to inspire us with resolution to sustain ourselves under it. We must remember, that the American people have a great destiny to fulfill for the benefit of mankind; and that in its fulfillment, as public men and citizens, we have an important part assigned us. Connected with the past by the benefactions of our ancestors; with the present, by our interest in preserving for ourselves the best form of government that has ever fallen to the lot of man to enjoy; and with the future, by the strong bonds of affection for those who are to succeed us, what higher motives of gratitude, interest or patriotism, could stimulate us to action?

Recommending to you, therefore, the utmost concert in every measure having the public welfare in view, I promise on my part the most cheerful co-operation, and supplicate the Divine favor on the progress of your deliberations.

J. T. MOREHEAD.

Ordered, That the Public Printer print fifteen hundred copies of the said message, for the use of the Senate.

And then the Senate adjourned.

SATURDAY, JANUARY 3, 1835.

On the motion of Mr. Blackburn,

Resolved, By the Senate that an additional standing committee be appointed, to be styled the committee on Military Affairs.

And a committee was thereupon appointed, consisting of Messrs. Smith, Metcalfe, Lyon, Boyd, Heady, Coffee and Harrell; who are to meet and adjourn from day to day, and take under consideration all matters relating to the militia, and the military affairs.
of the State, and such other things as may be referred to them, and report their proceedings, together with their opinion thereupon to the Senate; and they shall have power to send for persons, papers and records, for their information.

1. Mr. Bramlette presented the petition of sundry citizens of the counties of Cumberland and Wayne, praying for the formation of a new county out of a part of each of said counties.

2. Mr. Metcalfe presented the petition of Edmund Martin and others, citizens of Nicholas county, praying that a law may pass authorizing a change in the state road from Paris to Big Sandy, where the same runs through the land of said Martin.

3. Also, the petition of Frances Boatman, the widow, and John Hamilton, guardian of the infant heirs of Robert Boatman, deceased, praying that a law may pass authorizing the said Hamilton to sell the real estate of the said decedent, and to lay out the money arising therefrom in the purchase of other lands, for the benefit of the said widow and children.

4. Also, the petition of William McClintock, administrator of the estate of Samuel Monson, deceased, and Margaret Monson, praying that the act of last session of the General Assembly, authorizing a sale of the real estate of the said Samuel, may be amended.

5. And also, the petition of Matthias Davis, praying a divorce from his wife America Davis.

6. Mr. Sisk presented the petition of Louisa H. Malen, praying a divorce from her husband Anold Malen.

7. And Mr. Willis presented the petition of Richard Hazle, praying compensation for his services and expenses, in bringing Silas and Dotson Warren to justice for their offences.

The said petitions were severally received and referred; the first and seventh, to the committee of propositions and grievances; the second, to the committee of internal improvements; the third and fourth, to the committee of courts of justice; and the fifth and sixth, to the committee of religion.

A message was received from the House of Representatives, announcing the appointment of a committee of Enrolments on their part.

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

Resolved by the General Assembly of the Commonwealth of Kentucky, That committees, consisting of three from the Senate, and six from the House of Representatives, be appointed, respectively, to examine the offices of the Auditor, Treasurer and Register.

The rule of the Senate having been dispensed with, the said resolution was taken up and adopted.
Leave was given to bring in bills of the following titles, viz:

On the motion of Mr. Grider—1. A bill further to improve the navigation of Green river.

On the motion of Mr. Sisk—2. A bill for an appropriation of money for the purpose of removing the obstructions to the navigation of Pond river.

On the motion of Mr. Roberts—3. A bill to repeal all laws and parts of laws, establishing the circuit court judiciary system, and for other purposes.

On the motion of Mr. James—4. A bill to change the time of holding the circuit courts in the counties of Hickman, Graves and McCracken.

On the motion of Mr. Morehead—5. A bill to authorize the trustees of the town of Russellville to sell part of the streets in said town.

On the motion of Mr. Boyd—6. A bill to amend the charter of the board of internal improvements for Shelby county.

On the motion of Mr. Wingate—7. A bill to change the time of the meeting of the General Assembly.

On the motion of Mr. Griffith—8. A bill to amend an act for incorporating the Hartford Bridge Company, approved February 7th, 1834.

On the motion of Mr. Roberts—9. A bill to extend the bounds of the town of Lebanon, in Marion county, and for other purposes.

On the motion of Mr. Murrell—10. A bill to reduce the number of justices of the peace in Barren county.

On the motion of Mr. Miller—11. A bill for the benefit of the heirs of Delaney Miller, deceased.

On the motion of Mr. Smith—12. A bill to repeal an act entitled, an act repealing the law authorizing the people of Rockcastle, Knox, Harlan and Laurel counties, to pass the turnpike and wilderness road without paying toll, approved Feb. 24th, 1834.

On the motion of Mr. Heady—13. A bill further to amend an act, entitled an act providing for the opening a road from Taylorsville, in Spencer county, to Jefferson town, in Jefferson county, and for other purposes, approved January 31st, 1833.

And on the motion of Mr. Blackburn—14. A bill to amend the act, which authorizes the county courts to permit gates to be erected on public roads.

The committee of internal improvements was directed to prepare and bring in the first and second; the committee of courts of justice, the third; Messrs. James, Murrell and Young, were appointed a committee to prepare and bring in the fourth; Messrs. Morehead, Blackburn and Heady, the fifth; Messrs. Boyd, Thornton and Wingate, the sixth; Messrs. Wingate, Metcalfe and Daviess, the seventh; Messrs. Griffith, Grider and Harrelld, the eighth; Messrs. Roberts, McDonald and Wingate, the ninth; Messrs. Murrell,
Grider and Miller, the tenth; Messrs. Miller, Lusk and Wingate, the eleventh; Messrs. Smith, Lusk and Gilbert, the twelfth; Messrs. Heady, Willis and Carter, the thirteenth; and Messrs. Blackburn, Boyd and Nuttall, the fourteenth.

Mr. Willis, from the committee appointed for that purpose, reported a bill to take the sense of the people of this Commonwealth as to the expediency and propriety of calling a Convention, which was read the first time; and the question being taken on reading the same a second time, it was decided in the affirmative.

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

YEAS—Messrs. Bramlette, Bush, Coffey, Davies, Gilbert, Griffith, Guthrie, James, Lyon, McDonald, McHenry, May, Morehead, Morgan, Nuttall, Patterson, Roberts, Sisk, Southgate, Willis and Young—21.


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

By Mr. Smith—1. A bill to enlarge the constable’s district for the town of London in Laurel county.

By Mr. Morehead—2. A bill for the benefit of the Sheriff of Logan county.

By Mr. McHenry—3. A bill for the benefit of the Sheriff of Pulaski county.

And by Mr. Coffey—4. A bill for the benefit of the Sheriff of Casey county.

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 second, third and fourth bills, and the second and third readings of the first bill, having been dispensed with, the second and third were referred to the committee of finance; and the fourth, to the committee of courts of justice.

Resolved, That the first bill do pass, and that its title be as aforesaid.

Mr. Boyd read and laid on the table a resolution, fixing a day for the election of a Senator in Congress.

On the motion of Mr. McHenry,

Resolved, That the committee on military affairs inquire into the expediency of increasing the number of company musters in this Commonwealth.

On the motion of Mr. James,

Resolved, That the committee on finance be instructed to inquire into the expediency and propriety of reducing the price of the
vacant lands in the district of country west of the Tennessee river, and of protecting the settlers in said land district.

On the motion of Mr. McHenry,
_Resolved_, That the committee on internal improvement inquire into the expediency of appropriating a sum of money, to complete the improvement of the navigation of the south fork of Cumberland river.

On the motion of Mr. Carter,
_Resolved_, That John C. Mullay, the reporter of the proceedings of the House of Representatives, for the Lexington Daily Observer, be allowed a seat in the Senate Chamber, for the purpose of reporting proceedings, whenever, and on such occasions as he may think proper to avail himself of the privilege thus granted him.

On the motion of Mr. Nuttall,
_Resolved_, By the Senate, that the copy of the report of the engineers, who were employed by the State to examine into the practicability of improving the navigation of the Kentucky river, be presented by the Secretary of State, to the Clerk of this house, for its inspection.

On the motion of Mr. Roberts,
_Resolved_, That so much of the Governor's message as relates to education, be referred to the committee on education.

On the motion of Mr. Southgate,
_RESOLVED_, That the committee of courts of justice be instructed to inquire into the expediency of so amending the law of descents, as to prevent the estate of deceased infants, derived from their father or mother, passing to any person not of the blood of the ancestor, from whom the estate of the infant was derived.

On the motion of Mr. Daviess,
_Resolved_, That the committee on courts of justice inquire into the propriety and expediency of regulating by law, the number of justices of the peace in the several counties in this Commonwealth. That said committee inquire into the propriety and expediency of repealing so much of the existing law, as directs a copy of the late Digest to be delivered to the several county surveyors in this Commonwealth.

On the motion of Mr. Metcalfe,
_Resolved_, That so much of the Governor's message as relates to internal improvements, be referred to the committee on internal improvement and domestic manufactures.

On the motion of Mr. Taylor,
_Resolved_, That so much of the Lieutenant and Acting Governor's message as relates to the finances, revenue and Bank of the Commonwealth, be referred to the committee on finance.
On the motion of Mr. Grider,
Resolved, That so much of the Governor's message as relates to the courts of justice of this Commonwealth, be referred to the committee on courts of justice.

On the motion of Mr. Willis,
Resolved, That so much of the message of the Lieutenant and Acting Governor as relates to the lands of residents and non-residents forfeited to the State for non-payment of taxes due thereon, and the quieting land titles in this State, be referred to the committee of courts of justice.

On the motion of Mr. McHenry,
Resolved, That so much of the Governor's message as relates to the vacant and unappropriated lands, and forfeited lands in this Commonwealth, north of the Tennessee river, be referred to the committee on internal improvements, and that they inquire into the propriety and expediency of appropriating the same for the purpose of improving of roads in the counties in which the said lands lie.

A message was received from the House of Representatives, announcing the passage of a bill, entitled an act for the benefit of the sheriffs of Pulaski and Garrard counties.

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 reading of the said bill having been dispensed with, it was referred to the committee of finance.

And then the Senate adjourned.

MONDAY, JANUARY 5, 1835.

The Speaker laid before the Senate a letter from the Auditor of Public Accounts, enclosing his annual report, which letter and report are as follows, to-wit:

STATE OF KENTUCKY,
AUDITOR'S OFFICE, FRANKFORT, Jan. 7, 1835.

THE HONORABLE JAMES CLARK, SPEAKER OF THE SENATE:
Sir—Please lay before the Senate the enclosed Report, which will oblige your most obedient humble servant,

BENJAMIN SELBY, AUDITOR PUB. AC'TS.
AUDITORS' REPORT.

No. 1.

A Statement of Moneys received and paid at the Treasury, for the year ending on and including the tenth day of October, 1834, to-wit:

Bank Stock Fund—

Received on lands granted under the acts of 1795, '6, and 1800, $80 95
Ditto, under the acts of 1815, '20, and '25, (denominated land warrants,) 2,097 10 $2,158 05

Non-Residents' Lands—

For taxes received on non-residents' lands, 1,781 01

Sale of Land Warrants—

To be laid west of Cumberland river, 163 68

Revenue collectable by Sheriffs—

From sheriffs for the collection of the revenue of 1832, 72,930 93
Do. do. 1831, 1,169 00 74,119 93

Revenue collectable by Clerks, &c.—

From clerks, for taxes received on law process, deeds, seals, &c. 19,422 50
Do. Register of the Land Office, 820 18 20,242 68

Miscellaneous Receipts—

For taxes received for the redemption of residents' land forfeited to the state, &c. 46 29

Lands west of Tennessee River—

For the sale of lands, by Edmund Curd, Receiver of Public Moneys west of Tennessee river, in Commonwealth's paper, 25,723 28
Do. do. in specie, 12,985 52 38,708 80

(Amount forwarded,) 5 $137,220 44

17457.
Bank of Kentucky—
For dividend declared 1st March, 1834, in specie, 14,917 50

Bank of the Commonwealth of Kentucky—
For the net profits of said bank from the 30th November, 1832, to 30th November, 1833, (no report made since said date,) 4,204 43
For amount of solvent debts due from individuals residing in the counties of Pike, Lawrence and Floyd, transferred to the commissioners for the improvement of Big Sandy River, 2,791 31 6,995 74

Bank of Louisville—
For tax of 35 cents per share, on 1150 shares of stock of said bank, subscribed for and held by individuals, in specie, 2,875 00
Of which is in specie, 30,778 02
Ditto in Commonwealth's paper, 131,230 66 162,008 68

COMMONWEALTH'S PAPER.
Warrants reported to have been paid by the Treasurer from the 11th day of October, 1833, to the 10th day of October, 1834, inclusive, 189,609 80
Advance at 5 per cent, allowed on $12,985 52, specie, paid by Receiver of Public Moneys west of Tennessee River (as per act of assembly,) 649 27
Total amount paid, 190,259 07
From which deduct the amount of receipts as above enumerated, 131,230 66
Leaving a balance due from government on the 10th October, 1834, of (Commonwealth paper) 59,028 41

SPECIE.
Amount of receipts in specie, as above enumerated, $30,778 02
From which deduct the amount of warrants reported to have been paid by the Treasurer from the 10th of October, 1833, to the 10th of October, 1834, 23,662 03
Leaving a balance of specie remaining in the Treasury on the 10th October, 1834, of $1,115 99
No. 2.

A Statement of Warrants drawn by the Auditor of Public Accounts on the Treasurer, from the 11th day of October, 1833, to the 10th day of October, 1834, inclusive; showing the amount drawn for each source of expenditure; and also the amount of Warrants paid and unpaid during the same period, viz:

### Jailers
- Attendance on courts, furnishing fuel, &c. $2,850 63
- Committing and releasing criminals, 141 58
- Dieting criminals, 5,270 00
- Ironing criminals, 27 00

### Executive Offices
- Fuel, stationery, &c. furnished the Secretary's office, (specie, $29 50—commonwealth paper, $915 52,) $945 02
- Do. do. Land office, 1,079 59
- Do. do. Treasurer's office, 263 50
- Do. do. Auditor's office, 755 70

### Distributing Acts and Journals, December Session, 1832—
- Middle District, $8,289 30

### Distributing Acts and Journals, December Session, 1833—
- First District, 114 75
- Second District, 409 00

### Criminal Prosecutions
- Constables conveying criminals to jail, 62 59
- Do. apprehending criminals, 1,388 40
- Do. summoning witnesses, 359 75
- Do. whipping criminals, 60 77
- Guards, for guarding criminals in jail, to jail, and to the penitentiary, 3,321 97
- For the attendance of venire men, 4,194 00
- Do. do. witnesses, 2,887 62
- Sheriffs summoning venires, 498 84
- Do. do. witnesses, 692 03
- Do. apprehending criminals, 360 00
- Do. conveying criminals to jail, 1,346 42
- Do. executing process for contempt, 10 93
- Do. hanging condemned persons, 36 26
- Coroners summoning witnesses, 1 05
- Do. do. venires, 7 00
- Do. apprehending criminals, 2 00
- Do. attending court, 18 00

(Amount forwarded,) $26,734 52
(Amount brought forward,)

$26,734 52

**Public Communications**—

- By the Governor and Secretary, (in specie $155 13, in Commonwealth's paper, $152 97.) 338 10
- By Auditor of Public Accounts, (in specie $383 61; in Commonwealth's paper, $94 32) 477 93 816 03

**Contingent Expenses**—

- For rent of office for Quartermaster General, 50 00
- Blanks for Quartermaster General and Adjutant General, 50 50
- Repairing public buildings and yard, 450 32
- Work and materials on Government House and lot, 572 72
- To the Sergeant and Tipstaff of the court of appeals, attending that court and the general court, furnishing fuel, &c. for same, 410 30
- Salary of, and blanks, &c. for Receiver of Public Moneys west of Tennessee river, 160 00
- Binding laws, &c. of other states for Secretary and Librarian, 186 70
- Printing Governor's Proclamation and blanks for Treasurer's office, 17 22
- Shelving room for Library, work done in the Register's office, painting, &c. 314 60
- To Commissioners for invoicing tools, &c. in the Penitentiary, 168 00 2,410 36

**Salaries**—

- Annual salaries of Judiciary officers, 18,383 12
- Do. do, Executive officers, 8,650 79 27,033 91

**Attorneys**—

- Annual salaries of the Commonwealth's Attorneys, 4,427 76

**Military Expenditures**—

- Pay of Brigade Inspector, Provost Marshals, Judge Advocates, &c. 464 12

**Lunatics**—

- For the support of idiots, 12,765 62

**Decisions of the Court of Appeals**—

- For the first volume of Dana's Reports, 1,742 50

**Clerks' Services**—

- For record books, presses and seals, 2,144 61
- For ex-officio services of the Clerks of the circuit courts and general court, 3,740 00
- For allowances to Clerks of county courts for copying commissioners' books, 2,633 86 8,518 47

(Amount forwarded,)

$85,113 49
Institutions for the tuition of the Deaf and Dumb—
For the support of the indigent pupils,
2,417 84

Drawbacks on vacant Land—
For payment made on certificate of Commissioners, 1798,
through mistake,
10 00

Public Roads—
To Commissioners to view the road from Louisville to state
line, in a direction to Knoxville, 82 50
          do. Mt. Sterling to Virginia, 3 00
          do.          85 50

Sheriffs Comparing Polls—
For Congress, Senate, &c.
515 19

Legislature, December Session, 1833—
Pay of Members of the Senate and House of Representa-
tives, 16,775 70

Sheriffs for Revenue—
Amount overpaid for year 1819,
1 17
Do. 1833, 48 16
Do. 49 33

Slaves Executed—
By order of Adair circuit court,
500 00
Do. Christian do.
125 00
Do. Fayette do.
700 00
Do. Henderson do.
375 00

Commissioners of Tax—
For taking in lists of taxable property,
9,352 33

Turnpike Roads—(Specie.)
Maysville, Washington, Paris and Lexington,
21,000 00
Frankfort and Shelbyville,
5,000 00
26,000 00

Ditto—(Commonwealth’s paper.)
Maysville, Washington, Paris and Lexington,
16,885 89
Maysville, Frankfort and Shelbyville,
5,550 00
Shelby county,
3,000 00
27,438 86

Loans to the Penitentiary—
Amount paid J. J. Miles for balance due him,
137 59
Do. Jno. B. Wooldridge’s Ex’rs.
12 29
149 88

Appropriations December Session, 1832—
To Benjamin Tobin,
15 00
J. Jennings, for the improvement of Big Caney creek,
300 00
Do. Green river,
600 00
George A. Robinson, (Librarian),
500 00
Do. 500 00

(Carried over.)
1,915 00

(Amount forwarded.)
170,708 14
Appropriations December Session, 1832—

(Brought over,)

Simpson Stout, for the improvement of the navigation
of Green river,

10,000 00

J. Jennings, do. do. 66 66

JAN. 5. 1,915 00

Simpson Stout, do. do. 9,333 33

Appropriations December Session, 1833—

To Robert Caldwell, (late Sheriff of Madison county,)

Alfred Bowren, 83 00

Samuel Woodson, (clerk of Hopkins,) 8 00

Charles Wallace and Nicholas Hocker, 81 90

A. G. Hodges, (Public Printer,) 4,046 46

Richard B. New, 243 15

William B. Holman, 216 00

Joseph Gray, 168 00

Samuel J. M. Major, 154 28

A. C. Keenon, 926 92

Anthony Crockett, 198 00

James Sneedstreet, 570 00

Robert S. Todd, 550 00

A. M. Wigginton, 240 00

Benjamin Pollard, 363 00

John U. Price, 90 00

Thomas S. Page, 328 32

R. K. Stout, 83 56

James Shackleford, 333 00

Lewis Sanders, 250 00

Blaine and Bacon, 8 25

John D. McClure, 160 00

John P. Cammack, 367 00

Charles Hutcheson, 177 25

W. S. Johnson, 33 77

Frazier and Shackleford, 550 00

Joseph Taylor and Son, 59 74

Uriel B. Chambers, 30 00

John Glover, 174 67

Mrs. P. Wingate, 15 00

D. Clendening, 6 75

Brawner and Franklin, 648 00

John, (man of color,) 10 00

Richmond, (ditto) 10 00

Joseph Smith, 6 00

John M. Foster, (for clerk hire,) 300 00

Littleberry Batchelor, 216 00

11,238 12

Carried over, 11,238 12

Amount forwarded, $192,023 13
(Amount brought forward,)

Appropriations December Session, 1833—
(Brought over,)

<table>
<thead>
<tr>
<th>Name</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>James T. Morehead</td>
<td>11,232</td>
</tr>
<tr>
<td>Keenan and Robertson</td>
<td>231</td>
</tr>
<tr>
<td>Ditto</td>
<td>295</td>
</tr>
<tr>
<td>Hawkins Wickersham</td>
<td>88</td>
</tr>
<tr>
<td>Charles H. Julian</td>
<td>182</td>
</tr>
<tr>
<td>G. E. Russell</td>
<td>344</td>
</tr>
<tr>
<td>P. Dudley, Adjutant General</td>
<td>30</td>
</tr>
<tr>
<td>William Shackelford</td>
<td>455</td>
</tr>
<tr>
<td>Silas M. Noel</td>
<td>16</td>
</tr>
<tr>
<td>B. Ely, (expenses of Governor's funeral,)</td>
<td>10</td>
</tr>
<tr>
<td>A. R. Lindsay, (Ditto,)</td>
<td>8</td>
</tr>
<tr>
<td>E. Brown</td>
<td>50</td>
</tr>
<tr>
<td>Lunatic Asylum</td>
<td>40</td>
</tr>
<tr>
<td>A. G. Hodges, (Public Printer,)</td>
<td>6,000</td>
</tr>
<tr>
<td>James Allen, (for improvement of Muldrow's Hill)</td>
<td>744</td>
</tr>
<tr>
<td>May and Hathway, (commissioners of road from Owensborough to Bowling Green,)</td>
<td>400</td>
</tr>
<tr>
<td>A. C. Keenon</td>
<td>150</td>
</tr>
<tr>
<td>A. Shepperd, jr. agent for road from Louisville, by way of Columbia, to Tennessee, specie,</td>
<td>600</td>
</tr>
<tr>
<td>Do. do. for Big South Fork of Cumberland river,</td>
<td>2,000</td>
</tr>
<tr>
<td>William Johnston, for improvement of Tradewater, do.</td>
<td>1,000</td>
</tr>
<tr>
<td>William M. Smith and others, Commissioners for improvement of Big Sandy,</td>
<td>2,791</td>
</tr>
<tr>
<td>Do. do. do. specie,</td>
<td>3,308</td>
</tr>
<tr>
<td>Daniel Garrard and others, Commissioners for improvement of South Fork Kentucky river,</td>
<td>1,500</td>
</tr>
<tr>
<td>D. White, Commissioner of road from London, Laurel county, to the Tennessee line,</td>
<td>300</td>
</tr>
<tr>
<td>Charles H. Julian</td>
<td>181</td>
</tr>
<tr>
<td>Keenan and Robertson</td>
<td>27</td>
</tr>
</tbody>
</table>

Total amount of warrants issued from 11th day of October, 1833, to the 10th day of October, 1834, inclusive, 79,106 99

Of which is in specie, 39,106 99

Do. in Commonwealth's paper, 190,584 55

SPECFIE.

Warrants issued from the 11th day of October, 1833, to 10th October, 1834, 39,106 99

From which, deduct the amount of warrants reported to have been paid by the Treasurer as in statement No. 1, 29,662 03

Leaving amount of warrants unpaid on the 10th day of October, 1834, 9,444 96
Warrants issued from the tenth day of October, 1833, to the 10th day of October, 1834, 190,584 55
Do. unpaid on the 10th day of October, 1833, 2,783 81

193,368 36

From which deduct the amount of warrants reported to have been paid by the Treasurer as in statement No. 1, 189,609 80

Leaving amount of warrants unpaid on the 10th day of October, 1834, $3,758 56

No. 3.
A Statement of debts due to government on the 10th day of October, 1834, viz:

Of Revenue collectable by Sheriffs—

For the year

1793
1794
1795
1796
1797
1798
1799
1800
1801
1802
1803
1804
1805
1806
1807
1808
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1825
1826
1827
1828
1829
1830
1831
1832
1833

104 06
138 61
1,805 36
101 86
217 25
172 26
31 99
1,663 31
613 26
279 43
48 58
20 44
10 26
754 54
943 86
473 30
390 02
374 16
510 67
1,010 58
374 16
722 52

11,518 12
7,127 84
1,105 06
58,748 46
50 00
7,602 68

Debts receivable,
Tax on Bank stock, (Independent Banks,)
Loans to the Penitentiary,
Treasurer, town of Columbus, (this amount retained in hands of the Treasurer, by the direction of the Trustees, to cover expenses of sales,)
Clerks, for taxes received,

Total amount of debts due to Government on the 10th day of October, 1834, $86,147 16
Lexington and Ohio Rail Road Company—
This amount of bonds issued, upon which the faith and credit of this Commonwealth are pledged for payment, in accordance to act of Assembly, approved 2d February, 1833,

<table>
<thead>
<tr>
<th>Stock Owned by the State.</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>In the Bank of Kentucky,</td>
<td>119,310 00</td>
</tr>
<tr>
<td>In the Bank of the Commonwealth, in specie,</td>
<td>1,701 07</td>
</tr>
<tr>
<td>Ditto in Commonwealth's paper,</td>
<td>469,016 19</td>
</tr>
<tr>
<td>Total</td>
<td>471,319 96</td>
</tr>
</tbody>
</table>

**Turnpike Roads**

<table>
<thead>
<tr>
<th>Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Shelby county, Do.</td>
<td>42,837 83</td>
</tr>
<tr>
<td>Franklin county, Do.</td>
<td>16,050 00</td>
</tr>
<tr>
<td>Mayville, Washington, Paris and Lexington, specie,</td>
<td>83,500 00</td>
</tr>
<tr>
<td>Shelby county, Do.</td>
<td>7,010 78</td>
</tr>
<tr>
<td>Franklin county, Do.</td>
<td>5,000 00</td>
</tr>
<tr>
<td>Taylorsville Bridge, in Commonwealth's paper,</td>
<td>2,428 56</td>
</tr>
<tr>
<td>Ditto in specie,</td>
<td>500 00</td>
</tr>
<tr>
<td>Total amount of stock owned by the State on the 10th day of October, 1834,</td>
<td>3,378 55</td>
</tr>
</tbody>
</table>

A statement of debts due from government, on the 10th day of October, 1834, and for which the Treasury is bound for payment, viz:

**Sheriffs for Revenue**

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For amount overpaid Revenue, 1813,</td>
<td>$8 32</td>
</tr>
<tr>
<td>Do. 1822</td>
<td>1 02</td>
</tr>
<tr>
<td>Do. 1830</td>
<td>7 80</td>
</tr>
<tr>
<td>Do. 1837</td>
<td>4 68</td>
</tr>
<tr>
<td>To the town of Columbus,</td>
<td>21 82</td>
</tr>
<tr>
<td>To purchasers of Non-Residents' lands,</td>
<td>4,263 81</td>
</tr>
<tr>
<td>To the Treasurer town of Waldborough,</td>
<td>275 77</td>
</tr>
<tr>
<td>To the Penitentiary,</td>
<td>21,055 57</td>
</tr>
<tr>
<td>For warrants unpaid, as in statement No. 2, specie,</td>
<td>3,444 36</td>
</tr>
<tr>
<td>Do. Commonwealth's paper,</td>
<td>3,758 56</td>
</tr>
<tr>
<td>To Attorneys, for salaries due,</td>
<td>13,203 52</td>
</tr>
<tr>
<td>For salaries due to Judiciary and Executive Officers,</td>
<td>1,444 32</td>
</tr>
<tr>
<td>Total amount of debts due from Government, on the 10th day of October, 1834,</td>
<td>$48,821 90</td>
</tr>
</tbody>
</table>
No. 5.

A statement showing the debits and credits of the Revenue account for 1833, as due from Sheriffs during the year ending on the 10th day of Oct. 1834, viz:

<table>
<thead>
<tr>
<th>DEBITS</th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Balance due on the 10th day of October, 1833</td>
<td>81,654 46</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Additional lists charged</td>
<td>1,137 66</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Warrants issued for amounts overpaid</td>
<td>48 16</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>83,830 28</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>CREDITS</th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>By amount paid Treasurer, as in statement No. 1</td>
<td>72,930 93</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Delinquents, forfeited lands, errors corrected and exonerations by court</td>
<td>2,148 77</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Commission for collecting</td>
<td>6,640 39</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Wolves killed</td>
<td>973 30</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>82,107 76</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Balance due Government on the 10th day of Oct. 1834 as in statement No. 3: **$722 52**

No. 6.

A statement showing the debits and credits of the accounts of Clerks, (Circuit, County, Court of Appeals, General Court and Registers' Office,) for the collection of taxes, on law process, deeds, seals, &c. accounted for, during the year ending on and including the 10th day of October, 1834, viz:

<table>
<thead>
<tr>
<th>DEBITS</th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Balance due on the 10th day of October, 1833</td>
<td>7,312 72</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Amount of accounts rendered, (commission for collecting deducted,)</td>
<td>20,628 39</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>27,941 11</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>CREDITS</th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>By amount paid the Treasurer, as in statement No. 1</td>
<td>20,942 58</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Errors in double charges</td>
<td>95 75</td>
<td></td>
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<tr>
<td><strong>Total</strong></td>
<td><strong>21,338 43</strong></td>
<td></td>
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</tr>
</tbody>
</table>

Balance due Government on the 10th day of Oct. 1834, as in statement No. 3, **$7,602 68**
A Statement of Moneys expected to be paid into the Treasury during the year ending on and including the 10th day of October, 1835, subject to the expenses of Government, viz:

The gross amount of Revenue collectable by Sheriffs for the year 1834, and made payable on the first Monday in December next, 138,108.26.

The loss on the collection of the same, including credits for commissions, exonerations, delinquents, forfeited lands and compensation for killing wolves, is supposed will be about 12 per cent. amounting to $16,572.99.

The delinquent Sheriffs will be, say 1,600.00.

Which leaves a sum that may be expected will be paid into the Treasury of $120,035.27.

Of the Revenue collectable by clerks, (including tax on Taverns, &c.) Register of the Land Office and Secretary of State, 20,000.00.

Miscellaneous Receipts, 50.00.

Tax on non-residents' land, 2,000.00.

Do. from the Bank of Louisville, 2,575.00.

For sale of warrants to be laid on vacant land, 1,570.00.

For sale of land west of Tennessee river, 20,000.00.

From the balances due Government as in statement No. 3, will be collected of the Revenue due by Sheriffs, 500.00.

Do. do. by Clerks, 3,000.00.

Of the other balances it is not supposed that anything can be collected.

Specie remaining in the Treasury on the 10th day of October, 1834, as in statement No. 1, 1,115.99.

Total amount expected to be received during the year ending 10th day of October, 1835, $171,446.96.

No. 8.

A Statement showing the probable amount of the Expenditures of Government for the year ending on and including the 10th day of October, 1835, viz:

Jailers, 8,500.00.

Executive Offices, 3,100.00.

Public Printer, 20.00.

Distributing acts and journals, December session, 1833-4, 500.00.

Criminal prosecutions, 15,000.00.

Public Communications, 1,000.00.

Contingent expenses, 2,500.00.

Salaries of the Executive and Judiciary Officers, 31,000.00.

(Carried over,) 71,620.00.
Military Expenditure, 71,620 00
For the support of Idiots, 600 00
Decisions of the Court of Appeals, 13,000 00
Clerks' services, 2,500 00
Deaf and Dumb Asylum, 9,000 00
Money refunded, 2,500 00
Public Roads, 400 00
Sheriffs comparing Polls, 2,000 00
Slaves executed, 2,000 00
Commissioners of Tax, 400 00
Sheriffs for Revenue overpaid, 50 00
Turnpike Roads, 400 00
Legislature, December Session, 1834, including all expenses, supposing it to be of eight weeks duration, 40,000 00
Lunatic Asylum, 6,000 00
Appropriations December Session, 1833, unpaid, 22,000 00

Total amount expected to be expended during the year ending on the 10th October, 1835, $245,070 00
To which add balance due from Government as in statement No. 1, Commonwealth's paper, 53,093 41
Do. do. as in No. 4, is supposed will be drawn, 27,765 82
Making a sum that may be expected will be expended during the year ending 10th October, 1835, $331,864 23
From which deduct the expected Receipts as in statement No. 7, 171,446 26
Leaving a supposed balance due from Government on the 10th day of October, 1835, $160,417 97

Ordered, That the said report be referred to the committee of finance, and that the Public Printer print one and fifty copies thereof, for the use of the Senate.

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

Office Kentucky Penitentiary.

Frankfort, 5th January, 1835.

Sir:

Please lay before the House over which you preside, the following Report on the condition of the Kentucky Penitentiary for the year 1834.

Very respectfully,

Your obedient servant,

THO. S. THEOBALD, A. & K. K. P.

Hon. CHARLES A. WICKLIFFE,
Speaker of the House of Representatives.
To face p. 44, S. Journal.

<p>| | | | | |</p>
<table>
<thead>
<tr>
<th></th>
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<td>890</td>
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<tr>
<td>234</td>
<td>567</td>
<td>890</td>
<td>234</td>
<td>567</td>
</tr>
</tbody>
</table>
6

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I

To face p. 44, S. Journal.

No. 9.

.11. STATEMENT, exhibiting the amount of Revenue receivable by the Sheriffs and Cl:rks of each ?°unty, during the :ear ending on and
of each County· during the same lime; and also the difference between the
, lit d'ing the 10t,iz day oif October, 183 4 ; the arnoitn t oif Exnenditures
T
inc
Revenue and Expenditures, viz.

DO.TO
CLERKS.

·R EVENUE CHARGEABLE TO SHERIFFS.
COUNTIES.

------Adau·,
Anderson,
Allen,
Buune,
Bradrnn,
Buurbon,
Butle r,
BtLl·ren,
Bullitt,
Breckenridge,
Bath,
Casey,
Clay,
Caldwell,
Cumberland,
Campbell ,
Christian,
Clarke,
Ca lloway,
Daviess,
Edmondson,
Estill,
Fayette,
Floyd,
Fleming,
Frank lin,
Galiadn,
Greenup,
Green,
Grant,
Graves,
Gra5 son,
Garrard,
Henry,
Hart,
Harl an,
Hender on,
Hupkin. ,
Hickman,
Harrisun,
Hardin,
Hancock,
Jessamine,
Jefle rson,
Knox,
Lewis,
Linroln,
Laurel,
Lawrence,
Livingston,
L ogan,
Muhlenburg,
Madisun,
Montgomery,
Mercer,
Mol'gan,
Mason,
Munroe,
M,:nid r
MrCracken,
N1 hola.s,
Ne lson,
Ohio,
Owen,
Oldham,
Pula:ski,
Pel'ry,
Pendleton,
Pike,
Rockcastle,
Russell,
Simpson,
Shelby,
S c·ott,
Spencer,
Todd,
Tri gg,
Uni,,n,
W·1yne,
Woodford,
Wa1Ten,
Whitley,
Washington,

Valuation of
Property.

$987,084
633,738
578,818
1,874,626
878,162
6,629,535
261,707
2,011,925
818,908
1,047,382
1,615,736
3!)2,394
367,572
1,219,653
935,608
l,83!),563
2,532,313
3,557,059
545,407
818,805
266,034
382,939
8,580,804
292,609
2,194,344
2,063,604
1,120,398
722,431
1,976,859
350,906
348,440
312,811
2,131,791
1,943,481
603,213
188,665
1,279,740
774,520
699,818
2,511,810
1,865,549
253,216
2,270,226
9,756,363
392,348
622,510
2,341,350
145,709
247,935
911,550
2,561,631
672,267
3,717,512
2,338,372
3,475,582
221,483
4,364,609
553,982
657,964
184,938
l,3811,367
3,254,333
467,202
711,233
1,425,873
784,662
182,517
435,477
178,271
270,913
361,831
683,046
4,600,962
3,762,700
1,311,443
1,652,810
874,352
825,415
730,5 5
3,333,986
1,773,253
246,142
2,873,323

Tax on
Property.

$til6 93
3\:l6 09
361 76
1,171 64
548 86
4,143 46
163 56
1,257 46
511 82
654 62
1,009 84
245 25
229 74
762 29
584 76
1,149 73
1,582 69
2,2~3 16
340 88
511 78
166 27
239 34
5,363 01
182 88
1,371 47
1,289 76
700 25
451 52
1,235 54
219 32
217 78
195 51
1,332 37
1,214 68
377 01
117 92
799 84
484 08
437 39
1,569 88
1,165 97
158 26
1,418 89
6,097 73
245 22
389 07
1,463 35
91 07
154 96
56!) 72
1,601 02
420 17
2,323 45
1,461 49
2,172 24
138 43
2,727 88
346 24
411 23
115 59
862 73
2,033 96
2fl2 00
444 52
891 17
490 42
114 08
272 18
111 42
169 32
226 15
426 91
2,875 60
2,351- 69
819 66
1,033 01
546 47
515 89
456 62
2,083 74
1,108 29
153 84
1,795 83

$127,967,008 79,979 62
A UDITOR's O PFICE, l
Frankfort, Ky. Oct. 10, 1834, S

Auditor's
additional
List.

Total Revenue
NET
Expense&
chq,rgeable to
Clerics' Total Rev'n.
exceeding ·
REVENUE.
onLaw
Tax
and
Sheriffs
of
Amount
chargeable
additional
Revenue.
Clerks.
expenditures
to Sheriffs. Process, ~c.
List.

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I

19 59
20 12
9 90
34 22
3 36
80 50
2 67
50 11
11 40
9 19
24 13
21 97
4 10
25 26
12 35
17 33
85 92
27 76
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23 53
7 78
16 23
101 26
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172
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67
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83
83
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8 83
46 57
6 33
34 44
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72 72
7 24
12 74
1 25
59 18
14 94
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21 10
70 68
18 13
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16 09
71 55
88 89
22 41
25 67
34 56
11 94
6 51
65 62
27 05
6 90
54 27

-2,322 21

636 52
416 21
371 66
1,205 86
552 22
4,279 17
169 51
1,308 95
528 25
676 18
1,038 62
268 20
233 84
791 16
597 11
1,167 06
1,743 50
2,250 92
349 29
535 31
174 62
255 57
5,464 27
183 69
1,398 04
1,372 79
737 36
500 56
1,271 68
245 05
224 11
208 11
1,359 44
1,279 09
389 40
117 92
855 46
517 34
457 71
1,722 02
1,202 28
168 38
1,447 15
6,270 56
249 05
402 36
1,498 30
92 32
154 96
578 55
1,648 36
427 55
2,357 89
1,516 85
2,199 26
140 49
2,800 60
353 48
423 97
117 84
947 80
2,065 78
311 13
465 62
961 85
508 55
114 08
280 64
127 01
182 99
235 10
451 95
2,968 65
2,440 58
847 38
1,072 47
581 12
527 83
496 92
2,140 36
1,165 21
160 74
1,850 10

$215 65
159 61
199 50
181 00
177 65
825 08
49 88
396 87
179 08
257 93
308 76
76 95
85 03
261 26
107 35
424 18
489 73
408 50
202 83
145 35
85 62
164 43
190 01
83 60
409 45
439 71
284 01
215 66
403 75
135 38
148 68
111 63
139 18

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256
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361
456
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711
173
145
174
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357
125
196
300
167
50
6
97
76
101
174
721
456
206
291
295
209
181
394
338
100
366

23
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89
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73
20
70
71

852 17
573 82
571 16
1,386 86
729 87
5,104 25
219 .39
1,705 82
707 33
934 11
1,347 38
345 15
318 87
1,052 42
704 46
1,591 24
2,233 23
2,659 42
552 12
680 66
260 24
420 00
5,6.>4 28
267 29
1,807 49
1,812 50
1,021 37
716 22
1,675 43
380 43
372 79
319 74
1,498 62
1,279 09
532 85
117 92
1,107 69
736 74
659 12
1,974 25
l,554 02
278 11
1,718 38
6,527 54
328 85
514 94
1,881 15
149 32
227 85
775 20
2,048 79
538 70
2,842 39
1,877 86
2,655 26
108 92
3,511 68
527 33
569 80
292 22
1,156 1
2,423 46
437 01
661 80
1,262 53
675 75
164 91
287 29
224 39
259 94
336 76
626 75
3,690 18
2, ·97 06
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877 05
737 31
678 61
2,544 09
1,503 41
261 44
2,216 81

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588 21
466 16
243 08
784 84
276 89
536 87
481 .22
469 78
373 19
227 34
536 49
828 26
691 17
1,461 77
1,473 42
944 09
682 96
653 74
175 82
365 41
2,922 91
576 00
704 66
1,016 12
352 33
616 25
1,303 39
321 -23
483 02
359 59
358 57
748 26
451 34
709 99
605 88
293 83
344 04
774 21
763 60
226 54
579 27
7,252 71
723 23
382 ll
635 82
388 88
520 76
1,038 78
811 14
344 28
1,426 76
831 45
1,039 85
337 03
2,114 13
509 07
354 44
355 66
648 41
1,176 03
fil4 33
446 49
592 61
653 51
1,301 22
266 26
332 39
516 00
711 77
462 24
1,151 61
1,455 56
77 57
41-9 94
433 0
361 57
543 50
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71
597 07
724 62
1,065 02

102.245 58 / 62,910 76 I

176 77
218 94
17 05

920 70
486 79
4,319 41
57 50
1,168
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464
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224
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759
1,715

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217 61&

130 84

308 71

1,140 05
530 83
81 51

llO 23
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592 07
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442
315
1,200
790
51
1,139

81
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11
725 17
394 38

132 83
1,245 33
239 56
292 91
263 58
1,237
194
1,415
1,046
1,615

65
42
63
41
41

1,397 55
18 26
215 36

138 11

63 44

508 40
1,247 43
177 32

215 31
669 92
22 24
1,136 31
21 03

108 00
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375 01
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2,53
1,441
275
74
443

51
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43
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97

375 74

135 11
1, 25 25
906 34
468 1

1,151 79
45,441 72 I 6,1 '

BENJAMIN SELBY, llwJ.itor of Public .llccotmt,·.


REPORT.

On making my first annual Report to the Legislature, I feel gratified in stating that the general prosperity of this Institution has fully realized every expectation of its friends. Its administration was by law confided to my agency on the 10th day of March last; and this report will present a statement of its affairs up to the 10th day of December last, embracing a period of nine months.

On the 10th March, there were then in confinement, 71 Prisoners, Received since, 51

Total, 122

Discharged since, by expiration of sentence, 20
By Executive pardon, 10
By escape, 2

The following tables, also, I beg leave to present, believing they will prove interesting and useful to the Legislature, viz:

<table>
<thead>
<tr>
<th>Crimes of the Prisoners</th>
<th>Ages</th>
<th>Education</th>
</tr>
</thead>
<tbody>
<tr>
<td>Horse-stealing,</td>
<td>21</td>
<td>Good, 7</td>
</tr>
<tr>
<td>Larceny,</td>
<td>43</td>
<td>Ordinary, 63</td>
</tr>
<tr>
<td>Highway Robbery,</td>
<td>9</td>
<td>None, 20</td>
</tr>
<tr>
<td>Manslaughter,</td>
<td>1</td>
<td>Total, 90</td>
</tr>
<tr>
<td>Rape,</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td>Counterfeiting coin,</td>
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<td></td>
</tr>
<tr>
<td>Ditto bank notes,</td>
<td>4</td>
<td></td>
</tr>
<tr>
<td>Passing counterfeits,</td>
<td>3</td>
<td></td>
</tr>
<tr>
<td>Maiming with intent to kill,</td>
<td>2</td>
<td></td>
</tr>
<tr>
<td>Kidnapping Slaves,</td>
<td>4</td>
<td></td>
</tr>
<tr>
<td>Mail Robbery,</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td>Total,</td>
<td>90</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
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<th>Nativity</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kentucky, 24</td>
</tr>
<tr>
<td>Other states of U. S., 51</td>
</tr>
<tr>
<td>Ireland, 10</td>
</tr>
<tr>
<td>England, 4</td>
</tr>
<tr>
<td>Canada, 1</td>
</tr>
<tr>
<td>Total, 90</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Education</th>
</tr>
</thead>
<tbody>
<tr>
<td>Good, 7</td>
</tr>
<tr>
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</tr>
<tr>
<td>None, 20</td>
</tr>
<tr>
<td>Total, 90</td>
</tr>
</tbody>
</table>
The following is an exhibit of the financial condition on the 10th day of December last, viz:

Its Means are—

- Raw Materials on hand, $5,708 36
- Manufactured articles, 3,988 55
- Sundry debtors, per notes and accounts, 9,109 09
- Commonwealth, per account, 702 33
- Do. estimated, for building new work shops, &c. in the prison, under act of last session, not charged, 3,000 00

Total, $22,608 83

From which sum deduct its liabilities, viz:

- Sundry creditors, per notes and accounts, 2,373 15
- Tho. S. Theobald, for credit on account, 5,755 97
- Sundry debts not rendered, estimated, 4,000 00

Total, $12,135 12

Showing a balance to the favor of the Penitentiary on the 10th December, of $10,473 71

The result of a future settlement of the accounts will, doubtless, vary the amount of the estimates stated above; yet, they are as accurate as they can be made at this time. The building for which three thousand dollars are charged above against the Commonwealth, is a large brick workshop, &c. thirty-six feet wide, and two hundred and thirty feet long.

Owing to the failure of the old steam engine, heretofore in use, I have purchased and put up a new one, of excellent quality, which drives a corn mill and other machinery.

In choosing the branches of business, for the application of Convict labor, the following are the considerations of greatest weight—That the manufactured articles may be produced by the exercise of ordinary skill; the raw materials not subject to great waste; the product suited to general want and in demand; and yielding the largest profit from the least capital. With these views, the following are the branches, believed best adapted to the institution, viz: Grinding corn; carding wool, and employing other machinery driven by a steam engine; wagon making; blacksmithing; stone-cutting; chair-making and painting; boot and shoe making; tailoring; coopering; making bagging and bale rope; dying; weaving carpets, jeans, linsey, &c. &c. together with many minor collateral branches.
The raw materials employed are of the best quality, and the articles produced, would, it is believed, do no discredit to the skill of any manufacturer of similar fabrics in the state. In some of the branches, indeed, such are their quality and reputation, that it is wholly impossible to supply the public demand.

The discipline of the prison has been administered on principles similar to those practised by my predecessor. In the exercise of that discretion however, which the law vests in the keeper, I have ventured, in some instances, to depart from his practice; but I should be ungrateful not to acknowledge the aid which his judgment and experience alike qualified him to offer, and which was bestowed with equal promptness and courtesy.

During the past year, the health of the prisoners has been remarkably good, with the exception of the spring months, when our operations were much interrupted and retarded by the frequent occurrence of cases of slight illness. But owing to the great attention and skill of Dr. Roberts, the attendant physician, no deaths have occurred; comparatively but few cases of serious illness, and none attributable to either local situation or prison discipline.

Of the intellectual and moral improvement of the convicts, I feel sincerely gratified in saying, that facts authorize the indulgence of encouraging and comfortable hopes; and the benevolent philanthropist will rejoice that the strong and blended lights of knowledge and religious truth are casting rays of brightness and warmth into their minds and hearts, dispelling much of the misery of their dark and cold abodes. Under a new organization and arrangement of the schools on the Sabbath, which I have adopted, indications are decidedly apparent of an active spirit of mental improvement; and, from the labors of the ministers of the Gospel of various religious denominations, who have kindly lent the aid of their pious exertions, manifestations have been given of an unquestionably reformatory tendency.

In conclusion, give me leave to add, that there are many other subjects of importance, which would present interesting matter for legislative consideration, not belonging properly to an annual report, which I would feel it equally a duty and a pleasure to communicate either individually or in committee to the members of your honorable body.

All of which is respectfully submitted by

Your obedient servant,

THOMAS S. THEOBALD,
Agent and Keeper Kentucky Penitentiary.
Ordered, That the said report be referred to the committee on the penitentiary, and that the Public Printer print one hundred and fifty copies thereof, for the use of the Senate.

1. Mr. McHenry presented the remonstrance of sundry citizens of Wayne county, against the formation of a new county out of a part of the counties of Cumberland and Wayne.

2. Mr. Murrell presented the petition of the heirs of George Bush, deceased, praying that a law may pass, authorizing the conveyance of a tract of land sold by the administrators of the said Bush.

3. Mr. Guthrie presented the petition of the president and managers of the Bardstown and Louisville turnpike company, praying that the charter of said company may be amended.

4. Also, the memorial of Jacob Lewis, praying that the charter of the Lewis pottery company may be amended.

5. And Mr. Morehead presented the petition of Micajah Clark, jr. and others, praying that a law may pass, releasing them from a judgment for damages recovered against them by the president and directors of the Bank of the Commonwealth.

Which were received and referred; the first to the committee of propositions and grievances; the second and fourth to the committee of courts of justice; the third, to the committee of internal improvements; and the fifth, to a committee of Messrs. Morehead, Willis and Murrell.

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 prescribing the mode of appointing judges and other officers, to hold the election in Livingston county, on the 14th of January, 1835.

2. An act for the relief of the sheriff of Campbell county.

3. An act for the benefit of the Glasgow academy.

4. An act to authorize the county court of Clark to increase the pay to patrollers of said county.

5. An act for the benefit of the sheriff of Calloway county; and

6. An act for the benefit of Jacob Mayo, clerk of the Floyd circuit and county courts.

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 third and fourth bills having been dispensed with, the third was referred to the committee of education; and the fourth, to the committee of courts of justice.

The rule of the Senate, constitutional provision and second and third reading of the first, second, fifth and sixth bills, having been dispensed with, and the fifth being amended,

Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.
Mr. Guthrie, from the committee of courts of justice, reported a bill for the confirmation of the estates of persons holding or claiming under conveyances from married women, and under conveyances not recorded in proper time; 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, and the Public Printer directed to print one hundred and fifty copies thereof, for the use of the General Assembly.

Mr. Guthrie from the same committee, reported,

1. A bill to amend the charter of the fireman's insurance company of Louisville.
2. A bill to repeal in part the act, entitled an act to establish the Louisville Bank of Kentucky; and
3. A bill to amend the charter of the Louisville marine and fire insurance company.

Which 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 second bill, and second and third readings of the first bill, having been dispensed with, and the first being engrossed, the second was amended, and ordered to be engrossed and read a third time to-morrow:

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

Mr. Guthrie from the committee of courts of justice, who were directed to inquire into the expediency of authorizing the publication of a digest of the penal laws of this Commonwealth, for the use of grand juries, reported that it is inexpedient to authorize such publication.

Which report was concurred in.

Mr. Guthrie from the same committee, to whom was referred a bill for the benefit of the headright settlers of this Commonwealth, reported the same, with the opinion of the committee, that it ought not to pass.

The said bill was re-committed to the same committee.

Two messages in writing were received from the Lieutenant and Acting Governor, by Mr. Crittenden, Secretary of State.

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

On the motion of Mr. Willis—1. A bill to legalize the proceedings of the Marion county court at their last December term.

On the motion of Mr. Roberts—2. A bill regulating the time of holding certain circuit courts of this Commonwealth.

And on the motion of Mr. Guthrie—3. A bill to establish a court of admiralty in the city of Louisville.
Messrs. Willis, McDonald and James, were appointed a committee to prepare and bring in the first; Messrs. Roberts, Griffith and Willis, the second; and the committee of courts of justice was directed to prepare and bring in the third.

Mr. Heady, from the committee appointed for that purpose, reported a bill to amend the several acts for opening a road from Taylorsville to Jeffersonville, 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 read and laid on the table the following resolutions, viz:

Resolved by the Senate and House of Representatives of the Commonwealth of Kentucky, That the Senators and Representatives in the Congress of the United States, from this State, be requested to use their best exertions to procure the passage of a law, authorizing the purchase of the stock held by individuals in the Louisville and Portland Canal Company, by the United States, and making said canal a free highway for the trade of the Ohio river.

Resolved, That the Acting Governor be requested to send a copy of the above resolution to each of our Senators and Representatives in the Congress of the United States.

A bill to take the sense of the people of this Commonwealth as to the expediency and propriety of calling a Convention, was read the second time.

Mr. Boyd moved to lay the said bill on the table until to-morrow, and the question being taken on the said motion, it was decided in the negative.

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


NAYS—Messrs. Bramlette, Coffey, Daviess, Gilbert, Griffith, Guthrie, James, Lyon, McDonald, McHenry, May, Morehead, Morgan, Nuttall, Patterson, Roberts, Sisk, Southgate, Willis and Young—20.

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

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

YEAS—Messrs. Bramlette, Bush, Coffey, Daviess, Gilbert, Griffith, Guthrie, James, Lyon, McDonald, McHenry, May,
Morehead, Morgan, Nuttall, Patterson, Roberts, Sisk, Southgate, Willis and Young—21.


On the motion of Mr. James, Resolved, That the committee on finance be instructed to inquire into the propriety of allowing compensation to the Receiver of Public Moneys for the land district west of the Tennessee river, for paying over the money received by him into the treasury.

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

Resolved by the General Assembly of the Commonwealth of Kentucky, That our Senators be instructed, and our Representatives in Congress be requested to use their best exertions for the purpose of getting a Military School established in the State of Kentucky.

And then the Senate adjourned.

TUESDAY, JANUARY 6, 1835.

Mr. Metcalfe presented the petition of Samuel Kimbrough, a deputy sheriff of Nicholas county, praying compensation for a horse, which was killed in conducting a convict to the penitentiary.

Mr. Gholson presented the memorial of sundry citizens of the town of Hopkinsville, praying that a law may pass increasing and defining the powers of the trustees of said town.

Which were received and referred; the first, to a select committee of Messrs. Metcalfe, Taylor and McDonald; and the second, to the committee of courts of justice.

Mr. Guthrie, from the committee of courts of justice, reported as unfinished business of last session, a bill to prohibit the circulation, within this Commonwealth, of bank notes of a less denomination than five dollars, which was read the first time, and ordered to be read a second time.

Mr. Guthrie, from the same committee, reported a bill to reduce the time allowed for prosecuting writs of right in certain cases, and authorizing writs of right to be revived, 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 one hundred and fifty copies of the said bill, for the use of the General Assembly.
The following bills were reported from the several committees appointed to prepare and bring in the same, to-wit:

By Mr. Daviess, from the committee of propositions and grievances—1. A bill to reduce the number of justices and constables in Logan county.

By Mr. Metcalfe, from the committee of internal improvements—2. A bill to amend the charter of the Louisville turnpike company; and

3. A bill to change the location of a part of the road leading from the seat of government through Flemingsburg to the mouth of Big Sandy.

By Mr. Taylor, from the committee of finance—4. A bill for the benefit of Benjamin Webb.

By Mr. Murrell—5. A bill to reduce the number of justices of the peace in Barren county.

And by Mr. Roberts—6. A bill to extend the bounds of the town of Lebanon, in Marion 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 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.

The Speaker laid before the Senate the annual report of the Treasurer, which is as follows, viz:

FRANKFORT, 5th January, 1835.

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, 1833, to the 10th day of October, 1834, inclusive:

I have the honor to be, very respectfully,

Your obedient servant,

JAMES DAVIDSON, Treasurer.

Hon. JAMES CLARK,

Speaker of the Senate.
# REPORT

No. 1.

A Statement showing the amount of money received by the Treasurer (under their appropriate heads,) from the 11th day of October, 1833, to the 10th day of October, 1834, inclusive:

## BANK STOCK FUND.

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>From Headright Lands,</td>
<td>$60 95</td>
</tr>
<tr>
<td>Land Warrants,</td>
<td>2,097 10</td>
</tr>
<tr>
<td>Clerks for Taxes,</td>
<td>19,548 99</td>
</tr>
<tr>
<td>Register of the Land Office,</td>
<td>693 69</td>
</tr>
<tr>
<td>Non-residents' Lands,</td>
<td>1,781 01</td>
</tr>
<tr>
<td>Lands west of Cumberland river,</td>
<td>163 68</td>
</tr>
<tr>
<td>Lands west of Tennessee river, in specie,</td>
<td>12,985 52</td>
</tr>
<tr>
<td>Lands west of Tennessee river, in Commonwealth's paper,</td>
<td>25,074 01</td>
</tr>
<tr>
<td>The Bank of Louisville, in specie,</td>
<td>2,875 00</td>
</tr>
<tr>
<td>Sheriffs for Revenue,</td>
<td>74,119 63</td>
</tr>
<tr>
<td>Miscellaneous Receipts,</td>
<td>46 29</td>
</tr>
<tr>
<td>Bank of the Commonwealth, (net profits,) specie,</td>
<td>4,304 43</td>
</tr>
<tr>
<td>Bank of Kentucky, (distribution of stock,) specie,</td>
<td>14,917 50</td>
</tr>
</tbody>
</table>

## BANK OF THE COMMONWEALTH.

Amount of solvent debts from the counties of Pike, Floyd and Lawrence, for the improvement of Big Sandy river, (see acts,) 2,791 31

Advance of five per cent. on 12,985 52, in specie, received from E. Curd, Receiver of public money west of Tennessee river, 649 27

Total amount received during the year ending on the 10th of October, 1834, $162,008 68

Of which is in specie, 30,778 02

Do. Commonwealth's paper, 131,230 66

Total as above, $162,008 68
A Statement showing the amount of Warrants paid by the Treasurer (under their appropriate heads,) from the 11th day of October, 1833, to the 10th day of October, 1834, inclusive:

On criminal prosecutions, 14,930 16
For Lunatics, 12,764 57
Clerks' services, 8,455 47
To Jailors, 8,361 30
Attorneys for the Commonwealth, 4,352 76

For salaries of the Judicial and Executive
Departments, 27,308 91
Contingent Expenses, 2,410 36
Executive Offices, in specie, §29 50
in Commonwealth's paper, 3,014 25

Commissioners of Tax, 3,043 84
Military Expenses, 9,317 33
Money refunded, 464 12
Distributing the acts and journals, 10 00
Turnpike Roads, in specie, 523 76
Turnpike Roads, in Commonwealth's paper, 16,750 06
Public Roads, 27,438 88
Decisions of the Court of Appeals, 85 50
Slaves executed, 1,742 50
Public Communications, in specie, 2,500 00
Do. in Commonwealth's paper, 373 75
Sheriffs comparing Polls, 247 29

Appropriations December Session, 1832, 515 19
Appropriations December Session, 1833, 21,314 99
in Commonwealth's paper, 16,159 72
Appropriations December Session, 1833, 12,508 69
in specie,
Deaf and Dumb Asylum, 2,417 84
Lunatic Asylum, 6,000 00
Legislature, December Session, 1833, 16,775 70
Loans to Penitentiary, 149 88
Sheriffs for Revenue, 49 33

(Amount forwarded,) §219,271 83
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(Amount brought forward.) $219,271 83

Advance of 5 per cent. on 12,985 52, specie, received from E. Curd, Receiver of Public Money west of Tennessee river, (see acts,) 649 27

Total amount of warrants paid from the 11th day of October, 1833, to the 10th day of October, 1834, inclusive, $219,921 10

Of which is in specie, 29,662 03
Do. in Commonwealth's paper, 190,259 07 219,921 10

From which deduct the Receipts per Statement No. 1, 162,008 68

Balance due from Government on the 10th day of October, 1834, 57,912 42

There is due from the Treasury in Commonwealth's paper, 59,028 41
There is in the Treasury, specie, 1,115 39

Balance as above, $57,912 42

JAMES DAVIDSON, Treasurer.

Ordered, That the said report be referred to the committee of finance, and that the Public Printer print one hundred and fifty copies of the same for the use of the Senate.

The Speaker laid before the Senate the annual report of the President and Directors of the Bank of the Commonwealth of Kentucky, which is as follows, viz:

REPORT.

Bank of the Commonwealth,
January 5th, 1835.

Sir: I have the honor to communicate, herewith, a Statement exhibiting the situation of this Institution, on the 30th day of November, 1834.

In making this communication to the Legislature, I deem it my duty to mention some of the causes that have operated to obstruct the collections during the last year, as, in the absence of some explanation, a want of fidelity on the part of those concerned might be inferred.
The Bank had gone on in successful operation for more than ten years, before it seems to have entered into the minds of any of its debtors, that they were not legally as well as morally bound to refund and pay back the money which they had borrowed from it. But when the Bank could extend no further favors, and was seeking a return of those already bestowed, the alternative was taken of cancelling the obligation by an appeal to the courts rather than with dollars and cents. The Circuit Court at first, without an exception, decided in favor of the Bank, and of the power of the Legislature to create such a corporation, and they have, in every instance, been sustained by the Supreme Court of the state. Nothing is easier than for men to consent to that which their interest dictates they should believe; and under the influence of this principle, a combination was soon formed, by which all the questions involved were taken up to the Supreme Court of the United States, and argued, though not decided at the last term, in consequence as it is understood of the absence of two of the Judges, and a difference of opinion among the others, which resulted in an order for a re-argument of the cause at the next term, before a full court. In the meantime it has been given out in prophetic letters and speeches, as well as published opinions, that the decision of the Supreme Court would be adverse; that the Bank must go down, and with regard to its debtors, a little Jubilee was nigh at hand. During this time, the Bank has endeavored to pursue the even tenor of its way; and where payment has been withheld, to ask of the constituted authorities of the country, that which is due to the most humble citizen, impartial justice, and nothing more. It has been decided in some cases, that the Circuit Courts were not bound by the decisions of the Appellate Court, because their reasons were not given in extenso; whilst in other sections, where it was supposed the courts would decide in favor of the Bank, the causes have been removed from place to place by changes of venue; and finally some have been continued to await the decision of the Supreme Court of the nation! These, with other causes of a kindred character, have had the effect to paralyze, to a great extent, the efforts that have been made to coerce payments, particularly of the larger debts, and consequently to diminish the profits of the last year's business.

The collections, however, during the year ending 30th November, 1834, have exceeded the sum of $140,000; leaving a sum now due the Bank in good debts and real estate, over and above the sum necessary to redeem the notes in circulation, of about $300,000.

For the purpose of curtailing the expenses as rapidly as possible, the Board of Directors, early in last year, adopted a resolution which took
effect on the 1st day of July, reducing the aggregate compensation to
the agents, from the sum of $4,900, to the sum of $3,300; the office of
Second Clerk was abolished at the same time, and the compensation to
the Directors, was also reduced so as not to exceed $25 per annum to
each member of the board. By a subsequent regulation, commencing
with the current year, the number of agents has been reduced to four;
and their annual compensation to the gross sum of $2,200.

Pursuant to the provisions of the 11th section of "an act to improve
the navigation of Big Sandy River," approved 22d February, 1834, the
sum of $2,791.31 of solvent debts due the Bank, has been transferred
to the Commissioners for that purpose.

Of the sum of $70,381.32 charged to the Treasurer as over drafts,
the sum of $33,212.18 has been paid in par funds, in aid of works of
Internal Improvement, and will be charged to the account of stock. The
sum of $1,613.23 being the balance of an appropriation of $4,000
for the improvement of Cumberland river, has also been paid during the
past year.

In obedience to a resolution of the General Assembly, approved 24th
February, 1834, the sum of $100,000 of the notes of the Bank has
been cancelled by burning, leaving only an equal sum now in exist-
ence, of almost $3,000,000 originally issued—$43,516.68 of which
are in the vaults of the Bank; and the entire amount may confidently
be expected to be cancelled during the present year.

Very respectfully, Sir,

Your obedient servant,

H. WINGATE, President.

Hon. JAMES CLARK, Speaker of the Senate.

A Statement of the situation of the Bank of the Commonwealth of
Kentucky, on the 30th day of November, 1834.

DR.

To amount of Stock, 471,319.26
To amount of Notes payable, 100,000.00
To amount of Discounts, 14,290.30
To amount due Individual Depositors, 7,785.12
To amount due Literary Fund, 140,917.44
To amount due William D. Barrett, late Cashier, 43.18
To amount due other Banks, 180.62

$734,536.01
By amount of Notes under Discount, $63,220 87
By amount of Notes in Suit, 394,944 44
By amount due from the Bank of Kentucky, 7,956 00
By amount of Real Estate, 35,874 08
By amount of General Expenses, 11,838 38
By amount due from Treasurer, 70,261 32
By amount of Profit and Loss, 50,932 92
By amount due from Delinquent Cashiers, 35,394 35
By amount due from Delinquent Attorneys, 3,055 58
By amount due from A. Waggener's Administrators, 162 10
By amount due from Wm. Field, Sheriff Jefferson County, 50 00
By amount due from Farmers' Bank of Harrodsburg, 1,671 94
By amount due from Kentucky Exporting Company, 507 00
By amount due for Individual Tickets, 708 63
By amount due from Treasurer, 4,000 00
By amount of Cash on hand, viz:
  In Notes of Eastern Banks and Bank United States, $10,441 72
  In Notes of the Bank of the Commonwealth of Kentucky, 43,516 68
  53,958 40
  $734,536 01

For the purpose of exhibiting a more concise view of what may yet be realized from the Bank, throwing out of view the accounts of Stock, Literary Fund, and the amount due from the Treasurer, the following Estimate is subjoined:

LIABILITIES:

Notes in Circulation, $56,483 32
Estimated Loss on Real Estate, $14,600 00
Estimated Loss by Bad and Doubtful Debts, 173,601 83
Due Individual Depositors, 7,785 12
Due William D. Barrett, late Cashier, 43 18
Due other Banks, 180 62

$252,694 07

Excess of Means over Liabilities, 301,392 64

$553,086 71
J. N. JOURNAL OF THE SENATE.

MEANS.

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Notes under Discount and in Suit</td>
<td>$458,165 31</td>
</tr>
<tr>
<td>Real Estate</td>
<td>35,874 08</td>
</tr>
<tr>
<td>Due from Bank of Kentucky</td>
<td>7,556 00</td>
</tr>
<tr>
<td>Due from Delinquent Cashiers</td>
<td>35,394 35</td>
</tr>
<tr>
<td>Due from Delinquent Attorneys</td>
<td>3,267 68</td>
</tr>
<tr>
<td>Due from Independent Banks, &amp;c.</td>
<td>2,887 57</td>
</tr>
<tr>
<td>Specie Funds on hand</td>
<td>10,441 72</td>
</tr>
</tbody>
</table>

$553,980 71

EDMUND H. TAYLOR, Cashier.

Ordered, That the said report be referred to the committee of finance, and that the Public Printer print one hundred and fifty copies of the same for the use of the Senate.

Mr. Daviess, from the committee of propositions and grievances, made the following report, viz:

The committee of propositions and grievances have, according to order, had under consideration the petition of sundry citizens of the counties of Cumberland and Wayne, to them referred, praying for the formation of a new county out of parts of said counties of Cumberland and Wayne, and have come to the following resolution thereon, to-wit:

Resolved, That said petition be rejected.

Which was twice read and concurred in.

Mr. Taylor from the committee of finance, to whom was referred a bill for the benefit of Greenberry A. Gaither and William R. Grigsby, reported the same with an amendment, and the said bill and amendment were committed to the committee of courts of justice.

Mr. Taylor from the same committee, to whom was referred a bill from the House of Representatives, entitled an act for the benefit of the sheriffs of Pulaski and Garrard counties, reported the same with an amendment; which amendment proposes to strike out the first section of the bill; the said section is as follows, to-wit:

That the further time, until the first day of March next, be given to the sheriff of Pulaski county to pay into the treasury the residue of the revenue, for the county aforesaid, for the year 1834.

And 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. McHenry and Willis, were as follows, viz:


The said bill was then amended, and ordered to be read a third time.

The committee of finance was discharged from the further consideration of a bill for the benefit of the sheriff of Pulaski county.

On the motion of Mr. Morgan, leave was given to bring in a bill for the benefit of the heirs of Joseph Evans, deceased; and the committee of courts of justice was directed to prepare and bring in the same.

Mr. Willis read and laid on the table a resolution, to appoint a joint committee to examine and report the condition of the Lunatic Asylum and Transylvania University.

A message was received from the House of Representatives, announcing the passage of bills of the following titles, to-wit:

1. An act to change the place of voting at a precinct in Bracken county.
2. An act for the benefit of Transylvania University.
3. An act for the benefit of the constables of Clarke county.

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 and third readings of the first and second bills, and the second reading of the third bill having been dispensed with, the third was referred to the committee of courts of justice.

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

A message was received from the House of Representatives, announcing the adoption of a resolution fixing a day for the election of a Senator in Congress.

And the passage of a bill from the Senate, entitled an act to enlarge the constable's district for the town of London, in Laurel county.

And the adoption of a resolution from the Senate, to appoint committees to examine the offices of the Auditor, Treasurer and Register, and that they had appointed the said committees on their part.

Whereupon Messrs. Bush, Wingate and Murrell, were appointed a committee on the part of the Senate, to examine the Auditor's office; Messrs. Blackburn, Bramlette and Nuttall, to examine the Treasurer's office; and Messrs. Chinn, Lyon and Southgate, to examine the Register's office.

Mr. McHenry moved the following resolution, viz:

Resolved, That the Lieutenant and Acting Governor be requested to order to be fired, on the morning of the 8th day of January, a
federal salute, in commemoeration of the officers and troops, who so nobly displayed their valor at the glorious battle of New Orleans.

And the question being taken on adopting the said resolution, it was decided in the affirmative.

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

YEAS—Messrs. Blackburn, Bramlette, Coffey, Davies, Gilbert, Guthrie, Head, James, Lyon, McDonald, McHenry, May, Nuttall, Patterson, Roberts, Sisk, Smith, Willis and Young—19.


The resolution read and laid on the table, by Mr. Guthrie, on the 5th instant, requesting the Senators and Representatives in Congress, from this State, to use their best exertions to procure the passage of a law, authorizing the purchase of the stock held by individuals in the Louisville and Portland Canal Company, by the United States, was taken up, twice read and adopted.

Mr. Bramlette, from the committee of enrolments, reported that the committee had examined an enrolled bill, which originated in the House of Representatives, entitled an act for the relief of the sheriff of Campbell county, and had found the same truly enrolled; 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 presented to the Lieutenant and Acting Governor, for his approbation and signature.

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

The Speaker laid before the Senate a communication from Joel Scott, former keeper and agent of the Penitentiary, which is as follows, viz:

To the Honorable,
the Legislature of Kentucky:

In compliance with an act of the last session of the Legislature, permitting me to retire from the office of Keeper of the Penitentiary, and empowering me as agent, to settle up the business which had occurred under my superintendence, and also making it my duty to report my proceedings to your honorable body, I would respectfully ask your attention to the following communication.

Mr. Thomas S. Theobald's being appointed my successor, I sold to him the raw materials and manufactured articles on hand, and delivered them to him on and before the 9th of March last, (so as to be completely
I am ready to give him possession on the 10th, for which I took his certificate to the Auditor, that he had received of me, out of the proceeds of the Penitentiary, the sum of five thousand two hundred and eighty-four dollars and sixty-four cents, to be received as part of the loan from the state to him, to bear interest from the 10th of March, 1835; and upon the same consideration he executed to me his note for four hundred and thirty-five dollars and eighteen cents, payable on the 10th of March, 1836. I have since paid him the sum of seven hundred and fifteen dollars and eighteen cents, the balance of the six thousand dollars; of which acts I hope your honorable body will approve.

By the same act, above referred to, five Commissioners were appointed to discharge certain duties therein specified, any three of whom might act; not being able to obtain the presence of more than two of them, Major Woods and Mr. Robert Brown met on the 10th of March last, and proceeded to appraise all the tools, clothing, &c. and to deliver them to Mr. Theobald, and took his receipt for the same. Mr. Page being then absent from town, upon his return he examined their inventory, and approved of their prices and proceedings, and accorded with the same. In consequence of Mr. Brown's removal to Illinois, I was not able to obtain three Commissioners to act until the month of September last, when I obtained the presence of Mr. Pollard, who, with Messrs. Woods and Page, proceeded to take an inventory of all the notes and accounts on hand, which list is herewith annexed. Opposite each individual's name, where the debt has been paid in money, you will find the word "paid" written; where it has been paid by a settlement of accounts, you will find the word "settled" written; where a debt is in suit, you will find the letters "S. D." written; and where the account is in the hands of a constable for collection, you will find the letter "W." written opposite, meaning that a warrant has been brought on the account.

The inventory is as follows:

<table>
<thead>
<tr>
<th>Name</th>
<th>Amount</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
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<td>Ayres, Benjamin</td>
<td>$37 01</td>
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<td>Armstrong, Adams, &amp; Co.</td>
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Bryant, Arch. S. $8 00, acc.:—(W.)
Black, Kiah, 2 75, acc.:—(W.)
Buck, Charles 38 61, acc.:—in suit.
Boyce, Robert 28 51, acc.:-insolvent.
Bacon, Wm. W. 38 78, acc.:
Bryant, Samuel 19 96, acc.:
Burbridge, George 24 22, acc.:
Bryant, Thomas 2 00, acc.:
Bacon, Edmond A. 6 82, acc.—doubtful.
Bradford, Daniel 25, acc.—disputed.
Buford, Wm. 4 62, acc.:
Bartlett, John 16 16, acc.:
Brown, Wm. 25 47, acc.—disputed.
Brooking, B. W. 63, acc.:
Bacon, Edmond 1 37, acc.:—paid.
Blackburn, Ned 79 43, acc.:
Blanton, Wm. C. 1 08, acc.:
Breathitt, John 68 53, acc.:
Belt, O. and I. 71 76, acc.:
Bacon, Lyddall 15 10, note—due 8th December, 1832.
Buford, Simeon 20 12, note—due Dec. 20, 1832; insolvt.
Bohannon, Abraham 48 43, note—due 10th March, 1834.
Brown, Robert 16 25, note—due 30th Nov. 1833; Ill.
Brown, James 263 22, note—due 4th May, 1834; paid.
Bachelor, L. 8 06, note—due 10th May, 1834.
Buford, John 65 01, note—due 15th May, 1834.
Bacon, Langston 17 30, note—due 18th May, 1834.
Broadhead, Lucas 75 44, note—due 15th Sept. 1834.
Bryan, Ann 20 68, note—due 1st March, 1834.
Bacon, Wm. E. 32 00, note—due 10th March, 1834.
Blackburn, Geo. C. 20 00, note—due 10th March, 1834.
Bacon, Lyddall 6 75, note—due 13th March, 1834.
Blanton, Harrison 697 25, note—due 9th June, 1834.
Brown and Richmond 1,696 69, note—due 1st June, 1834.
Boothe, Benj. 7 50, note—due Sept. 17 1828; insolvent.
Bacon, John C. 22 30, note—due 1st March, 1834.
Barclay, Geo. W. 2,017 21, note—due Sept. 8, 1833; in suit.
Burns, Rowland 13 25, note—due 15th Dec. 1831.
Bryant, James M. 8 50, note—due 20th February, 1834.
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<th>Name</th>
<th>Amount</th>
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<td>[W.]</td>
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<td>Johnson, W. S.</td>
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<td>Johnson, E. P.</td>
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<tr>
<td>Jett, Matthew</td>
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<tr>
<td>Jenkins, Solomon</td>
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<td>Iseminger, Henry</td>
<td>$ 147 24</td>
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<tr>
<td>Keenon, Adam</td>
<td>21 84</td>
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<tr>
<td>Lafon, Nicholas</td>
<td>8 77</td>
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<tr>
<td>Lafon, Mrs. Maria</td>
<td>25 70</td>
<td>acc:</td>
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<tr>
<td>Linsey, Robert</td>
<td>5 62</td>
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<td>Letcher, Wm.</td>
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<td>note—due May 3, 1834; [W]</td>
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<td>Lancaster B.</td>
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<td>note—due Sept. 6, 1832; [W]</td>
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<tr>
<td>Lucas, Moses</td>
<td>12 38</td>
<td>note—due March 2, 1833; [W]</td>
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<td>1 75</td>
<td>acc:—[W]</td>
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<td>11 25</td>
<td>acc:—[W]</td>
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<tr>
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<td>2 26</td>
<td>acc:</td>
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<tr>
<td>McLivain, A. B.</td>
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<tr>
<td>Major, Lewis R.</td>
<td>62 82</td>
<td>acc:—settled and paid $49 32.</td>
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<td>acc:</td>
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<td>23 24</td>
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<tr>
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<td>acc: [W]</td>
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<td>13 08</td>
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<tr>
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<td>note—due Feb. 24, 1833; settled.</td>
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<tr>
<td>Name</td>
<td>Amount</td>
<td>Due Date</td>
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<td>26 13</td>
<td>May 10, 1834; paid.</td>
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<tr>
<td>Miller, John</td>
<td>44 59</td>
<td>May 12, 1834.</td>
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<tr>
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<td>5 30</td>
<td>Feb. 27, 1834.</td>
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<td>Feb. 27, 1834.</td>
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<td>Markley, J. A.</td>
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<td>Moore, John L.</td>
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<td>April 5, 1834.</td>
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<td>Macey, L. W.</td>
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<td>16th Oct. 1832; (W.)</td>
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<td>23rd Aug. 1823; (W.)</td>
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<td>1 19</td>
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<td>Noel, S. M.</td>
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<td>Osburn, Bennett</td>
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Owens & Richmond, 120 00, note—due 1st October, 1834.
Oliver, Thos. 5 00, acc.—(W.)
Philleph, Ralph 6 25, acc.—dead and insolvent.
Price, Philimon B. 453 14, acc.—settled.
Pollard, Benj. R. 27 75, acc.:
Pepper, Eliah 3 98, acc.:
Price, Mrs. H. 13, acc.:
Payne, Verpyle 60, settled.
Puttie, John 3 50, acc.:
Parker, George 3 00, acc.—disputed.
Perkins, Benjamin H. 60 00, acc.—insolvent.
Penn, George 67, acc.:
Page, Thos. S. 66 15, acc.:
Payne, Wafer 6 00,
Piper, Thos. H. 9 91, paid.
Penn, George 28 64, note—due 15th November, 1832.
Pullam, John 17 92, note—due 5th September, 1834.
Porter, John P. 78 10, note—due 10th May, 1834.
Parker, Thos. 20 89, note—due 29th May, 1834.
Payne, Samuel 40 55, note—due 5th September, 1834.
Pemberton, Wm. S. 123 92, note—due 24th May, 1834.
Petty, James 50, note—due 29th April, 1834.
Peake, John J. 4 50, note—due 30th May, 1834.
Pendleton, John T. 29 98, note—due 14th June, 1834.
Perry, Sandford 3 50, note—due 27th October, 1834.
Price, John U. 58 48, note—due 18th May, 1834.
Porter, John P. 6 10, note—due 24th May, 1834.
Payne, William 62 60, note—due 23d May, 1834; in suit.
Price, John U. 13 00, note—due 21st March, 1834.
Pettit, Wm. N. 15 55, note—due 30th March, 1834; (W.)
Parker, Wm. 1 50, note—due 6th April, 1834; (W.)
Rankins & Hawkins, 172 68, acc.—insolvent.
Robson, John S. 10 95, note—due 10th April, 1834.
Ross, James 17 35, note—due 7th May, 1834; paid.
Randsell, John H. 10 00, note—due 6th May, 1834.
Ratcliff, Wm. B. 22 44, note—due 24th June, 1834.
Russell, John 10 50, note—due 14th March, 1834.
Reading, Wm. 7 49, note—due 10th May, 1834.
Ross, James 70 50, note—due 23d June, 1834.
Rowland, Milton 3 10, note—due 24th Dec. 1834.
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<td>Redding, Wm.</td>
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<td>Rennick, A. H.</td>
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<td>6th March, 1829</td>
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<td>Secretary's Office</td>
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<td></td>
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<td>Sharp, Eliza T.</td>
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<td></td>
<td></td>
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<tr>
<td>Samuel, Larkin</td>
<td>9 23</td>
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<td>Scott, E. F.</td>
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<td>(W.)</td>
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<td>Smith, Joseph</td>
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<td>due 31st March, 1833</td>
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<td>Shockley, Thos.</td>
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<td>Spillman, Jas. &amp; James</td>
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<td>Scott, Moses</td>
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<td>acc</td>
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<td>31 72</td>
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<td>Stanford, David</td>
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<td>Trustees of Frankfort,</td>
<td>102 81</td>
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</tr>
<tr>
<td>Warren, Thos.</td>
<td>15 00</td>
<td>note—due 27th March 1834.</td>
<td></td>
</tr>
<tr>
<td>Waller, Wm. S.</td>
<td>70 19</td>
<td>note—due 2d April 1834; paid $25.</td>
<td></td>
</tr>
<tr>
<td>Wight, James</td>
<td>54 14</td>
<td>note—due 30th June 1834.</td>
<td></td>
</tr>
</tbody>
</table>
Woods, John
Weisiger, Lucy & Son
Witt, Wm.
Winebrenner, George
Walston, James
Williams, Andrew
Williams, Dudley
Witt, John
Wickersham, Ambrose
Yunt, John
Zook, Jacob

$33 26, note due 3d March, 1834.
$243 00, note due 14th May, 1834; paid $120.
$25 91, note due 6th March, 1834; paid $24.
$7 50, note due 20th Feb. 1834.
$5 50, note due 16th March, 1833.
$3 00, acc:
$1 50, acc: (W.)
$60 00, Judg't. cost $7 30, 21st Nov. 1829.
$1 18, acc: (W.)
$75, acc:

Accounts due from Penitentiary, to individuals.

Thomas Guthrie,
Wm. McBride,
Sam. S. Brooking,
Barret Warren,
Thomas W. Davis,
O. Belt,
Joseph Taylor,
L. J. Sharp,
Robert Hanbleton,
Charles Miles,
Luke Munshall,
Benj. Hensley,
Mrs. Polly Macey,
Brookland & Thrailkeld
John Bradshaw,
J. Warfield,
Robert Reed,
H. I. Anderson,
J. Luckett,
Samuel B. Crockett,
Geo. Blackburn,
John R. Scott,

80 cents.
$19 00
$429 47 paid.
12 00
1 00
21 00
5 45 settled.
76 03 paid.
84
9 75
2 52
19 84
1 47
16 24
30 00
3 25
11 28
215 91
1 47
14 30 paid.
14 17 paid.
1,054 00 paid.
RECAPITULATION.

Accounts due the Penitentiary, $52,837.40
Notes due Penitentiary, 12,689.74
Notes and Accounts out for collection, 1,588.67
Judgments, 1,218.85

Deduct debts due by Penitentiary, amounting to 1,990.79

Balance due the Penitentiary, as will appear from the above accounts, $86,353.87, which, when collected, will be subject to equal division between the state and myself; the state having received, at the time of settlement by the Commissioners, the sum of $28,591.68, and I having received 24,429.70.

The above shows you the state of accounts and funds of the Institution, except two small horse-carts, one great coat, one piece of filling and one copper tea-pot, which were made to order, but have not been taken by the persons ordering them; they will be disposed of as soon as convenient.

Whilst settling the accounts, I requested the Commissioners, with Mr. Belt, former clerk, to examine my individual accounts as they had all others, and to set forth in form whatever errors they might find in the same, so that I might present the same to your honorable body; which they did in the words and manner following:

JULY 24, 1834.

Kentucky Penitentiary, to Joel Scott, DR.

For this amount, which should be credited to Joel Scott, as Keeper of Kentucky Penitentiary, the same being omitted at the time the transactions took place, as will fully appear by reference to memorandum filed this day by John Woods and Thomas S. Page, Commissioners on the part of the State, and Osburn Belt, former Clerk of the Institution:

For loan from the state, $6,131.00
Boarding five guards, clerk and assistant keeper, one year ending 1st February, 1826, at $100 each per annum, 700.00
Boarding four guards, clerk, and assistant keeper, one year ending February 1, 1827; 600.00
Do. do. ending July 1, 1827, 300.00
Man William's services two years and six months, ending July 1, 1827, at $120 per annum, 300.00
John R. Scott's services as assistant keeper, two years and six months, ending 1st July, 1827, at $300 per annum, 750 00

Use of team two years and six months, ending 1st July, 1827, at $300 per annum, 750 00

Spinning jenny furnished, 100 00

One ten plate stove, drum, and pipe 40 00
One box, stove, and pipe, 16 00
One seven plate stove and pipe, 16 00
One six plate stove and pipe, 16 00
Two Franklin stoves, 70 00
Two sixty gallon kettles, 26 00
Two six plate stoves, 48 00
One big wheel, 2 00
Seventy-four pounds of soap, 6 60

Feb. 2. One ten pounds of flour, 35
5. Linen, jeans, and sack, &c. for convicts' clothes, 88 79
7. Candles, 3 60
8. Five sides upper leather, 16 75
94 lbs. bacon, $8 40; 100 lbs. pork, $5 00, 13 40
10. Candles, $1 10; 21 bushels meal, $7 00, 8 10
12. Twelve lbs. candles, 2 40
15. Five lbs. candles, 1 00
18. fourteen and a half lbs. candles, 2 90
25. Five lasts, 2 62
28. 14 lbs. candles, $2 80; 5 lbs. flour, 15 cts; and five razors, $3 12,

One set pairing chisels, $5; 3 files, $1 75,
5 60

Mar. 18. 15 lbs. candles, $3 20; 12 lbs. of do. $2 40, 5 60
28. 9 bushels meal, 3 37

April 7. 18 bushels and 14 lbs. meal, 6 96
8. 56 lbs. candles, $11 20; 111 lbs. bacon, $9 25, 20 45

May 12. 2 days cutting timber $1 50; bacon and flour, $3 24, 4 76
26. 2 reams wrapping paper, 8 00

June 29. 60 doz. spun cotton, 25 20
July 18. 200 lbs. bacon, 18 00
Aug. 1 ream writing paper, 4 00
Sept. 20. 45 lbs. bacon, 4 05

$10,131 23

We have this day examined and compared the foregoing list of
charges with the books of the Penitentiary, and are entirely satisfied
that Joel Scott, as Keeper, should have credit for the same. Given
under our hands this 24th day of July, 1834.

JNO. WOODS,
THOS. S. PAGE,
Commissioners on part of State.
O. BELT,
Former Clerk of Ky. Penitentiary.

FRANKFORT, Sept. 23, 1834.

From an examination that I have made of the books of the Ken­
tucky Penitentiary I am satisfied that the foregoing account of money
and articles were furnished the institution, and that Mr. Scott nor any
one else has been credited therewith.

BENJAMIN POLLARD,
Commissioner on part of State.

In the foregoing account, are a few of a great number of small items,
which I would cheerfully have waived, and would not have presented to
your notice, (though they are all strictly due and just,) had not your
Commissioners, in the statement of my account, deemed it a matter of
justice to insert them in their certificate. I hope your honorable body
will take into consideration the above amount as certified to be due to
me, and that you will do unto me what in your wisdom shall be thought
just and right.

It is but justice to myself and to those indebted to the Institution, to
state that I have not tried to collect the debts, except where I thought
a delay would injure the claim: in that event, I have either sued upon
the debt, or made the debtor secure it to me. My reason for not trying
to collect the debts, is that I knew my claim to be a just one, and believing
that you would allow it to me, I did not want the money to be in my
hands until my claim was acted upon by your honorable body; which,
I hope you will take immediate steps during the present session to have
fairly adjusted.

In conclusion, permit me to express to you collectively and individual­
ly, my profound gratitude for many tokens of kindness and confidence
heretofore bestowed, and my sincere wish that the same reciprocation of
kindness and good feeling may forever exist. All of which is respect­
fully submitted by your obedient servant,

JOEL SCOTT.

Ordered, That the said communication be referred to the com­
mittee on the penitentiary, and that the Public Printer print one
hundred and fifty copies thereof, for the use of the Senate.
A message in writing was received from the Lieutenant and Acting Governor, by Mr. Cox, Assistant Secretary of State; and 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 consent, James E. Davis, to be Mayor of the City of Lexington, for the ensuing year.

J. T. Morehead.

January 6th, 1835.

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

Ordered, That Mr. Chinn inform the Lieutenant and Acting Governor thereof.

The messages in writing received from the Lieutenant and Acting Governor on yesterday, were taken up and read as follows, viz:

Gentlemen of the Senate:
I nominate for your advice and consent, John Carter, to be Sheriff of Nicholas county; the county court of said county having failed to recommend persons to fill said office.

William H. Woolsey, to be Sheriff of Edmondson county; the county court of said county having also failed to recommend persons to fill said office.

William Olds, to be Brigadier General of the 5th Brigade, vice W. C. Prewitt, resigned.

George C. Thompson, to be Inspector of the 8th Division, vice Joseph McDowell, resigned.

John Green, to be Sheriff of Henderson county; the county court of said county having failed to recommend persons to fill said office.

J. T. Morehead.

January 3rd, 1835.

Gentlemen of the Senate:
Since the adjournment of the Legislature in February last, 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 for the offices respectively annexed to their names, viz:

John Joyes, to be Mayor of the City of Louisville.

Francis T. Helm, to be Mayor of the town of Newport.

Daniel S. Hays, to be Notary Public in the county of Christian.

Able Akin, to be Notary Public in the county of Jefferson.

Robert F. Pulliam, to be Sheriff of Allen county, vice R. McClary, resigned.
John Copeland, to be Sheriff of Calloway county, vice William Jones, resigned.

Benjamin Duncan, to be Sheriff of Lincoln county, vice John Davis, resigned.

Jesse Paden, to be Sheriff of Livingston county, vice Jonah Hibbs, resigned.

E. S. Herndon, to be Sheriff of Scott county, vice James Patterson, resigned.

George Calhoun, to be Attorney for the Commonwealth, for the 13th Judicial District, vice Benjamin Chapeze, resigned.

William Holloway, to be Quarter Master of the 2d Division Ky. Militia, vice W. H. Caperton, resigned.

Archibald W. Goodloe, to be Inspector of the 2d Division Ky. Militia.

Edmund P. Gaines, to be Quarter Master of the 3d Division, vice A. W. Dudley, resigned.

Edward Carter, to be Inspector of the 5th Division, vice J. N. Cotton, deceased.

James S. Hackley, to be Quarter Master of the 6th Brigade vice J. C. Richardson, moved away.

John Liggett, to be Quarter Master of the 8th Brigade, vice W. H. Lacey, resigned.

W. H. Daniel, to be Quarter Master of the 9th Brigade, vice Charles Talbott, resigned.

Benjamin F. Neale, to be Quarter Master of the 11th Brigade.

Tucker W. Ragsdale, to be Brigadier General of the 12th Brigade, vice Jesse Mosely, promoted.

Larkin Nall, to be Quarter Master of the 12th Brigade.

Joseph Miller, to be Brigadier General of the 13th Brigade, vice Samuel Estill, promoted.

Joseph H. Tevis, to be Quarter Master of the 13th Brigade.

Bourne Goggin, to be Quarter Master of the 16th Brigade.

Samuel A. W. Wing, to be Quarter Master of the 17th Brigade.

James L. Dullam, to be Quarter Master of the 19th Brigade, vice H. W. Collins, moved away.

William McWaters, to be Brigadier General of the 27th Brigade, vice James C. Anderson, moved away.

Griffith Curme, to be Major of the 27th Regiment, vice Thomas Clarke, deceased.

James O’Neal, to be Colonel of the 28th Regiment, vice James Fee, resigned.

Levi Walters, to be Lieutenant Colonel of the 28th Regiment, vice James O’Neal, promoted.
Robert Powers, to be Major of the same, vice Levi Walters, promoted.

E. Jefferson, to be Lieutenant Colonel of the 29th Regiment, vice Wm. Read, promoted.

Thomas Froman, to be Major of the same, vice E. Jefferson, promoted.

Peter Bean, to be Major of the 38th Regiment, vice P. McDonald, promoted.

Garrett Vandique, to be Colonel of the 4th Regiment, vice Samuel Knott, resigned.

Cornelius Railey, to be Lieutenant Colonel of the same, vice G. Vandique, promoted.

William M. Cresp, to be Major of the same, vice C. Railey, promoted.

Caleb J. Sanders, to be Colonel of the 10th Regiment, vice J. B. Payne, deceased.

Thomas A. Russell, to be Lieutenant Colonel of the same Regiment, vice C. J. Sanders, promoted.

Thomas S. Brockman, to be Major of the same, vice Thomas A. Russell, promoted.

Lewis Strader, to be Colonel of the 15th Regiment, vice Joel Woodford, deceased.

W. G. Jackson, to be Lieutenant Colonel of the same, vice Lewis Strader, promoted.

J. B. Begby, to be Major of the same, vice Tho. Cunningham, moved away.

James W. Hunt, to be Major of the 17th Regiment, vice G. W. Bush, promoted.

Samuel Black, Colonel of the 19th Regiment, vice Joseph Miller, promoted.

Nicholas H. Schooler, Lieutenant Colonel of the same, vice J. C. McWilliams, resigned.

Samuel Campbell, to be Major of the same, vice Samuel Black, promoted.

Richard F. Richmond, to be Colonel of the 22d Regiment, vice Th. L. Tate, resigned.

J. P. Sanders, to be Lieutenant Colonel of the same, vice J. M. Bradford, resigned.

Victor Monroe, to be Major of the same, vice R. F. Richmond, promoted.

Micajah M. Clarke, to be Colonel of the 25th Regiment, vice R. W. Ragsdale, resigned.

Claiborne Still, to be Major of the same, vice M. M. Clarke, promoted.
Milton Jamison, to be Lieutenant Colonel of the 31st Regiment, vice J. C. Orear, refused.

John F. Anderson, to be Major of the same, vice M. Jamison.

Thomas S. Kennedy, to be Colonel of the 35th Regiment, vice Christopher Harris, resigned.

W. S. Lipscomb, to be Lieutenant Colonel of the same, vice Th. S. Kennedy, promoted.

Charles K. Moore, to be Major of the same, vice W. S. Lipscomb, promoted.

William Taylor, to be Colonel of the 49th Regiment, vice T. W. Ragsdale, promoted.

L. L. Lench, to be Lieutenant Colonel of the same, vice R. Elliott, deceased.

Brooks Austin, to be Major of the same, vice W. Ashby, refused.

Enoch Yantis, to be Colonel of the 52d Regiment, vice H. Rowe, resigned.

William Winfrey, to be Lieutenant Colonel of the same, vice J. Abrile, resigned.

J. Bolen, to be Major of the same, vice G. Harris, resigned.

H. Coffee, to be Major of the 53d Regiment, vice G. S. Duncan, resigned.

John Sword, to be Major of the 56th Regiment, vice J. Weddington, moved away.

W. Myers, to be Colonel of the 57th Regiment, vice J. F. Collier, deceased.

Samuel G. Tillett, to be Lieutenant Colonel of the same, vice W. Myers, promoted.

Wm. Ford, to be Major of the same, vice S. G. Tillett, promoted.

Daniel Morgan, to be Lieutenant Colonel of the 58th Regiment, vice R. G. Lewis, resigned.

Garrett Frum, to be Major of the same, vice Daniel Morgan, promoted.

Henry Russell, to be Major of the 62d Regiment, vice S. Coffman, resigned.

Samuel Carpenter, to be Colonel of the 64th Regiment, vice G. W. Mansfield, promoted.

Wm. Waggle, to be Lieutenant Colonel of the same, vice S. Carpenter, promoted.

J. Spillman, to be Major of the same, vice W. Waggle, promoted.

Calvin H. Tyler, to be Major of the 66th Regiment, vice S. W. Hines, resigned.
Lisenbury Nounce, to be Colonel of the 72d Regiment, vice Wm. McWaters, promoted.

John Cunningham, to be Lieutenant Colonel of the same, vice Rob. B. Scott, promoted.

James Cunningham, to be Major of the same, vice W. Hopson, resigned.

Willis M. Pickett, to be Colonel of the 73d Regiment, vice J. G. Howard, resigned.

Creed Burton, to be Lieutenant Colonel of the same, vice W. M. Pickett, promoted.

Lewis Riley, to be Major of the same, vice Creed Burton, promoted.

Samuel Hibbard, to be Colonel of the 75th Regiment, vice W. Jackson, resigned.

John Morris, to be Lieutenant Colonel of the same, vice S. Hibbard, promoted.

Eli Tompkins, to be Major of the same, vice John Morris, promoted.

Daniel M. White, to be Colonel of the 76th Regiment, vice W. Brooks, resigned.

H. T. Graham, to be Lieutenant Colonel of the same, vice B. Pursely, promoted.

C. W. F. Stephens, to be Major of the same, vice D. M. White, promoted.

James Meale, to be Major of the 84th Regiment, vice J. H. Mims, promoted.

William McWilliams, to be Lieutenant Colonel of the 77th Regiment, vice J. Leach, resigned.

J. W. Thompson, to be Major of the same, vice W. McWilliams, promoted.

Aaron Endicott, to be Lieutenant Colonel of the 86th Regiment, vice T. T. Garnett, resigned.

John Whitehead, to be Major of the same, vice A. Endicott, promoted.

Philip Fulkerson, to be Lieutenant Colonel of the 87th Regiment.

John Bratcher, to be Major of the same.

William Reese, to be Colonel of the 90th Regiment, vice Joshua Buster, promoted.

Jacob Walden, to be Lieutenant Colonel of the same, vice Joel Wilhite, resigned.

Benjamin M. Wallace, to be Major of the same, vice Wm. Reece, promoted.
David J. Roach, to be Colonel of the 92d Regiment, vice W. Mothershead, resigned.

J. C. Towson, to be Lieutenant Colonel of the same, vice D. J. Roach, promoted.

R. C. McBrayer, to be Major of the same, vice J. C. Towson, promoted.

Ed. B. Cheatham, to be Lieutenant Colonel of the same, vice J. Ewing, promoted.

William C. Paxton, to be Major of the same, vice E. B. Cheatham, promoted.

Spencer Hudson, to be Lieutenant Colonel of the 95th Regiment, vice John Hill, moved away.

Samuel Reece, to be Major of the same, vice S. Hudson, promoted.

William Henry, to be Colonel of the 97th Regiment, vice J. C. Anderson, promoted.

S. A. Bernham, to be Lieutenant Colonel of the same, vice W. Henry, promoted.

J. D. Crockett, to be Major of the same, vice S. A. Bernham, promoted.

John Clarke, to be Lieutenant Colonel of the 98th Regiment, vice S. Hatfield, refused.

John Friend, to be Major of the same, vice Thomas Graham, deceased.

Smith Calvert, to be Major of the 100th Regiment, vice J. Bishop, resigned.

Jocelin Wilson, to be Lieutenant Colonel of the 101st Regiment, vice R. Jones, resigned.

Thomas J. Maxey, to be Major of the same, vice J. Bowman, resigned.

Micajah B. Clarke, to be Lieutenant Colonel of the 107th Regiment, vice J. F. Lowe, resigned.

John M. Clarke, to be Major of the same, vice M. B. Clarke, promoted.

H. H. Nabours, to be Major of the 117th Regiment, vice S. Smiser, promoted.

Hugh Logan, to be Colonel of the 122d Regiment, vice D. Merriweather, refused.

Wm. McCawley, to be Lieutenant Colonel of the same, vice D. Stanford, refused.

R. D. Woodson, to be Major of the same, vice D. Stanford, promoted.
Daniel Phillips, to be Colonel of the 123d Regiment, vice Wm. Bell, moved away.
C. Dimmitt, to be Lieutenant Colonel of the same, vice J. Cooper, refused.
M. Markland, to be Major of the same, vice D. Phillips, promoted.

J. T. MOREHEAD.

January 3rd, 1835.

Resolved, That the Senate advise and consent to the appointment of the several persons as nominated in the said messages.

An engrossed bill, entitled an act to take the sense of the people of this Commonwealth, as to the propriety and expediency of calling a Convention, was committed to a committee of the whole house on the state of the Commonwealth, for to-morrow.

An engrossed bill, entitled an act to repeal in part the act entitled, an act to establish the Louisville Bank of Kentucky, 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.

A bill to amend the charter of the Louisville marine and fire insurance company, was read the 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.

And then the Senate adjourned.

WEDNESDAY, JANUARY 7, 1835.

The Speaker laid before the Senate the annual report of the Receiver of Public Moneys in the land district west of the Tennessee river, which is as follows, to-wit:

FRANKFORT, KENTUCKY,
January 6, 1835.

Hon. JAMES CLARK, Speaker of the Senate.

In obedience to an Act of Assembly, approved 21st December, 1831, I respectfully submit the following Report of Lands sold
West of Tennessee River, since my last report as Receiver of Public Moneys, to-wit:
Lands sold from the 12th day of December, 1833, to the 18th December, 1834, (as per my Reports to the Auditor of Public Accounts,) $26,084 25 CREDITS.

By am't. paid Treasurer in Comm'th's.
" Ditto, in Specie and United States paper, $19,001 25
" Advance of 5 per cent. allowed on same, as per Act of Assembly, 6,460 00
" Am't. of my commission retained, 323 00
Making, $26,084 25

Which you will please lay before the House of Representatives, and oblige

Your obedient Servant,
EDMUND CURD,
Receiver of Public Moneys West of Tennessee River.

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

Mr. Blackburn presented the petition of sundry citizens of Jessamine county, praying that the said county may be added to the twelfth judicial district, which was received, and referred to the committee of courts of justice.

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 charter of the city of Lexington.
An act allowing additional justices of the peace, and constables to certain counties.
An act for the benefit of George Delong.
An act to establish a mechanic's institute in the city of Louisville.
An act for the benefit of the heirs of Thomas A. Clark and others.
An act to legalize the proceedings, and to extend the powers of the trustees of the town of Elizabeth in the county of Hardin; and
An act for the benefit of William Compton.
And that the House of Representatives had concurred in the amendment proposed by the Senate to a bill, which originated in that house, entitled "an act for the benefit of the sheriff of Calloway county."
Mr. Guthrie, from the committee of courts of justice, to whom was referred a bill from the House of Representatives, entitled an act to authorize the county court of Clarke to increase the pay to the patrolers of said county, reported the same, with their opinion that it ought to pass.

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

Mr. Guthrie from the same committee, to whom was referred a bill for the benefit of the sheriff of Casey county, reported the same, with their opinion that it ought to pass.

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 be engrossed, and that the title thereof be as aforesaid.

Mr. Guthrie from the same committee, to whom was referred a bill for the benefit of the headright settlers of this Commonwealth, reported the same with an amendment, which was concurred in; and the said bill was ordered to be engrossed and read a third time.

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

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

Mr. Guthrie, from the same committee, reported bills of the following titles, viz:

1. A bill amendatory to an act to authorize the sale of the real and personal estate of Samuel Monson, deceased.
2. A bill to amend an act to encourage the publication of a new digest of the statute law of Kentucky, approved Feb. 8th, 1834.
3. A bill to amend the laws relating to the condemnation of private property, which may be required for public purposes, or works of internal improvement; and
4. A bill to amend the law as to proceedings against non-resident and absent defendants, and unknown heirs.

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 third and fourth bills having been dispensed with, the fourth was referred to the committee of courts of justice, and the Public Printer ordered to print one hundred and fifty copies of said bills, for the use of the General Assembly.

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

Resolved, That the said bill be read a third time, and that the title thereof be as aforesaid.
Mr. Bramlette, from the committee of enrollments, reported that the committee had examined enrolled bills, and a resolution, of the following titles, viz:

An act to enlarge the constable's district for the town of London, in Laurel county.

An act prescribing the mode of appointing judges and other officers, to hold the election in Livingston county, on the 14th January, 1835.

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

An act for the benefit of Jacob Mayo, clerk of the Floyd circuit and county courts; and

A resolution to appoint committees to examine the offices of the auditor, treasurer and register.

And had found the same truly enrolled; that they 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 Lieutenant and Acting Governor, for his approbation and signature.

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

Mr. Taylor from the committee of finance, to whom was referred a bill for the benefit of the sheriff of Logan county, reported the same with an amendment, which was concurred in.

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. Roberts from the committee of education, to whom was referred a bill from the House of Representatives, entitled an act for the benefit of the Glasgow Academy, reported the same with the opinion of the committee that it ought to pass.

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.

A message in writing was received from the Lieutenant and Acting Governor, by Mr. Cox, Assistant Secretary of State.

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

By Mr. Smith—1. A bill to repeal an act, entitled an act repealing the law authorizing the people of Rockcastle, Knox, Harlan and Laurel counties, to pass the Turnpike and Wilderness road without paying toll, approved February 24th, 1834.
By Mr. Morehead—2. A bill for the benefit of Micajah Clark and others.

By Mr. Boyd—3. A bill for the benefit of S. Moore and others.

By Mr. Metcalf—1. A bill for the benefit of S. Kimbrough.

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 and third reading of the first bill, and the second reading of the second, third and fourth bills having been dispensed with, the second and fourth were referred to the committee of finance; and the third was referred to the committee of courts of justice.

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

A bill from the House of Representatives entitled, an act to legalize the proceedings, and extend the powers of the trustees of the town of Elizabeth, in the county of Hardin, 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.

Mr. Boyd moved to take up for consideration, from the orders of the day, a resolution from the House of Representatives, fixing on a day for the election of a Senator in Congress.

And the question being taken thereon, it was decided in the negative, the rule of the Senate requiring a vote of two-thirds of the members present.

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


NAYS—Messrs. Bramlette, Daviess, Guthrie, Heady, James, Lyon, McDonald, McHenry, May, Nuttall, Patterson, Sisk, Willis and Young—14.

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. Wingate in the chair.

After some time spent in committee, the Speaker resumed the chair, when Mr. Wingate reported that the committee had, according to order, had under consideration an engrossed bill, entitled an act to take the sense of the people of this Commonwealth as to the expediency and propriety of calling a Convention, and had gone through the same, and made several amendments thereto, which he handed in at the Clerk's table.

The said amendments were concurred in.

And then the Senate adjourned.
1. Mr. Gholson presented the petition of the trustees of the town of Hopkinsville, praying that the laws concerning said town, may be amended.

2. Mr. Lyon presented the petition of sundry citizens, praying that a State road may be established from Smithland, in Livingston county, by Eddyville, Millville, and Col. James Mitcheson's, to Hopkinsville, in Christian county.

3. Mr. Roberts presented the petition of Jesse Shacklott and Fanny Goodridge, administrator and administratrix of the estate of George C. Goodridge, deceased, praying that a law may pass authorizing a sale of the real estate of the deceased, for the purpose of paying his debts.

4. Also, the petition of Austin H. Slaughter, administrator of William D. Whitsett, deceased, praying that a law may pass authorizing a sale of the real estate of the decedent, for the purpose of paying his debts.

5. Also, the petition of Sally Quinn and others, praying the passage of a law authorizing the sale of a part of the real estate of Benjamin Quinn, jr. deceased.

6. And Mr. Wingate presented the petition of Nancy Clark, praying a divorce from her husband James Clark.

Which petitions were severally received and referred; the first, third, fourth and fifth, to the committee of courts of justice; the second to the committee of internal improvements, and the sixth to the committee of religion.

Mr. Guthrie, from the committee of courts of justice, reported as unfinished business of last session, a bill to amend the penal laws of this Commonwealth, and the better to secure the right of suffrage, and freedom of elections therein; 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 the Public Printer directed to print one hundred and fifty copies thereof for the use of the General Assembly.

Mr. Guthrie, from the same committee, reported a bill to amend an act to incorporate the Lewis Pottery Company, for the purpose of manufacturing Queensware and China at Louisville; and

A bill continuing in force the law providing for the appointment of Commonwealth's Attorneys.

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 and third readings of the first, and second reading of the second bill,
having been dispensed with, the second was referred to the committee of courts of justice, and the first being engrossed,

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

Mr. Wingate, from the committee appointed for that purpose, reported a bill to change the time of the meeting of the General Assembly; 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. Morehead, from the committee appointed for that purpose, reported a bill authorizing the trustees of the town of Russellville to sell certain streets or parts thereof in said town; which was 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 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 Speaker laid before the Senate the annual report of the commissioners of the Lunatic Asylum, which is as follows, to-wit:

REPORT.

To the Honorable, the General Assembly
of the Commonwealth of Kentucky.

In pursuance of the act of Assembly, 1824, the Commissioners of the Lunatic Asylum, at Lexington, respectfully beg leave to submit the following Report:

The annexed paper marked A., exhibits the number of patients at present in the Asylum, their age, disease, date when received, and the county or State from which they came. Within the last year fifty-one patients have been received; making, together with those in the house at the date of last report, one hundred and seventeen; of whom, four have eloped; nineteen have been discharged; ten cases of mortality have occurred. There remain in the Asylum at this time, eighty-four, viz: forty-two males and forty-two females. By this document you will perceive that since the opening of the institution in 1824, there have been received four hundred and forty-eight patients; of whom one hundred and sixty-nine have died, (forty-five of whom of cholera;) one hundred and sixty-seven have been discharged, and twenty-eight have eloped.

The pleasing hope is entertained, that many of those remaining will ere long be restored to their friends and society.

Your commissioners refer you to the document marked B., which exhibits the income and expenditure of the institution for the past year. It is a pleasing reflection, that these unfortunate beings are
comfortably lodged, clothed and fed by your munificence; besides having the daily attendance of a regular physician, and the watchfulness and care of experienced attendants and nurses.

The receipts for the year, together with the balance on hand at the end of last year, amount to nine thousand and forty-three dollars, seventy-five and three-fourth cents, and the expenditure to six thousand one-hundred and eighty-nine dollars eighty-one and one-fourth cents; leaving a balance in the chairman's hands this day, of two thousand eight hundred and fifty-three dollars ninety-four and one-half cents.

And your commissioners would recommend an appropriation of five thousand dollars, for the support of the institution for the ensuing year.

All which is respectfully submitted,

JOHN W. HUNT,
S. CHIPLEY,
R. HIGGINS,
JOHN BRAND,
THOS. P. HART,

Lexington, January 1st, 1835.

---

LIST OF PATIENTS,
RemaIning in the Lunatic Asylum, Lexington, December 31st, 1834.

<table>
<thead>
<tr>
<th>DATE</th>
<th>SEX</th>
<th>AGE</th>
<th>NO.</th>
<th>DISEASE</th>
<th>COUNTY</th>
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<td>Female</td>
<td>33</td>
<td>25</td>
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<tr>
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<td>27</td>
<td>448</td>
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<td>Missouri</td>
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Remained in Hospital, December 31st, 1833, (per last report,)
Of whom have since died,
discharged,

6
9
15

Received since last report, to December 31st, 1834,
Of whom have died,
eclipsed,
discharged,

4
4
10
18
33

Remain December 31st, 1834,
Of whom are boarders,
paupers,

21
63
84

From May, 1834, to the 31st Dec. 1834, there have been received Patients,
Of whom have died,
Of whom have died, of Cholera or its effects,
Of whom are boarders,
discharged,
eclipsed,

124
169
167
28
364

Remaining,

84

Males,
Females,

297
151

448

The Patients at present in the Asylum, are from the following Counties and States.

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<th>Males</th>
<th>Females</th>
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<td>Harrison</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Henry</td>
<td>2</td>
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</tr>
<tr>
<td>Jefferson</td>
<td>5</td>
<td>84</td>
</tr>
<tr>
<td>Jessamine</td>
<td>2</td>
<td></td>
</tr>
<tr>
<td>Logan</td>
<td>3</td>
<td>2</td>
</tr>
<tr>
<td>Laurel</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td>Livingston</td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td>Lewis</td>
<td>1</td>
<td>3</td>
</tr>
<tr>
<td>Madison</td>
<td>1</td>
<td>5</td>
</tr>
<tr>
<td>McCracken</td>
<td>1</td>
<td>10</td>
</tr>
<tr>
<td>Mercer</td>
<td>5</td>
<td></td>
</tr>
</tbody>
</table>
Abstract of the Receipt and Expenditure of the Lunatic Asylum for the year ending December 31st, 1834.

CHARGE.

January 11, 1834, To balance in Chairman's hands, this day, $2,150 60
January 11, 1834, To State Appropriation, 6,000 00
January 11, 1834, To Cash received from Boarders, 893 15

$9,049 75

DISCHARGE.

December 31, 1834, By Amount paid for Clothing, $786 68
December 31, 1834, By Amount paid for Furniture, Beds, &c. 491 16
December 31, 1834, By Amount paid for Provisions, &c. 1,978 43
December 31, 1834, By Amount paid for Fuel, 567 60
December 31, 1834, By Amount paid for Salaries and Hire, 960 48
December 31, 1834, By Amount paid for Medicine and Attendance, 143 37
December 31, 1834, By Amount paid for Conveying Patients, 550 25
December 31, 1834, By Amount paid for Extras and Repairs, 182 63
December 31, 1834, By Amount paid to Recovered Patients, per act 1828, 5 00
December 31, 1834, By Amount paid Discount on Commonwealth Notes, 594 16
December 31, 1834, By Balance in Chairman's Hands, 2,853 94

$9,049 75

E. & O. E.

January 1, 1835, To balance brought down, $2,853 94

Ordered, That the said report be referred to the committee of finance, and that the Public Printer print one hundred and fifty copies thereof, for the use of the Senate.

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

Resolved by the Senate and House of Representatives of the Commonwealth of Kentucky, That the joint committee of the Senate and House of Representatives, appointed to examine the auditor's office, be authorized to employ a clerk to assist them in said examination.

The rule of the Senate having been dispensed with, the said resolution was taken up, twice read and adopted.

On the motion of Mr. Taylor,

Resolved, That the auditor of public accounts be required to report to the Senate, the amount of subscriptions and appropriations to objects of internal improvements, authorized by law prior to the session of the General Assembly of 1833, that remained unpaid on the 22d of February, 1834, and then became chargeable to, and payable out of the funds set apart and appropriated for the payment of such subscriptions and appropriations by the act of that date.
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 establish an election precinct at Keasburgh, in the county of Logan.

An act for the benefit of Greenberry A. Gaither.

An act to authorize the insertion of advertisements in the "Kentucky Whig and Fleming Advertiser," and the "Baptist Banner and Journal of Health," and

An act to authorize the appointment of judges and clerks of an election to be held in the counties of Laurel and Rockcastle.

And that they had passed bills, and a resolution, which originated in the Senate of the following titles, viz:

An act to extend the bounds of the town of Lebanon, in Marion county.

An act to reduce the number of justices of the peace in Barren county.

An act to change the location of a part of the State road leading from the seat of Government through Flemingsburg, to the mouth of Big Sandy.

An act to amend the charter of the Louisville Turnpike Company.

An act to amend the several acts for opening a road from Taylorsville to Jefferson town.

An act to amend the charter of the Fireman's Insurance Company of Louisville.

An act to amend the charter of the Louisville Marine and Fire Insurance Company.

And the adoption of a resolution, in relation to the stock held by individuals, in the Louisville and Portland canal company.

On the motion of Mr. James,

Resolved, That the committee of courts of justice be instructed to inquire into the expediency and propriety of passing an act, explaining the powers of the several county courts in this Commonwealth.

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

On the motion of Mr. Willis—1. A bill to establish an additional judicial district in this Commonwealth.

On the motion of Mr. Grider—2. A bill to incorporate the Mount Pleasant Baptist Meeting House, in Warren county.

On the motion of Mr. Smith—3. A bill to extend and continue in force, an act for the benefit of Stephen Langford, approved January 30th, 1833.

On the motion of Mr. Chinn—4. A bill to amend the laws relative to the estate of the late John Breckenridge, deceased.

On the motion of Mr. May—5. A bill to improve the road from Perry court house to the Virginia State line.
On the motion of Mr. Lusk—6. A bill to amend the law in relation to the assignment of dower.

On the motion of Mr. Carter—7. A bill to incorporate the Big Sandy and Little Sandy turnpike road company.

And on the motion of Mr. Willis—8. A bill to amend the laws in relation to divorces.

The committee of courts of justice was directed to prepare and bring in the first and fourth bills; the committee of religion, the second and eighth; the committee of internal improvements, the seventh; Messrs. Smith, Griffith and McHenry, were appointed a committee to prepare and bring in the third; Messrs. May, Metcalfe and Thornton, the fifth; and Messrs. Lusk, Chinn and Guthrie, the sixth.

On the motion of Mr. Blackburn,

The resolution read and laid on the table by Mr. Boyd, on the 3d instant, was taken up and read as follows, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That they will, on the — instant, proceed, by joint vote of both Houses, to elect a Senator, to represent this State in the Senate of the United States, for six years from the fourth of March next.

Mr. Willis moved to fill the blank in the said resolution with "twenty-fourth;" and the question being taken thereon, it was decided in the negative.

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

YEAS—Messrs. Bramlette, Coffey, Davis, Guthrie, Head, James, Lyon, McDonald, McHenry, May, Nuttall, Sisk, Willis and Young—14.


Mr. Daviess then moved to fill the said blank with "fifteenth;" and the question being taken thereon, it was decided in the negative.

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

YEAS—Mr. Speaker, Messrs. Bramlette, Coffey, Davis, Gilbert, Guthrie, Head, James, Lyon, McDonald, McHenry, May, Nuttall, Sisk, Smith, Willis, Wingate and Young—18.


Mr. Willis then moved to fill the said blank with "twelfth;" and the question being taken thereon, it was decided in the negative.
The yeas and nays being required thereon, by Messrs. Willis and Boyd, were as follows, viz:

YEAS—Messrs. Bramlette, Carter, Coffey, Daviess, Guthrie, Heady, James, Lyon, McDonald, McHenry, May, Nuttall, Patterson, Sisk, Smith, Willis and Wingate—17.


On the motion of Mr. Guthrie, the said resolution was laid on the table; and the resolution, on the same subject, from the House of Representatives, was taken up and concurred in, as follows, viz:

"Resolved by the General Assembly of the Commonwealth of Kentucky, That they will, on the ninth instant, proceed, by joint ballot of both houses, to elect a Senator, to represent this State in the Senate of the United States, for six years from and after the 4th day of March next."

A bill from the House of Representatives, entitled an act for the benefit of the sheriffs of Pulaski and Garrard counties, was read the third time as amended.

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

The yeas and nays being required thereon, by Messrs. McHenry and Willis, 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 to authorize the appointment of judges and clerks of an election to be held in the counties of Laurel and Rockcastle, 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.

The Senate resumed the consideration of a bill to take the sense of the people of this Commonwealth, as to the expediency and propriety of calling a convention.

The said bill 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 sheriffs and other returning officers of elections, at the several places appointed by law to hold the annual elections for the year eighteen hundred
and thirty-five, to open columns in their several poll books, for the qualified voters to vote for and against a Convention; and it shall be the duty of the several sheriffs aforesaid to meet at the Capitol in the town of Frankfort, on the thirtieth day after the commencement of the election, if it be not Sunday, and if Sunday, then on the thirty-first day after the commencement of the election, and then and there, as soon as may be, ascertain the number of votes given in the State for and against a Convention, and deliver the result so ascertained to the Secretary of State for the time being, to be by him delivered to the next General Assembly, within the first week of its session, together with a certificate of the number of qualified voters in this State; and the several sheriffs shall be allowed the same compensation for attending and counting the votes, that they are now allowed by law for attending to compare the polls for Governor and Lieutenant Governor.

Sec. 2. Be it further enacted, That any sheriff failing to perform his duty, according to the provisions of the first section of this act, shall be subject to a fine of six hundred dollars, to be recovered by action of debt, by any person suing for the same in any court having competent jurisdiction thereof, and shall also be subject, upon conviction of such failure, to removal from office.

Sec. 3. Be it further enacted, That it shall be the duty of the several sheriffs of this Commonwealth to read, or cause to be read, the act, at their several places of voting in their respective counties, at the opening of the polls on each day of the next annual election; and, in case of failure to do so, the said officer shall be liable and subject to the same penalties, which are prescribed in the second section of this act, for failing to perform his duty, according to the provisions of the first section of this act.

Sec. 4. Be it further enacted, That the Public Printer shall, upon a separate leaf or sheet, print fifteen hundred copies of this act, and furnish them to the Secretary of State, who shall send to each county in the State, at the time of forwarding the Acts of Assembly, &c. to the clerk's office of the county court of each county, fifteen of these copies; and the Secretary shall take a receipt of the carriers thereof, who shall take the receipt of the respective clerks, to whom he may deliver them; and the respective clerks of the county courts shall deliver them to the high sheriffs of their respective counties, and take his receipt for the same; a copy of which act shall be by him delivered to each of his deputies, to be by them read at their several precincts, as required by this act.

Sec. 5. Be it further enacted, That in case of the sickness, death, or inability of the sheriff of any county in the State, to attend to compare the list of votes in his or their county or counties at the seat of government, it shall be the duty of the county court clerk of such county to attend with such list of votes of said county,
who shall be liable to the same penalties for a failure to discharge the duties hereby imposed, and he shall receive the same compensation.

The question being taken on re-engrossing the said bill, and reading it a third time, the Senate being equally divided, it was decided in the negative, and the said bill was rejected.

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

YEAS—Messrs. Bramlette, Bush, Coffey, Daviess, Guthrie, James, Lyon, McDonald, McHenry, May, Morehead, Morgan, Nuttall, Patterson, Roberts, Sisk, Southgate, Willis and Young—19.


Mr. Bramlette, 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 Transylvania University; and
An act to change the place of voting at a precinct in Bracken county.

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 Lieutenant and Acting Governor, for his approbation and signature.

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

And then the Senate adjourned.

FRIDAY, JANUARY 9, 1835.

Mr. McDonald presented the petition of sundry citizens of the counties of Washington and Mercer, praying for the formation of a new county out of a part of each of said counties.

Which was received and referred to the committee of propositions and grievances.

Mr. Wingate, from the committee of religion, made the following reports, viz:

The committee of religion, in obedience to an order of the Senate, have had under consideration the petition of Louisa H. Malin, praying a divorce from her husband Arnold Malin, and beg leave to report the following resolution thereon, to-wit:

Resolved, That said petition ought to be rejected.
The committee of religion, according to an order of the Senate, have had under consideration the petition of Matthias Davis, praying a divorce from his wife America Davis, and have adopted the following resolution thereon:

Resolved, That said petition ought to be rejected.

The committee of religion, according to an order of the Senate, have had under consideration the petition of Nancy Clark, praying a divorce from her husband James Clark, and have come to the following resolution thereon:

Resolved, That said petition ought to be rejected.

The committee of religion, according to an order of the Senate, have had under consideration leave to them referred, to bring in a bill to incorporate the Mount Pleasant Baptist Meeting House, in Warren county, and recommend the adoption of the following resolution:

Resolved, That it is unnecessary to have any legislative action upon that subject, the case being already provided for by law.

Which were twice read and concurred in.

Mr. Metcalfe, from the committee of internal improvements, reported a bill authorizing a subscription of stock, on the part of the Commonwealth of Kentucky, in the Bank of Louisville, and in the Lexington and Ohio Rail Road Company, 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, and the Public Printer was directed to print one hundred and fifty copies thereof, for the use of the General Assembly.

Mr. Taylor from the committee of finance, to whom was referred a bill for the benefit of Samuel Kimbrough, reported the same with the opinion of the committee, that the said bill ought not to pass.

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. Willis and Daviess, were as follows, viz:

YEAS—Mr. SPEAKER, Messrs. Blackburn, Boyd, Bramlette, Bush, Carter, Coffey, Gilbert, Head, James, McDonald, May, Metcalfe, Morgan, Murrell, Nuttall, Roberts, Sisk, Smith, Southgate, Willis and Wingate—22.

NAYS—Messrs. Chinn, Daviess, Gridler, Griffith, Guthrie, Harrel, Lusk, Lyon, McHenry, Miller, Morehead, Patterson, Taylor, Thornton and Young—15.

On the motion of Mr. Roberts, the committee of education was discharged from the further consideration of the petition of Mann Butler.
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 improve the navigation of Little river.
An act to authorize the appointment of additional justices of the peace and constables in certain counties, and for other purposes.
An act to legalize the official bonds of such clerks of this Commonwealth, as have failed in time to comply with the provisions of an act, entitled "an act requiring clerks to renew their bonds, &c." approved February 22, 1834, and for other purposes.
An act to incorporate the Covington Fire Insurance Company.
An act to incorporate the Paducah Dock Company.
An act for the benefit of the heirs of Isaac Stout, deceased.
An act for the benefit of the heirs of Thomas Wilcoxon, deceased.
An act to authorize the clerk of the county court of Boone to record certain deeds, &c.
An act for the benefit of Celia Spencer.
An act to change the place of voting in certain precincts in certain counties.
An act to establish in part the line run between the counties of Barren and Hart.
An act to authorize Bartlett L. Graves to erect two gates across the old road leading from Glasgow to Greensburg.
An act for the benefit of William Babcock; and
An act to establish an election precinct in the county of Meade, and that they had passed bills, which originated in the Senate, of the following titles, to-wit:
An act for the benefit of the sheriff of Logan county; and
An act to reduce the number of justices and constables in Logan county.

Mr. Bramlette, from the committee of enrollments, reported that the committee had examined enrolled bills, and a resolution of the following titles, viz:
An act for the benefit of the sheriff of Logan county.
An act to authorize the appointment of judges and clerks of an election to be held in the counties of Laurel and Rockcastle; 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 they were delivered to the committee, to be presented to the Lieutenant and Acting Governor, for his approbation and signature.

After a short time, Mr. Bramlette reported that the committee had performed that duty.
Mr. Guthrie, from the committee of courts of justice, to whom was referred a bill continuing in force the law providing for the appointment of Commonwealth's Attorneys, reported the same, with the opinion of the committee that it ought to pass.

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. Guthrie, from the same committee, reported a bill allowing further time to redeem land stricken off to the State for the non-payment of taxes, and providing for the sale of all land not redeemed in time; which was read the first time, and ordered to be read the second time.

The rule of the Senate, constitutional provision, and second reading of the said bill was dispensed with, and the Public Printer directed to print one hundred and fifty copies thereof for the use of the General Assembly.

The Speaker laid before the Senate the report of the President of the Maysville, Washington, Paris, and Lexington Turnpike Road Company, which is as follows, viz:

To the General Assembly of the Commonwealth of Kentucky.

In accordance with our duty to the State, and the Stockholders in the Maysville, Washington, Paris and Lexington Turnpike road, the President and Directors beg leave to submit to your consideration the following statement of the work committed to their superintendence:

It will be seen by paper marked A, the amount of stock owned by individuals and corporations, as well as that owned by the State, including the sum of $70,000 subscribed by the President, on account of the Company, in conformity with the provisions of the act of the Legislature, passed 2nd February, 1833—the President and Directors after using their best efforts to dispose of the stock, and failing, also, to borrow the money in the cities of the Atlantic states, on the security they had to offer, viz: a pledge of stock in said road, were compelled to abandon the work, or subscribe the stock. The latter alternative was resorted to, and the subscription made. Thus making $395,500 of stock, from which the board declared $4,700 forfeited, because of non-payment, leaving the nett amount owned by the Company, $390,800. The same statement shows the sum received by the Treasurer, on account of said stock, amounting to $362,752 82, as also, the amount of moneys paid for interest, right of way, engineer's salary, building of gates, houses, &c. &c., as well as that paid to the contractors, including $54,820 of
the Company's notes; and the further sum of $11,700 in the hands of individuals for money borrowed, leaving in the treasury $3,480 to be paid to the contractors as their work shall be completed.

By an arrangement entered into with said contractors, the President and Directors bound themselves to pay, semi-annually, simple interest on said notes, and to redeem them in 1838. To meet which payment, they had no other means to resort to, than to set apart the tolls received on said road, confidently relying on the liberality of the Legislature to sanction the course adopted by them, as it was the only means of saving to the State, as well as other stockholders, the amount of money previously advanced.

Paper marked B, will show that $17,042 93, has been used out of the tolls to meet engagements with the Contractors. The President and Directors were compelled to do so, in consequence of the non-payment of $18,747 18, exclusive of interest, due by the State and individuals. When this sum shall be paid, it will be appropriated to the redemption of the Company's notes.

Paper marked C, shows the amount that will be due to the contractors when they shall have completed their work, with the amount of cash on hand, and the deficiency of $8,506 19, to meet the payment of the contracts, to which is to be added the cost of the bridge across Licking river, estimated at $10,000.

Paper marked D, is the report of the Engineer to the President and Directors of the road—exhibiting a general view of the work as it now stands; detailing, also, the loss of the above bridge, &c.; and as it is all important to the State, as well as to the Stockholders and the public generally, that this connecting link of the road should be completed with all possible dispatch, the President and Directors respectfully pray that a law may be passed by your honorable body, authorizing the Governor to subscribe for $9,200 on the part of the State, to make up the $400,000 provided for by the charter, and the further sum of 10,000 to complete the road and bridge aforesaid. Or if the Legislature should decline doing so, that the President and Directors may be authorized to issue the notes of the company to an amount sufficient to meet the payment of said work, to be redeemed in 1838, and that the tolls received on said road be allowed to be used for that purpose; and as security for the said redemption, to authorize a pledge of so much of the State stock as may be considered a guarantee to the holders of said notes, prohibiting the issue of any larger sum than is requisite to complete said road.

Hoping that this first and great improvement in our state will not be retarded for the small sum now necessary to a final finish, but that it
will be promptly granted by the competent authorities of the state, and as the Legislature have been so liberal in the construction of this fine avenue, that works of a similar character may also be patronized, until every part of the state shall experience the benefit arising, not to our citizens only, but to those who may visit us from other states of the Union, by which we will become more and more linked together, as one great family, and reciprocate that kind feeling which ought to be the cement of all the intelligent and virtuous of our happy country.

I have the honour to be, &c.

JOHN ARMSTRONG, President.

[A]

STOCK ACCOUNT.

1834.

Dec. 25, To amount of stock subscribed by individuals and corporations, $195,800 00
To same, subscribed by Commonwealth of Kentucky, 125,000 00
To same, subscribed by President of the Company, 70,000 00
To amount of recent subscription of L. Vimont, 4,700 00

$395,500 00

Deduct this amount of stock, (forfeited for non-payment,) 4,700 00

$390,800 00

Dec. 25, 1834.

By this amount of stock, paid by individuals and corporations, $180,226 80
By this amount of same, paid by Commonwealth of Kentucky, 112,526 02
By amount of stock subscribed by President of the Company, paid by issue of the notes of the Company, 70,000 00

$362,752 82

By this amount of stock, paid by L. Vimont in work on road, 4,200 00
By ditto, paid by same in work on road, 4,700 00
By ditto, paid by L. V. Wernwag in work on road, 400 00
By balance of stock unpaid by individuals and corporations, amounting to $6,273 20
By balance of stock due by Commonwealth of Kentucky, 12,473 98

18,747 18

$390,800 00
<table>
<thead>
<tr>
<th>DR.</th>
<th>CR.</th>
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</thead>
<tbody>
<tr>
<td><strong>1834.</strong> To cash, for fines refunded,</td>
<td><strong>$10 00</strong></td>
</tr>
<tr>
<td>To balance of int. acct.</td>
<td><strong>$1,952 41</strong></td>
</tr>
<tr>
<td>To paid damages for right of way, and materials for road</td>
<td><strong>$5,651 55</strong></td>
</tr>
<tr>
<td>To paid contingencies, embracing engineer's and other officers' salaries, building gate houses, &amp;c. &amp;c. &amp;c.</td>
<td><strong>$23,686 50</strong></td>
</tr>
<tr>
<td>To paid contractors,</td>
<td><strong>$283,267 60</strong></td>
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<tr>
<td>To paid same in notes of the Company</td>
<td><strong>$54,820 00</strong></td>
</tr>
<tr>
<td>To amount of Company's notes issued to individuals, for money borrowed</td>
<td><strong>$11,700 00</strong></td>
</tr>
<tr>
<td></td>
<td><strong>$66,520 00</strong></td>
</tr>
<tr>
<td>To paid L. Vimont, for Company's notes redeemed,</td>
<td><strong>$1,000 00</strong></td>
</tr>
<tr>
<td>To balance of Company's notes on hand</td>
<td><strong>$3,480 00</strong></td>
</tr>
<tr>
<td>To balance of cash on hand</td>
<td><strong>$10,945 24</strong></td>
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<td><strong>$14,425 24</strong></td>
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### TOLL ACCOUNT

#### 1831

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<thead>
<tr>
<th>Date</th>
<th>Description</th>
<th>Amount</th>
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</thead>
<tbody>
<tr>
<td>Oct. 1</td>
<td>To repairs of road and contingencies of gates to this date.</td>
<td>$433.00</td>
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#### 1832

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<tr>
<th>Date</th>
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<tbody>
<tr>
<td>Nov. 26</td>
<td>To same, to this date.</td>
<td>1,140.76</td>
</tr>
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#### 1833

<table>
<thead>
<tr>
<th>Date</th>
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</tr>
</thead>
<tbody>
<tr>
<td>Dec. 25</td>
<td>To same, to this date.</td>
<td>2,832.87</td>
</tr>
</tbody>
</table>

#### 1834

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<thead>
<tr>
<th>Date</th>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dec. 25</td>
<td>To same to this date,</td>
<td>4,850.91</td>
</tr>
<tr>
<td></td>
<td>To dividends paid up to 1st Oct. 1831,</td>
<td>715.00</td>
</tr>
<tr>
<td></td>
<td>To dividends paid up to 26th Nov. 1832,</td>
<td>5,189.30</td>
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<tr>
<td></td>
<td>To dividends paid up to 25th Dec. 1833,</td>
<td>487.70</td>
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<tr>
<td></td>
<td>To dividends paid up to 25th Dec. 1834,</td>
<td>131.70</td>
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<td></td>
<td>To dividends entered to credit of stockholders in payment of Stock,</td>
<td>1,317.50</td>
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<tr>
<td></td>
<td>Balance</td>
<td>17,942.93</td>
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**Total:** $34,141.60

#### 1833

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<thead>
<tr>
<th>Date</th>
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<tbody>
<tr>
<td>April 1</td>
<td>To this amount of tolls appropriated this date, to pay interest, &amp;c.</td>
<td>$2,214.45</td>
</tr>
<tr>
<td>Oct. 1</td>
<td>To this amount of tolls appropriated this date, for same object, and to redeem Company’s notes</td>
<td>3,512.84</td>
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#### 1834

<table>
<thead>
<tr>
<th>Date</th>
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</thead>
<tbody>
<tr>
<td>April 1</td>
<td>To this amount of tolls appropriated this date, for same object, and to redeem Company’s notes</td>
<td>2,954.15</td>
</tr>
<tr>
<td>Oct. 1</td>
<td>To this amount of tolls appropriated this date, for same object, and to redeem Company’s notes</td>
<td>5,455.24</td>
</tr>
<tr>
<td>Dec. 25</td>
<td>To this amount of tolls received since 1st Oct., not appropriated</td>
<td>2,433.45</td>
</tr>
<tr>
<td></td>
<td>To dividends unpaid</td>
<td>472.80</td>
</tr>
</tbody>
</table>

**Total:** $17,042.93
TOLL ACCOUNT.

By amount of tolls received from 6th Nov. 1830, to 26th Nov. 1832, $2,920.56
By amount of tolls received from 26th Nov. 1832, to 25th Dec. 1833, 10,676.78
By amount of tolls received from 25th Dec. 1833, to 25th Dec. 1834, 13,644.35

By balance carried to general account, $17,042.94

$34,141.69

[C]

Balances due on old Contracts.

To Thomas Graham, 2nd section, 2nd division, $33.46
To Gustavus Wilson, 12th section, 2nd division, 32.71
To Wood & Melloan, 4th section, 3d division, 213.55
To Thomas Graham, do. do. 80.74
To John Marshall, 8th and 9th sections, 5th division, 340.58
To Thomas H. Waters, 4th and 5th sections, 7th division, 1,150.46
To Wm. Woodburn, do. do. do. 115.87
To James Maguire, & Co. 3d section, 3d division, 247.06
To Samuel Glassford, 13th section, 4th division, 132.77
To L. Sanford, 10th section, 4th division, 423.80
To S. Dille, & Co. 11th section, 4th division, 699.76
To L. V. Wernwag, 4 bridges, 1,150.00
To same, Paris bridge, 2,325.10
To Andrew Wood, balance on note, 45.17
To Samuel Patterson, note, 643.54

$7,619.57
Balances that will be owing Contractors on last contracts, when road is finished.

<table>
<thead>
<tr>
<th></th>
<th>Scrip or Co's notes</th>
<th>Cash</th>
</tr>
</thead>
<tbody>
<tr>
<td>To Lewis Vimont</td>
<td>$5,085.00</td>
<td>245.00</td>
</tr>
<tr>
<td>To Michael Henry</td>
<td>5.00</td>
<td></td>
</tr>
<tr>
<td>To John S. Milloa,</td>
<td>500.00</td>
<td>497.60</td>
</tr>
<tr>
<td>To Joseph Ruckforth,</td>
<td>150.00</td>
<td>150.00</td>
</tr>
<tr>
<td>To L. Sanford, (Licking Bridge,)</td>
<td>905.00</td>
<td>905.94</td>
</tr>
<tr>
<td>To James Burt,</td>
<td>50.00</td>
<td>50.00</td>
</tr>
<tr>
<td>To John Maguire,</td>
<td>25.00</td>
<td>25.00</td>
</tr>
<tr>
<td>To William Cole,</td>
<td>300.00</td>
<td>300.80</td>
</tr>
<tr>
<td>To E. Perkins,</td>
<td>100.00</td>
<td>100.00</td>
</tr>
<tr>
<td>To Owen Gilroy,</td>
<td>305.00</td>
<td>102.59</td>
</tr>
<tr>
<td>To James Maguire,</td>
<td>375.00</td>
<td>372.52</td>
</tr>
<tr>
<td>To James Maguire,</td>
<td>250.00</td>
<td>256.77</td>
</tr>
<tr>
<td>To Walter Kinnick,</td>
<td>100.00</td>
<td>100.00</td>
</tr>
<tr>
<td>To A. Graham,</td>
<td>135.00</td>
<td>136.90</td>
</tr>
<tr>
<td>To Samuel Stephens,</td>
<td>245.00</td>
<td>242.97</td>
</tr>
<tr>
<td></td>
<td>$8,530.00</td>
<td>3,486.09</td>
</tr>
</tbody>
</table>

To balance due on old contracts brought over, 7,619.59

Cash, $11,105.68

The above statement exhibits the entire balances due, and that will be due to contractors, when the road is completed, exclusive of the superstructure of the Licking bridge, and any contingencies that may accrue before the road is finally received.

WM. HUSTON, jr. Treasurer.

Maysville, Dec. 25th, 1834.

STATEMENT.

<table>
<thead>
<tr>
<th>Description of Stock Due</th>
<th>CR.</th>
</tr>
</thead>
<tbody>
<tr>
<td>By balance of stock due by individuals and corporations,</td>
<td>$ 6,273.20</td>
</tr>
<tr>
<td>By balance of stock due by Commonwealth of Kentucky,</td>
<td>12,473.98</td>
</tr>
<tr>
<td>By balance of cash on hand,</td>
<td>10,945.24</td>
</tr>
<tr>
<td>By balance of Company's notes on hand,</td>
<td>$3,480</td>
</tr>
</tbody>
</table>

$29,692.42
JAN. 9.] JOURNAL OF THE SENATE. 107

To balance due contractors, to be paid in company's notes
To balance due same in cash,
To amount due U. S. Bank, Lexington,
To balance due toll account,

<table>
<thead>
<tr>
<th>Item</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>$8530 00</td>
<td></td>
</tr>
<tr>
<td>$11,105 68</td>
<td></td>
</tr>
<tr>
<td>5,000 00</td>
<td></td>
</tr>
<tr>
<td>17,042 93</td>
<td></td>
</tr>
<tr>
<td>33,148 61</td>
<td></td>
</tr>
</tbody>
</table>

By amount brought down,

<table>
<thead>
<tr>
<th>Item</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>3480 00</td>
<td></td>
</tr>
<tr>
<td>20,362 42</td>
<td></td>
</tr>
<tr>
<td>5,050 00</td>
<td></td>
</tr>
<tr>
<td>3,456 19</td>
<td></td>
</tr>
<tr>
<td>5,050 00</td>
<td></td>
</tr>
</tbody>
</table>

Deficiency of stock to complete the road, 8,506 19

The above statement is made to show the amount of deficiency of stock to complete the road to Lexington, exclusive of the superstructure of the Licking bridge, and contingencies, from which it appears there will be a deficiency of stock, of $8,506 19.

WM. HUSTON, Jr. Treasurer.

[D.]

To the President and Directors of the Maysville, Washington, Paris and Lexington Turnpike Road.

GENTLEMEN:

The season having again approached, in which it is necessary to give you another view of the state of the work you direct, I now address you with that intention, although the addition that I can advantageously make to what I said last year, upon the subject, will not be great.

Your work has steadily advanced to completion, and is nearly done, so far as the graduation and cover of road is concerned. The whole road has been travelled with a cover of six inches of metal for some months, and but four small spaces remain as exceptions to its entire completion with a cover of nine inches, which will be complete in all, this month, or very early in the next. The whole road is now under toll except ten miles, the gates upon which, will be shortly closed.

The visitation of cholera, which I mentioned in my last report as having retarded our progress last year, has not made a re-appearance among us during the past season; yet its prevalence in some parts of the Western country tended to render labour much more scarce and valuable. This, to some degree influenced the progress of our work, which however, is brought very near the state anticipated in my report last year.
The masonry for the Licking bridge has been completed as far as it ought to be before the superstructure were put on it. To the erection of the superstructure we have applied our most efficient energies, not only to rear one of the most beautiful and permanent character, but to overcome every difficulty, to complete it the present season. No suitable timber presenting itself for the purpose in the neighborhood, we went to the mountains, more than one hundred miles up the Licking, for yellow pine, that being the timber above all others, which I prefer for such a structure. No pains were spared in procuring that of the first quality, although this circumstance presented great difficulty, in a rough and mountainous country, where much large timber is wanted, and where it is thinly scattered among other trees of the forest, and, where too, the immediate shores of the river do not produce it. Pushing on over every obstacle and cost to accomplish the desired end, we at length delivered most of the timber wanted, at the side of the river, and rafted it in the latter part of May last. Numerous ripples, shoals and mill dams intervening between the depot of the timber and the Lower Blue Licks, where it was wanted, we were compelled to wait for a rise in the river sufficient to bring the timber down. This we did with the greatest impatience, until the fore part of July, without any rise in the river, or any increased sign of one. Determined, however, if possible, not to fail in the erection of the bridge, during the present season, we commenced at great labor and cost to separate our rafts, and to tow and haul the timbers over the dams and ripples. This operation consumed about a month of time. Our great anxiety to complete this bridge during the present season, was increased by the circumstance that if it remained unfinished, it would be the only link wanted to make a complete improvement from Maysville to Lexington. It was perfectly apparent that such a chasm would materially disjoint and lessen the utility of the whole work.

After getting the timber to the ground, the dressing and framing of it was commenced in August, and went on with increased rapidity until the 20th of November, when it was ready to be laid upon the abutments. This was commenced and prosecuted with vigor and spirit that did credit to every one concerned, and without accident, calculated to raise our highest hopes of success. On the first day of this month, at four o'clock in the afternoon, in the presence of the assembled Board, the work was pronounced safe by our experienced architect. During the afternoon of that day, the whole force wrought in the rain then falling, to render it so. The rains continued until late at night. On the morning of the 2nd, the river had risen about ten feet, the first and only rise of
any magnitude during this whole remarkable season. About 10 o'clock, A.M., half of our trussel work undermined, and was carried down the stream, but secured. The bridge stood erect, a monument of mechanical skill, and as all present thought, permanent and secure for ages. During the day, and particularly near five o'clock in the evening, the work underwent minute inspections by the architect and myself. All stood firm and true, the river having fallen about two inches, the greatest rise being from 12 to 14 feet. All was looked upon with increased confidence, when, within a few moments thereafter, the whole structure, with one of the workmen, was launched into the stream.

The cause of this sudden and unlooked for disruption is not easily assigned. It was, in some manner, no doubt, connected with an accumulation of drift against the remaining half of the scaffold. The down stream pressure of the current, I do not conceive to have been sufficient to have moved the bridge, for after one half of the scaffold fell, so much of the current and drift had free course under that half, a space of 113 feet, as to prevent much rise, or apparently much accumulation of drift above the bridge. The difference of elevation of the water above and below the bridge was not so great, after part of the scaffold was carried away. This part of the scaffold was attached to the bridge by several large ropes, and one or two log chains, all of which were parted without injury to the bridge. It is presumed, however, that the accumulation of drift against the remaining half of the scaffold must have been much greater than appearances justified, by its being carried under the previously lodged drift. Thus, it is presumed, nearly all the water went between the remaining trusses was stopped, which greatly increased the impetus of the water against the underworks, which, together with the buoyancy of the sunken drift, had a tendency to bear up the bridge, and lessen its hold upon the abutments, and of course, its power to resist the pressure of the current. So little danger was apprehended, that the architect and all his workmen were employed upon the bridge all the afternoon, and until within two minutes of the disaster. They quit the bridge for the night, and were standing upon the eastern abutment, while one of the workmen went back upon the bridge for his forgotten coat, from whence he never returned, so sudden and unexpected was the event. No censure can be attached to any one, although it might, doubtless, have been easily prevented.

The timbers have been followed, and is found mostly to have been lodged on Kinkead island, about seven miles below Falmouth. The architect is separating the timbers and securing it and the iron, which will be done in a few days.
As it is contemplated that a new bridge must necessarily be built upon the same plan, hopes are entertained that at least half of the timber can be returned at some profit. Doubts, however, are entertained of the economy of retaining any of the timbers. Were it common timber, or timber that was procured without uncommon difficulty and cost, it would be abandoned or sold for what it would fetch. It is not finally determined what to do with it after taking care of the iron. A saving in time in the erection of another, is the greatest gain we can anticipate from hauling or towing the timber or any part of it back to the Lower Blue Licks.

The loss the company will sustain by the accident, no estimate can reach. The loss in toll, the loss in use, no one can tell; while the actual expenditures of the company, before they finish such a bridge as was contemplated, above what would have been necessary to have erected one without accident, out of the cheapest materials within their reach, cannot amount to a much less sum than $10,000. It is, however, hoped that this disaster, together with its increase of expenditure, will not deter the company from building a bridge of the most permanent kind.

I feel assured that the same promptness and energy that has heretofore borne you up over a thousand difficulties, and without which this work could never have been conducted through ranks and files of opposing circumstances, will yet enable you to surmount completely this one and the only loss worth record that the work has received at the hand of Providence during the whole construction of it.

Your's respectfully,

JNO. S. WILLIAMS, Superintendent.

Maysville, Dec. 22, 1834.

Ordered, That the said report be referred to the committee of internal improvements, and that the Public Printer print one hundred and fifty copies thereof for the use of the General Assembly.

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

By Mr. Taylor, from the committee of finance—1. A bill for the benefit of Edmund Curd.

By Mr. Smith—2. A bill to extend and continue in force an act for the benefit of Stephen Langford, approved January 30th, 1833.

And by Mr. Blackburn—3. A bill to amend the act, which authorizes the county courts to permit gates to be erected on public roads.

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, and the second and third readings of the first and second bills having been dispensed with, the third bill was referred to the committee of courts of justice; the first and second being engrossed,

Resolved, That the said bills do pass, and that the title of the first be as aforesaid, and title of the second be amended by adding thereto "and for other purposes."

On the motion of Mr. Daviess,

Resolved, That the committee on finance be instructed to inquire into the propriety and expediency of amending an act, entitled "an act to provide for the payment of subscriptions and appropriations to objects of internal improvements, approved February 22, 1834, so as to make it the duty of the Secretary of State to report to the Auditor of Public Accounts, all stock subscribed for by the Governor on behalf of the State, and that no money shall be drawn from the Treasury on account of such subscriptions, but upon the warrant of the Auditor.

The Speaker laid before the Senate the report of the President of the Bank of Kentucky, which is as follows, viz:

Bank of Kentucky, January 6, 1835.

The Hon. James Clark, Speaker of the Senate:

Sir—I have the honor to enclose herewith, a general statement showing the condition of this Institution on the 31st ult.

The stock now held in the bank, consists of 16,118 shares, amounting nominally to the sum of $321,104, of which corporate and individual stockholders own 10,151 shares, amounting to $201,764, and the State of Kentucky owns 5,967 shares, amounting to $119,341.

Since the adjournment of the last Legislature, the President and Directors ordered a distribution of the funds of the bank to be made and paid to the stockholders, based on the principles contained in a report submitted to the Senate on the 10th Dec. 1832, by which the state of Kentucky was entitled to receive, and was paid through its Treasurer, the sum of $14,917.50 in specie.

This distribution equalizes all the stock held in the Institution, whether retained or residuary, and hence all the stock being now on a perfect equality, subsequent distributions of the means of the bank among the stockholders will be made pro rata, each share being entitled to the same amount.

Since the 31st December, 1833, a redemption of 1,030 shares of the capital stock of the bank, amounting to $20,600, has been effected by
means of compromises for bad and doubtful debts, and for the sale of unproductive real estate. And within the ensuing sixty days, such arrangements have been made by the President and Directors as to insure a redemption of about 500 shares more for like purposes.

The real estate sold and disposed of within the year ending the 31st ult., amounts to the sum of $16,844 25, leaving that which remains on hand and unsold at a cost to the bank of $195,172 12, a small proportion of which, comparatively, will ever be realized.

Within the current year, notes of the institution amounting to the sum of $472 50 have been redeemed by payment in silver, which have been cancelled and burnt; leaving in circulation, or lost and destroyed, the sum of $31,070 89. Not more than 10 per cent. of which, it is confidently believed, will ever be presented for payment.

The current expenses of the institution, for the year ending the 31st ult., amounted to the sum of $4,230 62, and the current profits for the same period, to the sum of $6,537 84, showing an excess of profits over the expenses of $2,307 22.

The time prescribed by law for closing the concerns of the institution expires on the 31st day of December next, and however desirable it may be to the Legislature, or to the individual stockholders, that it shall be effected within that period, it is impracticable, under the laws which at present control the President and Directors, without incurring immense sacrifices to the remaining interests of the institution, both in real estate and individual debts. The President and Directors have more than once respectfully presented to the consideration of the Legislature, the propriety of authorizing them to sell at public auction, all the bad and doubtful debts and unencumbered real estate, with such limitations, and under such restrictions as they, (the Legislature,) might think just and proper, but no joint action of the two houses being had, thus again, in the most respectful manner present the subject to the consideration of the present Legislature, and ask that such power be given as will enable them to close the concerns of the bank with the least possible delay, consistent with its interest.

It will be impossible to close sales of all the real estate, owned or claimed by the institution the present year, or to collect all the good debts; of the real estate, a portion of it is not only in dispute, but in the possession of adverse claimants, and under the champerty law, sales of such disputed property would ensue to the benefit of the occupant. Special provision ought, therefore, to be made, to enable the bank to dispose of its claim, without coming in contact with the law referred to.
There is, also, a considerable amount of good debt, well secured by mortgage or lien on real estate, and arising from the sale of such real estate now in suit, but such are the slow operations of the law, and particularly chancery causes, that it will be accident, rather than otherwise, if that description of cases are finally disposed of by the courts, and the money collected during the present year; and the near approach of the period allowed the bank for the collection of its debts, offers every inducement to those who might be disposed to avail themselves of the extinction of its chartered privileges, to procrastinate and baffle collections, by resorting to every means of defence which the law allows them, knowing that with the expiration of the charter, ceases the right of the bank to enforce the collection of its debts. To prevent, therefore, an interregnum which would be fatal to the interest of the bank in all outstanding debts, it is respectfully submitted whether it would not be proper to make such provision by law, as may be thought necessary to enable the institution to enforce the collection of all debts remaining unsettled at the expiration of its present charter. Provision should also be made for the disposition and safe deposit of the numerous books and papers of the bank, to which reference is often had in settling contests between individuals, growing out of their bank transactions.

The banking house, now occupied by the Bank of Kentucky, will, in all probability, be desired by the new bank, for the use of an office for its branch, which is to be located in this place. I, therefore, respectfully suggest whether it would not be good policy for the state to purchase it, on account of its remaining interest in this institution, on such terms as shall be mutually agreed on, and transfer it as stock to the new bank, or permit the branch to occupy it on lease.

I have the honor to be, very respectfully,

P. PUDLEY, President.

Statement of the situation of the Bank of Kentucky, Dec. 31, 1834.

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Due to other Banks,</td>
<td>$7,967.88</td>
</tr>
<tr>
<td>Notes issued,</td>
<td>31,548.39</td>
</tr>
<tr>
<td>Surplus profits,</td>
<td>221,380.01</td>
</tr>
<tr>
<td>Current profits,</td>
<td>6,537.84</td>
</tr>
<tr>
<td>Stock,</td>
<td>321,104.00</td>
</tr>
<tr>
<td>Due to individuals,</td>
<td>63,436.78</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$653,969.90</strong></td>
</tr>
<tr>
<td>Description</td>
<td>Amount</td>
</tr>
<tr>
<td>-------------------------------------------------</td>
<td>--------------</td>
</tr>
<tr>
<td>Current expenses</td>
<td>$4,230.62</td>
</tr>
<tr>
<td>Due from other Banks</td>
<td>7,401.70</td>
</tr>
<tr>
<td>Real estate</td>
<td>105,172.12</td>
</tr>
<tr>
<td>Due from individuals</td>
<td>403,346.86</td>
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<tr>
<td>Defalcation at branches</td>
<td>20,678.67</td>
</tr>
<tr>
<td>Cash on hand:</td>
<td></td>
</tr>
<tr>
<td>Silver</td>
<td>2,284.43</td>
</tr>
<tr>
<td>Notes of specie Banks</td>
<td>14,513.80</td>
</tr>
<tr>
<td>Notes of Bank of Commonwealth</td>
<td>5,867.95</td>
</tr>
<tr>
<td>Notes of uncurrent Banks</td>
<td>12.00</td>
</tr>
<tr>
<td>Notes of Bank of Kentucky</td>
<td>401.75</td>
</tr>
<tr>
<td></td>
<td>23,139.83</td>
</tr>
<tr>
<td></td>
<td>$653,969.90</td>
</tr>
</tbody>
</table>

Attest, H. BLANTON, Clerk.

The said report was referred to the committee of finance, and the public printer directed to print one hundred and fifty copies thereof, for the use of the General Assembly.

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

On the motion of Mr. Blackburn—1. A bill to amend the law respecting the emancipation of slaves.

On the motion of Mr. Sisk—2. A bill for the erection of a bridge over Pond river, at or near Dodge's old ford.

On the motion of Mr. Heady—3. A bill for the benefit of the sheriff of Spencer county; and

4. A bill to amend an act, entitled an act to establish a road from Harrodsburg to Taylorsville.

Messrs. Blackburn, Smith and Young, were appointed a committee to prepare and bring in the first; Messrs. Sisk, Lyon and Harrel, the second; Messrs. Heady, Roberts and James, the third; and Messrs. Heady, Carter, Morgan and Davies, the fourth.

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

An act to authorize the clerk of the county court of Boone to record certain deeds, &c.

An act to amend the charter of the city of Lexington; and

An act allowing additional justices of the peace and constables to certain 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, they were referred to the committee of courts of justice.
Ordered, That the Public Printer print one hundred and fifty copies of the second bill and an amendment, offered thereto by Mr. Chinn, for the use of the General Assembly.

A bill to prohibit the circulation, within this Commonwealth, of bank notes of a less denomination than five dollars, was read the second time, and referred to a committee of Messrs. Southgate, Guthrie, and Metcalfe.

A message was received from the House of Representatives, announcing that they were now ready to proceed to the election of a Senator in Congress; and that Mr. John J. Crittenden and Mr. James Guthrie were in nomination before them for that office.

Mr. Blackburn nominated Mr. John J. Crittenden, as a proper person to fill the office of Senator in Congress; and Mr. Willis nominated Mr. James Guthrie.

Ordered, That Mr. Blackburn inform the House of Representatives thereof, and that the Senate is now ready to proceed to the said election.

The Senate then proceeded to take the vote, which stood thus:

For Mr. Crittenden—Mr. Speaker, (Clark,) Messrs. Blackburn, Boyd, Bush, Carter, Chinn, Gholson, Gilbert, Grider, Griffith, Guthrie, Harreld, Lusk, Metcalfe, Miller, Morehead, Morgan, Murrell, Roberts, Smith, Southgate, Taylor and Thornton—23.

For Mr. Guthrie—Messrs. Bramlette, Coffey, Daviess, Heady, James, Lyon, McDonald, McHenry, May, Nuttall, Patterson, Sisk, Willis, Wingate and Young—15.

Messrs. Blackburn, Wingate and Lyon, were appointed a committee on the part of the Senate, to compare the joint vote, and report the result.

The committee on the part of the Senate retired, and after a short time returned; when Mr. Blackburn reported that the joint vote stood thus:

For Mr. Crittenden, - - - 94
For Mr. Guthrie, - - - 40

Whereupon Mr. John J. Crittenden, having received a majority of all the votes given, was declared duly elected Senator, to represent this State in the Congress of the United States, for six years, from and after the fourth day of March next.

And then the Senate adjourned.
The Speaker laid before the Senate the annual Report of the President and Directors of the Shelbyville and Louisville Turnpike Road Company, which is as follows, viz:

Annual Statement of the Shelbyville and Louisville Turnpike Road Company, for the year ending Oct. 31, 1834.

Amount of original stock paid up, $105,500.00
Amount expended in extending the road eight miles east of Middletown, completing the twenty miles according to the charter, 35,166.67

Total: $140,666.67

Amount expended in repairs for the year ending 1st Oct. 1834, 2,764.11
Amount paid to the Bank of the U.S. on account of loans for the extension of the road, including interest in the same time, 7,067.78
Amount paid to four gate keepers, and officers' salaries same time, 1,135.00
Amount received for tolls for the Company's four gates, for the year ending Oct. 1st, 1834, 10,746.85

Attest, GEO. W. MERIWETHER, President.

Ordered, That the said report be referred to the committee of internal improvements, and that the Public Printer print one hundred and fifty copies thereof for the use of the General Assembly.

The Speaker laid before the Senate a report of the President of the Louisville Savings Institution, which is as follows, viz:

Louisville Savings Institution.

January 7th, 1835.

The Speakers of the Senate,
and of the House of Representatives:

GENTLEMEN:—In obedience to a request of the Directors of this Institution, I have the honor to submit to the Senate, and to the House of Representatives, the accompanying report of the state of the affairs of this institution, made up to the 31st day of December last.

With much respect, your humble servant,

GEO. W. MERIWETHER, President.
Statement of the Louisville Savings Institution, 31st December, 1834.

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bills Discounted—On Personal Security</td>
<td>$94,503.92</td>
</tr>
<tr>
<td>Stock</td>
<td>3,255.00</td>
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<tr>
<td><strong>Total</strong></td>
<td><strong>$97,758.92</strong></td>
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<tr>
<td>Domestic Bills of Exchange</td>
<td>24,615.67</td>
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<tr>
<td>Suspended Debt—On Personal Security</td>
<td>350.00</td>
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<tr>
<td>Domestic Bills, *</td>
<td>500.00</td>
</tr>
<tr>
<td>Bond for Rent of an Office</td>
<td>93.75</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>943.75</strong></td>
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<tr>
<td>Real Estate—Banking House</td>
<td>10,000.00</td>
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<tr>
<td>Expense Account</td>
<td>515.17</td>
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<tr>
<td>Interest Paid on Special Deposites</td>
<td>493.29</td>
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<td><strong>Total</strong></td>
<td><strong>1,008.46</strong></td>
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<tr>
<td>Due from Banks</td>
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<tr>
<td>City Banks—U. S. Branch Bank, Louisville</td>
<td>2,740.00</td>
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<tr>
<td>Bank of Louisville</td>
<td>66,462.63</td>
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<tr>
<td><strong>Total</strong></td>
<td><strong>69,202.63</strong></td>
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<tr>
<td>Distant Banks—Com'l. Bank of Penn., Phil.</td>
<td>1,728.17</td>
</tr>
<tr>
<td>Com'l. Bank of Cin., Ohio</td>
<td>1,331.08</td>
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<tr>
<td>U.S. Branch Bank, Lex., Ky.</td>
<td>1,037.54</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>4,091.79</strong></td>
</tr>
<tr>
<td>Bank Notes on Hand—Bank of Louisville</td>
<td>4,200.00</td>
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<tr>
<td>Distant Banks—U. S. &amp; Branches</td>
<td>38,620.00</td>
</tr>
<tr>
<td>Franklin Bank, Cin., Ohio</td>
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<tr>
<td>Commercial Bank, Cin., O.</td>
<td>120.00</td>
</tr>
<tr>
<td>Ind'a. State B'k. N. Alb'y. Br.</td>
<td>75.00</td>
</tr>
<tr>
<td>Ind'a. State B'k. Vincennes</td>
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<tr>
<td><strong>Total</strong></td>
<td><strong>39,120.00</strong></td>
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<td>Specie—Silver—American Coin</td>
<td>12,670.00</td>
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<td>Foreign Coin</td>
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<td><strong>Total</strong></td>
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<tr>
<td>Gold—American Coin</td>
<td>200.00</td>
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<td>Foreign Coin</td>
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<tr>
<td><strong>Total</strong></td>
<td><strong>1,257.64</strong></td>
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<tr>
<td>Post Office Department</td>
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<tr>
<td><strong>Total</strong></td>
<td><strong>$282,009.16</strong></td>
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*Since paid.
Mr. Guthrie, from the committee of courts of justice, to whom was referred a bill to amend the law as to proceedings against non-resident and absent defendants and unknown heirs, reported the same with amendments, which were concurred in, and the Public Printer was directed to print one hundred and fifty copies thereof, for the use of the General Assembly.

Mr. Guthrie from the same committee, to whom was referred a bill to reduce the time allowed for prosecuting writs of right in certain cases, and authorizing writs of right to be revived, reported the same without amendment.

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

Mr. Guthrie from the same committee, to whom was referred a bill from the House of Representatives, entitled an act for the benefit of the constables in Clarke county, reported the same with amendments, which were 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 be amended to read “an act for the benefit of constables.”
Mr. Guthrie, from the same committee, to whom was referred a bill from the House of Representatives, entitled an act allowing additional justices of the peace and constables to certain counties, reported the same with an amendment, which proposes to strike out the third section of the said bill.

The said section is as follows, viz:

Sec. 3. Be it further enacted, That an additional justice of the peace, and one additional constable be allowed to the county of Spencer.

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. Heady and Boyd, were as follows, viz:


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. Guthrie, from the same committee, to whom was referred a bill to amend the act, which authorizes the county courts to permit gates to be erected on public roads, reported the same without amendment.

The said bill is as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That so much of the act of the General Assembly of the Commonwealth of Kentucky, approved January twenty-second, 1833, as authorizes the several county courts in this Commonwealth, to permit gates to be erected across the public roads in their several counties, shall be, and the same is hereby repealed.

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

It was moved to amend the said bill, by adding to the first section the following proviso, viz:

Provided, That this act shall not apply to the counties of Spencer, Nelson, Wayne, Pulaski, Henry and Oldham.

Mr. Taylor 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. Willis and McHenry, were as follows, viz:


On motion, leave of absence was granted to Mr. James, until Monday next.

Mr. Guthrie, from the committee of courts of justice, to whom was referred a bill from the House of Representatives, entitled an act to authorize the clerk of the county court of Boone to record certain deeds, &c., reported the same with an amendment, which was 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.

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 for the benefit of the Surveyor of Harrison county.
An act for the benefit of Richard L. Fox and Sarah Ann Fox his wife, and their infant children.
An act to form an additional constable’s district in the county of Oldham.
An act to extend the May term of the Spencer circuit court.
An act for the benefit of Elizabeth Maxey.
An act for the benefit of Major King and others.
An act to legalize the proceedings of the court of assessment of the 16th regiment Kentucky Militia; and
An act to repeal in part, and amend in part, the several acts establishing a road from Louisville to the State line, in a direction to Knoxville.

And that they had received official information, that the Lieutenant and Acting Governor had approved and signed enrolled bills, and a resolution, which originated in that house, of the following titles, viz:

An act for the relief of the sheriff of Campbell county.
An act to prescribe the mode of appointing judges and other officers, to hold the election in Livingston county, on the 14th Jan. 1835.
An act for the benefit of Jacob Mayo, clerk of the Floyd circuit court.

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

An act for the benefit of Transylvania University.

An act to change the place of voting at a precinct in Bracken county.

An act to authorize the appointment of judges and clerks of an election to be held in the counties of Laurel and Rockcastle.

A resolution fixing on a day for the election of a Senator in Congress.

Mr. Daviess, from the committee of propositions and grievances, made the following report, viz:

The committee of propositions and grievances have, according to order, had under consideration the petition of Richard Hazle, praying that a law may pass, giving him compensation out of the public treasury, for pursuing and arresting Silas Warren and Dottie Warren, and delivering them to the jailer of Green county, and have come to the following decision thereon:

Resolved, That said petition be rejected.

Which was twice read and concurred in.

Mr. Daviess, from the same committee, to whom was referred a bill to change the time of the meeting of the General Assembly, 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 the stated annual meetings of the General Assembly of Kentucky, shall commence on the first Monday in November, in each and every year; any law to the contrary notwithstanding.

The said amendment proposes to strike out the word "November," and to insert in lieu thereof the word "December."

Mr. Heady 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. McHenry and Murrell, were as follows, viz:


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

By Mr. Miller, from the committee of religion—1. A bill to amend the law in relation to divorces.

By Mr. Metcalfe, from the committee of internal improvements—2. A bill to amend the charter of the Bardstown and Louisville Turnpike Company.

3. A bill to improve the navigation of Pond river; and

By Mr. Heady—4. A bill for the benefit of the sheriff of Spencer county.

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 second and third bills, having been dispensed with, the second was ordered to be engrossed and read a third time on Monday next, and the third was referred to the committee of finance.

The rule of the Senate, constitutional provision, and second and third readings of the fourth 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 the motion of Mr. Thornton—1. A bill to amend the act approved 22d February, 1834, to improve the navigation of Big Sandy river.

On the motion of Mr. Smith—2. A bill to amend an act, entitled an act to amend the law prohibiting the importation of slaves into this State, approved February 2d, 1833; and

On the motion of Mr. Guthrie—3. A bill regulating the tax on merchandize.

The committee of finance was directed to prepare and bring in the first and third; and Messrs. Smith, Blackburn and Roberts, were appointed a committee to prepare and bring in the second.

The message in writing received from the Lieutenant and Acting Governor, on the 7th instant, was taken up and read as follows, viz:

GENTLEMEN OF THE SENATE:

I nominate for your advice and consent, Euclid L. Johnson, to be Chairman of the Board of Trustees of Georgetown.

James Carter Coleman, to be Sergeant of the Court of Appeals of Kentucky, vice James W. Taylor, deceased.

J. T. MOREHEAD.

January 7th, 1835.

Resolved, That the Senate advise and consent to the said appointments.

And then the Senate adjourned.
Mr. Smith presented the petition of Lavina Off, praying a divorce from her husband George Off; and

Mr. Harreld presented the petition of sundry citizens of Butler county, praying that the lower election precinct in said county may be abolished.

Which petitions were received; the first was referred to the committee of religion, and the second to the committee of propositions and grievances.

Mr. Guthrie, from the committee of courts of justice, reported a bill to establish the Louisville Chancery 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 re-committed to the committee of courts of justice, and the Public Printer was directed to print one hundred and fifty copies thereof, for the use of the General Assembly.

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

By Mr. Daviess—1. A bill to amend an act, entitled an act for the improvement of the road from Franklin county to Crab Orchard, in Lincoln county.

By Mr. Heady—2. A bill to establish a road from Taylorsville, in Spencer county, in the direction of Harrodsburg, to intersect Delany's old road, leading from Bardstown to Lexington.

By Mr. Willis—3. A bill to change the place of voting in the Furnace precinct, in Green county.

By Mr. Griffith—4. A bill to amend an act, entitled an act for incorporating the Hartford Bridge Company, approved February 7th, 1834; and

By Mr. Miller—5. A bill for the benefit of the heirs of Delany Miller, deceased.

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, fourth and fifth bills, having been dispensed with, the first and fourth were referred to the committee of internal improvements, and the fifth to the committee of courts of justice.

The rule of the Senate, constitutional provision, and second and third readings of the second and third 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.
The resolution read and laid on the table by Mr. McHenry, on the 5th instant, in relation to the establishment of a Military School in this State, was taken up, and referred to the committee on military affairs.

On the motion of Mr. McHenry,
The committee of courts of justice was discharged from the consideration of a resolution in relation to an Armory at the falls of Cumberland river, among the unfinished business of last session, and the said resolution was referred to the committee of military affairs.

On the motion of Mr. McHenry,
Resolved, That the committee on internal improvements inquire into the expediency and propriety of appropriating a sum of money, for the purpose of improving the navigation of Cumberland river from the mouth of Laurel river to the Tennessee line.

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

On the motion of Mr. Bush—1. A bill to amend the several laws in relation to working on roads.

On the motion of Mr. Miller—2. A bill to punish assaults, &c., upon sheriffs and other officers.

On the motion of Mr. Guthrie—3. A bill to amend the charter of the city of Louisville.

On the motion of Mr. Coffey—4. A bill to repeal all acts or parts of acts, authorizing the classing tobacco in this Commonwealth; and

On the motion of Mr. Gilbert—5. A bill to amend the law in relation to the constables in this Commonwealth.

The committee of internal improvements was directed to prepare and bring in the first; the committee of courts of justice, the fifth; Messrs. Miller, Lusk and Gilbert, were appointed a committee to prepare and bring in the second; Messrs. Guthrie, Morgan and Southgate, the third; and Messrs. Coffey, Grider and Murrell, the fourth.

The resolution read and laid on the table by Mr. Willis, on the sixth instant, was taken up, and adopted as follows, viz:

Resolved by the Senate and House of Representatives, That a joint committee of three from the Senate and six from the House of Representatives, be appointed to examine and report to both houses of the Legislature, the condition of the Lunatic Asylum and Transylvania University, at Lexington, with such recommendation of legislative action in relation to those institutions, as they shall deem proper.

A bill to amend an act to encourage the publication of a new Digest of the Statute Law of Kentucky.
And a bill to amend the penal laws of this Commonwealth, and the better to secure and guard the right of suffrage and freedom of elections therein.

Were each read the second time, and referred to the committee of courts of justice.

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

An act for the benefit of William Compton.
An act for the benefit of Major King and others.
An act to authorize the appointment of additional justices of the peace and constables in certain counties, and for other purposes.
An act to authorize Bartlett L. Graves to erect two gates across the old road leading from Glasgow to Greensburg.
An act to form an additional constable's district in the county of Oldham.

Were severally read the first time, and the question being taken on reading them a second time, it was decided in the negative, and so the said bills were disagreed to.

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

An act to establish an election precinct at Keasburgh, in the county of Logan.
An act to authorize the insertion of advertisements in the "Kentucky Whig and Fleming Advertiser," and the "Baptist Banner and Journal of Health;" and
An act to change the place of voting in certain precincts in certain counties.
An act for the benefit of William Babcock.
An act for the benefit of the surveyor of Harrison county, and
An act to legalize the proceedings of the court of assessment of the 16th regiment of Kentucky militia.

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 authorize the county court of Clarke to increase the pay to patrollers of said county, 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 benefit of Samuel Kimbrough, was read the time.

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.
An engrossed bill, entitled an act to amend the charter of the Bardstown and Louisville Turnpike Company, was read the third time.

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

A bill, allowing further time to redeem land stricken off to the State for the non-payment of taxes, and providing for the sale of all land not redeemed in time, was referred to the committee of the whole house on the state of the Commonwealth, for Friday next.

A bill to amend the law in relation to divorces, was read the second time.

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

Mr. Metcalfe presented the petition of Ann T. Mallory, praying a divorce from her husband William Mallory, which was received and referred to the committee of religion.

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

1. An act to establish a Mechanics' Institute, in the city of Louisville.
2. An act for the benefit of the heirs of Thomas A. Clark, deceased.
3. An act for the benefit of Greenberry A. Gaither.
4. An act to improve the navigation of Little river.
5. An act for the benefit of George Delong.
6. An act to legalize the official bonds of such clerks of this Commonwealth, as have failed in time to comply with the provisions of an act, entitled "an act requiring clerks to renew their bonds, &c.," approved February 22, 1834, and for other purposes.
7. An act to incorporate the Covington Fire Insurance Company.
8. An act to incorporate the Paducah Dock Company.
9. An act for the benefit of the heirs of Isaac Stout, deceased.
10. An act for the benefit of the heirs of Thomas Wilcoxen, deceased.
11. An act for the benefit of Celia Spencer.
12. An act to establish in part the line run between the counties of Barren and Hart.
13. An act to establish an election precinct in the county of Meade.
15. An act to extend the May term of the Spencer circuit court.
16. An act for the benefit of Elizabeth Maxey; and
17. An act to repeal in part, and to amend in part, the several acts establishing a road from Louisville to the State line, in a direction to Knoxville.
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: The first, second, third, sixth, seventh, eighth, ninth, tenth, fourteenth and fifteenth, to committee of courts of justice; the fourth and seventeenth, to the committee of internal improvements; the fifth, to the committee of finance; the eleventh and sixteenth, to the committee of religion; the twelfth, to a committee of Messrs. Murrell, Willis and Grider; and the thirteenth, to a committee of Messrs. Roberts, Metcalf and Wingate.

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 for the benefit of Catherine Sampson.
An act for the benefit of Enos Lasseter, Thomas D. Parker and John L. Henderson.
An act for the benefit of Jesse Reed.
An act for the benefit of Susan Henderson.
An act to provide for transcribing certain books of the office of the Harrison county court, and for other purposes.
An act to authorize the county court of Nelson to correct its proceedings at the court of claims in November, 1834, and for other purposes.
An act to continue and extend the Salt Works Turnpike Road, from C. & J. White's Furnace to Wilson and Quarrier's Furnace.
An act for the benefit of Isaac Pennix.
An act to extend the terms of the Green circuit court, and for other purposes; and
An act establishing an election precinct in Russell county; and to change the place of voting in a precinct in Green county.

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

An act for the benefit of the sheriffs of Pulaski and Garrard counties.
An act to amend the several acts for opening a road from Taylorsville to Jeffersontown.
An act to amend the charter of the Louisville Turnpike Company.
An act to reduce the number of justices of the peace in Barren county.
An act to extend the bounds of the town of Lebanon, in Marion county.
An act to amend the charter of the Fireman's Insurance Company of Louisville.
And a resolution, in relation to the stock held by individuals, in the Louisville and Portland Canal.
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 Lieutenant and Acting Governor, for his approbation and signature.
After a short time, Mr. Bramlette reported that the committee had performed that duty.

1. The Speaker laid before the Senate the memorial of Lewis Grigsby, representing that the Lexington and Winchester Turnpike Road Company have violated their charter, and praying that the location of a part of the road may be changed, or that the charter may be repealed.

2. Mr. Wingate presented the petition of sundry citizens of Franklin county, who reside on the south side of the Kentucky river, praying that the law may be repealed, which authorizes the Board of internal improvements for Franklin county, to stop up all roads running parallel with the Frankfort and Shelbyville Turnpike Road, within one mile of said road.

3. Mr. Chinn presented the petition of the citizens of the city of Lexington, praying for a charter for a Bank.

Which memorial and petitions were received and referred: The first to the committee of internal improvements; the second, to the committee of propositions and grievances; and the third to the committee of courts of justice.
And then the Senate adjourned.

TUESDAY, JANUARY 13, 1835.

Mr. Patterson presented the petition of Eli Stout, guardian of the infant children of his son Isaac Stout, deceased, praying that a law may pass authorizing the sale of a house and lot, in the town of Leesburg, the property of the said infants.

And Mr. Guthrie presented the petition of the administrator and the adult heirs of Peter Carney, deceased, praying that a law may pass, authorizing the sale of a tract of land adjoining the city of Louisville, of which the said Carney died seized, for the purpose of paying his debts.

Which petitions were received and referred to the committee of courts of justice.
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 repeal in part, and amend in part, an act, entitled "an act to incorporate a company to establish a turnpike road from the city of Louisville by the way of the mouth of Salt river, Elizabethtown, Munfordeville and Bowlinggreen, to the State line in a direction to Nashville."

An act to incorporate the Richmond Female Academy.

An act to incorporate seminaries of learning in the counties of Hickman and Graves; and

A bill which originated in the Senate, entitled an act to repeal an act, entitled "an act repealing the law, authorizing the people of Rockcastle, Knox, Harlan and Laurel counties, to pass the turnpike and Wilderness road, without paying toll," approved Feb. 24, 1834.

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 allowing additional justices of the peace and constables to certain counties.

An act for the benefit of the constables of Clarke County; and

An act to authorize the clerk of the county court of Boone to record certain deeds, &c.

Mr. Guthrie, from the committee of courts of justice, to whom was referred a bill to amend the act to encourage the publication of a new Digest of the Statute Law of Kentucky, approved February 8th, 1834, reported the same with an amendment, which was concurred in.

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. Guthrie, from the same committee, to whom was referred a bill from the House of Representatives, entitled an act to amend the charter of the city of Lexington, reported the same with an amendment, which was 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.

On the motion of Mr. Guthrie, the committee of courts of justice was discharged from the further consideration of a bill to
amend the laws relating to the condemnation of private property, which may be required for public purposes, or works of internal improvements, and the said bill was referred to the committee of the whole house on the state of the Commonwealth, for to-morrow.

On the motion of Mr. Guthrie, the committee of courts of justice was discharged from the duty of preparing and bringing in a bill to repeal all laws and parts of laws, establishing the circuit court judiciary system, and for other purposes.

Mr. Metcalfe, from the committee of internal improvements, to whom was referred a bill to amend an act, entitled an act for incorporating the Hartford Bridge Company, approved Feb. 7th, 1834; and a bill to amend an act, entitled an act for the improvement of the road from Franklin county to Crab Orchard, in Lincoln county, reported the same without amendment.

The former bill was ordered to be engrossed and read a third time, and the latter was referred to the committee of finance.

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.

On the motion of Mr. Taylor, the committee of finance was discharged from the duty of preparing and bringing in a bill to amend the act, approved 22d February, 1834, to improve the navigation of Big Sandy river; and the committee of internal improvements was directed to prepare and bring in said bill.

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

On the motion of Mr. McDonald—1. A bill allowing to the county of Marion, one additional justice of the peace and one constable.

On the motion of Mr. McHenry—2. A bill to increase the jurisdiction of the county court of Pulaski.

On the motion of Mr. Roberts—3. A bill giving justices of the peace of this Commonwealth chancery jurisdiction of all sums under five pounds, and for other purposes; and

On the motion of Mr. Griffith—4. A bill to establish a State road from the mouth of Salt river to the Ohio river, opposite to Shawneetown, so as to pass through the towns of Plain Dealing, Hardinsburg, Knottsville, Owensborough, Henderson and Morganfield.

Messrs. McDonald, Roberts and Southgate, were appointed a committee to prepare and bring in the first; Messrs. McHenry, Miller and Coffey, the second; Messrs. Roberts, Thornton and Metcalfe, the third; and the committee of internal improvements was directed to prepare and bring in the fourth.
Mr. Roberts, from the committee to whom was referred a bill from the House of Representatives, entitled an act to establish an election precinct in the county of Meade, 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 several committees appointed to prepare and bring in the same, to-wit:

By Mr. Guthrie, from the committee of courts of justice—1. A bill to amend the several acts concerning the town of Hopkinsville.

By Mr. Taylor, from the committee of finance—2. A bill to prescribe certain duties to the Secretary of State, the Treasurer, and Auditor; also,

3. A bill regulating the tax on merchandise.

By Mr. Coffey—4. A bill to amend an act, entitled an act for classing tobacco in this Commonwealth, approved December 13th, 1830.

By Mr. Miller—5. A bill to punish assaults, &c. upon sheriffs, and other officers; and

By Mr. McDonald—6. A bill allowing an additional justice of the peace and constable to the county of Marion.

The said bills were severally read the first time and ordered to be read a second time; and the Public Printer was directed to print 150 copies of the third bill, for the use of the General Assembly.

The rule of the Senate, constitutional provision and second reading of the fourth, fifth and sixth bills, having been dispensed with, the said bills were referred to the committee of courts of justice.

The rule of the Senate, constitutional provision, and second and third readings of the first and second 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.

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

1. An act to provide for transcribing certain books of the office of the Harrison county court, and for other purposes.


3. An act for the benefit of Jesse Reed.

4. An act for the benefit of Susan Henderson.

5. An act to authorize the county court of Nelson to correct its proceedings at the court of claims in November, 1834, and for other purposes.
6. An act for the benefit of Catherine Sampson.
7. An act to repeal in part, and amend in part, an act, entitled "an act to incorporate a company, to establish a turnpike road from the city of Louisville, by the way of the mouth of Salt river, Elizabethtown, Munfordsville and Bowlinggreen, to the State line, in a direction to Nashville."

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: The first and fifth, to the committee of courts of justice; the second and fourth, to the committee of finance; the third and sixth, to the committee of religion; and the seventh, to the committee of internal improvements.

A bill from the House of Representatives, entitled an act for the benefit of Isaac Pennix, 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.

Bills from the House of Representatives of the following titles, viz:
An act to continue and extend the Salt Works Turnpike Road, from C. & J. White's Furnace to Wilson and Quarrier's Furnace.
And an act to extend the terms of the Green circuit court, and for other purposes.
Were each read the first time, and ordered to be read a second time.

A bill from the House of Representatives, entitled an act establishing an election precinct in Russell county, and to change the place of voting in a precinct in Green 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,
Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

A message in writing was received from the Lieutenant and Acting Governor, by Mr. Cox, Assistant Secretary of State; also,
A message announcing that the Lieutenant and Acting Governor had approved and signed enrolled bills and resolutions, which originated in the Senate, of the following titles, viz:
An act to enlarge the constable's district for the town of London, in Laurel county.
A resolution to appoint joint committees to examine the offices of the Auditor, Treasurer and Register.
An act for the benefit of the sheriff of Logan county.
An act to amend the several acts for opening a road from Taylorsville to Jeffersontown.
An act to amend the charter of the Louisville Turnpike Company.

An act to reduce the number of justices of the peace in Barren county.

An act to extend the bounds of the town of Lebanon, in Marion county.

A resolution, in relation to the stock held by individuals, in the Louisville and Portland Canal; and

An act to amend the charter of the Fireman's Insurance Company of Louisville.

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

- An act for the benefit of Glasgow Academy.
- An act to legalize the proceedings, and to extend the powers of the trustees of the town of Elizabeth, in the county of Hardin.
- An act to amend the charter of the Louisville Marine and Fire Insurance Company.
- An act to reduce the number of justices and constables in Logan county; and
- An act to change the location of a part of the State road leading from the seat of Government through Flemingsburg, to the mouth of Big Sandy.

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 they were delivered to the committee, to be presented to the Lieutenant and Acting Governor, for his approbation and signature.

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

And then the Senate adjourned.

WEDNESDAY, JANUARY 14, 1835.

Mr. Wingate presented the petition of sundry citizens of Franklin county, praying that the law may be repealed, which authorizes the board of internal improvements for Franklin county, to stop up all roads running parallel with the Frankfort and Shelbyville Turnpike Road, within one mile of said road.

Which petition 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 authorizing the sale of certain estate belonging to Charles J. Riddle, Lafayette Riddle and Mary Jane Riddle, infant children of Lewis Riddle, deceased.

An act to prevent pedlars from retailing certain wares without license.

An act for the benefit of Moses Wickliffe.

An act for the benefit of James C. Wilmore; and

An act for the benefit of William P. Gregg.

And the passage of a bill, which originated in the Senate, entitled,

An act for the benefit of Benjamin Webb.

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

1. An act to incorporate the Paducah Dock Company.
2. An act to establish a Mechanics’ Institute, in the city of Louisville.
3. An act to incorporate the Covington Fire Insurance Company.

Reported the first and second without amendments, and the third with amendments, which were 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 bill having been dispensed with,

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

Mr. Metcalfe, from the committee of internal improvements, to whom was referred a bill from the House of Representatives, entitled an act to repeal in part, and amend in part, an act, entitled an act to incorporate a company to establish a turnpike road from the city of Louisville, by the way of the mouth of Salt river, Elizabethtown, Munfordsville and Bowling-green, to the State line, in a direction to Nashville, 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. Thornton, from the committee of finance, to whom was referred a bill from the House of Representatives, entitled an act for the benefit of George Delong, reported the same with amendments, which were 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, 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. Heady and Willis, were as follows, viz:


NAYS—Mr. SPEAKER, Messrs. Bush, Chinn, Gilbert, Grider, Griffith, Guthrie, Heady, Lusk, Willis and Wingate—12.

Resolved, That the title of the said bill be amended to read, "an act for the benefit of Polly Delong."

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

By Mr. Metcalfe, from the committee of internal improvements—1. A bill to amend the act, approved the 22d of February, 1834, to improve the navigation of Big Sandy river.

By Mr. McHenry—2. A bill to authorize the county court of Pulaski to have roads opened to and from certain places; and

By Mr. Blackburn—3. A bill to amend the law concerning the emancipation of slaves.

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, the first and third were referred to the committee of courts of justice, and the second to a committee of Messrs. Roberts, McHenry and Bramlette.

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

And then the Senate adjourned.

THURSDAY, JANUARY 15, 1835.

1. Mr. Griffith presented the petition of John Dozier, praying that a law may pass, authorizing the register of the land office to receive and register a plat and certificate of survey for seven hundred acres of land in the county of Ohio, in the name of Matthew Hawkins.
2. Mr. Daviess presented the petition of the commissioners of internal improvements for the county of Anderson, praying that the act of last session, for improving the road from Franklin county to Crab Orchard, may be amended.

3. Mr. McDonald presented the petition of sundry citizens of Washington and Mercer counties, praying for the formation of a new county out of a part of each of said counties.

4. Mr. Carter presented the petition of James Offill, administrator of the estate of John Elliott, deceased, Robert Henderson, and others, praying that a law may pass, authorizing the sale of fifty acres of land in Fleming county, of which the said Elliott died seized.

5. Mr. Grider presented a communication from Henry P. Bronnax, suggesting the propriety of amending the law in relation to the titles of land held by churches, for the purposes of religious worship.

6. Mr. Boyd presented the petition of Ann C. Riggs, praying a divorce from her husband Benjamin A. Riggs.

7. Mr. Chinn presented the petition of George W. Morton, the committee of Sarah Morton, a lunatic, praying that a law may pass, authorizing the sale of a two hundred acres of land in Logan county, the property of the said Sarah, and that the proceeds thereof be applied to her future support.

8. Mr. Guthrie presented the petition of the heirs and residuary devisees of John C. Richardson, sen. deceased, praying that a law may pass, authorizing the sale of between thirty and forty acres of land in Fayette county, and that the proceeds be distributed among the residuary legatees.

9. Mr. Gilbert presented the petition of Daniel Garrard, praying that a law may pass, directing the register of the land office to issue a grant to the heirs of Harry Toulmin and Mary Gilman, for four thousand, two hundred and eighteen acres of land lying in Hardin county.

Which petitions were received and referred: The first, fourth, seventh, eighth and ninth, to the committee of courts of justice; the second to the committee of finance; the third, to the committee of propositions and grievances; and the fifth and sixth, to the committee of religion.

Mr. Guthrie presented the annual report of the President and Directors of the Louisville and Portland Canal Company, which is as follows, viz:
Tenth Annual Report of the President and Directors of the Louisville and Portland Canal Company.

The period has again arrived, when it becomes the duty of the Board to report to the Stockholders their proceedings for the year that has passed.

By the last Annual Report it will be seen, that the sum of $10,850, payable in the new Stock of the Company, remained to be issued; of which sum, $10,100 has been called for, and 101 shares of Stock have been delivered to Stockholders, leaving a balance of $750 due on that account.

The Board have proceeded to appropriate the funds of the Company, under the act of December 12th, 1831, towards the completion of the Canal, which by said act is to form a part of the Capital Stock; and they have authorized the Commissioners of their loans in Philadelphia, to borrow as much money as will replace the sums expended in finishing the work—this additional loan to be on the footing of those heretofore made.

The following account will show the receipts and expenditures of the year. The Company now owe, in unsettled accounts, about $2,500, and have claims for stone sold during the year, for about $2,000.

The General Account of the Company for the year is as follows:

DR.                              CR.
Balance on hand by last Report,   $36,408 94
Received for Tolls in the year 1834, 61,848 17
Received for Stone sold, &c.        1,575 60
Received for Iron sold,             1,045 49
Commissioners of Loans in Philadelphia, 12,000 00

$112,878 20

Paid Dividend No. 1, January, 1834, $36,000 00
Paid on account of Div. No. 2, in July last, 3 per cent. on 7,714 Shares, 23,142 00
Paid Interest on Loans,             8,713 09
Paid on account of Superintendence and Labor on Locks, 4,618 76
Paid on account of Repairs, &c,     3,331 31
Paid on account of completing the Canal, 11,067 45
Paid Lighting and Watching,         1,035 28
Paid incidental expenses,           1,088 33
Paid balance in the Treasury,       11,980 88
Paid in the hands of Commissioners of Loans in Philadelphia, 12,000 00

$112,878 20

By adding the amount of cash on hand to the sum in the hands of the Commissioners it will be seen, that the effective funds of the Company are $23,980 88, which will warrant a final dividend for the half year of 3 per cent. on the entire stock of the company, of 7,716 shares. And the Board recommend to the Stockholders, that a dividend to that amount be now made and paid out.

From the yet incomplete state of the Canal, the expenditures are continued much beyond what they will be when it shall be entirely finished; the piles of stone on the
banks still continue to fall into the Canal from the action of the weather, and the jostling of steam boats, except in places from which they have been removed. In times of high water, it is found that there is an increased deposit of mud, where the banks are not sufficiently high to confine the water. To remedy these evils, a considerable force has been employed at such seasons as they could work to advantage, in removing the stone from the most dangerous places, and in building it into permanent walls on the sides of the Canal, which is found to have the most beneficial effect: 1st. By preventing the slides that so frequently obstruct the Canal. 2d. In entirely stopping the wash of the banks, which, notwithstanding their being paved, were constantly undermining and washing into the Canal. 3d. By the perpendicular position of the walls on the hard rock, boats are kept in the channel, and make the passage of the Canal with much less difficulty—lastly, by preventing the mud deposited in high water on the low ground in the upper section of the Canal from being returned into the Canal when the water recedes. During the past season, about 2000 yards of this wall have been laid, and it is proposed to continue the work until the Canal is walled the whole length, or in such parts as require it. From the frequency of the meeting of boats in the Canal, by not conforming to the regulations established on that subject, one or more turn out places are found to be necessary, one at the upper angle has been commenced, and so far completed, as to answer the purpose required in high stages of water—another was originally designed below the bridge, which will require a heavy expense to complete, and may be suspended until the increased business of the Canal shall more imperiously demand it. In August, the water was shut off from the Canal, and all the men that could be procured, were employed in removing the stone that had fallen in, and in cleaning out the mud that had been deposited in the upper section of the Canal; the rock was blasted from the upper point, so as to widen the entrance about 15 feet, and walls were built on both sides to prevent the difficulty that had been experienced in that part of the Canal. New segments have been substituted for the gate rollers to run on, in place of those originally put down, that were found to be of an imperfect construction. The whole line was put in as perfect order as possible, and the water let in on the 21st September, since which no difficulties have been experienced in the navigation. At the request of a legal number of Stockholders, a meeting was called on the 3d of November, to take into consideration the expediency of raising the tolls. On this subject, there was a diversity of opinion, and the meeting, after mature deliberation, decided to continue the tolls on Steam Boats at 40 cents per ton, actual measurement, and to modify that of Flat Boats, Keel Boats, &c. by charging two cents per square foot of their area, instead of the specific sums heretofore charged;—this alteration is found to be more equitable for all parties.

The result of the business of the year 1834, as shown by the amount of tolls received, and the subjoined list of boats that have passed through the Canal, cannot fail to be highly cheering to the Stockholders, when the peculiar circumstances are taken into consideration. The depressed state of commerce in the first and most active part of the year, diminished the importations more than one half. The floods of the winter and spring, brought down an unprecedented quantity of mud, by which the navigation of the Canal was frequently impeded. To remove obstructions and make the repairs above recited, the Canal was closed more than five weeks; notwithstanding the accumulation these untoward events, the aggregate amount of tolls exceeds that of 1833 by $1,111 25.

By order of the Board,

SIMEON S. GOODWIN, Secretary.

JAMES MARSHALL, Pres.
Abstract of the Boats that have passed, and Tolls received on the L. & P. Canal:

1831, 406 Steam Boats, 421 Flat and Keel Boats, 76,923 tons, $13,750 77
1832, 453 Steam Boats, 179 Flat and Keel Boats, 70,109 tons, 25,756 12
1833, 875 Steam Boats, 710 Flat and Keel Boats, 169,885 tons, 60,736 92
1834, 938 Steam Boats, 623 Flat and Keel Boats, 162,000 tons, 61,848 17

2,672
1,933
478,317
$161,091 98

At a meeting of the Stockholders of the Louisville and Portland Canal Company, at their Office in the City of Louisville, January 5th, 1835, the Report of the President and Directors was received and ordered to be printed.

The following persons were then elected President and Directors for the present year:

JAMES MARSHALL, PRESIDENT.
SIMEON S. GOODWIN, ~ DIRECTORS.
JOHN HULME,
ELIHU CHAUNCEY,
THOS. C. ROCKHILL,

Resolved, That the Board of President and Directors be directed to make and pay out to the Stockholders, a final dividend of three dollars per share for the last six months, on the whole number, being 7,716 Shares, of the Stock of this Company, to be paid to the persons in whose names the Stock stands on the books of the Company on this day.

W. G. BAKEWELL, CHAIRMAN.

[Extract from the Minutes.]

S. S. GOODWIN, Sec'y.

A List of the different named Steam Boats, as furnished by the Collector, that have passed through the Canal in 1834, with the Tonnage and Toll of each for every passage through the Locks:

<table>
<thead>
<tr>
<th>Names of Boats</th>
<th>Measurement</th>
<th>Canal Tolls</th>
<th>No. Trips 1834</th>
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<td>Argus</td>
<td>121 89</td>
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<td>Arkansaw</td>
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<td>Atlanta</td>
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<td>Belfast</td>
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<tr>
<td>Baltic</td>
<td>407 83</td>
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<tr>
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<tr>
<td>Bonnets O'Blue</td>
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<td>71 11</td>
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<tr>
<td>Boston</td>
<td>148 14</td>
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<tr>
<td>Black Hawk</td>
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<td>33 68</td>
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In addition to the above, there passed through the Canal six hundred and twenty-three Flats and Keels.

JOHN HULME, Collector.
Mr. Metcalfe, from the committee of internal improvements, to whom was referred a bill from the House of Representatives, entitled an act to repeal in part, and amend in part, the several acts establishing a road from Louisville to the State line, in a direction to Knoxville, 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 dispensed with,

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

On the motion of Mr. Metcalfe, the committee of internal improvements was discharged from the further consideration of so much of the Governor's message as relates to the vacant and unappropriated and forfeited lands of this Commonwealth, referred to them on the third instant, on motion of Mr. McHenry.

Mr. Smith, from the committee on military affairs, to whom was referred resolutions in relation to the erection of an Armory at the Falls of Cumberland, reported the same, with the opinion of the committee that it ought to be adopted.

The said resolution was, on the motion of Mr. Griffith, amended to read as follows, viz:

1. Resolved by the Senate and House of Representatives of the Commonwealth of Kentucky, That our Senators in Congress be instructed, and our Representatives be requested to apply for, and use their best exertions to have an Armory erected and established at the Falls of the Cumberland river, in Whitley county, or at the Vienna Falls of Green river, and if they can succeed in the erection of an Armory at the Falls of Cumberland river, then to use their exertions to obtain an appropriation from the General Government, for the purpose of opening and improving the navigation of the Cumberland river, from the Falls of said river to its mouth.

2. Be it further resolved, That the Governor of this State be requested to furnish copies of this resolution to each of our Senators and Representatives in Congress.

Mr. Wingate moved to amend the first resolution, by substituting therefor the following, viz:

Resolved by the Senate and House of Representatives, That our Senators in Congress be instructed, and our Representatives be requested to use their exertions to procure an Armory to be erected by the General Government, at some suitable point in Kentucky.

Mr. Willis moved to lay the said resolutions and substitute 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. McHenry and Griffith, were as follows, viz:

YEAS—Mr. Speaker, Messrs. Chinn, Guthrie, Metcalfe, Miller, Sisk, Taylor and Willis—8.


The said amendment was then agreed to, and the resolutions, as amended, were then adopted.

On the motion of Mr. Smith, the committee on military affairs was discharged from the further consideration of the resolution in relation to a military school in this State.

Mr. Roberts, from the committee to whom was referred a bill to authorize the county court of Pulaski to have roads opened to and from certain places, reported the same with an amendment, which was disagreed to.

And the said bill 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 dispensed with, and the same being engrossed,

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

Mr. Murrell, from the committee to whom was referred a bill from the House of Representatives, entitled an act to establish in part the line run between the counties of Barren and Hart, 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.

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 sheriff of Casey County.

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

On the motion of Mr. Nuttall—1. A bill to enlarge a constable's district in the county of Henry, and to establish an additional constable's district in the county of Oldham.
On the motion of Mr. Morgan—2. A bill to amend an act in relation to the Mountsterling, Big Sandy and Flemingsburg Turnpike road, passed December, 1831.

On the motion of Mr. Daviess—3. A bill to incorporate a company to survey and make a turnpike road from Nicholasville, by way of Shakertown and Harrodsburg, to Perryville.

Messrs. Nuttall, James and Boyd, were appointed a committee to prepare and bring in the first; the committee of internal improvement, the second; and Messrs. Daviess, Blackburn, Chinn and Willis, the third.

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

By Mr. Guthrie, from the committee of courts of justice—1. A bill to amend the law in relation to the constables in this Commonwealth.

By Mr. Daviess, from the committee of propositions and grievances—2. A bill to repeal the act establishing the lower precinct in Butler county.

By Mr. Metcalfe, from the committee of internal improvements—3. A bill further to improve the navigation of Green river.

By Mr. Guthrie—4. A bill to amend the charter of the city of Louisville; and

By Mr. Guthrie, from the committee of courts of justice, from the unfinished business of last session—5. A bill granting additional powers to the President and Directors of the Bank of Kentucky, for the purpose of closing the concerns of said Bank.

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 second and fifth bills, having been dispensed with, the said bills were referred to the committee on finance.

The rule of the Senate, constitutional provision, and second and third readings of the third and fourth 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.

On the motion of Mr. James,

Resolved, That the committee on internal improvements be instructed to inquire into the expediency and propriety of appropriating a portion of the vacant lands west of Tennessee river, or the proceeds thereof, to the counties in said land district, to be applied to the improvement of the roads and navigable streams in said district of country.
Mr. Grider read and laid upon the table the following resolution, viz:

Resolved by the Senate and House of Representatives, That a joint committee, consisting of three from the Senate, and six from the House of Representatives, be appointed to visit, examine and report the condition of the Deaf and Dumb Asylum, at Danville.

On the motion of Mr. Willis,

Resolved, That the committee on internal improvements be instructed to inquire into the expediency and propriety of making further appropriations for the completion of the turnpike road from the Rollingfork to Henry Sanders', over Muldrow's Hill, and for the erection of a bridge across said stream; and report what sum in their opinion will be necessary to pay the Engineer of said work, and complete said turnpike and bridge.

On the motion of Mr. Wingate, 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 for the benefit of Isaac Pennix.

The said bill was returned to the Senate, and on the motion of Mr. Wingate, who voted in the majority, the vote was reconsidered, by which the said bill was disagreed to, and it was placed in the orders of the day.

Mr. Grider presented the report of the commissioners for the improvement of Green river, which is as follows, viz:

To the Legislature of Kentucky:

The commissioners for the improvement of Green river, beg leave to report, that Mr. James Glenn, according to contract, for the construction of lock and dam No. 2, commenced early in March last, cutting stone and otherwise preparing for the construction of the work. For the amount of work done by this very energetic contractor, before death unfortunately put an end to his operations, we refer to the report of the engineer, hereto appended.

The time which necessarily elapsed before this work would be re-let, destroyed all possibility of its completion in the time contemplated in Mr. Glenn's contract.

The board were promptly called together, and as the proper season was approaching for letting the outlet lick, they determined to advertise both works at the same time: and both works were accordingly put under contract on the 7th day of October last, for the particulars of which, we respectfully refer your honorable bodies to the report of this board, made to the Governor in October last, and also to the report of the Engineer.

The undersigned has been at the lower, and is now at the upper location, and has the pleasure of reporting both works in good progress.
Mr. Barbour is personally present at the lower work, and promises to urge it forward as rapidly as the weather will permit. The contractors at this point are pressing the work with great energy, and at both points, the materials are getting out in a manner not inferior to any in the United States.

The competition invited by the letting of both these works at one time, as will be seen by referring to the report of October last, has reduced the cost of both below the standard of the first contract.

Mr. Foster has been employed, when leisure and health permitted, in making several surveys, the results of which will be found in his report. Estimates have been made by him, also, according to the requisitions of the act, of the expense of constructing works on Pond river and Rough creek, to improve the former to Morgan's mill, and the latter to Hartford; as no action has been had, within the knowledge of this board, by the Muddy river commissioners, nothing can be said upon the cost of its improvement. But since it is ascertained by actual survey that No. 3, on Green river, will be located just below its mouth, it is rendered certain that it will be improved a greater distance than any other lateral branch of this river. The total cost of four locks and dams on Green river, and one on Barren, as will be seen by the report of the engineer, is $230,988 30 by contract and estimate. The whole length of Green and Barren rivers which will be improved by these, is 180 miles,

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Of Green river, above the mouth of Barren, not less than 30 miles will be improved by No. 4, and of Muddy river, say 30 miles; making 268 miles of navigation effected for this sum, being within a fraction of $862 per mile. An improvement upon so large a scale, and of so great extent, never has been effected for a like sum of money, and will rarely be again.

We beg leave respectfully to recommend to the Legislature, the letting of Nos. 3 and 4 on Green river, and No. 1 on Barren. We refer to the report of October last, for what we consider weighty reasons for this course, some of the most important of which, we will here recapitulate.

The foundation of the three works can be laid next spring and summer, before the scites are flooded from below.

The difference in permanency and expense between this plan, and laying timber and masonry in five feet water, must be obvious to everyone. We are not travelling in a field of adventure, in constructing these
works, but in the beaten track of those states which have expended vast sums of money in improvements, of which we have all the advantages. In the plans and progress of Nos. 1 and 2, the board have scrupulously adhered to the form and manner of those works which have been constructed in Pennsylvania and well tested. The freedom of our streams from drifting ice, the excellence of the banks, and the rock bottoms upon which our dams are to be founded, give additional assurance of their permanency, while the great volume of water which will always keep the dams covered, will insure great durability to the timber.

The banks of Green river are generally from 30 to 40 feet high; the lift of the dams 14½ feet only. Experience has long since proved that six feet water at most, on the combs of these dams, will fill up the river and reduce its whole surface to a regular inclined plane; there cannot, of course, be the least ground for apprehending the washing around abutments, or of flooding any ground that is not already inundated to the same extent. The extent of timber which will be flooded on the banks is very small, and simply increasing the depth of water, which is already in many places 50 feet deep, cannot possibly endanger the health of the country upon its banks. Indeed, we are assured that the same thing elsewhere, has produced different results, and that the exhalations are less from still waters than upon rapids. It will be seen by referring to the contracts with Mr. Glenn, the provisions of which are the same as the present, that the contractors engaged to construct their respective works, and find all the materials, viz: wood, stone, iron, sand, lime, and gravel. No difficulty has yet occurred in procuring these materials of the owners, nor do we know of any change, as yet, being made. Would it not be well to make provision by law, for the assessment of damages or valuation of timber, &c., used in the construction of public works, by a board of commissioners appointed in each county where such materials may be procured, and upon the application of the owner of the land, vexatious delay of the public works might thus be prevented, and a fair valuation set upon these materials; always taking into consideration the advantages accruing to such claimants of land from the proposed improvements. We respectfully call the attention of the Legislature to the necessity of guarding the safety and usefulness of these valuable improvements, by attaching penalties of a suitable character to the injury of the locks or dams, and also to prevent the falling of timber into the river, a practice which is already too prevalent in clearing new fields; oaks, sycamores, and all the heavier timber, form permanent obstructions to the navigation, while the lighter timber collects in drifts almost as dangerous as ice. The account current of the
board with the commonwealth is herewith submitted, showing the amounts received from the treasury and disbursed, and the balance remaining on hand.

This report has been delayed from the unavoidable detention of the undersigned upon the river, and he hopes that this hasty sketch, in connexion with the engineer's report, will be deemed satisfactory.

JAS. R. SKILES, President Board G. R. C.


REPORT OF THE ENGINEER.

To JAMES R. SKILES, Esq.

President Board of Commissioners for improvement of Green River:

Sir,—In presenting you my report, in obedience to a resolution of your board dated the 27th ult. I shall in the first place briefly advert to the progress and situation of the work at lock and dam No. 2.

The preparation of the materials for this work was commenced by the original contractor, early in the month of March last, and progressed with steadiness, until about the first of August, in a manner that inspired confidence in his ability to complete the work within the time specified in his contract.

The intelligence of the death of Mr. Glenn, received about that time, added to the prevalence of sickness among the laborers, induced the two gentlemen whom he had associated with him as co-partners, to decline the further prosecution of the work, and accordingly, on the 9th day of August, it was, with the consent of the commissioners, declared abandoned.

From the date last mentioned, until the 6th of October, nothing more was done than to place the materials that had been previously prepared, in a suitable and safe situation, preparatory to a final measurement and estimate, which was made out under date of October 9, amounting to eleven thousand five hundred and fifty five dollars and seventy one cents.

The gentlemen to whom the contract was assigned at the re-letting on the 6th of October, commenced operations immediately, and with a spirit and energy which gives the fullest assurance of the completion of the work by the time stipulated in their agreement. The amount done by them, as estimated on the 24th ult., was two thousand and thirty nine dollars.

They have at this time, sixty hands employed in preparing and forwarding stone and other materials, the late freshet having prevented their making further progress with the excavation and masonry.

The following statement comprises the quality and kind of materials prepared and work done: Excavation of earth, 1,557 cubic yards; ex-
cavation of rock, 2,057 cubic yards, to which may be added 500 cubic yds.
done since the estimate—that branch of the work being nearly completed;
masonry in abutment, 267 perches; stone delivered, 273 perches; stone
quarried, 1,652 perches; ashlar and coping dressed, 10,172 square feet;
timber laid in dam, 3,864 cubic feet; stone filling in dam, 854 cubic yards;
timber delivered, 27,856 cubic feet; white oak plank, 78,439 feet, board measured; iron, 10,237 pounds, together with 8 cast iron
paddle gates and appendages, as also quantities of lime, sand, &c.

I am advised by a letter lately received from one of the contractors,
for lock and dam No. 1, that they have arrived at the place, and are
making preparations for a vigorous prosecution of their work immediately.

The examinations made upon Green and Barren rivers, show the fall
from the town of Bowlinggreen to the head of the pool of dam No. 2, to
be 42.71 feet, which it is proposed to overcome by three locks and dams
of like lift, and varying but little from the height of those already under
contract.

The increased height of one and an half feet, at each of the dams
Nos. 1 and 2, (while it adds comparatively a small sum to their cost,) it
will be seen, obviates the necessity of an additional work to accomplish
the same object, and places each of the succeeding dams in the most
favorable and permanent situations that could be selected upon the whole
stream above.

It may also be remarked that materials of excellent quality are in the
immediate vicinity of the several locations.

The estimated amount for completing the line of improvement from
the Ohio river to Bowlinggreen is as follows:

<table>
<thead>
<tr>
<th>Description</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lock and dam No. 1, in Green river contract,</td>
<td>$47,126</td>
</tr>
<tr>
<td>Lock and dam No. 2, in Green river contract,</td>
<td>51,552</td>
</tr>
<tr>
<td>Lock and dam No. 3, in Green river, estimated,</td>
<td>43,288</td>
</tr>
<tr>
<td>Lock and dam No. 4, in Green river, estimated,</td>
<td>42,716</td>
</tr>
<tr>
<td>Lock and dam No. 1, in Barren river, estimated,</td>
<td>40,555</td>
</tr>
<tr>
<td>Cement for 5 locks, estimated,</td>
<td>1,000</td>
</tr>
<tr>
<td>Cutting snags and removing stooping timbers, estimated,</td>
<td>1,060</td>
</tr>
<tr>
<td>Channel below lock No. 2, estimated,</td>
<td>3,750</td>
</tr>
</tbody>
</table>

Total estimated cost, $230,988 30

The estimates for works Nos. 3 and 4 in Green river, and No. 1 in
Barren river, are predicated upon the prices at which contracts have already been made for Nos. 1 and 2; making proper allowance for the dif-
ferent locations, the proximity of materials, &c.; and I feel great con-fidence that the whole may be done in the most substantial and creditable
manner for the amount estimated.
The survey and levelling of Rough creek was commenced at the town of Hartford, and continued down the stream to its mouth, a distance of 28 miles and 255 perches, and the fall ascertained to be 17,056 feet.—Ten feet of this fall will be destroyed by Dam No 2, in Green river, leaving only 7,056 to be overcome by a lock and dam in the creek.—The abrupt curvature of the banks and narrowness of the channel, in many places, precludes the possibility of using boats of the same dimensions as will navigate the improved channel of Green river.

I have therefore assigned, as the basis of calculation, locks 90 by 17 feet within the chamber, with the depth of water four feet, as ample for all purposes of navigation on this stream, and estimate the cost as follows:

<table>
<thead>
<tr>
<th>Description</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dam</td>
<td>$4,428 00</td>
</tr>
<tr>
<td>Lock</td>
<td>9,903 00</td>
</tr>
<tr>
<td>Clearing channel of snags</td>
<td>560 00</td>
</tr>
<tr>
<td><strong>Total estimated cost of 28 miles and 255 perches</strong></td>
<td><strong>$14,891 00</strong></td>
</tr>
</tbody>
</table>

From the lateness of the season at which the examinations upon Pond river were commenced, and the limited time that could be devoted there, I was only enabled to ascertain the fall from Morgan’s mill dam to the mouth of the stream, without regard to a survey and measurement of the distance.

The fall between those points (an estimated distance of 30 miles) was found to be 14,368 feet; five feet of which will be overcome by Dam No. 1, in Green river, leaving 9,368 feet to be improved by a dam and lock in the stream, of the same dimensions of the one suggested for Rough Creek.

<table>
<thead>
<tr>
<th>Description</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dam</td>
<td>$5,580 00</td>
</tr>
<tr>
<td>Lock</td>
<td>9,210 00</td>
</tr>
<tr>
<td>Clearing channel of snags, &amp;c.</td>
<td>450 00</td>
</tr>
<tr>
<td><strong>Total estimated cost of 30 miles</strong></td>
<td><strong>$15,340 00</strong></td>
</tr>
</tbody>
</table>

The estimates for the improvement of Rough creek and Pond river are founded upon a style of work similar to that adopted on Green river; and although it might be effected at a reduced expense by the substitution of wooden locks, yet I would by no means recommend the erection of such perishable structures.

I regret to state that severe indisposition has prevented my fulfilling the expectations of the board in extending a level some distance on Green river above the mouth of Barren.

Respectfully submitted,

Ramsey, Ky. Dec. 4, 1834.  
WM. B. FOSTER, Jr. Engineer.
Commissioners for the improvement of Green River, in account with the Commonwealth of Kentucky,

Oct. 15, 1833. To amount of draft on state treasurer, $600.00
   To do. of do. on do. do. 66.66
April 15, 1834. To do. of do. on do. do. 10,000.00
May 5, 1834. To do. of do. on do. do. 9,333.34

$20,000.00

Balance in hands of Treasurer of the board, $4,301.54

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>1833</td>
<td>$526.50</td>
<td>By expenses of survey and estimates, including pay of engineers,</td>
</tr>
<tr>
<td>1834</td>
<td>$100.70</td>
<td>By amount paid for compass, chain, and printers’ bills,</td>
</tr>
<tr>
<td></td>
<td>164.77</td>
<td>By amount paid for levelling instruments, and procuring same,</td>
</tr>
<tr>
<td></td>
<td>179.71</td>
<td>By amount paid for sixteen barrels Roman cement, and transportation of same,</td>
</tr>
<tr>
<td></td>
<td>500.00</td>
<td>By amount paid on acct. salary of engineer,</td>
</tr>
<tr>
<td></td>
<td>35.00</td>
<td>By amount paid assistant engineer,</td>
</tr>
<tr>
<td></td>
<td>114.69</td>
<td>By amount paid expenses of surveys of Green, Barren and Pond rivers, and Rough creek,</td>
</tr>
<tr>
<td></td>
<td>163.06</td>
<td>By amount paid expenses of commissioners,</td>
</tr>
<tr>
<td></td>
<td>232.00</td>
<td>By amount paid expense of drawing and exchanging funds,</td>
</tr>
<tr>
<td></td>
<td>66.66</td>
<td>By amount paid exchange on $600.00 commonwealth paper,</td>
</tr>
<tr>
<td></td>
<td>1,913.19</td>
<td>By amount paid exchange on $10,131.88, commonwealth paper,</td>
</tr>
<tr>
<td></td>
<td>828.14</td>
<td>By amount paid exchange on $9,201.45, commonwealth paper,</td>
</tr>
<tr>
<td></td>
<td>300.00</td>
<td>By amount paid for removing snags on forty-two miles,</td>
</tr>
<tr>
<td></td>
<td>18.44</td>
<td>By amount paid for stationery and sundries for office,</td>
</tr>
<tr>
<td></td>
<td>9,822.36</td>
<td>By amount paid on James Glenn’s contract,</td>
</tr>
<tr>
<td></td>
<td>1,723.15</td>
<td>By amount paid on McRery, Fleming, and Tomb,</td>
</tr>
<tr>
<td></td>
<td>$15,798.46</td>
<td>By balance in hands of Treasurer of the Board,</td>
</tr>
<tr>
<td></td>
<td>4,201.54</td>
<td></td>
</tr>
<tr>
<td></td>
<td>$20,000.00</td>
<td></td>
</tr>
</tbody>
</table>
The said report was referred to the committee of finance, and the public printer directed to print one hundred and fifty copies thereof, for the use of the General Assembly.

Mr. Willis moved the following resolution, viz:

Resolved, That the committee of courts of justice inquire into the expediency and propriety of establishing a Northern Bank of Kentucky, with a capital of not more than three millions, with power to establish some two or three branches, and that they report by bill or otherwise.

Mr. Chinn moved to amend the said resolution, by substituting therefor the following, viz:

Resolved, That it is expedient to establish another Bank of Kentucky; the principal Bank to be located on the north side of the Kentucky river.

And then the Senate adjourned.

FRIDAY, JANUARY 16, 1835.

1. Mr. Blackburn presented the petition of the trustees of the town of Versailles, praying for leave to sell part of a street in said town.

2. Also, the petition of sundry citizens of Woodford county, praying for a charter for a Savings Bank in Versailles.

3. Mr. Nuttall presented the petition of sundry citizens of Oldham county, praying that the constable of the first constable's district in said county, may be permitted to reside in the town of Westport.

4. Mr. Chinn presented the petition of J. Livingston Van Doren, Luther H. Van Doren and Isaac Van Doren; praying for a charter for a literary institution for young ladies.

5. Mr. Bush presented the petition of Moses Maxfield, and Eliza Maxfield his wife, praying that a law may pass, authorizing the sale of a tract of land in Boone county, conveyed to the said Eliza and others, by Shadrick Rozell.

Which petitions were severally received; the first was referred to a committee of Messrs. Blackburn, Taylor and Grider; the second and fifth, to the committee of courts of justice; the third, to a committee of Messrs. Nuttall, James and Willis; and the fourth, to the committee of education.

Mr. Guthrie, from the committee of courts of justice, to whom was referred bills from the House of Representatives, entitled,

An act for the benefit of Greenberry A. Gaither; and

An act to legalize the official bonds of such clerks of this Commonwealth, as have failed in time to comply with the provisions of
an act, entitled "an act requiring clerks to renew their bonds, &c." approved February 22, 1834, and for other purposes.

Reported the same with an amendment to each, which were concurred in.

Ordered, That the said bills, as amended, 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 title of the first be amended to read,

An act providing for the payment of attorneys prosecuting pleas of the Commonwealth in certain cases.

And that the title of the second be amended to read,

An act giving further time to clerks to renew their official bonds.

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

An act for the benefit of the heirs of Isaac Stout, deceased; and

An act for the benefit of the heirs of Thomas A. Clark, and others.

Reported the same, with the opinion of the committee that they ought not to pass.

The question being taken on reading the said bills a third time, it was decided in the negative, and so the said bills were disagreed to.

On the motion of Mr. Guthrie, the committee of courts of justice was discharged from the further consideration of a bill for the benefit of Greenberry A. Gaither and William R. Grigsby.

Mr. Guthrie, from the committee of courts of justice, to whom was referred a bill to amend the act, approved 22d Feb. 1834, to improve the navigation of Big Sandy river, reported the same, with the opinion of the committee that it ought to pass.

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. Guthrie, from the same committee, to whom was referred a bill to amend the penal laws of this Commonwealth, and the better to secure and guard the right of suffrage and freedom of elections therein, reported the same, with the opinion of a majority of the committee that it ought to pass.

The question being taken on engrossing the said bill and reading the same a third time, it was decided in the affirmative.
The yeas and nays being required thereon, by Messrs. Willis and Boyd, were as follows, viz:


NAYS—Messrs. Carter, Coffey, Davies, Gilbert, Guthrie, Heady, James, Lyon, McDonald, McHenry, May, Nuttall, Sisk, Southgate, Willis, Wingate and Young—17.

The Speaker laid before the Senate a letter from the Auditor of Public Accounts, enclosing a copy of the Annual Report of the Bank of Louisville, which letter and report are as follows, viz:

STATE OF KENTUCKY,
Auditor's Office, Jan. 1835.

Hon. JAMES CLARK, Speaker of the Senate:
Sir—Please lay before the body over which you have the pleasure to preside, the enclosed copy of the Annual Report of the Bank of Louisville, as directed by the ninth section of the Charter of said Bank; and oblige your's, &c.

BEN. SELBY, Auditor.

A Statement of the condition of the Bank of Louisville, as it existed November 1, 1834.

LIABILITIES OF THE BANK.

To capital stock subscribed, $1,150,000 00
Capital stock remaining unpaid, 23,500 00
Amount due to other Banks, 132,735 43
Amount due Treasurer of the United States, 21,399 25
Amount due General Post Office, 50 00
Amount due Thomas Posey, Pension Agent, 6,387 43
Amount due C. A. Ogden, Capt. Engineers, 11,934 34
Two per cent. fund, reserved under the charter on account of stock paid in, 1st July, 21,104 00
Dividend No. 1, unclaimed, 1,130 00
Notes in circulation, of 5's, 136,680 00
Notes in circulation, of 10's, 117,490 00
Notes in circulation, of 20's, 121,260 00
Notes in circulation, of 50's, 42,950 00
Notes in circulation, of 100's, 79,600 00
Post notes payable in Philadelphia, of 5's, 6,680 00
Post notes payable in Philadelphia, of 10's, 8,000 00

Deduct post notes in transit, 10,140 00

$513,660 00

502,220 00

148,333 97

$1,972,054 43
(Amount brought over,)

**MEANS OF THE BANK.**

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>In notes discounted,</td>
<td>$294,468.45</td>
</tr>
<tr>
<td>In bills of exchange,</td>
<td>738,693.36</td>
</tr>
<tr>
<td>In amount due from other Banks,</td>
<td>71,956.95</td>
</tr>
<tr>
<td>In permanent expenses to be liquidated in semi-annual payments,</td>
<td>3,000.00</td>
</tr>
<tr>
<td>In cost of real estate, on which to erect a Banking house, and present value thereof,</td>
<td>13,000.00</td>
</tr>
<tr>
<td><strong>Cash on hand:</strong></td>
<td></td>
</tr>
<tr>
<td>Notes of Bank U. S. and Branches, in vault,</td>
<td>$29,700.00</td>
</tr>
<tr>
<td>Notes of other Banks,</td>
<td>$8,928.00</td>
</tr>
<tr>
<td>Gold, $1,867.37; silver, $203,048.50,</td>
<td>203,915.87</td>
</tr>
<tr>
<td><strong>Balance to credit of profit and loss account:</strong></td>
<td>302,843.87</td>
</tr>
<tr>
<td><strong>Total:</strong></td>
<td>51,908.22</td>
</tr>
</tbody>
</table>

A Dividend of 5 per cent was declared 1st Monday in July on all stock, the regular instalments on which had been fully paid up.

A. THRUSTON, Cashier.

Bank of Louisville,
Jan. 4, 1835.

The said report was referred to the committee of finance, and the Public Printer was directed to print one hundred and fifty copies thereof, for the use of the General Assembly.

Mr. Wingate, from the committee of religion, to whom was referred a bill from the House of Representatives, entitled,
An act for the benefit of Catharine Sampson,
Reported the same with amendments, which were concurred in, and the said bill 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, as amended, do pass, and that the title thereof be as aforesaid.

On the motion of Mr. Wingate, the committee of religion was discharged from the further consideration of the petition of Lavina Off; and the said petition was referred to a committee of Messrs. Smith, Willis and Roberts.

Mr. Wingate, from the committee of religion, made the following report, viz:

The committee of religion, to whom was referred a bill from the House of Representatives, entitled, an act for the benefit of Celia Spencer, have adopted the following resolution thereon:

Resolved, That said bill ought to be rejected.
Which report was concurred in, and so the said bill was disagreed to.

Mr. Wingate, from the same committee, made the following report, viz:

The committee of religion, to whom was referred a bill from the House of Representatives, entitled,

An act for the benefit of Elizabeth Maxey,

Have had the same under consideration, and have adopted the following resolution thereon:

Resolved, That said bill ought not to pass.

The said bill is as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the marriage contract, heretofore existing between Elizabeth Maxey and her husband Josiah Maxey, is hereby dissolved, and the said Elizabeth is restored to all the rights and privileges of a feme sole.

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. McHenry and Grider, were as follows, viz:


Mr. Metcalfe, from the committee of internal improvements, to whom was referred a bill from the House of Representatives, entitled an act to improve the navigation of Little river, reported the same without amendment.

The said bill was referred to the committee of finance.

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

By Mr. Guthrie, from the committee of courts of justice—1. A bill to establish a new judicial district in this Commonwealth; and

By Mr. Metcalfe, from the committee of internal improvements—2. A bill to establish a State road from Hopkinsville to Smithland.

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 second bill, having been dispensed with, it was referred to a committee of Messrs. James, Lyon, Griffith and Gholson.
Mr. Bramlette, from the committee of enrollments, reported that the committee had examined enrolled bills, of the following titles, viz:

An act allowing additional justices of the peace and constables to certain counties.
An act for the benefit of constables; and
An act to authorize the clerk of the county court of Boone to record certain deeds, &c.

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 they were delivered to the committee, to be presented to the Lieutenant and Acting Governor, for his approbation and signature.

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

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. Smith in the chair.

After some time spent in committee, the Speaker resumed the chair, when Mr. Smith reported that the committee had, according to order, had under consideration a bill to amend the laws relating to the condemnation of private property, which may be required for public purposes, or works of internal improvement, and had gone through the same, and made amendments thereto, which he handed in at the Clerk's table.

On the motion of Mr. Willis, the said bill and amendments were laid on the table until the first day of June next.

The Speaker laid before the Senate the following letter and statement of the Auditor of Public Accounts, viz:

STATE OF KENTUCKY, AUDITOR'S OFFICE,

JanuarY, 1835.

Hon. James Clark, Speaker of the Senate.

Sir:—Please lay before that body of the State Legislature over which you preside, the enclosed statement made in compliance with their resolution of the 8th instant, and oblige yours,

BEN. SELBY, Auditor.

A Statement of Subscriptions and Appropriations to Objects of Internal Improvements, authorized by law prior to the Session of the General Assembly of 1833, that remained unpaid on the 22d of Feb. 1834.

Due to the Maysville, Washington, Paris & Lexington Turnpike Road Company, on the 22d Feb. 1834, $29,000
Due to Green River for Improvement of its Navigation, on the 22d February, 1834, 19,400

Total due February 22d, 1834, $48,400

BEN. SELBY, Auditor.
Ordered, That the said statement be referred to the committee of finance.

And then the Senate adjourned.

SATURDAY, JANUARY 17, 1835.

Mr. Roberts presented the petition of sundry citizens of the counties of Hardin, Meade, Bullitt and Jefferson, praying for the formation of a new county out of a part of each of said counties.

Mr. Willis presented the petition of Richard Taylor, jr. surveyor of military lands on Virginia State line service in the State of Kentucky, praying that a law may pass for the further prevention of entries on military lands.

Which petitions were received, and the first was referred to the committee of propositions and grievances; and the second, to the committee of courts of justice.

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

- An act for the benefit of the headright settlers of this Commonwealth;
- An act to repeal in part the act entitled, an act to establish the Louisville Bank of Kentucky.

With amendments to the latter bill; which amendments were concurred in.

And that they had passed bills, which originated in that house, of the following titles, to-wit:

- An act for the benefit of the sheriffs of Madison, Henderson and Washington counties.
- An act to change the time of holding the county courts of Meade and Russell.
- An act to explain the powers of the several county courts in this Commonwealth, in regard to allowances to clerks and sheriffs for ex officio services; and
- An act to repeal certain acts regulating roads in the county of Fayette.

And that they had concurred in the amendments of the Senate to bills from that house, of the following titles, viz:

- An act to amend the charter of the city of Lexington.
- An act for the benefit of George Delong; and
- An act to incorporate the Covington Fire Insurance Company.
Mr. Bramlette, from the joint committee of enrollments, reported
that the committee had examined enrolled bills, of the following
titles, viz:

An act to incorporate the Paducah Dock Company.

An act to repeal, in part, and amend in part, an act, entitled
"an act to incorporate a company, to establish a turnpike road from
the city of Louisville, by the way of the mouth of Salt river,
Elizabethtown, Munfordsville and Bowlinggreen, to the State line,
in a direction to Nashville."

An act to establish a Mechanics' Institute, in the city of Louisville.

An act to establish an election precinct in Meade county.

An act establishing an election precinct in Russell county, and
to change the place of voting in a precinct in Green county.

An act to authorize the insertion of advertisements in the "Kent­
ucky Whig and Fleming Advertiser," and the "Baptist Banner
and Journal of Health."

An act for the benefit of William Babcock.

An act to change the place of voting in certain precincts in cer­
tain counties.

An act for the benefit of the surveyor of Harrison county.

An act to legalize the proceedings of the court of assessment of
the 16th regiment of Kentucky militia.

An act to establish an election precinct at Keasburg, in the
county of Logan.

An act for the benefit of the sheriff of Casey County.

An act for the benefit of Benjamin Webb.

An act to repeal an act, entitled "an act repealing the law,
authorizing the people of Rockcastle, Knox, Harlan and Laurel
counties, to pass the Turnpike and Wilderness road, without pay­
ing toll," approved Feb. 24, 1834.

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
there, and they were delivered to the committee, to be presented
to the Lieutenant and Acting Governor, for his approbation and
signature.

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

Mr. Daviess, from the committee of propositions and grievances,
made the following report, viz:

The committee of propositions and grievances have, according
to order, had under consideration the petition of sundry citizens of
the counties of Mercer and Lincoln, praying for the formation of a
new county out of a part of each of said counties, and have come
to the following resolution thereon, viz:

Resolved, That the said petition be rejected.
On the motion of Mr. Willis, the said report was referred to a committee of Messrs. McDonald, Daviess, Willis, Thornton, Roberts and Harrell.

Mr. Murrell, 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 Calloway, Hickman, Graves and McCracken, Thomas James; from the counties of Livingston, Caldwell and Trigg, Matthew Lyon; from the counties of Christian and Todd, James Gholson; from the counties of Logan and Simpson, Presley Morehead; from the counties of Henderson, Union and Hopkins, Andrew Sisk; from the counties of Warren and Allen, Henry Grider; from the counties of Barren and Edmondson, Hezekiah P. Murrell; from the counties of Green and Hart, William T. Willis; from the counties of Cumberland and Monroe, Ambrose S. Bramlette; from the counties of Casey, Adair and Russell, Jesse Coffey; from the counties of Pulaski and Wayne, John McHenry; from the counties of Breckenridge, Hancock, Ohio and Daviess, William R. Griffith; from the counties of Butler, Grayson and Muhlenburg, John Harrell; from the counties of Hardin and Meade, George Roberts; from the city of Louisville and the counties of Jefferson and Bullitt, James Guthrie; from the counties of Oldham and Henry, Price Nuttall; from the county of Shelby, William G. Boyd; from the counties of Nelson and Spencer, Stillwell Heady; from the counties of Washington and Marion, James McDonald; from the county of Mercer, Samuel Daviess; from the counties of Lincoln, Rockcastle and Laurel, William Smith; from the county of Garrard, Samuel Lusk; from the county of Madison, Robert Miller; from the counties of Knox, Clay, Harlan and Whitley, John Gilbert; from the counties of Gallatin, Boone and Grant, Philip S. Bush; from the counties of Campbell and Pendleton, Richard Southgate; from the counties of Nicholas and Bracken, Thomas Metcalfe; from the counties of Franklin, Owen and Anderson, Cyrus Wingate; from the counties of Harrison and Scott, Joseph Patterson; from the county of Bourbon, John R. Thornton; from the county of Fayette, Richard H. Chinn; from the counties of Jessamine and Woodford, William B. Blackburn; from the counties of Montgomery and Bath, Aquilla Young; from the counties of Greenup, Lewis and Lawrence, William G. Carter; from the county of Fleming, Daniel Morgan; from the county of Mason, Robert Taylor; from the counties of Morgan, Floyd, Pike and Perry, Samuel May; from the counties of Clarke and Estill, James Clark.
The committee find that the term of service of James Gholson, William R. Griffith, James Guthrie, Price Nuttall, Stilwell Headly, Daniel Morgan, Samuel May, Robert Taylor and James Clark, will expire in the year 1835.

Thomas James, Andrew Sisk, Hezekiah P. Murrell, William T. Willis, Jesse Coffey, John McHenry, George Roberts, Samuel Lusk, Cyrus Wingate and Aquilla Young, in the year 1836.


On the motion of Mr. Taylor,

The committee of finance was discharged from the further consideration of the petition of the board of internal improvements in Anderson county; and the said petition was referred to the committee of internal improvements.

Mr. Taylor, from the committee of finance, to whom was referred a bill for the benefit of Micajah Clark, Jr. and others, reported the same, with the opinion of the committee that it ought not to pass.

And the question being taken on engrossing the said bill and reading the same a third time, 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 for the benefit of the heirs of Delaney Miller, deceased, reported the same, with the opinion of the committee that it ought not to pass.

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

Mr. Guthrie, from the same committee, to whom was referred the petition of James Offill, administrator of John Elliott and others; the petition of the administrator and administratrix of the estate of George C. Goodridge, deceased; the petition of Austin H. Slaughter, administrator of the estate of William D. Whitsett, deceased; the petition of Moses Maxfield and Eliza Maxfield his wife; and the petition of the heirs of George Bush, sen. deceased; reported the following resolution thereon, viz: 

Resolved, That the said petitions be rejected.

Which was twice read and concurred in.

Mr. Guthrie, from the same committee, to whom was referred a bill to establish the Louisville Chancery Court, reported the same, with an amendment, which was concurred in, and the said bill was placed in the orders of the day.
Mr. Guthrie, from the same committee, to whom was referred a bill from the House of Representatives, entitled an act to authorize the county court of Nelson to correct its proceedings at the court of claims in November, 1834, and for other purposes, 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 several committees, appointed to prepare and bring in the same, to wit:

By Mr. Guthrie, from the committee of courts of justice—1. A bill authorizing a patent to issue to the heirs of Henry Banks; and
2. A bill for the benefit of the devisees of John C. Richardson, sen.

By Mr. Blackburn—3. A bill to authorize the trustees of the town of Versailles to sell part of a street in said town.

By Mr. Smith—4. A bill for the benefit of Lavina Off.

By Mr. Sisk—5. A bill for the erection of a bridge on Pond river, at or near Dodge’s Old Ford; and

By Mr. Smith—6. A bill to amend an act entitled an act to amend the law prohibiting the importation of slaves into this State, approved February 2d, 1833.

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 fifth and sixth bills, having been dispensed with, the fifth was referred to the committee of internal improvements, and the sixth, to the committee of courts of justice.

The rule of the Senate, constitutional provision, and second and third readings of the first, second and third 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. Griffith, from the committee to whom was referred a bill to establish a State road from Hopkinsville to Smithland, reported the same without amendment, and it 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 dispensed with, and the same being engrossed,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.
The Speaker laid before the Senate the Annual Report of the Trustees of the Deaf and Dumb Asylum at Danville, which is as follows, viz:

To the Honorable, the General Assembly
of the Commonwealth of Kentucky.

The Trustees of the Asylum for the tuition of the Deaf and Dumb, respectfully report:

That the pupils are doing well, and enjoy good health. They have the same teachers, improved by experience, and the same superintendent and matron, as at the time of our last annual report.

By a reference to the annexed list of pupils, (marked A,) you will see that the number is reduced since our last report, several having left during the last year, because the time allowed by law for their instruction had expired. We find it difficult to persuade the parents of Deaf and Dumb persons to send them to the asylum, and especially such as live at a distance. There are many in the state who ought to be receiving instruction. We would respectfully request the members of the General Assembly to use their influences in their several counties with the parents of Deaf and Dumb children, as a much larger number could be educated with very little additional expense.

The statement (marked B,) exhibits the condition of the finances of the institution. It will be perceived that our agent, Col. Allin, has remitted to us only one thousand dollars during the last year, and we have no account from him of any sales of land during that period. Although our confidence in our agent is undiminished, we thought it advisable to send Mr. James Harlan to Florida, to consult with Col. Allin concerning the asylum lands and bring us full information; as it is the wish of the trustees that the sales should be closed without delay. We are looking for information from Col. Allin and Mr. Harlan, and if received in time, will be communicated to the Legislature during its present session.

In our last annual report, we laid before you a statement taken from an abstract furnished by Col. Allin of sales of land for the asylum, to-wit: eight thousand three hundred and twenty acres, at an average of four dollars and twenty-nine and one half cents per acre; but being sold on long credit, we suppose that less than one third of the whole amount has been paid to our agent.

Respectfully submitted, by order of the trustees,

JOHN TODD,
P. G. RICE.
Pupils in the Asylum, Nov. 3, 1834.

NO. NAMES. AGE. WHERE FROM. REMARKS.
14. Mary Robertson, 18, Fayetteville, Tenn. Pays charges.
15. Jacob Todhunter, 15, Jessamine county, Ky. Pays charges.

Statement showing the situation of the funds of the Institution on the third November, 1834.

1. Balance on hand 3rd Nov. 1833, $ 6,898 85
2. Amount received from the treasury for the support of indigent pupils from 3d Nov. 1833, to 3d Nov. 1834, 2,153 84
3. Cash received for tuition fees, 121 97
4. Cash received from agent in Florida, 1,000 00
5. Cash received from Mr. B. in part, 223 50

$10,398 16

6. Amounts paid Mr. Jacobs, principal teacher, 750 00
7. Amount paid Mr. Kerr, assistant teacher, 500 00
8. Cash paid Dr. Munsell for board of indigent pupils for 1 year ending 3d Nov. 1834, 1,195 30
9. Fuel for school room, 30 00
10. Insurance to January 1835, 18 00

Amount forwarded, $2,493 30
Amount brought forward, $2,493 30
11. Advertising, 12 00
12. Building stables and sundry repairs, including materials and hauling, 331 38
13. Paid town tax, 3 19
14. Paid books and stationery; this includes books prepared and printed for the pupils by the principal teacher, 218 17
15. Sundry incidental charges, 17 71
16. Expenses of Mr. Jacobs and a pupil in going to and returning from Frankfort, 9 38
17. Medicine, 7 00
18. Cash advanced J. Harlan, as agent to Florida, 150 00
19. Amount allowed treasurer for more than 10 years service, but chiefly since the institution was endowed by Congress, 250 00
20. Postage paid in this year, 2 00

$3,494 13

Amount of credits brought over, $10,398 16
Amount of debits brought over, $3,494 13

$6,904 03

Of the above balance, near $6,000 is upon loan in specie at 6 per cent interest.

Note.—In the above items, No. 1 is part in commonwealth's notes, and part in specie; No. 2 and No. 8 are in commonwealth's notes, the balance in specie.

Officers of the Asylum.

Danville, Jan. 10, 1835.

The message received from the Lieutenant and Acting Governor, on the 13th inst., was taken up and read as follows, viz:

Gentlemen of the Senate:
I nominate, for your advice and consent, Thomas Y. Payne, to be mayor of the city of Maysville.
D. D. Jones, to be quarter master of the 1st brigade, vice G. W. Howell, promoted.
William White, to be colonel of the 51st regiment, vice Thomas Easterday, promoted.
William Foster, to be lieutenant colonel of the same, vice W. O. Butler, resigned.
Thomas Spillman, to be major of the same, vice W. White, promoted.
A. B. Gardiner, to be colonel of the 127th regiment, vice H. Dixon, moved away.
William S. Lipscomb, to be colonel of the 35th regiment, vice Thos. S. Kennedy, resigned.
Charles K. Moore, to be lieutenant colonel of the same, vice W. S. Lipscomb, promoted.
Madison Todd, to be major of the same, vice Charles K. Moore, promoted.

January 13th, 1835.

Resolved, That the Senate advise and consent to the said appointments.

Ordered, That Mr. Taylor inform the Governor thereof.

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

On the motion of Mr. Boyd—1. A bill to amend the charter of the Kentucky Baptist Education Society.
On the motion of Mr. Smith—2. A bill to amend the law concerning the Court of Appeals.
On the motion of Mr. Morehead—3. A bill to establish a turnpike road from Bowlinggreen to Hopkinsville, by way of South Union, Russellville and Elkton.
On the motion of Mr. Grider—4. A bill to amend the law establishing a turnpike road from Louisville, in the direction to Nashville, by way of Elizabethtown, Munfordsville and Bowlinggreen.

And on the motion of Mr. Murrell—5. A bill to amend an act, approved 22d February, 1834, authorizing the construction of a bridge across Big Barren river, on the road from Glasgow to Scottville.

The committee of education was directed to prepare and bring in the first; the committee of internal improvement, the third; Messrs. Smith, Daviess, Grider and Roberts, were appointed a committee to prepare and bring in the second; Messrs. Grider, Morehead, Roberts and Murrell, the fourth; and Messrs. Murrell, Grider and Morehead, the fifth.
A bill to amend the law as to proceedings against non-resident and absent defendants, and unknown heirs, was ordered to be engrossed and read a third time on Monday next.

On the motion of Mr. James,

Resolved, That the committee of courts of justice be instructed to inquire into the expediency and propriety of so amending the laws authorizing motions against constables for failing to pay over moneys collected by them, and to return executions in time; as to authorize such motions to be made before justices of the peace, and so to amend the law authorizing the collection of debts before a justice of the peace, as to authorize the effects and choses in action of the debtor to be attached in the hands of a third person.

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

Resolved by the Senate and House of Representatives, That a joint committee, consisting of three from the Senate, and six from the House of Representatives, be appointed to settle with Joel Scott, late Keeper of the Penitentiary.

The rule of the Senate having been dispensed with, the said resolution was taken up and adopted.

Mr. Boyd read and laid on the table a joint resolution, fixing a day for the election of public officers.

And then the Senate adjourned.

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MONDAY, JANUARY 19, 1835.

1. Mr. Taylor presented the petition of Sarah Pepper, praying a divorce from her husband Abner Pepper.

2. Mr. Griffith presented the petition of sundry citizens, praying that a State road may be established from Owenborough to Harbinsburg.

3. Mr. Lyon presented the petition of James Campbell, praying that a law may pass, authorizing a sale of two lots in the town of Westwood, in Livingston county, of which Dickson Given and Joseph Given died seized; and

4. Mr. Bramlette presented the petition of sundry members of the Regular and United Baptist Churches in Kentucky, praying that the charter of the Kentucky Baptist Education Society may be amended.

Which petitions were severally received; the first was referred to the committee of religion; the second, to the committee of internal improvements; the third, to the committee of courts of justice; and the fourth, to the committee of education.
A message was received from the House of Representatives, announcing the passage of a bill and resolutions from the Senate, of the following titles, viz:

An act amendatory to an act to authorize the sale of the real and personal estate of Samuel Monson, deceased.

A resolution authorizing the committee, appointed to examine the auditor's office, to employ a clerk; and

A resolution to appoint a joint committee to examine the Lunatic Asylum and Transylvania University.

And that they had passed bills, which originated in that house, of the following titles, viz:

An act to amend and reduce into one the several acts concerning the town of Glasgow; and

An act for the benefit of the subscribers to the Evangelical Episcopal Church in Shelby county.

Messrs. Willis, Southgate and Heady, were appointed a committee on the part of the Senate, to examine the Lunatic Asylum and Transylvania University.

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

On the motion of Mr. Guthrie—1. A bill repealing all laws requiring bail in civil actions, and authorizing attachments on original process.

2. A bill for the benefit of James covert and their heirs.


On the motion of Mr. Carter—4. A bill to alter and change the time of holding the Greenup and Lewis circuit courts.

On the motion of Mr. Daviess—5. A bill to amend the act establishing circuit courts.

On the motion of Mr. Gilbert—6. A bill authorizing the trustees of Clay county seminary to build a house for the use of said seminary, any where within four miles of Manchester in said county.

And on the motion of Mr. Roberts—7. A bill appropriating a portion of the public money to the Meade county seminary.

Messrs. Guthrie, Southgate and Thornton, were appointed a committee to prepare and bring in the first; Messrs. Guthrie, Blackburn and Daviess, the second; Messrs. Nuttall, James and Willis, the third; Messrs. Carter, Boyd and McDonald, the fourth; Messrs. Daviess, Guthrie, Willis, Thornton, Chinn, Lusk, Southgate and Roberts, the fifth; Messrs. Gilbert, Lusk and Coffey, the sixth; and Messrs. Roberts, Thornton and Guthrie, the seventh.

On the motion of Mr. James,

Resolved, That the committee of courts of justice be instructed to inquire into the expediency and propriety of so amending the law imposing a tax upon law process, as to require a tax to be paid upon mortgages recorded, appeals from justices of the peace to the circuit and county courts, and on circuit court seals.
The following bills were reported from the several committees, appointed to prepare and bring in the same, to wit:
By Mr. Guthrie, from the committee of courts of justice—1. A bill to amend an act concerning dower and jointures of widows, approved Dec. 19th, 1796; and
2. A bill for the benefit of the heirs of Peter Carney, deceased.
By Mr. Daviess—3. A bill to incorporate a company to turnpike a road from Nicholasville to Perryville, by way of Shakertown and Harrodsburg; and
By Mr. Guthrie—4. A bill repealing all laws requiring bail in civil actions, and authorizing attachments on original process.
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, third, and fourth bills, having been dispensed with, the third was referred to the committee of internal improvements, and the fourth, to the committee of courts of justice, and the public printer was directed to print one hundred and fifty copies of the first and fourth, for the use of the General Assembly.
The rule of the Senate, constitutional provision, and second and third readings of the second 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 for the benefit of Isaac Pennix, was referred to the committee of religion.
An engrossed bill, entitled an act to reduce the time allowed for prosecuting writs of right in certain cases, and authorizing writs of right to be revived, was referred to the committee of courts of justice.
Bills of the following titles, viz:
1. A bill to amend the law in relation to divorces.
2. A bill to establish the Louisville chancery court.
3. A bill regulating the tax on merchandize.
4. A bill to amend the law in relation to constables in this Commonwealth; and
5. A bill to establish a new judicial district in this Commonwealth.
Were severally read the second time: The first, second and fourth, were referred to the committee of courts of justice; the fifth, to a committee of Messrs. Daviess, Guthrie, Willis, Thornton, Chinn, Lusk, Southgate and Roberts; and the third was ordered to be engrossed and read a third time, to-morrow.
Bills from the House of Representatives of the following titles, viz:
JAN., 19.] JOURNAL OF THE SENATE.

1. An act to incorporate the Richmond Female Academy.
2. An act to incorporate seminaries of learning in the counties of Hickman and Graves.
3. An act authorizing the sale of certain estate belonging to C. J. Riddle, Lafayette Riddle and Mary Jane Riddle, infant children of Lewis Riddle, deceased.
4. An act to prevent pedlars from retailing certain wares without license.
5. An act for the benefit of Moses Wickliffe.
7. An act for the benefit of William C. Grigg.
8. An act to explain the powers of the several county courts in this Commonwealth, in regard to allowances to clerks and sheriffs for ex officio services; 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 said bills having been dispensed with, the first, third and eighth, were referred to the committee of courts of justice; the second, to the committee of education; the fourth, fifth, sixth and ninth, to the committee of finance; and the seventh, to the committee of religion.

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

An act to continue and extend the Salt Works Turnpike Road, from C. & J. White's Furnace to Wilson and Quarrier's Furnace.

And an act to extend the terms of the Green circuit court, and for other purposes.

Were each read the second time; the former was ordered to be read a third time, and the latter was referred to a committee of Messrs. Roberts, Willis, McDonald and Heady.

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

An act to repeal certain acts regulating roads in the county of Fayette; and

An act to change the time of holding the county courts of Meade and Russell.

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.

And then the Senate adjourned.
TUESDAY, JANUARY 20, 1835.

1. Mr. James presented the petition of sundry citizens, praying that a ferry may be established across the Mississippi river, at the foot of island number eight, in the name of the heirs of Robert Rainey, deceased.

2. Mr. Carter presented the petition of George Mason Graham and others, heirs of George Graham, deceased, praying that a law may pass, authorizing the sale of the real estate, which belonged to the said George Graham.

3. Mr. Wingate presented the petition of sundry members of the Regular and United Baptist Churches in Kentucky, praying that the charter of the Kentucky Baptist Education Society may be amended.

4. Also, the petition of the heirs of William Hickman, sen., deceased, praying that a law may pass, authorizing the sale of a tract of land, owned by the deceased.

Which petitions were received; the first, second and fourth, were referred to the committee of courts of justice; and the third, to the committee of education.

A message was received from the House of Representatives, announcing their disagreement to a bill which originated in the Senate, entitled, "an act for the benefit of Edmund Curd;" and That they had passed bills, which originated in that house, of the following titles, viz:

- An act for the benefit of the representatives of James Glenn, deceased.
- An act for the benefit of Obed Denham.
- An act for the benefit of Mary Ann Parrish.
- An act for the benefit of Nancy Whelan.
- An act to repeal in part, and amend in part, "an act to establish seminaries of learning in the counties of Mercer, Grant, Todd, Trigg, Ohio and Daviess, approved December 13, 1820;" and
- An act to establish election precincts in the counties of Nicholas, Bourbon, Pendleton and Campbell.

Mr. Guthrie, from the committee of courts of justice, to whom was referred the petition of George W. Morton, committee of Sarah Morton, a lunatic; and the petition of James Campbell, reported the following resolution thereon, viz:

Resolved, That the said petitions be rejected.

Which resolution was concurred in.

Mr. Guthrie, from the same committee, to whom was referred a bill from the House of Representatives, entitled "an act to explain the powers of the several county courts in this Commonwealth, in
regard to allowances to clerks and sheriffs for ex officio services, reported the same, with the opinion of the committee that it ought to pass.

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

Mr. Guthrie, from the same committee, to whom was referred a bill to punish assaults, &c. upon sheriffs and other officers, reported the same, with the opinion of the committee that it ought not to pass.

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

Mr. Guthrie, from the same committee, to whom was referred a bill from the House of Representatives, entitled an act to incorporate the Richmond Female Academy, reported the same, with the opinion of the committee that they ought to pass.

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. Guthrie, from the same committee, to whom was referred a bill for the benefit of Samuel Moore and others, reported the same, with the opinion of the committee that it ought to pass.

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. Guthrie, from the same committee, to whom was referred a bill from the House of Representatives, entitled an act authorizing the sale of certain estate belonging to Charles J. Riddle, Lafayette Riddle and Mary Jane Riddle, infant children of Lewis Riddle, deceased, reported the same, with the opinion of the committee that it ought not to pass.

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. Guthrie, from the same committee, to whom was referred a bill to amend the law in relation to the constables in this Commonwealth, reported the same with an amendment.

The said bill is as follows:

Sec. 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the constables now in office in this Commonwealth shall vacate their offices at the several times they are required by law to renew their official bonds; but they shall be eligible, and may be appointed by their respective courts, for the two next succeeding years, after which they shall not be eligible until after an interval of three years.
Sec. 2. That all persons, who are not now acting constables, and who shall be appointed constables after the passage of this act, shall vacate their offices at the end of two years after their appointment; but they shall be eligible, and may be appointed by their respective courts for the next succeeding year, after which they shall not be eligible until after an interval of three years.

The said amendment proposes to strike out all the bill after the word “bonds,” in the first section, printed in italics, and to insert in lieu thereof the following, viz:

Sec. 2. That all constables hereafter appointed shall hold their offices for the term of two years, and no more; but they shall be eligible, and may be re-appointed, from time to time, by their respective courts, as long as they shall behave well.

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. Willis and Griffith, were as follows, viz:

YEAS—Mr. SPEAKER, Messrs. Blackburn, Boyd, Bush, Gilbert, Grider, Griffith, Harrell, Headly, James, Lusk, McHenry, Metcalfe, Morehead, Morgan, Murrell, Nuttall, Patterson, Sisk, Smith, Southgate, Taylor, Thornton, Wingate and Young—25.


The said bill, as amended, 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 dispensed with, and the same being engrossed,

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

Mr. Daviess, from the committee of propositions and grievances, made the following report, viz:

The committee of propositions and grievances, to whom was referred the petition of sundry citizens on the south side of the Kentucky river, in the county of Franklin, praying that a law may pass repealing the 23d section of an act to amend and reduce into one the several acts constituting boards of internal improvements for Shelby and Franklin counties, approved Feb. 8th, 1834, have, according to order, had the same under consideration, and ask to be discharged from the farther consideration thereof.

Whereupon, the said committee was discharged.
Mr. Taylor, from the committee of finance, made the following report, viz:

The Committee of Finance, to whom was referred so much of the Message of the Lieutenant and Acting Governor, as relates to the Finances, Revenue and Bank of the Commonwealth, have had the subject of the Finances and Revenue under their consideration, and respectfully report:

That, by the provisions of an act of the 22d February, 1834, the proceeds of the stock owned by the Commonwealth in the Bank of Kentucky, the Bank of the Commonwealth, and the proceeds of the public lands in the district west of the Tennessee river, were pledged, set apart and appropriated, for the purpose of paying the subscriptions, that had been, or might be authorized by law, on behalf of the Commonwealth, in joint stock, turnpike road and bridge companies, and such appropriations as had been, or might be made by law, to be paid out of the public treasury, for the improvement of roads, the navigation of rivers, and the construction of bridges.

Your committee have deemed it important to ascertain, as near as practicable, the amount that would be realized from the resources pledged, set apart and appropriated, by the act aforesaid. By the paper marked No. 1, it appears, that the sum of $50,000 may be expected from the Bank of Kentucky, and by the paper No. 2, the sum of $350,191 40, from the Bank of the Commonwealth. What amount may be expected from the third source—the proceeds of the public lands in the district west of the Tennessee river, your committee is unable to state with any pretensions to accuracy, but remark, that since the passage of the act thus appropriating the proceeds of those lands there has been paid into the public treasury the sum of $25,461 48, on account of the internal improvement fund, (see Auditor's statement marked No. 3,) and from all the information they can obtain, they are of opinion, that further receipts from that source may be safely estimated at $24,538 52; making the whole proceeds of those lands, appropriated as aforesaid, amount to the sum of $50,000, which, added to the proceeds of the two banks, will make the sum of $450,191 40, as an internal improvement fund.

Your committee find that at the date of the passage of the act of the 22d February, 1834, there remained unpaid, of subscriptions to the Maysville and Lexington turnpike road, and on appropriation to improve the navigation of Green river, the sum of $48,400, which become payable out of the fund provided by said act: (see Auditor's statement,
No. 4.) And that the Governor has since, by authority of acts passed at the last session, subscribed in several turnpike road companies, on behalf of the Commonwealth, stocks amounting to the sum of $255,000, (see paper, No. 5.) And that there has been, by several acts of the last session, direct and unconditional appropriations made upon this fund, for further sums amounting to $92,600, (see paper, No. 6;) making in the whole, now actually subscribed and appropriated, to be paid out of this fund, the sum of $396,000. To recapitulate: The funds appropriated; the balance due on subscriptions and appropriations at the passage of the act; the subscriptions since made; and the direct and unconditional appropriations since made; all payable out of this fund, it will stand thus, viz:

Proceeds of the Stock in the Bank of Kentucky, $50,000 00
Proceeds of the Stock in the Bank of the Commonwealth, 350,191 40
Proceeds of the Lands west of the Tennessee river, 50,000 00

Making, $450,191 40

From which deduct,
Amount due on subscription to Maysville road, and appropriation on Green river, $48,400 00
Subscriptions made by the Governor, under acts of the last session, 255,000 00
Direct and unconditional appropriations, by acts of last session, 92,600 00

Leaving a balance of $54,191 40

To pay subscriptions and appropriations conditionally, authorized by acts of the last session, when certain amounts are subscribed and paid by individuals, and on which no subscriptions or payments have yet been made on the part of the Commonwealth, and which amount to the sum of $148,900, (see paper, No. 7;) and if the individual stock in those companies shall be subscribed within the periods prescribed by their charters, the Commonwealth will have exceeded, by subscriptions and appropriations, their whole internal improvement fund the sum of $94,708 40.

It would be highly gratifying to your committee, on arriving in this investigation at the results presented, to find in the revenue of the Commonwealth, the ways and means of aiding in the construction of all the important objects of improvement included in the list marked, No. 7. But on examination, they find, by the annual report of the Auditor of
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Public Accounts, that the current expenses of the Government, and unpaid appropriations of the last session to miscellaneous objects, amount to the sum of $170,070; and the receipts applicable to its payment, are estimated at $150,730 27; leaving a balance against the Government of $19,339 78, unprovided for, (see paper, marked No. 8.)

No. 1. BANK OF KENTUCKY,
January 15, 1835.

SIR:—In reply to your inquiry as to the probable amount of available funds, which the State of Kentucky would realize from its interest in this institution “on the 22d day of February, 1834,” I have to state, that it may fairly be estimated, on that day, at $50,000; but subsequent to that period, the State has received $14,917 50, leaving the sum of $35,082 50, to be paid according to that estimate, from which I have seen no reason to vary.

I have the honor to be respectfully,

P. DUDLEY, President.
ROBERT TAYLOR, JR. Chairman Com. Finance, Senate.

No. 2.
A brief Statement of the situation of the Bank of the Commonwealth of Kentucky,
22d February, 1834.

MEANS.

| Notes due the Bank             | $577,747 00 |
| Real Estate                     | 42,128 95   |
| Due from Bank of Kentucky      | 7,453 00    |
| Due from Delinquent Cashiers   | 35,394 35   |
| Due from Delinquent Attorneys  | 9,055 58    |
| Due from Independent Banks and Individual Tickets | 2,887 57 |
| Due from A. Waggener's Administrators and Sheriff of Jefferson | 227 55 |
| Specie Funds on Hand           | 709 90      |
| Amount of Treasurer’s Overdraft on 22d February, 1834 | 55,251 42 |

LIABILITIES.

| Notes in Circulation            | $103,269 35 |
| Due Individual Depositors       | 13,713 20   |
| Due William D. Barrett          | 43 18       |
| Due Literary Fund               | 140,917 44  |
| Estimated Loss on Debts and Real Estate | 200,000 00 |

From the above statement you will perceive, among the means of the Bank, I give the sum of $55,251 42, the amount of the Treasurer’s overdraft on that day. From the manner in which the checks are drawn upon the Bank, I am unable to say what part of the above sum is for the ordinary expenses of the Government, and what part chargeable to the internal improvement fund—deduct the whole amount, and you have $211,660 73.
To which, if you add the literary fund, you have the sum of $352,578 17; deduct also the sum of $2,386 77, paid to the improvement of Cumberland River previous to Nov. 1833, which is properly chargeable out of the stock account, and which is omitted in my table, and you have left the sum of $350,191 40.

No. 3.

STATE OF KENTUCKY,

Auditor's Office, Jan. 1835.

COL. R. TAYLOR, Chairman of Committee of Finance:

Sr.:—There has been paid into the public treasury of this Commonwealth, since the 22d February, 1834, by Edmund Curd, receiver of public moneys west of the Tennessee river, this amount, $25,461 48, of which, $19,001 48 is in Commonwealth's paper, and 6,460 00 is in specie; 323 00 premium.

$25,784 48

I am respectfully yours, &c.
BEN. SELBY, Auditor.

No. 4.

A Statement of Subscriptions and Appropriations to objects of Internal Improvements, authorized by law, prior to the Session of the General Assembly of 1833, that remained unpaid on the 22d February, 1834.

Due to the Maysville, Washington, Paris and Lexington Turnpike Road Company, on the 22d February, 1834,

Due to Green River, for improvement of its navigation, on 22d Feb. 1834,

Total due February 22d, 1834,

$48,400 00

BEN. SELBY, Auditor.

No. 5.

Subscriptions made by the Governor on behalf of the Commonwealth, authorized by Acts of the last Session.

In the Board of Internal Improvement of Franklin County, to complete the Shelby and Louisville Road,

In the Danville, Lancaster and Nicholasville Road,

In the Winchester and Lexington Road,

In the Frankfort and Lexington (via Versailles) Road,

In the Louisville and Bardstown Road,

In the Louisville, Salt River and Elizabethtown Road,

In the Lexington and Georgetown Road,

In the Franklin County and Crab Orchard Road, as follows, viz:

Board of Internal Improvement of Anderson County,

Board of Internal Improvement of Mercer County,

Board of Internal Improvement of Lincoln County,

$255,000 00

$5,000 00

$30,000 00

$30,000 00

$25,000 00

$50,000 00

$50,000 00

10,000 00

$15,000 00

$20,000 00

$55,000 00
No. 6.

A List of direct and unconditional Appropriations by Acts of last Session, payable out of the Internal Improvement Fund.

- To improve the navigation of Green River: $50,000 00
- To repair the Sandy Road: 10,000 00
- To improve the navigation of Cumberland River: 7,000 00
- To Rockcastle Bridge, on the Madison Road: 2,000 00
- To Road from Bowling Green to Cloverport: 300 00
- To improve the navigation of Muddy River: 6,000 00
- To improve the navigation of Tradewater: 1,000 00
- To improve the navigation of Big Sandy River: 12,000 00
- To improve the Road near Muldrow's Hill: 500 00
- To improve the navigation of Nolin: 1,000 00
- To improve the navigation of Big Barren River: 1,000 00
- To improve the navigation of Blond River: 200 00
- To improve the navigation of South Fork of Kentucky River: 1,500 00
- To improve the Road from Louisville, in the direction of Knoxville: 600 00

Total: $92,600 00

No. 7.

A List of Subscriptions and Appropriations conditionally authorized, when certain amounts are subscribed or paid by individuals, and on which no subscriptions or payments have yet been made on the part of the Commonwealth.

- In the Franklin County Board of Internal Improvement, for a part of the Frankfort and Crab Orchard Road: $10,000 00
- In the Green River Turnpike, from Hopkinsville to the Ohio River: 50,000 00
- In the Covington and Georgetown Turnpike Road: 50,000 00
- In the Richmond and Lexington Turnpike Road Company: 25,000 00
- In the Rolling Fork Bridge Company: 2,000 00
- In the Harford Bridge Company: 2,000 00
- In the Clayville Bridge Company: 3,000 00
- In the Rocky Spring and Williamstown Road: 500 00
- In the Owenborough and Bowling Green Road: 400 00
- In the Carlisle, Flemingsburg and Sandy Road: 1,000 00
- In the Beech Fork Bridge Company: 1,000 00
- In the Barren River Bridge Company: 1,000 00

Total: $148,900 00

No. 8.

Auditor's Estimate of Expenditures, for the year ending 10th of October, 1835.

- To pay Jailer: $8,500
- To Executive Officers: 3,100
- To Public Printer: 20

Amount forwarded: $10,620
Amount brought forward, $10,620

- To Distributing Acts and Journals of December Session, 1833, to 500
- To Criminal Prosecutions, 15,000
- To Public Communications, 1,000
- To Contingent Expenses, 2,500
- To Salaries of Executive and Judiciary Officers, 31,000
- To Military Expenditures, 600
- To Support of Idiots, 13,000
- To Decisions of the Court of Appeals, 2,500
- To Money Refunded, 400
- To Public Roads, 400
- To Sheriffs Comparing Polls, 2,000
- To Slaves Executed, 2,000
- To Commissioners of Tax, 8,000
- To Legislature, December Session, 1834, 40,000
- To Lunatic Asylum, 6,000
- To Deaf and Dumb Asylum, 2,500
- To Clerks' Services, 2,000
- To Sheriffs, for Revenue Overpaid, 50
- To Appropriations of December Session, 1833, Unpaid, 22,000

**Total** $170,070

Auditor's Estimate of Receipts, for the year ending 10th of October, 1835.

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Net Proceeds of Revenue Collected by Sheriffs</td>
<td>$120,035.27</td>
</tr>
<tr>
<td>Net Proceeds of Revenue Collected by Clerks</td>
<td>$20,000.00</td>
</tr>
<tr>
<td>Miscellaneous Receipts</td>
<td>$50.00</td>
</tr>
<tr>
<td>Tax on Non-Residents' Lands</td>
<td>$2,000.00</td>
</tr>
<tr>
<td>Tax on Bank of Louisville</td>
<td>$2,875.00</td>
</tr>
<tr>
<td>For Sale of Warrants on Vacant Lands</td>
<td>$1,870.00</td>
</tr>
<tr>
<td>From Balances Due Government for Revenue Due by Sheriffs and Clerks</td>
<td>$3,500.00</td>
</tr>
</tbody>
</table>

**Total** $150,330.27

Balance Unprovided for, $19,739.73

**Total** $170,070.00

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

A message was received from the Lieutenant and Acting Governor, by Mr. Cox, Assistant Secretary of State, announcing that he had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act to amend the charter of the Louisville Marine and Fire Insurance Company.

An act to change the location of a part of the State road leading from the seat of Government through Flemingsburg, to the mouth of Big Sandy.
An act to reduce the number of justices and constables in Logan county.

An act for the benefit of the sheriff of Casey County.

An act to repeal an act, entitled "an act repealing the law, authorizing the people of Rockcastle, Knox, Harlan and Laurel counties, to pass the Turnpike and Wilderness road, without paying toll," approved Feb. 24, 1834; and

An act for the benefit of Benjamin Webb.

A message in writing was received from the Lieutenant and Acting Governor, by Mr. Cox, Assistant Secretary of State.

Mr. Roberts from the committee of education, to whom was referred a bill from the House of Representatives, entitled,

An act to incorporate seminaries of learning in the counties of Hickman and Graves,

Reported the same without amendment.

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 be amended to read,

"An act authorizing the county court of Graves county, to convey to John Anderson and Matthias Travis, one quarter section of land each, for their services in locating the seminary land of said county."

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

Resolved by the General Assembly of the Commonwealth of Kentucky, That when they adjourn on Wednesday the 18th of February, they will adjourn without day.

The resolution moved by Mr. Willis, on the 15th instant in relation to a Northern Bank of Kentucky, and the amendment proposed thereto, were referred to the committee of the whole house on the State of the Commonwealth for to-morrow.

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

An act for the benefit of the headright settlers of this Commonwealth.

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

An act to authorize the county court of Clarke to increase the pay to patrollers of said county.

An act for the benefit of Polly Delong.

An act to establish in part the line run between the counties of Barren and Hart.

An act to repeal in part, and to amend in part, the several acts establishing a road from Louisville to the State line, in a direction to Knoxville; and
A resolution authorizing the committee, appointed to examine the auditor’s office, to employ a clerk.

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 they were delivered to the committee, to be presented to the Lieutenant and Acting Governor, for his approbation and signature.

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

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

By Mr. Guthrie, from the committee of courts of justice—I. A bill for the benefit of the widow and heirs of Benjamin Quinn, deceased.

2. A bill to amend the laws relative to the estate of the late John Breckenridge, deceased.

By Mr. Roberts, from the committee of education—3. A bill to incorporate the Van Dorens’ College for Young Ladies.

By Mr. Wingate—4. A bill to amend an act, entitled an act, regulating the mode of settling the accounts of executors, administrators and guardians, approved February 24, 1834; and

By Mr. Carter—5. A bill to change the time of holding the Greenup and Lewis circuit courts.

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 fourth bill, having been dispensed with, it was referred to the committee of courts of justice.

The rule of the Senate, constitutional provision, and second and third readings of the first, second, 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.

An engrossed bill, entitled an act to amend the penal laws of this Commonwealth, and the better to secure and guard the right of suffrage and freedom of elections therein, was read the third time, and referred to a committee of Messrs. Smith, Willis and Thornton.

An engrossed bill, entitled an act to amend the law as to proceedings against non-resident and absent defendants, and unknown heirs, was read the third time, and amended by way of engrossed ryder.

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.
A bill for the benefit of Lavina Off, was read the second time, and ordered to be engrossed and read a third time to-morrow.

A bill from the House of Representatives, entitled an act to amend and reduce into one the several acts concerning the town of Glasgow, 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.

A bill from the House of Representatives, entitled an act for the benefit of the subscribers to the Evangelical Episcopal Church in Shelby 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 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.

WEDNESDAY, JANUARY 21, 1835.

1. Mr. McDonald presented the petition of sundry citizens of Washington and Mercer counties, praying for the formation of a new county out of a part of each of said counties.

2. Mr. Blackburn presented the petition of the trustees of the town of Smithland praying for the establishment of ferries across the Ohio and Cumberland rivers at said town; and

3. Mr. Griffith presented the petition of sundry citizens praying that a law may pass, establishing a State road from Owenborough to Hardinsburg.

The said petitions were received; the first, was referred to a committee of Messrs. McDonald, Daviess, Willis, Thornton, Roberts and Harrell; the second, to the committee of propositions and grievances; and the third, to the committee of internal improvements.

A message was received from the House of Representatives, announcing their concurrence in amendments proposed by the Senate to bills, which originated in that House, of the following titles, viz:

An act to legalize the official bonds of such clerks of this Commonwealth, as have failed in time to comply with the provisions of an act, entitled "an act requiring clerks to renew their bonds, &c." approved February 22, 1834; and for other purposes.
An act for the benefit of Greenberry A. Gaither; and
An act for the benefit of Catharine Sampson,
And that they had concurred in the resolution, which originated in the Senate, to appoint a joint committee to settle with Joel Scott, late Keeper of the Penitentiary.
And that they had passed bills, which originated in that house, of the following titles, to-wit:
An act to reduce the price of public lands west of the Tennessee river, and for other purposes.
An act concerning the office of Sheriff.
An act to appropriate vacant lands in the county of Muhlenburg, to build a bridge across Pond river; and
An act for the benefit of Eliza Ferguson.
On the motion of Mr. Guthrie, who voted in the majority, the vote was reconsidered disagreeing to a bill from the House of Representatives entitled, an act authorizing the sale of certain estate belonging to Charles J. Riddle, Lafayette Riddle and Mary Jane Riddle, infant children of Lewis Riddle, deceased; and the said bill was recommitted to the committee of courts of justice.
Mr. Wingate, from the committee of religion, made the follow-report, viz:

The committee of religion, in obedience to an order of the Senate, have had under consideration the petition or letter of Henry P. Broadnax, concerning real estate held by religious societies, and beg leave to make the following report:
They ask to be discharged from the further consideration of the subject, and recommend a reference of the same to the committee on courts of justice.
Thereupon, the said committee of religion was discharged, and the said letter was referred to the committee of courts of justice.
Mr. Wingate, from the committee of religion, to whom was referred bills from the House of Representatives, of the following titles, viz:
An act for the benefit of Jesse Reed; and
An act for the benefit of William P. Grigg,
Reported the same, with the opinion of the committee, that they ought to pass.
Orderd, 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.
Mr. Wingate, from the same committee, to whom was referred a bill from the House of Representatives, entitled an act for the benefit of Isaac Pennix, reported the same with the opinion of the committee, that it ought not to pass.
The question being taken on reading the same a third time, it was decided in the negative, and so the said bill was disagreed to.

Mr. Wingate, from the same committee, made the following report, viz:

The committee of religion, to whom was referred the petition of Ann T. Mallary, praying to be divorced from her husband William Mallary, have adopted the following resolution thereon:

Resolved, That the said petition ought to be rejected.

Which being twice read, the question was taken on concurring in the said report, and it was decided in the negative.

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

YEAS—Mr. Speaker, Messrs. Bush, Chinn, Coffey, Gholson, Grider, Griffith, Guthrie, Hareld, Lusk, Murrell, Patterson, Sisk, Taylor and Wingate—15.


Ordered, That the committee prepare and bring in a bill pursuant to the prayer of the said petition.

Mr. Roberts, from the committee to whom was referred a bill from the House of Representatives, entitled an act to extend the terms of the Green circuit court, and for other purposes, reported the same with an amendment, which was concurred in, and the said bill was re-committed to a committee of Messrs. Willis, Roberts and Murrell.

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

On the motion of Mr. Guthrie—1. A bill providing for the collection and payment of fines, penalties and forfeitures, into the public treasury.

On the motion of Mr. Wingate—2. A bill to change the place of voting in the Cedar Creek precinct in Owen county.

On the motion of Mr. McHenry—3. A bill to appropriate a part of the vacant and unappropriated, lands in Pulaski county, for the purpose of improving roads in said county.

On the motion of Mr. Bush—4. A bill to prevent justices of the peace from becoming securities for sheriffs and constables; and

On the motion of Mr. Griffith—5. A bill to enlarge the jurisdiction and powers of the trustees of Owenborough, in the county of Daviess.

Messrs. Guthrie, McHenry and Gholson, were appointed to prepare and bring in the first; Messrs. Wingate, Murrell and Patterson, the second; Messrs. McHenry, Southgate and Coffey, the
third; Messrs. Griffith, McDonald and Harreld, the fifth; and the committee of courts of justice were directed to prepare and bring in the fourth.

Mr. Wingate moved the following resolution, viz:

Resolved, That the committee on religion be instructed to report against all applications for divorces, where the case is provided for by law.

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. Wingate and Griffith, were as follows, viz:

YEAS—Mr. Speaker, Messrs. Blackburn, Bush, Chinn, Gholson, Grider, Griffith, Guthrie, Harreld, Lusk, Morehead, Morgan, Murrell, Taylor, Thornton and Wingate—16.

NAYS—Messrs. Boyd, Bramlette, Carter, Coffey, Daviess, Gilbert, Heady, James, Lyon, McDonald, McHenry, May, Metcalfe, Nuttall, Patterson, Roberts, Smith, Southgate, Willis and Young—20.

The Speaker laid before the Senate, the following report of the President and Directors of the Danville, Lancaster and Nicholasville turnpike road company, viz:

To the General Assembly of the Commonwealth of Kentucky:

The legislature at their last session, having granted a charter incorporating a company, for the purpose of constructing a turnpike road from the city of Lexington, in Fayette county, to the town of Danville, in Mercer county, with a branch from some suitable point in Garrard county, to the town of Lancaster, to be known and distinguished as the Danville, Lancaster and Nicholasville turnpike road company; the said company having been duly organized, agreeable to said charter, the president and directors ask leave respectfully to report, &c.

That a location has been made from the city of Lexington, through the town of Nicholasville, crossing the Kentucky river near the mouth of Hickman, and Dick's river near Bellow's mills, to Danville in Mercer county, including the branch to Lancaster, in Garrard county, making in the whole distance about forty miles, at a maximum grade of two degrees of elevation, except a short distance on the cliffs of the rivers, which is located at a grade of two and one half degrees of elevation.

In the month of August last, that part of the location between Lexington and Nicholasville, a distance of twelve miles, was put under contract and progressing, to be completed in the fall of the present year. The cost including masonry, when completed, will
amount rising fifty thousand dollars. Recently, about six miles has been let in Garrard county, adjoining Lancaster, which will cost, including masonry, about twenty-five thousand dollars.

The superintendent has been directed, after giving proper notice, to receive proposals for the construction of five miles near Danville, in Mercer county; which will probably require, with masonry, upwards of twenty thousand dollars. Plats, maps, &c. of the whole road and bridges, will be completed in a short time. This work, with the cost of surveying, locating, superintending, damages, &c. will call into requisition the amount of stock now subscribed, rising one hundred thousand dollars; leaving a distance of about nineteen miles of road, and the bridging of Kentucky and Dick's rivers, to be accomplished by future operations, &c. It would be desirable, if in the power of the company, to erect permanent bridges across those waters, and to improve the cliffs, so as to remove the natural difficulty to the traveller, and offer facilities to the commercial and agricultural interest of the State at large. This would encourage an increase of travel, and secure the completion of the whole road—it would enlist public sentiment in the extension of the work to the northern and southern extremities of the State, and in this desirable improvement, she may be justly proud of having so liberally contributed.

I have the honor to be,

January 20th, 1835.

JOHN NORTON, President.

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

By Mr. Guthrie, from the committee of courts of justice—1. A bill to incorporate the Versailles Savings Institution.

By Mr. Nuttall—2. A bill to establish and change certain constables' districts in the counties of Henry and Oldham.

By Mr. Guthrie—3. A bill for the benefit of feme covert and their heirs.

By Mr. Griffith—4. A bill to establish a State road, from the mouth of Salt river to the Ohio river opposite to Shawncetown, so as to pass through the towns of Plain Dealing, Hardinsburg, Knottsville, Owenboro', Henderson and Morganfield; and

By Mr. Grider—5. A bill to amend the law, establishing a turnpike road from Louisville, in the direction to Nashville, by way of Elizabethtown, Munfordsville and Bowlinggreen.

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, fourth and fifth, having been dispensed with, the first was ordered to be engrossed and read a third time tomorrow, and the fourth was referred to the committee of internal improvements, and the fifth, to the committee of finance.
The rule of the Senate, constitutional provision, and second and third readings of the second, 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 offered by Mr. McHenry, in relation to the establishment of a military school in the State of Kentucky, was taken up. It was amended and adopted as follows, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That our Senators be instructed, and our Representatives in Congress be requested, to use their best exertions for the purpose of getting a military school established in the State of Kentucky.

Be it further resolved, That the Lieutenant and Acting Governor be requested to furnish copies of these resolutions, to each of our Senators and Representatives in the Congress of the United States.

The message received from the Lieutenant and Acting Governor on yesterday, was taken up and read as follows, viz:

GENTLEMEN OF THE SENATE:

I nominate, for your advice and consent, George Keats, Robert J. Ward and George Buchannan, to be Directors, on the part of the Commonwealth, of the Bank of Kentucky.

January 20th, 1835.

J. T. MOREHEAD.

Resolved, That the Senate advise and consent to the appointment of the said George Keats; and that they unanimously advise and consent to the appointment of the said Robert J. Ward, as Directors, on the part of the Commonwealth, of the Bank of Kentucky.

And the question being taken on advising and consenting to the appointment of the said George Buchannan, it was decided in the negative; and so the Senate do not advise and consent to the said appointment.

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


NAYS—Mr. SPEAKER, Messrs. Blackburn, Boyd, Bramlette, Coffey, Daviess, Gholson, Gilbert, Griffith, Guthrie, Harrel, Head, James, Lusk, Lyon, McDonald, McHenry, Metcalfe, Morehead, Murrell, Nuttall, Patterson, Sisk, Smith, Southgate, Thornton, Willis, Wingate and Young—29.

Ordered, That Mr. Taylor inform the Lieutenant and Acting Governor thereof.
Mr. Willis, from the committee to whom was referred a bill from the House of Representatives, entitled an act to extend the terms of the Green circuit court, and for other purposes, reported the same with an amendment, which was concurred in, and the said bill 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, as amended, 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 representatives of James Glenn, deceased, 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.

And then the Senate adjourned.

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THURSDAY, JANUARY 22, 1835.

Mr. Guthrie presented the remonstrance of sundry citizens of Jefferson county, against the formation of a new county out of a part of the counties of Meade, Bullitt, Hardin and Jefferson; and

Mr. Lyon presented the petition of H. McRacken, praying that a law may pass, authorizing a sale of a part of a quarter section of land west of the Tennessee river, entered by him for the benefit of the widow and heirs of James Peel, deceased.

Which were received; the former was referred to the committee of propositions and grievances, and the latter to the committee of courts of justice.

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 the Male and Female Academy of Lebanon, and the Female Academy of Glasgow.

An act to incorporate the Georgetown Academy.

An act to amend an act to enlarge the boundaries of Georgetown, and for other purposes, approved February 22d, 1834; and

An act for the benefit of Elizabeth Bradshaw.

Mr. Wingate moved that a message be sent to the Lieutenant and Acting Governor, requesting leave to withdraw the report that the Senate do not advise and consent to the appointment of George Buchannan as a director, on the part of the Commonwealth, of the Bank of Kentucky.
And the question being taken thereon, it was decided in the affirmative.

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

YEAS—Mr. Speaker, Messrs. Blackburn, Bush, Carter, Chinn, Coffey, Grider, Harreld, James, May, Metcalfe, Morehead, Morgan, Roberts, Smith, Southgate, Taylor, Thornton, Wingate and Young—20.

NAYS—Messrs. Bramlette, Davies, Gholson, Gilbert, Griffith, Guthrie, Heady, Lusk, Lyon, McDonald, McHenry, Murrell, Nuttall, Patterson, Sisk and Willis—16.

Ordered, That Mr. Wingate carry said message.

Mr. Metcalfe, from the committee of internal improvements, to whom was referred a bill to establish a State road from the mouth of Salt river to the Ohio river opposite to Shawneetown, so as to pass through the towns of Plain Dealing, Hardinsburg, Knottsville, Owenboro, Henderson and Morganfield, 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. Thornton, from the committee of finance, to whom was referred a bill from the House of Representatives, entitled an act for the benefit of Moses Wickliffe, reported the same, with the opinion of the committee that it ought to pass.

The said bill was referred to the committee of courts of justice.

Mr. Thornton, from the same committee, to whom was referred bills from the House of Representatives, entitled,

An act for the benefit of Susan Henderson; and
An act for the benefit of Enos Lasseter, Thomas D. Parker and John L. Henderson.

Reported the same, with the opinion of the committee that they ought to pass.

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

On the motion of Mr. Smith—1. A bill to amend an act entitled, an act to prevent further confliction in land claims, and to secure the seaters and improvers a preference of location to lands improved by them, approved January 15, 1831.

On the motion of Mr. Heady—2. A bill to regulate the guaging of spirituous liquors in this Commonwealth.

On the motion of Mr. Roberts—3. A bill to authorize Carol C. Blinco and Emeline Blinco his wife, to sell and convey a tract of land lying in the county of Nelson.

Messrs. Smith, Lusk and Willis, were appointed a committee to prepare and bring in the first; Messrs. Heady, Blackburn and Guthrie, the second; and the committee of courts of justice were directed to prepare and bring in the third.

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

By Mr. Wingate, from the committee of religion—A bill for the benefit of Ann T. Mallary; and

By Mr. Roberts, from the committee of education—A bill to amend the charter of the Kentucky Baptist Education Society.

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 latter bill, having been dispensed with, it was referred to the committee of courts of justice.

A message in writing was received from the Lieutenant and Acting Governor, by Mr. Cox, Assistant Secretary of State.

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. Blackburn in the chair.

After some time spent in committee, the Speaker resumed the chair, when Mr. Blackburn reported that the committee had, according to order, had under consideration a resolution in relation to a Northern Bank of Kentucky, and not having time to go through the same, had directed him to ask leave to sit again; which leave was granted.

And then the Senate adjourned.
The Speaker being absent, Mr. Willis moved the following resolution, viz:

The Hon. James Clark, Speaker of the Senate, being unable to attend as Speaker, by reason of sickness; therefore,

Resolved, That the Senate will forthwith proceed to the election of a Speaker for that occasion.

On the motion of Mr. Thornton, the said resolution was amended by adding thereto these words:

"Being for and during the absence of said Clark by sickness."

The said resolution was then adopted.

Whereupon, Mr. Willis nominated Mr. James Guthrie, as a proper person to fill the office of Speaker; and Mr. Murrell nominated Mr. William B. Blackburn.

Upon taking the vote, it stood thus:

For Mr. Guthrie—Messrs. Bramlette, Coffey, Daviess, Gilbert, Heady, James, Lyon, McDonald, McHenry, May, Nuttall, Patterson, Roberts, Sisk, Willis, Wingate and Young—17.


Mr. Guthrie, having received a majority of all the votes given, was declared duly elected, and was conducted to the chair by Messrs. Wingate and Bramlette, from whence he made acknowledgments for the honor conferred.

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

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

An act to amend an act, entitled an act to incorporate the Lewis Pottery Company, for the purpose of manufacturing of Queensware and China at Louisville.

An act authorizing the trustees of the town of Russellville to sell certain streets or parts thereof, in said town.

And a bill, which originated in that House, entitled,

An act concerning the town of Nicholasville.

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,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.
The message from the Lieutenant and Acting Governor, received yesterday, was taken up and read as follows, viz:

**Gentlemen of the Senate:**

In obedience to the request contained in the message of this date, presented to me by one of your honorable body, I herewith return to the Senate the report made to me yesterday, of the refusal of the Senate to advise and consent to the appointment of George Buchanan, as one of the Directors of the Bank of Kentucky, on the part of the Commonwealth.

*J. T. Morehead.*

January 22d, 1835.

On the motion of Mr. Blackburn, who voted in the majority, the vote was reconsidered by which the Senate refused to advise and consent to the appointment of the said George Buchanan.

Whereupon—

**Resolved,** That the Senate advise and consent to the appointment of the said George Buchanan, as a Director, on the part of the Commonwealth, of the Bank of Kentucky.

**Ordered,** That Mr. Blackburn inform the Lieutenant and Acting Governor thereof.

Mr. Morgan presented the petition of sundry citizens, praying that a law may pass, incorporating a company to turnpike a road from Flemingsburg, to intersect the Maysville road at or near Mayslick; and

Mr. Lusk presented the petition of Joseph S. Burdett, praying that a law may pass, securing to him two tracts of land in Lincoln county; one for one thousand acres, patented in the name of Stewart and Hutchings, and the other, for five hundred acres, patented in the name of Pritchett and Hutchings, a part of which he has purchased, and upon the whole of which he has paid the taxes.

Which were each received; the former was referred to the committee of internal improvements, and the latter to the committee of courts of justice.

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. Smith in the chair.

After some time spent in committee, the Speaker resumed the chair, when Mr. Smith reported that the committee had, according to order, had under consideration a resolution in relation to a Northern Bank of Kentucky, and had made some progress therein, but not having gone through the same, had directed him to ask leave to sit again; which leave was granted.
A bill from the House of Representatives, entitled,
An act to continue and extend the Salt Works Turnpike Road, from C. & J. White's Furnace to Wilson and Quarry's Furnace, 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 regulating the tax on merchandise, was read a third time.

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

A bill to amend an act concerning dower and jointures of widows, approved December 19th, 1796, 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 Obed Denham.
2. An act for the benefit of Mary Ann Parrish.
3. An act for the benefit of Nancy Whelan.
4. An act to explain the powers of the several county courts in this Commonwealth, in regard to allowances to clerks and sheriffs for ex officio services.
5. An act to reduce the price of public lands west of the Tennessee river, and for other purposes.
6. An act to appropriate vacant lands in the county of Muhlenburg, to build a bridge across Pond river.
7. An act concerning the office of Sheriff; and
8. An act for the benefit of Eliza Ferguson.

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, the first and fifth were referred to the committee of finance; the second, third, fourth and seventh, to the committee of courts of justice; the sixth to the committee of internal improvements; and the eighth, to the committee of religion.

An engrossed bill, entitled an act for the benefit of Lavina Off, was read the third time.

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

A bill for the benefit of James covert and their heirs, was read the second time, and referred to the committee of courts of justice.

A bill from the House of Representatives, entitled an act for the benefit of William P. Gregg, was read the third time.

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.
Messrs. Morgan, Southgate and Bush, were appointed a committee on the part of the Senate, to settle the accounts of Joel Scott, late Keeper of the Penitentiary.

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

An act to repeal in part, and amend in part, "an act to establish seminaries of learning in the counties of Monroe, Grant, Todd, Trigg, Ohio and Daviess, approved December 13, 1820;" and

An act to establish election precincts in the counties of Nicholas, Bourbon, Pendleton and Campbell,

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.

And then the Senate adjourned.

SATURDAY, JANUARY 24, 1835.

1. Mr. Bush presented the petition of sundry citizens, praying for an appropriation of money to improve the road from Frankfort to King's ferry on the Ohio river.

2. Mr. McDonald presented the petition of sundry citizens of Washington county, praying for the formation of an election precinct in said county; and

3. Mr. Wingate, the petition of sundry citizens of Anderson county, praying that there be allowed to said county one additional justice of the peace, to reside in the neighborhood of John Wash and Captain Dawson Baxter.

Which were received; the first was referred to the committee of internal improvements; the second, to a committee of Messrs. McDonald, James and Carter; and the third to a committee of Messrs. Wingate, McDonald and Griffith.

A message was received from the House of Representatives, announcing the passage of a bill, which originated in the Senate, entitled "an act to amend the several acts concerning the town of Hopkinsville."

And that they had disagreed to a bill, which originated in the Senate, entitled "an act to amend an act to encourage the publication of a new Digest of the Statute Law of Kentucky, approved February 8, 1834."
And that they had passed bills, which originated in that house, of the following titles, to-wit:

An act to amend an act, entitled an act to incorporate a company to construct a turnpike road from Covington, through Williamstown and Georgetown, to Lexington, in Fayette county, approved 22d February, 1834; and

An act for the benefit of Amanda M. Rankin.

Mr. Thornton, from the committee of courts of justice, to whom was referred a bill from the House of Representatives, entitled, an act for the benefit of Richard L. Fox and Sarah Ann Fox, his wife, and their infant children, reported the same, with the opinion of the committee that it ought to pass.

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. Thornton, from the same committee, to whom was referred bills from the House of Representatives, entitled an act for the benefit of Nancy Whelan, and an act for the benefit of Mary Ann Parrish, reported the same, with the opinion of the committee that they ought not to pass.

And the question being taken on reading the said bills a third time, it was decided in the negative, and so the said bills were disagreed to.

Mr. Thornton, from the same committee, to whom was referred a bill from the House of Representatives, entitled an act to extend the May term of Spencer circuit court, reported the same, with the opinion of the committee that it ought to pass; and it was re-committed to a committee of Messrs. Roberts, Heady and McDonald.

Mr. Thornton, from the same committee, to whom was referred a bill to amend an act, entitled an act regulating the mode of settling the accounts of executors, administrators and guardians, approved Feb. 24, 1834, reported the same with an amendment.

The said bill is as follows, viz:

Sec. 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That so much of an act, entitled an act regulating the mode of settling the accounts of executors, administrators and guardians, approved February the 24th, 1834, as requires two commissioners to make such settlements, shall be, and the same is hereby repealed; and that hereafter one commissioner shall be sufficient to make such settlements, and that an allowance of one dollar per day shall be made to such commissioner, and no more.

Sec. 2. Be it further enacted, That so much of the above recited act, as requires that the vouchers and evidences of the executor,
administrator or guardian, shall be retained by the court in its office after the commissioner's report is received by the court, be repealed, and such vouchers and evidences shall be returned to the executor, administrator or guardian, entitled thereto.

SEC. 3. Be it further enacted, That the courts, in making appointments of commissioners under the provisions of the act, to which this is an amendment, shall not appoint one of their own body.

The said amendment proposes to strike out the whole of the bill after the enacting clause, and to insert in lieu thereof the following, viz:

That so much of an act, entitled an act regulating the mode of settling the accounts of executors, administrators and guardians, approved February 24th, 1834, as requires two commissioners to make such settlements, shall be, and the same is hereby repealed, and that hereafter one commissioner shall be sufficient to make such settlement.

SEC. 2. Be it further enacted, That so much of the above recited act, as requires that the vouchers and evidences of the executor, administrator or guardian, shall be retained by the clerk after the commissioners' report is ordered to record, shall be, and is hereby repealed, and such vouchers and evidences shall be returned to the executor, administrator or guardian, when called for, after the report of the commissioners is ordered to record.

SEC. 3. Be it further enacted, That hereafter, in making appointments of commissioners under the provisions of the act, to which this is an amendment, the courts shall not appoint one of their own body.

Mr. Willis moved to amend the said amendment by striking out the first section thereof.

Mr. Roberts then 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. Blackburn and Willis, were as follows, viz:

YEAS—Messrs. Bramlette, Bush, Carter, Coffey, Daviess, Gholson, Grider, Griffith, Harrell, James, McDonald, Morehead, Morgan, Nuttall, Patterson, Roberts, Sisk, Smith, Southgate and Young—20.

On the motion of Mr. Thornton, the committee of courts of justice was discharged from the duty of preparing and bringing in a bill to authorize Carol C. Blinco and Emeline Blinco his wife, to sell and convey a tract of land lying in the county of Nelson; and Messrs. Roberts, Thornton and Wills were appointed a committee to prepare and bring in the same.

Mr. Thornton, from the committee of courts of justice, to whom was referred the petition of Frances Boatman, the widow, and John Hamilton, guardian of the infant heirs of Robert Boatman, deceased, and the petition of Joseph S. Burdett, reported the following resolution thereon, viz:

Resolved, That the said petitions be rejected.

Which resolution was concurred in; and leave was given the said Burdett to withdraw his petition.

Mr. Thornton, from the same committee, reported the following bills, viz:
A bill to prevent justices of the peace from being taken or received as sureties in bonds executed in their courts.
A bill for the benefit of the heirs of Matthew Hawkins; and
A bill for the benefit of the widow and heirs of Robert Rainey.
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 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.

Mr. Metcalfe, from the committee of internal improvements, reported bills of the following titles, viz:
1. A bill to authorize an appropriation of money to clear out obstructions and improve the navigation of Rockcastle river, from where the Madison road crosses the same, to its junction with Cumberland river.
2. A bill to provide for making a road from Bowlinggreen, by the way of South Union, Russellville and Elkton, to Hopkinsville.
3. And a bill to improve the road from Perry Court House to the Virginia line.

The said bills were severally read the first time; the second was ordered to be read a second time, and the first and third were laid on the table.

The rule of the Senate, constitutional provision and second reading of the second bill, having been dispensed with, it was referred to the committee of finance.
Mr. Southgate, from the committee to whom was referred a bill to prevent the circulation, within this Commonwealth, of bank notes of a less denomination than five dollars, reported the same without amendment; and the said bill was referred to the committee of the whole house on the state of the Commonwealth, for the 28th instant.

Mr. Roberts, from the committee to whom was referred a bill from the House of Representatives, entitled an act to extend the May term of the Spencer circuit court, reported the same without amendment.

The said bill was amended, and ordered to be read a third time.

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

Resolved, That the said bill, as amended, do pass, and that the title be amended by adding thereto, “and to change the time of holding the Livingston, Caldwell and Hickman circuit courts.”

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

An act to repeal in part the act, entitled an act to establish the Louisville Bank of Kentucky.

An act amendatory to an act to authorize the sale of the real and personal estate of Samuel Monson, deceased.

An act to authorize the county court of Nelson to correct its proceedings at the court of claims in November, 1834, and for other purposes.

An act for the benefit of Catharine Sampson.

An act to change the time of holding the county courts of Meade and Russell.

An act providing for the payment of attorneys prosecuting pleas of the Commonwealth in certain cases.

An act giving further time to clerks to renew their official bonds.

An act to incorporate the Covington Fire Insurance Company.

A resolution to appoint a joint committee to settle with Joel Scott, late Keeper of the Penitentiary; and

A resolution to appoint a joint committee to examine the Lunatic Asylum and Transylvania University.

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 they were delivered to the committee, to be presented to the Lieutenant and Acting Governor, for his approbation and signature.

After a short time, Mr. Bramlette reported that the committee had performed that duty.
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. Smith in the chair.

After some time spent in committee, the Speaker resumed the chair, when Mr. Smith reported that the committee had, according to order, had under consideration the resolution in relation to a Northern Bank of Kentucky, and had made further progress therein, but not having time to go through the same, had directed him to ask leave to sit again; which leave was granted.

And then the Senate adjourned.

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MONDAY, JANUARY 26, 1835.

Mr. Gholson presented the petition of James Hasbrook, praying that a law may pass, authorizing the sale of real estate devised to him and others, some of whom are infants, by Hasbrook, deceased.

And Mr. Thornton presented the petition of Aylett H. Buckner and Charlotte his wife, praying that a law may pass authorizing the sale of a tract of land in Bourbon county, devised to the said Charlotte, who is under twenty-one years of age, by her deceased father.

Which petitions were received and referred to the committee of courts of justice.

The Speaker laid before the Senate the remonstrance of the president and managers of the Smithland Dock Company, against incorporating a Dock Company at Paducah, which was laid on the table.

On the motion of Mr. Metcalfe, the committee of internal improvements was discharged from the further consideration of the petition for an appropriation of money to improve the road from Frankfort to King’s ferry on the Ohio river; and the petition of the board of internal improvements for Anderson county, praying that the law incorporating a company to turnpike a road from Franklin county to the Crab Orchard, may be amended.

The former petition was referred to a committee of Messrs. Bush, Nuttall and Wingate; and the latter, to a committee of Messrs. Wingate, Daviess and Smith.

On the motion of Mr. Metcalfe, the committee of internal improvements was discharged from the further consideration of a resolution to inquire into the expediency of appropriating a sum of money to complete the improvement of the navigation of the south fork of Cumberland river; and from the further consideration of a
resolution to inquire into the expediency and propriety of appropriating a sum of money for the purpose of improving the navigation of Cumberland river from the mouth of Laurel river to the Tennessee line.

On the motion of Mr. Metcalfe, the committee of internal improvements was discharged from the duty of preparing and bringing in a bill for an appropriation of money to be applied to the improvement of the navigation of the Kentucky river; and a bill providing for an appropriation of money to improve the navigation of Licking river.

On the motion of Mr. Taylor, the committee of finance was discharged from the further consideration of a bill to amend an act, entitled an act for the improvement of the road from Franklin county to Crab Orchard, in Lincoln county.

And the said bill was referred to a committee of Messrs. Wingate, Daviess and Smith.

Mr. Grider, from the committee of finance, made the following report, viz:

Resolved, That we are unwilling to abandon our system of internal improvements.

Resolved, That the one alternative or the other must be adopted, either to increase the revenue, or to resort to the credit of the State.

Resolved, That it is expedient at all events to provide for the completion of such works of internal improvement, as have been located or commenced under the patronage of the State, if no more.

Resolved, That it is expedient to create by law "the office of State engineer," and fill said office with an officer, and provide by law for an annual salary.

Resolved, That we recommend the policy of resorting to the credit of the State, for the means to effect a general system of internal improvements, first providing for, and specifying the most important objects.

The said resolutions were laid on the table, and the Public Printer was directed to print one hundred and fifty copies thereof, for the use of the General Assembly.

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

An act to repeal the act establishing the lower precinct in Butler county.

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

An act to amend the law in relation to the constables in this Commonwealth.
An act to establish and change certain constables' districts in
the counties of Henry and Oldham.
An act to change the time of holding the Greenup and Lewis
circuit courts.
An act to authorize the county court of Pulaski to have roads
opened to and from certain places.
An act to prescribe certain duties to the Secretary of State, the
Treasurer and Auditor; with an amendment to the last bill.
A resolution in relation to an Armory; and
A resolution in relation to the establishment of a Military School
in Kentucky.

That they had passed bills, and a resolution, which originated in
that house, of the following titles, to-wit:
An act for the benefit of Thomas Isbell.
An act for the benefit of Dorinda Ann Elliott.
An act for the benefit of William B. Williams.
An act for the benefit of William Cay.
An act to amend an act, entitled an act to establish the Shelby-
ville Library Company.
An act for the benefit of Ann Thornton and her children.
An act to change the place of voting in McGee's precinct in
Christian county.
An act for the benefit of the Free School in Crab Orchard.
An act to amend and reduce into one the several acts incorpo-
rating a company to turnpike a road from Frankfort to Lexington,
by way of Versailles; and
A resolution to furnish Mann Butler with certain documents.

Leave was given to bring in the following bills, viz:
On the motion of Mr. Morehead—1. A bill for the benefit of
the Logan and Newton Academy.
On the motion of Mr. Wingate—2. A bill to incorporate the
town of Frankfort; and
On the motion of Mr. Willis—3. A bill to regulate the duties
of Commonwealth's Attorneys, and for other purposes.

The committee of finance was directed to prepare and bring in
the first; the committee of courts of justice, the third; and Messrs.
Wingate, Chinn and Blackburn, were appointed a committee to
prepare and bring in the second.

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

By Mr. Smith—1. A bill to amend an act, entitled an act to
prevent further confliction in land claims, and to secure to seater
and improvers a preference of location to lands improved by them,
approved Jan. 15th, 1831.
By Mr. Gholson—2. A bill providing for the collection and payment of fines, penalties and forfeitures, into the public treasury.

By Mr. Wingate—3. A bill allowing additional justices of the peace and constables to certain counties.

By Mr. Griffith—4. A bill to enlarge the jurisdiction and powers of the trustees of Owenboro', in the county of Daviess; and

By Mr. McHenry—5. A bill appropriating some of the vacant lands in Pulaski, to improve the road from Somerset to the coal mines.

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 and fifth bills, having been dispensed with, the first was referred to the committee of courts of justice; the second, to the committee of finance; and the fifth, to a committee of Messrs. Willis, McHenry and Bramlette.

The rule of the Senate, constitutional provision, and second and third readings of the third and fourth 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.

On the motion of Mr. Taylor,

Resolved, That the President of the Bank of Kentucky be required to report to the Senate a list of the property belonging to the Bank, with an estimate of its value, and a list of the debts due the institution, designating those that are hopeless, doubtful, and available, showing drawers and endorsers, or principals and securities, and the number of suits and controversies pending.

Mr. Thornton read and laid upon the table the following resolution, viz:

Resolved by the Senate and House of Representatives, That when they adjourn on Thursday the 29th instant, they will adjourn to meet on Monday the second of February following.

The rule of the Senate having been dispensed with, the said resolution was taken up, twice read and adopted.

On the motion of Mr. Grider, who voted in the majority, the vote was re-considered disagreeing to a bill from the House of Representatives, entitled an act for the benefit of Mary Ann Parrish; and the said bill was re-committed to the committee of courts of justice.

Messrs. Patterson and Heady were added to the committee of propositions and grievances.
On the motion of Mr. Bramlette, leave was given to withdraw the petition for a new county out of a part of the counties of Cumberland and Wayne.

On the motion of Mr. Thornton, a message was sent to the House of Representatives, requesting leave to withdraw the report of the passage of a bill, entitled an act regulating the tax on merchandise.

On the motion of Mr. Lyon, leave was given to bring in a bill to change the name of the Princeton Seminary and increase the number of trustees; the committee of education was directed to prepare and bring in the same.

Mr. Smith presented the petition of the widow and heirs of Samuel Dysert, deceased, praying for the passage of a law, authorizing a sale of six hundred acres of land in Rockcastle county, of which the said Samuel died seized.

Mr. James moved to take up the resolution for an adjournment of the General Assembly, read and laid on the table by him on the 20th instant, for the purpose of placing it in the orders of the day.

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

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

YEAS—Messrs. Daviess, Gholson, Grider, Griffith, James, Lyon, McHenry, Morehead, Murrell, Nuttall, Southgate and Young—12.

NAYS—Mr. Speaker, Messrs. Blackburn, Chinn, Gilbert, Harrel, McDonald, May, Metcalfe, Patterson, Roberts, Smith, Taylor, Thornton, Willis and Wingate—15.

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. Smith in the chair.

After some time spent in committee, the Speaker resumed the chair, when Mr. Smith reported that the committee had, according to order, had under consideration the resolution in relation to a Northern Bank of Kentucky, and had made further progress therein, but not having time to go through the same, had directed him to ask leave to sit again; which leave was granted.

And then the Senate adjourned.
TUESDAY, JANUARY 27, 1835.

The Speaker laid before the Senate the petition of sundry members of the Regular and United Baptist Churches in Kentucky, praying that the charter of the Kentucky Baptist Education Society may be amended; which was received and referred to the committee of courts of justice.

A message was received from the House of Representatives, announcing their concurrence in the amendments proposed by the Senate to a bill, which originated in that House, entitled, "An act to extend the term of the Green circuit court, and for other purposes."

And that they had passed bills, which originated in that House, of the following titles, viz:

An act for the benefit of the Hopkins Academy.
An act authorizing the sale of a portion of the real estate of Samuel Blackenbeker, deceased, to pay his debts.
An act to establish an election precinct in the town of Pleasureville, in Henry county.
An act to authorize the county courts to increase the pay to patrollers in Woodford, Henry and Oldham counties.
An act allowing an additional constable to Wayne county, and for other purposes.

Mr. Thornton, from the committee of courts of justice, to whom was referred a bill from the House of Representatives, entitled, an act for the benefit of Moses Wickliffe, reported the same, with the opinion of the committee that it ought not to pass.

The said bill is as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the auditor be, and he is hereby authorized to issue his warrant upon the treasurer, in favour of Moses Wickliffe, for the sum of thirty-two dollars and sixty cents, being the amount paid by mistake on a county court certificate from the county of Muhlenburgh, No. 655, in favour of Josiah Underwood, issued on the 28th day of October, 1805, for two hundred and eighty-eight acres of land, under which certificate there was but one hundred and twenty-five acres appropriated; which said warrant the treasurer is authorized to pay out of any moneys in the treasury not otherwise appropriated.

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. Willis and Blackburn, were as follows, viz:


Mr. Thornton, from the same committee, to whom was referred the petition of James Hasbrooks, reported the following resolution thereon, viz:

Resolved, That said petition be rejected.

Which was twice read and concurred in.

Mr. Thornton, from the same committee, to whom was referred a bill to amend the law concerning the emancipation of slaves, reported the same, with the opinion of the committee that it ought not to pass.

The said bill is as follows, viz:

Sec. 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That no person shall be at liberty to emancipate any slave or slaves, either by will, deed or order of the county court, until the person intending to emancipate any slave or slaves, shall have executed bond with good security, to be approved by the court, in the penalty of five hundred dollars, conditioned that they will furnish the necessary amount of money to defray the expense of transporting the slave or slaves to be emancipated, to some colony or place out of the State of Kentucky, to be designated in said bond. And the slave or slaves, so emancipated, shall, after the order of emancipation is made, direct the clerk to make an entry on the record that he, she or they do consent to leave the State within six months after the date of said order of emancipation, and that they will not return to it.

Sec. 2. Be it further enacted, That if any person of color, who shall have been emancipated under this act, shall be found going at large, as a free person, in the State of Kentucky, six months after the order shall have been made for his or her emancipation, it shall be lawful for any person to arrest such free person of color, and bring him or her, without warrant, before any justice of the peace in the county where they are arrested; and if the justice shall be satisfied, from the proof, that the person arrested has been guilty of a breach of the provisions of this act, he shall hold the person so charged to bail, with one or more good securities, conditioned for his or her appearance on the first day of the next circuit
court for the county wherein the offence is charged. And upon his or her failing to give bond, with security, the justice shall commit him or her to jail, there to be kept to answer the charge that may be exhibited against him or her.

SEC. 3. Be it further enacted, That the judge of the circuit court shall cause a jury to be empannelled to inquire into such facts as may be submitted to them; and if the jury shall find that the accused has violated any of the provisions of this act, the judge shall enter a judgment against him or her, so found guilty, and order the sheriff of his county to sell him or her at the court house door, at public outcry for the best price that can be had for ready money. And the person so sold shall be a slave for life; and the money produced by the sale, after paying the expenses of the prosecution, shall be divided, one half to be paid to the clerk of the court, and by him paid into the treasury of this State, and the other half paid to the person arresting the accused.

SEC. 4. Be it further enacted, That the clerk making out the certificate of emancipation, shall distinctly state, that the person emancipated, was emancipated under the provisions of this act. All acts or parts of acts, coming within the purview of this act, shall be, and they are hereby repealed.

Mr. Metcalfe 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. Blackburn and Thornton, were as follows, viz:

YEAS—Mr. SPEAKER, Messrs. Boyd, Bramlette, Bush, Coffey, Daviess, Gholson, Grider, Griffith, Harrell, James, Lusk, McHenry, May, Metcalfe, Miller, Morehead, Morgan, Murrell, Nuttall, Patterson, Roberts, Smith, Southgate, Taylor, Thornton, Willis, Wingate and Young—29.


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

An act authorizing the trustees of the town of Russellville to sell certain streets or parts thereof, in said town.

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

An act to amend an act to incorporate the Lewis Pottery Company, for the purpose of manufacturing of Queensware and China at Louisville.
An act to repeal certain acts regulating roads in the county of Fayette.

An act to incorporate the Richmond Female Academy.

An act for the benefit of the subscribers to the Evangelical Episcopal Church in Shelby county.

An act for the benefit of Jesse Reed.

An act for the benefit of Enos Lasseter, Thomas D. Parker and John L. Henderson; and

An act for the benefit of Susan Henderson.

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 they were delivered to the committee, to be presented to the Lieutenant and Acting Governor, for his approbation and signature.

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

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. Smith in the chair.

After some time spent in committee, the Speaker resumed the chair, when Mr. Smith reported that the committee had, according to order, had under consideration the resolution in relation to a Northern Bank of Kentucky, and had made further progress therein, but not having time to go through the same, had directed him to ask leave to sit again; which leave was granted.

And then the Senate adjourned.
The Speaker laid before the Senate the petition of Matrat J. P. M., praying that a law may pass for the benefit of emigrants coming into this State from Europe, by which they will be rendered, on their arrival, proprietors in their own names of any lands they may have purchased, as fully as other citizens.

And Mr. Morehead presented the petition of sundry citizens of Russellville, praying for an appropriation of one thousand dollars out of the treasury, for the purpose of building a house for a county seminary.

Which petitions were received; the former was referred to the committee of courts of justice, and the latter, to the committee of finance.

A message was received from the House of Representatives, announcing the passage of a resolution, which originated in the Senate, for a recess of the General Assembly.

That they had passed a bill from the Senate, entitled an act to incorporate Van Dorens' College for Young Ladies, with an amendment.

And that they had passed bills, which originated in that House, of the following titles, viz:

An act establishing the town of Ghent in Gallatin county.
An act to repeal the law declaring Eagle Creek a navigable stream from Sanders' lower mills to its mouth, approved January 16, 1829.
An act to amend an act, entitled an act to build a bridge across Jellico river, in Whitley county.
An act repealing the law declaring John's Creek a navigable stream.
An act to incorporate a company to make a turnpike road through Lebanon, Greensburgh, Glasgow and Scottville, to the State line, in a direction to Nashville.
An act regulating the fines and forfeitures of Marion county.
An act for the benefit of Daniel Smith.
An act for the benefit of Daniel B. Dorser.
An act to repeal in part an act, entitled an act for building a bridge across Main Licking at Claysville.
An act incorporating the Green River Female Academy; and
An act for the benefit of Steele and Lamm.

Mr. Thornton, from the committee of courts of justice, to whom was referred a bill to amend an act concerning the dower and jointures of widows, approved December 19th, 1796, reported the same, with the opinion of the committee that it ought to pass.
The said bill 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 dispensed with, and the same being engrossed,

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

Mr. Thornton, from the same committee, to whom was referred a bill from the House of Representatives, entitled an act to amend and reduce into one the several acts concerning the town of Glasgow, 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. Metcalfe, from the committee of internal improvements, to whom was referred the petition of sundry citizens for the passage of a law to incorporate a company to turnpike a road from Flemingsburg to intersect the Maysville road at or near Mayslick, reported the following resolution thereon, viz:

Resolved, That the said petition is reasonable.

On the motion of Mr. Metcalfe, the said resolution was laid on the table.

Mr. Taylor from the committee of finance, to whom was referred bills from the House of Representatives, entitled an act for the benefit of James C. Wilmore, and an act for the benefit of the representatives of James Glenn, deceased, reported the same, with the opinion of the committee that they ought to pass.

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. Taylor, from the same committee, to whom was referred a bill providing for the collection and payment of fines, penalties and forfeitures, into the public treasury, reported the same, with the opinion of the committee that it ought not to pass.

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

On the motion of Mr. Bush, the committee to whom was referred the petition for an appropriation to improve the road from Frankfort to King's Ferry on the Ohio river, was discharged from the further consideration thereof.
The following bills were reported from the several committees appointed to prepare and bring in the same, viz.

By Mr. Thornton, from the committee of courts of justice, as unfinished business of last session—1. A bill to amend an act, entitled an act to compel the speedy adjustment of land claims, approved February 9th, 1809.

By Mr. Thornton, from the same committee—2. A bill to regulate the duties of Commonwealth's attorneys, and for other purposes.

And by Mr. Gilbert—3. A bill for the benefit of the Clay County Seminary.

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 third 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 prescribe certain duties to the Secretary of State, the Treasurer and Auditor; and
An act to incorporate Van Doren's College for Young Ladies.

Were twice read and concurred in.

A message was received from the Lieutenant and Acting Governor, by Mr. Cox, Assistant Secretary of State, announcing that he had approved and signed enrolled bills and resolutions, of the following titles, viz:

On January 21, 1835,

An act amendatory to an act to authorize the sale of the real and personal estate of Samuel Monson, deceased.

An act to repeal in part the act, entitled an act to establish the Louisville Bank of Kentucky.

A resolution to appoint a joint committee to examine the Lunitic Asylum and Transylvania University.

A resolution to appoint a joint committee to settle with Joel Scott, late Keeper of the Penitentiary.

On January 28, 1835,

An act authorizing the trustees of the town of Russellville to sell certain streets or parts thereof, in said town.

An act to amend an act to incorporate the Lewis Pottery Company, for the purpose of manufacturing of Queensware and China at Louisville; and

An act for the benefit of the sheriff of Spencer county.
A message in writing was received from the Lieutenant and Acting Governor, by Mr. Cox, Assistant 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 consent, John H. Botts, to be Sheriff of Fleming county, vice George Matthews, failed to give bond, &c.

Archibald Norton, to be Colonel of the 104th Regiment, vice Charles Ruddell, resigned.

Joel B. Hume, to be Lieutenant Colonel of the same, vice A. Norton, promoted.

Lewis M. Simpson, to be Major of the same, vice J. B. Hume, promoted.

January 28th, 1835.

Resolved, That the Senate advise and consent to the said appointments.

Ordered, That Mr. Morgan inform the Lieutenant and Acting Governor thereof.

An engrossed bill, entitled an act to incorporate the Versailles Savings Institution, was read the third time.

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

A bill for the benefit of Ann T. Mallary was read the second time, and ordered to be engrossed and read a third time to-morrow.

A resolution from the House of Representatives, to furnish Mann Butler with certain documents, was twice read and referred to the committee of education.

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

An act authorizing the sale of a portion of the real estate of Samuel Blackenbeker, deceased, to pay his debts; and

An act to authorize the county courts to increase the pay to patrollers in Woodford, Henry and Oldham counties.

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:

An act to incorporate the Male and Female Academy of Lebanon, and the Female Academy of Glasgow.

An act to incorporate the Georgetown Female Academy.
An act to amend an act, entitled an act to incorporate a company to construct a turnpike road from Covington, through Williamstown and Georgetown, to Lexington, in Fayette county, approved 22d February, 1834.

An act for the benefit of Ann Thornton and her children.

An act to amend an act, entitled an act to establish the Shelbyville Library Company; and

An act to establish an election precinct in the town of Pleasureville, in Henry 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.

Bills from the House of Representatives of the following titles, were severally read the first time, and ordered to be read a second time, viz:

1. An act to amend an act entitled an act to enlarge the boundaries of Georgetown, and for other purposes, approved February 22d, 1834.

2. An act for the benefit of Elizabeth Bradshaw.

3. An act for the benefit of Amanda M. Rankin.

4. An act for the benefit of John Jones.

5. An act for the benefit of William B. Williams.

6. An act for the benefit of William Cay.


8. An act for the benefit of Thomas Isbell.

9. An act to amend and reduce into one the several acts incorporating a company to turnpike a road from Frankfort to Lexington, by way of Versailles.

10. An act for the benefit of the Free School in Crab Orchard.

11. An act to change the place of voting in McGee's precinct in Christian county.

12. An act for the benefit of the Hopkins Academy; and

13. An act allowing an additional constable to Wayne county, and for other purposes.

The rule of the Senate, constitutional provision and second reading of the said bills, having been dispensed with, the first was referred to the committee of courts of justice; the second, third, fourth, fifth, sixth, seventh and eighth, to the committee of religion; the ninth, to the committee of internal improvements; the tenth, to a committee of Messrs. Smith, Thornton, Willis and Gholson; the eleventh, to a committee of Messrs. Daviess, Gholson, and Lyon; the twelfth, to the committee of finance; and the thirteenth, to a committee of Messrs. Murrell, McHenry and Roberts.
On the motion of Mr. Willis, the committee of the whole was discharged from the further consideration of a resolution in relation to a Northern Bank of Kentucky.

On the motion of Mr. Heady, 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 for the benefit of Nancy Whelan.

The said bill was returned to the Senate, and on the motion of Mr. Willis, the vote disagreeing to the said bill was reconsidered; and it was re-committed to the committee of courts of justice.

Mr. Willis moved to bring in a bill to establish the Farmers’ and Mechanics’ Bank of Kentucky; the principal Bank to be located on the north side of the Kentucky river.

And the question being taken on giving leave to bring in the said bill, it was decided in the affirmative.

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

YEAS—Messrs. Blackburn, Bush, Chinn, Coffey, Daviess, Gilbert, Grider, Griffith, Harrel, James, Lusk, McDonald, May, McCall, Morhead, Morgan, Patterson, Roberts, Smith, Southgate, Taylor, Thornton, Willis and Young—24.


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

Mr. Chinn presented the petition of John U. Waring, praying that a law may pass, authorizing a change of venue in several suits in the Barren circuit court, between him and Asa T. Mitchell and Benjamin Temple; which was received and referred to the committee of courts of justice.

On the motion of Mr. Grider, the resolutions reported by him from the committee of finance, on the 26th instant, were taken up and placed first in the orders of the day.

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

An act to authorize the county court of Pulaski to have roads opened to and from certain places.

An act to establish and change certain constables' districts in the counties of Henry and Oldham.

An act to change the time of holding the Greenup and Lewis circuit courts.

An act to amend the law in relation to the constables in this Commonwealth.
An act to amend the charter of the city of Louisville.
An act to repeal the act establishing the lower precinct in Butler county.
A resolution in relation to an Armory.
A resolution in relation to the establishment of a Military School in Kentucky.
An act for the benefit of Richard L. Fox and Sarah Ann Fox his wife, and their infant children.
An act for the benefit of William P. Gregg.
An act concerning the town of Nicholasville.
An act to extend and continue the Salt Works Turnpike Road, from C. & J. White's Furnace to Wilson and Quarrer's Furnace.
An act to repeal in part, and amend in part, "an act to establish seminaries of learning in the counties of Monroe, Grant, Todd, Trigg, Ohio and Daviess, approved December 13, 1820;" and
An act to establish election precincts in the counties of Nicholas, Bourbon, Pendleton and Campbell.
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 they were delivered to the committee, to be presented to the Lieutenant and Acting Governor, for his approbation and signature.
After a short time, Mr. Bramlette reported that the committee had performed that duty.
And then the Senate adjourned.

THURSDAY, JANUARY 29, 1835.

Mr. Wingate presented the petition of Dudley George, in relation to the location of the turnpike road from Franklin county to Crab Orchard.

Mr. Lyon presented the petition of Gustavus A. Brown against the passage of a law establishing a ferry at the mouth of Cumberland river.

Which petitions were received; the first was referred to a committee of Messrs. Wingate, Daviess and Smith; and the second, to the committee of propositions and grievances.

Mr. Daviess, 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 McGee's precinct, in Christian 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. Willis, from the committee to whom was referred a bill to appropriate some of the vacant lands of Pulaski county, to the improvement of the road leading from Somerset to the coal mines, reported the same with an amendment, which was concurred in.

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. Thornton, from the committee of courts of justice, to whom was referred a bill for the better confirmation of the estates of persons holding or claiming under conveyances from married women, and under conveyances not recorded in proper time, reported the same with amendments, which were concurred in.

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

Mr. Gilbert, from the committee appointed for that purpose, reported a bill for the benefit of the heirs of Patsey Patton, 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.

Leave of absence was granted to Messrs. Coffey, Bush and Nuttall, until Wednesday next.

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

On the motion of Mr. Griffith—1. A bill making an appropriation to finish the improvements on the State road leading from Owensboro to Bowling green, where it crosses the flats of Panther creek.

On the motion of Mr. Heady—2. A bill to amend the laws in relation to the duties of surveyors of roads in this Commonwealth.

And on the motion of Mr. Morehead—3. A bill to change the time of holding the county courts in Logan county.

Messrs. Heady, Harreld and Willis, were appointed a committee to prepare and bring in the second bill; Messrs. Morehead, Grider and Harreld, the third; and the committee of internal improvements, the first.

And then the Senate adjourned.
Mr. James presented the petition of sundry citizens of the town of Columbus, praying for the passage of a law, authorizing the citizens of said town to elect trustees therefor, which was received and referred to a committee of Messrs. James, Lyon and Murrell.

Mr. James, from the committee of courts of justice, to whom was referred a bill from the House of Representatives, entitled an act concerning the office of sheriff, 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. Morehead, from the committee appointed for that purpose, reported a bill changing the time of holding the Logan and Simpson 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 amended and engrossed,

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

Mr. Smith, from the committee to whom was referred a bill from the House of Representatives, entitled an act for the benefit of the free school in Crab Orchard, reported the same with amendments, which were 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 said bill, as amended, do pass, and that the title thereof be, "an act to authorize the erection of a School House in the town of Crab Orchard."

The resolutions reported from the committee of finance, by Mr. Grider, on the 26th ult., were referred to a committee of the whole house on the state of the commonwealth for Wednesday next.

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

On the motion of Mr. Smith—1. A bill for the benefit of Halbert McLaure and William Fish, both of Rockcastle county.

On the motion of Mr. Morehead—2. A bill to amend the law for the benefit of Frances Kercheval.
On the motion of Mr. Lusk—3. A bill for the benefit of the heirs of John Aldridge.

On the motion of Mr. Gilbert—4. A bill to repeal that part of the fourth section of an act, approved February 22, 1834, that gave Laurel county court the control of a part of Goose Creek Salt Works' road; and

On the motion of Mr. Harreld—5. A bill to appropriate a part of the unappropriated land in Butler county to build a bridge across the west fork of Big Muddy Creek where the road from Bowling-green to Greenville crosses said creek.

Messrs. Smith, Daviess and Lusk, were appointed a committee to prepare and bring in the first bill; Messrs. Morehead, Grider and Taylor, the second; Messrs. Lusk, Gilbert and Smith, the third; Messrs. Gilbert, Lusk and Bramlette, the fourth; and Messrs. Harreld, Morehead and Grider, the fifth.

And then the Senate adjourned.

TUESDAY, FEBRUARY 3, 1835.

Mr. Clark being present, took the chair as Speaker of the Senate. A message was received from the House of Representatives, announcing their concurrence in the amendment proposed by the Senate to a bill, from that House, entitled,

An act to amend and reduce into one the several acts concerning the town of Glasgow.

And that they had passed bills, which originated in that House, of the following titles, viz:

An act to amend the several acts to suppress the practice of duelling.

An act to establish the town of Concord, in Calloway county, and for other purposes.

An act for the benefit of the Winchester and Lexington turnpike road company.

An act supplementary to an act, entitled an act to improve the navigation of Nolin, approved February 22, 1834.

An act to extend the limits of the town of Barboursville.

An act for the benefit of the sheriff of Lincoln county, and for other purposes.

An act to continue in force, and to amend the act incorporating the Maysville Insurance Company.

An act allowing an additional justice of the peace and two constables to the county of Owen, and for other purposes; and

An act to establish an election precinct in Shelby county.
1. Mr. Guthrie presented the petition of sundry citizens of Bullitt county, praying that no part of said county may be taken to form a new county.

2. Mr. Daviess presented the petition of the widow and heirs (some of whom are infants,) of Vance Wilson, deceased, praying that a law may pass, authorizing a sale of the real estate of which the said Wilson died seized.

3. Mr. Guthrie presented the petition of sundry citizens of Louisville, praying that the law may be amended, which requires salt to be inspected; and

4. Mr. Wingate presented the petition of James G. Dana, praying that the patronage of the State may be given to enable him to republish the first volume of the Reports of the Decisions of the Court of Appeals, by Alexander K. Marshall.

Which petitions were received; the first and third were referred to the committee of propositions and grievances; and the second and fourth, to the committee of courts of justice.

Mr. Guthrie, from the committee of courts of justice, to whom was referred a bill to establish the Louisville Chancery Court, reported the same with amendments, which were concurred in.

And the said bill was ordered to be engrossed and read a third time to-morrow.

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

An act to amend the several acts concerning the town of Hopkinsville.

An act to prescribe certain duties to the Secretary of State, the Treasurer and Auditor.

An act for the benefit of James C. Wilmore.

An act for the benefit of the representatives of James Glenn, deceased.

An act to amend an act to establish the Shelbyville Library Company.

An act to establish an election precinct in the town of Pleasureville, in Henry county.

An act to amend an act, entitled an act to incorporate a company to construct a turnpike road from Covington, through Williamstown and Georgetown, to Lexington, in Fayette county, approved 22d February, 1834.

An act to extend the terms of the Green circuit court, and for other purposes.

An act to incorporate the Georgetown Female Academy.

An act for the benefit of Ann Thornton and her children; and

An act to incorporate the Male and Female Academy of Lebanon, and the Female Academy of Glasgow.

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 Lieutenant and Acting Governor, for his approbation and signature.

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

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

By Mr. Smith—1. A bill for the benefit of Halbert McLure and William Fish, both of Rockcastle county.

By Mr. Smith—2. A bill to amend the law concerning the court of appeals.

By Mr. Morehead—3. A bill to amend the law for the benefit of Frances Kercheval.

By Mr. Lusk—4. A bill for the benefit of the devisees of John Aldridge, deceased; and

By Mr. Roberts—5. A bill to authorize Carol C. Blinco and Emeline Blinco his wife, to sell and convey a tract of land lying in the county of Nelson.

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 second and fifth bills, having been dispensed with, they were referred to the committee of courts of justice.

The rule of the Senate, constitutional provision, and second and third readings of the first and third 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. Murrell, from the committee to whom was referred a bill from the House of Representatives, entitled an act allowing an additional constable to Wayne county, and for other purposes, reported the same with amendments, which were concurred in; and the said bill was ordered to be read a third time, as amended.

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

On the motion of Mr. Daviess—1. A bill authorizing the county court of Mercer, to permit Peter R. Dunn to erect gates across the public road leading from Boyce's mill to Van Dyke's mill.

On the motion of Mr. Guthrie—2. A bill to incorporate the Louisville Museum Company; and

3. A bill to regulate the county courts of this Commonwealth.

The committee of courts of justice was directed to prepare and bring in the first and second; and Messrs. Guthrie, Lusk and McHenry, were appointed a committee to prepare and bring in the third.
On the motion of Mr. Roberts,
Resolved, That the doorkeeper of the Senate procure curtains for the windows of the Senate chamber.

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

Resolved by the Senate and House of Representatives, That a tomb stone be erected to the memory of John Breathitt, late Governor of Kentucky, with a suitable inscription thereon, and that the same be furnished by the keeper of the penitentiary; and that the Lieutenant and Acting Governor of this Commonwealth cause the same to be placed over the grave of the said John Breathitt, deceased.

The rule of the Senate having been dispensed with, the said resolution was taken up, twice read and adopted.

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. Grider in the chair.

After some time spent in committee, the Speaker resumed the chair, when Mr. Grider reported that the committee had, according to order, had under consideration a bill allowing further time to redeem land stricken off to the State for the non-payment of taxes, and providing for the sale of all land not redeemed in time, and had gone through the same, and made amendments thereto, which he handed in at the clerk's table.

The said amendments were twice read and concurred in; and the said bill was ordered to be engrossed and read a third time to-morrow.

A bill from the House of Representatives, entitled,
An act establishing the town of Ghent in Gallatin county,
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 ordered to be read a third time.

A bill from the House of Representatives, entitled,
An act authorizing the sale of a portion of the real estate of Samuel Blackenbeker, deceased, to pay his debts,
Was read the second time, and referred to the committee of courts of justice.

An engrossed bill, entitled an act for the better confirmation of the estates of persons holding or claiming under conveyances from married women, and under conveyances not recorded in proper time, was read the third time, and re-committed to the committee of courts of justice.

A bill to amend an act, entitled an act to compel the speedy adjustment of land claims, approved Feb. 9, 1809, 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 several acts to suppress the practice of duelling.
An act to establish the town of Concord, in Calloway county, and for other purposes.
An act supplementary to an act, entitled an act, to improve the navigation of Nolin, approved February 22, 1834.
An act to extend the limits of the town of Barboursville; and
An act for the benefit of the sheriff of Lincoln county, and for other purposes.

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

A bill from the House of Representatives, entitled an act to continue in force, and to amend the act incorporating the Maysville Insurance Company, 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.

Bills from the House of Representatives of the following titles, were severally read the first time, and ordered to be read a second time, viz:

1. An act to incorporate a company to make a turnpike road through Lebanon, Greensburgh, Glasgow and Scottville, to the State line, in a direction to Nashville.
2. An act to repeal in part an act, entitled an act for building a bridge across Main Licking at Claysville.
3. An act for the benefit of Daniel Smith.
4. An act incorporating the Green River Female Academy.
5. An act for the benefit of Daniel B. Dorser.
6. An act repealing the law declaring John's Creek a navigable stream.
7. An act to amend an act, entitled an act to build a bridge across Jellico river, in Whitley county.
8. An act to repeal the law declaring Eagle Creek a navigable stream from Sanders' lower mills to its mouth, approved January 16, 1829.
9. An act for the benefit of Steele and Lamm.
10. An act for the benefit of the Winchester and Lexington turnpike road company.
11. An act allowing an additional justice of the peace and two constables to the county of Owen, and for other purposes; and
12. An act to establish an election precinct in Shelby county.
The rule of the Senate, constitutional provision and second reading of the said bills, having been dispensed with, and the first being amended, they were referred: the first, second, sixth, seventh, eighth, ninth and tenth, to the committee of internal improvements; the third, to the committee of finance; the fourth, to the committee of education; the fifth, to the committee of religion; the eleventh, to a committee of Messrs. Nuttall, Bramlette, Lusk, Morgan and Wingate; and the twelfth, to a committee of Messrs. Boyd, Heady and Nuttall.

And then the Senate adjourned.

WEDNESDAY, FEBRUARY 4, 1835.

1. Mr. Bush presented the petition of sundry citizens of Grant county, praying that an election precinct may be established in said county.

2. Mr. Guthrie presented the petition of sundry citizens of Bullitt county, against the formation of a new county out of a part of the counties of Bullitt, Jefferson, Hardin and Meade.

3. Mr. Wingate presented the petition of Cordelia M. Peck, by Isham Talbot, her father and natural guardian, praying a divorce from her husband Isham T. Peck; and

4. Mr. Thornton presented the petition of sundry citizens of Bourbon county, praying that the fines and forfeitures in said county may be applied towards the lessening the county levy.

Which petitions were severally received; the first was referred to the committee of privileges and elections; the second, to the committee of propositions and grievances; the third, to the committee of religion; and the fourth, to the committee of courts of justice.

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 for Floyd and Pike counties.

An act to authorize the trustees of the town of Russellville to levy money for McAdamizing the streets in said town, and for other purposes.

An act to allow additional justices to the county of McCracken, and for other purposes.

An act to reduce the number of justices of the peace in Whitley county.

An act for the benefit of Clarinda Rose.

An act for the benefit of Martha Ann Harriss.
An act to establish an inspection of tobacco and other articles of commerce, in the town of Paducah.

An act to sell the real estate of Samuel May, deceased, to pay the debts, and for other purposes.

An act to allow an additional justice of the peace to the county of Meade.

Mr. Guthrie, 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 Mary Ann Parrish; and
An act for the benefit of the heirs of Thomas Wilcoxen, deceased.

Reported the same, with the opinion of the committee, that they ought to pass.

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. Guthrie, from the same committee, to whom was referred a bill from the House of Representatives, entitled an act to amend an act, entitled an act to enlarge the boundaries of Georgetown, and for other purposes, approved February 22, 1834, reported the same with an amendment, which was 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. Guthrie, from the same committee, to whom was referred an engrossed bill, entitled an act for the better confirmation of the estates of persons holding or claiming under conveyances from married women, and under conveyances not recorded in time, reported the same with amendments, which were concurred in.

Ordered, That the said bill be re-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 re-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 the petition of the widow and heirs of Samuel Dysert, deceased; the petition of the heirs of William Hickman, deceased; the petition of James G. Dana; and the petition of the widow and heirs of Vance Wilson, deceased; reported the following resolution thereon, viz:

Resolved, That the said petitions be rejected.

Which was twice read and concurred in.
On the motion of Mr. Guthrie, the committee of courts of justice was discharged from the duty of preparing and bringing in a bill, authorizing the county court of Mercer to permit Peter R. Dunn to erect gates across the public road leading from Boyce's mill to Van Dyke's mill; and from the further consideration of a resolution to inquire into the expediency and propriety of so amending the law imposing a tax upon law process, as to require a tax to be paid upon mortgages recorded, appeals from justices of the peace to the circuit and county courts, and on circuit court seals.

Mr. Guthrie, from the committee of courts of justice, to whom was referred a bill to amend the law in relation to divorces, reported the same, with the opinion of the committee that it ought to pass.

And the question being taken on engrossing the said bill and reading the same a third time, it was decided in the negative, and so the said bill was rejected.

Mr. Chinn, from the same committee, to whom was referred a bill for the benefit of James covert and their heirs, reported the same with an amendment, which was concurred in.

And the said bill was ordered to be engrossed and read a third time to-morrow.

Mr. Daviess, from the committee of propositions and grievances, made the following report, viz:

The committee of propositions and grievances have, according to order, had under consideration the petition of sundry citizens of the city of Louisville, praying that the law requiring salt to be inspected, might be amended, and have come to the following resolution thereon, viz:

Resolved, That the said petition be rejected.

And also, the petition of the trustees of Smithland, praying for the establishment of ferries across the Ohio and Cumberland rivers, and to repeal the act to regulate ferries on the Tennessee river and part of Cumberland river, and have come to the following resolution thereon, viz:

Resolved, That said petition, so far as it relates to the town of Smithland, is reasonable.

Which resolutions were twice read and concurred in.

Ordered, That the committee of propositions and grievances prepare and bring in a bill pursuant to the second resolution.

The following bills were reported from the committee of courts of justice, viz:

1. A bill for the benefit of the heirs of George and John Graham.
2. A bill for the benefit of Aylett H. Buckner and Charlotte his wife.
3. A bill for the benefit of emigrants.
4. A bill to incorporate the Louisville Museum Company.
5. A bill to provide a remedy for religious societies or communities.

As unfinished business of last session,

6. A bill to discontinue the inspection of tobacco at the warehouse of William H. Boothe, in the city of Louisville; and

By Mr. Chinn—7. A bill to amend the laws relating to changing the venue of causes.

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 said bill, having been dispensed with, and the same being engrossed, and the sixth having been amended,

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

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. Smith in the chair.

After some time spent in committee, the Speaker resumed the chair, when Mr. Smith reported that the committee had, according to order, had under consideration a bill to prohibit the circulation within this Commonwealth of bank notes of a less denomination than five dollars; and the resolutions reported from the committee of finance, in relation to internal improvements; and had gone through the said bill and made an amendment thereto, which was handed in at the clerk's table; but not having time to go through the said resolutions, had directed him to ask leave to sit again; which leave was granted.

The said amendment was twice read and concurred in; and the said bill was ordered to be engrossed and read a third time to-morrow.

And then the Senate adjourned.

THURSDAY, FEBRUARY 5, 1835.

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 for the benefit of the administrator and heir of Robert S. Young, deceased.

An act to allow additional justices of the peace and constables to certain counties; and

An act to authorize the sale of the real estate of Jesse M. Coffey and Tho. H. Coffey, deceased.
Mr. Guthrie, from the committee of courts of justice, to whom was referred bills from the House of Representatives, of the following titles, viz:

An act authorizing the sale of a portion of the real estate of Samuel Blackenbeker, deceased, to pay his debts.

An act authorizing the sale of certain estate belonging to Charles J. Riddle, Lafayette Riddle and Mary Jane Riddle, infant children of Lewis Riddle, deceased.

An act for the benefit of Nancy Whelan.

Reported the same, with the opinion of the committee, that they ought to pass.

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. Guthrie, from the same committee, to whom was referred the following bills, viz:

A bill to amend an act, entitled an act to prevent further conflict in land claims, and to secure to seaters and improvers a preference of location to lands improved by them, approved January 15th, 1831.

A bill to authorize Carol C. Blinco and Emeline Blinco his wife, to sell and convey a tract of land lying in the county of Nelson.

And a bill for the benefit of the heirs of Patsy Patton.

Reported the same with the opinion of the committee that they ought to pass.

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

The rule of the Senate, constitutional provision, and third reading 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.

On the motion of Mr. Guthrie, the committee of courts of justice was discharged from the further consideration of a bill allowing an additional justice of the peace and constable to the county of Marion; and the said bill was laid on the table.

Mr. Guthrie, from the committee of courts of justice, reported the following bills, viz:

1. A bill to authorize justices of the peace to render judgments against constables and their sureties for failing to return executions, and pay over moneys collected by them.

2. A bill to prevent the entry of military lands west of the Tennessee river; and

3. A bill fixing the salaries of judges of the court of appeals and circuit courts, hereafter appointed.
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 bill, having been dispensed with, it was referred to the committee of courts of justice.

Mr. Guthrie, from the same committee, reported from the unfinished business of last session, a bill to provide for the more certain collection of the tax on sales at auction in 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 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. Chinn, from the same committee, to whom was referred an engrossed bill, entitled an act to reduce the time allowed for prosecuting writs of right in certain cases, and authorizing writs of right to be revived, reported the same with an amendment; which was twice read as follows, viz:

Sec. 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That hereafter no longer or additional time shall be allowed a demandant or demandants to maintain a writ of right on the possession or seizin of an ancestor, than is now allowed for maintaining the same upon their own possession or seizin.

Sec. 2. That upon the death of a demandant or defendant, the writ of right shall not abate, but may be revived in the name or names of those owning or claiming the estate, by descent or devise, from the person so departing this life, by scire facias or order of court; and the service of such order of court upon the proper parties, shall, in all cases, be equivalent to the service of a scire facias; Provided, That when there be more than one demandant in a writ of right, and one or more shall die, the suit may, in such case, progress, without any proceedings to revive the same, and such proceedings may be had to final judgment, as though neither demandant had departed this life; and such judgment may be rendered for or against the survivor, after such death has been suggested on the record, as though the whole of the demandants were alive; and a recovery, by such surviving demandant or demandants, shall enure to the representatives of the deceased demandant or demandants, as though the case had been revived and the judgments rendered in their names.
SEC. 3. That there may be service of the orders of court, or writs of *scire facias* to revive writs of rights, as in other cases.

SEC. 4. This act shall not be in force or take effect until after the first day of June next.

Mr. Thornton moved to amend the said amendment by striking out the second and third sections thereof.

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

The Yeas and Nays being required thereon, by Messrs. Daviess and Willis, were as follows, viz:


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

Mr. Willis, from the committee of courts of justice, reported a bill to establish the Farmers' and Mechanics' Bank of Kentucky, the principal bank to be located on the north of the Kentucky river; which was read the first time, and ordered to be read a second time.

Mr. Daviess, from the committee of propositions and grievances, reported a bill to repeal in part an act to regulate ferries on the Ohio river, and part 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 having been dispensed with, it was referred to the committee of courts of justice.

Mr. Murrell, from the committee of privileges and elections, reported a bill to establish an election precinct at Crittenden, in the county of Grant; 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 committee of religion, to whom was referred bills from the House of Representatives of the following titles, viz:

An act for the benefit of Eliza Ferguson.
An act for the benefit of William B. Williams; and
An act for the benefit of Elizabeth Bradshaw.
Reported the same, with the following resolution thereon, viz: 
Resolved, That said bills ought not to pass.
Which was concurred in, and so the said bills were disagreed to.

Mr. Wingate, from the same committee, to whom was referred a bill from the House of Representatives, entitled an act for the benefit of Daniel B. Dorser, reported the same, with the opinion of the committee that it ought to pass; 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 dispensed with,
Resolved, That the said bill do pass; and that the title thereof be as aforesaid.

Mr. Wingate, from the same committee, to whom was referred a bill from the House of Representatives, entitled an act for the benefit of Amanda M. Rankin, reported the same, with the opinion of the committee that it ought to pass.
The said bill, together with the remonstrance of John W. Rankin against its passage, which was presented by Mr. Guthrie, was referred to the committee of religion.

Mr. Wingate, from the same committee, made the following report, viz:
The committee of religion, to whom was referred the petition of Ann C. Riggs, have had the same under consideration, and beg leave to make the following report:
Resolved, That said petition ought to be rejected.
Which resolution was twice read; and the question being taken on concurring therein, it was decided in the negative; and the committee of religion was directed to prepare and bring in a bill pursuant to the prayer of the said petition.

Mr. Metcalfe, from the committee of internal improvements, to whom was referred a bill from the House of Representatives, entitled an act to repeal the law declaring Eagle creek a navigable stream from Sanders' lower mills to its mouth, approved January 16th, 1829, reported the same, with the opinion of the committee that it ought to pass.
On the motion of Mr. Wingate, the said bill was laid on the table.

Mr. Metcalfe, from the same committee, to whom was referred a bill from the House of Representatives, entitled an act to appropriate vacant lands in the county of Muhlenburg to build a bridge across Pond river, reported the same with amendments, which were 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. Metcalfe, from the same committee, to whom was referred a bill from the House of Representatives, entitled, an act to repeal in part an act, entitled an act for building a bridge across Main Licking at Claysville, reported the same without amendment. 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. Metcalfe, from the same committee, to whom was referred a bill from the House of Representatives, entitled an act to incorporate a company to make a road through Lebanon, Greensburgh, Glasgow and Scottville, to the State line, in a direction to Nashville, reported the same, with the opinion of the committee that it ought to pass.

*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 said bill, as amended, do pass, and that the title be amended by striking out "Nashville," and inserting in lieu thereof "Gallatin."

Mr. Metcalfe, from the same committee, to whom was referred a bill to incorporate a company to turnpike a road from Nicholasville to Perryville, by way of Shakertown and Harrodsburg, reported the same, with the opinion of the committee that it ought to pass; and it 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 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 finance, to whom was referred a bill from the House of Representatives, entitled an act to prevent pedlars from retailing certain wares without licenses, reported the same with amendments, which were concurred in.

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

Mr. Taylor, from the same committee, to whom was referred a bill from the House of Representatives, entitled an act for the benefit of Daniel Smith, 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 dispensed with, 
Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Mr. Roberts from the committee of education, to whom was referred a resolution from the House of Representatives, to furnish Mann Butler with certain documents, reported the same, with the opinion of the committee that it ought to be adopted.

The said resolution was adopted.

Mr. Roberts, from the same committee to whom was referred a bill from the House of Representatives, entitled an act incorporating the Green River Female Academy, 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 said bill having been dispensed with,
Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Mr. Roberts, from the same committee, reported a bill to change the name of the Princeton Seminary, and increase the number of trustees.

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. Daviess, from the committee to whom was referred a bill to amend an act, entitled an act for the improvement of the road from Franklin county to Crab Orchard, in Lincoln county, reported the same with an amendment, which was concurred in.

Ordered, That 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. Boyd, from the committee to whom was referred a bill from the House of Representatives, entitled an act to establish an election precinct in Shelby county, 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 dispensed with,
Resolved, That the said bill 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 allowing an additional justice of the peace and two constables to the county of Owen, and for other purposes, reported the same with an amendment, which was concurred in; and the said bill 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 said bill, as amended, do pass, and that the title be amended to read, "an act allowing additional constables to certain counties."

Mr. Smith, from the committee to whom was referred a bill to amend the penal laws of this Commonwealth, and the better to secure and guard the right of suffrage and freedom of elections therein, reported the same with an amendment, as a substitute for the bill.

The said bill is as follows, viz:

Sec. 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That if any sheriff, deputy sheriff, or other officer, whose duty it shall be by law to attend at any time and place prescribed by law, for the faithful comparison of the polls given at any election held within this Commonwealth, under and by authority of law, for the election, by the people, of a member of Congress, Governor or Lieutenant Governor of the State, members of either branch of the State Legislature, electors of President and Vice-President, or for any other officer or officers, whose election is prescribed or authorized by law, shall wilfully and fraudulently fail to attend the time and place fixed by law for the meeting of the sheriffs for such purpose, with intent to defeat such election, and to prevent the computation of the votes given by the people in his county, town, city, precinct or district; or if he shall, with like intent and purpose, fraudulently withhold his poll-books, and refuse to permit a count and comparison of the same, according to the requirements of the law, he shall be adjudged guilty of felony, and upon conviction thereof, before any court having jurisdiction of the offence, shall undergo a confinement at hard labor in the penitentiary of this State, for a term not less than two, nor exceeding six years; and moreover, shall forever be disqualified from voting at any election within this Commonwealth.

Sec. 2. Be it further enacted, That if any person shall counsel, advise, aid or assist, the sheriff, deputy sheriff or other officer, to commit either of the offences, declared and prescribed in the first section of this act, he shall, in like manner, be adjudged guilty of a felony; and upon
conviction thereof, before any court having jurisdiction of the same, shall suffer and undergo the same punishment and disability as are prescribed in the first section of this act.

Sec. 3. Be it further enacted, That it shall not be lawful for the judges, clerks or sheriffs, whose duty it shall be to hold any election by the people of this Commonwealth, for any officer thereof, or for a member of Congress, to take or receive the vote of any person at any other time or place than that fixed by the constitution and laws of this State. And the judges, clerks and sheriff, who shall be guilty of violating the provisions of this act, shall be judged guilty of misdemeanor, and shall severally pay for each offence the sum of one hundred dollars, to be recovered by presentment of a grand jury in the circuit court of the county where the offence shall have been committed.

Sec. 4. Be it further enacted, That when, for any good cause, in the opinion of the officers appointed to hold such election, the same cannot be held at the house appointed by law, or the owner of such house will not permit it to be done, the judges and sheriff shall publicly proclaim the same on the morning of the first day of such election, and to proceed to the place nearest to that fixed by law, and most convenient, and there hold said election. And it shall be the duty of the judges and sheriff to proclaim, on the day and at the time aforesaid, the place to which they adjourn to hold said election.

The said amendment is as follows, viz:

Sec. 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That if any sheriff, deputy sheriff or other officer, whose duty it shall be by law to attend at any time and place prescribed by law, for the faithful comparison of the polls of votes given at any election held in this Commonwealth, under and by authority of law, for the election, by the people, of a member of Congress, Governor or Lieutenant Governor of the State, members of either branch of the State Legislature, electors of President and Vice-President, or for any other officer or officers, whose election is prescribed or authorized by law, shall willfully and fraudently fail or refuse to attend at the time and place fixed by law for the meeting of the sheriffs or other officers for such purpose, with intent to defeat such election, and to prevent the computation of the votes given by the people in his county, town, city, precinct or district; or if he shall, with like intent and purpose, fraudulently withhold his poll books, and refuse to permit a count and comparison of the same, according to the requirements of the law, he shall be adjudged guilty of a high misdemeanor, and upon conviction thereof,
shall be imprisoned in the jail of his county, not more than six, nor less
than three months, to be fixed by the jury before whom tried, and re-
moved from office; and shall moreover be liable to a fine of one thousand
dollars, before any court having competent jurisdiction of such sums,
by indictment of a grand jury of the county in which such offence may
have been committed, and shall, in default of the payment of such fine,
be committed to the jail of the county until it be paid; and shall like­
wise, for such offence, be disqualified from voting in this Commonwealth
for the term of five years.

Sec. 2. Be it further enacted, That if any sheriff or other officer,
whose duty it is to give to the candidates elected by the people, at any
of the elections for the offices or stations mentioned in the first section
of this act, shall fail or refuse to give a certificate of election to such
candidate, when lawfully required to do so, with a fraudulent intent to
defeat the election of such person, the sheriff or other officer, so offend­
ing, shall be liable to the same penalties imposed in the first section of
this act, for the offences therein provided for; and be liable to be proceeded
against in the same manner.

Sec. 3. Be it further enacted, That if any person shall counsel, ad­
vice, aid or assist, any sheriff, deputy sheriff or other officers, to commit
either of the offences described in the first and second sections of this
act, he shall be liable to the same pains, penalties and imprisonment,
and liable to be proceeded against in the same manner, as is provided
against sheriffs or other officers, in the first and second sections hereof.

Sec. 4. Be it further enacted, That it shall not be lawful for the
judges, clerks or sheriffs, whose duty it shall be to hold any election, by
the people of this Commonwealth, for any officer thereof, or for any
member of Congress, to take or receive the vote of any person at any
other time or place than that fixed by the constitution and laws of this
State; and the judges, clerks or sheriffs, who shall be guilty of violating
the provisions of this act, or any such judge, clerk or sheriff, who shall
 knowingly permit any person to vote at any election, who is not en­
titled to suffrage, or to vote at any time and place when and where they
are not entitled to vote, shall be guilty of a high misdemeanor, and
upon conviction thereof, by presentment or indictment of a grand jury,
and a regular trial of such indictment or presentment by a jury of the
country, shall be liable to removal from office, as sheriff or justice of
the peace, in the mode now provided by law and the constitution, and
such clerk shall be incapable ever after to act as clerk of any election
in this State; and any and all of such officers shall moreover be liable
to a fine of one thousand dollars, before any court having jurisdictiou
thereof, in like manner upon presentment or indictment, and upon fail­
ing to pay the same, shall be imprisoned until the same be paid, and to
an imprisonment in the jail of the county, not more than six, nor less
than three months, to be fixed by the jury by whom tried.

Sec. 5. Be it further enacted, That when, for any good cause, in
the opinion of the officers appointed by law to hold such election, the
same cannot be held at the house appointed by law, or the owner or
tenant of such house will not permit it to be done, the judges and sheriff
shall publicly proclaim the same on the morning of the first day of such
election, and proceed to the place nearest to that fixed by law and most
convenient, and there hold said election. And it shall be the duty of
the judges and sheriff to proclaim, on the day and at the time aforesaid,
the place to which they adjourn to hold such election.

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

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

YEAS—Messrs. Bramlette, Coffey, Daviess, Gilbert, Guthrie,
Heady, James, Lyon, McDonald, McHenry, May, Nuttall, Patter­
son, Sisk, Smith, Southgate, Willis, Wingate and Young—19.

NAYS—Mr. Speaker, Messrs. Boyd, Bush, Carter, Chinn,
Gholson, Grider, Griffith, Harrell, Lusk, Metcalfe, Morehead,
Morgan, Murrell, Roberts, Taylor and Thornton—17.

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

The rule of the Senate, constitutional provision, and third rea­
ding 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 for the
benefit of Martha Ann Harris, was read the first time, and ordered
to be read a second time.

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

On the motion of Mr. Thornton, leave was given to bring in a
bill to repeal or modify the act, approved 24th February, 1834,
entitled an act regulating the mode of settling the accounts of
executors, administrators and guardians; and the committee of
courts of justice was directed to prepare and bring in said bill.
On the motion of Mr. Grider,

Resolved, That the committee of courts of justice be instructed to bring in a bill to authorize corporations to sue and be sued by similar process, and under the same liabilities, as near as may be, as individuals now can by law in like cases.

And then the Senate adjourned.

FRIDAY, FEBRUARY 6, 1835.

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 Samuel Kimbrough.

And a bill, which originated in that House, entitled,

An act making an appropriation of land warrants to improve the road leading from Tompkinsville to Dicken's ferry on Cumberland river, in Monroe county.

Mr. Daviess presented the petition of sundry citizens of Meade county, against the formation of a new county out of a part of the counties of Hardin, Meade, Jefferson and Bullitt; and

Mr. Morgan presented the petition of Henry J. Darnall, trustee of Mary Jane Cassidy, praying that a law may pass, authorizing the sale of a tract of land in Fleming county, the property of the said Mary Jane, and that the proceeds of the sale be vested in other land, or put out at interest.

Which petitions were received; the former was referred to the committee of propositions and grievances; and the latter to the committee of courts of justice.

Mr. Guthrie, from the committee of courts of justice, to whom was referred a bill to amend an act, entitled an act to amend the law prohibiting the importation of slaves into this State, approved February 2, 1833, reported the same, with the opinion of the committee that it ought not to pass; and the said bill was placed in the orders of the day.

Mr. Guthrie, from the same committee, to whom was referred a bill to authorize justices of the peace to render judgments against constables and their securities for failing to return executions and paying over moneys collected by them; reported the same with an amendment, which was concurred in.

And the said bill 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 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 finance, to whom was referred a bill from the House of Representatives, entitled an act for the benefit of the Hopkins Academy, reported the same with amendments, which were 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 be amended to read, "an act for the benefit of the Hopkins and Union Academies."

Mr. Taylor, from the same committee, to whom was referred a bill from the House of Representatives, entitled an act for the benefit of Obed Denham, reported the same, with the opinion of the committee that it ought not to pass.

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

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. Smith in the chair.

After some time spent in committee, the Speaker resumed the chair, when Mr. Smith reported that the committee had, according to order, had under consideration the resolutions, in relation to internal improvements, reported from the committee of finance, and had made further progress therein, but not having time to go through the same, had directed him to ask leave to sit again; which leave was granted.

And then the Senate adjourned.
A message was received from the Lieutenant and Acting Governor, by Mr. Cox, Assistant Secretary of State, announcing that he did, on the 29th ultimo, approve and sign enrolled bills and resolutions, of the following titles, viz:

A resolution in relation to an Armory.
A resolution in relation to the establishment of a Military School in Kentucky.
An act to amend the charter of the city of Louisville.
An act to repeal the act establishing the lower precinct in Butler county.
An act to authorize the county court of Pulaski to have roads opened to and from certain places.
An act to establish and change certain constables' districts in the counties of Henry and Oldham.
And on the 3rd instant, enrolled bills of the following titles, viz:
An act to change the time of holding the Greenup and Lewis circuit courts.
An act to amend the law in relation to the constables in this Commonwealth.
An act to prescribe certain duties to the Secretary of State, the Treasurer and Auditor.
An act to amend the several acts concerning the town of Hopkinsville.
A message in writing was received from the Lieutenant and Acting Governor, by Mr. Cox, Assistant 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 consent, Cyrus Vanbibber, to be lieutenant colonel of the 70th regiment, vice Daniel Higgins, resigned.
James McGuire, to be major of the same, vice Cyrus Vanbibber, if promoted.
Joshua C. Towson, to be colonel of the 92d regiment, vice D. J. Roach, resigned.
Robert C. McBrayer, to be lieutenant colonel of the same, vice J. C. Towson, if promoted.
John B. Bell, to be major of the same, vice R. C. McBrayer, if promoted.
John H. Mims, to be colonel of the 84th regiment, vice James W. Leigh, deceased.
James Nickle, to be lieutenant colonel of the same, vice J. H. Mims, if promoted.

James W. Watkins, to be major of the same, vice James Nickle if promoted.

Victor Monroe, to be colonel of the 22d regiment, vice R. F. Richmond, resigned.

Lewis B. Simpson, to be lieutenant colonel of the 101st regiment, vice J. B. Hume, who had resigned his office of major before his promotion a few days since.

Wesley G. Langley to be inspector of the 11th division.

Thomas Armstrong, to be sheriff of Graves county, vice Wm. Armstrong, resigned.

Peter Everitt, to be sheriff of Montgomery county, vice Isaac Farrow, moved to the State of Illinois.

February 6th, 1835.

Resolved, That the Senate advise and consent to the said appointments.

Ordered, That Mr. Young inform the Lieutenant and Acting Governor thereof.

A message was received from the House of Representatives, announcing the passage of a bill, which originated in that House, entitled, an act to establish the Northern Bank of Kentucky.

Mr. Bramlette, 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 the heirs of Thomas Wilcoxen, deceased.

An act to amend and reduce into one the several acts concerning the town of Glasgow.

An act for the benefit of Mary Ann Parrish.

An act concerning the office of Sheriff.

An act to change the place of voting in McGee's precinct in Christian county.

An act to continue in force, and to amend the act incorporating the Maysville Insurance Company.

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 Lieutenant and Acting Governor, for his approbation and signature.

After a short time, Mr. Bramlette reported that the committee had performed that duty.
Mr. Bush presented the petition of Charles Chambers, praying that the law in relation to dower right in slaves, may be amended. And Mr. Coffey presented the petition of the heirs of James Kanady, deceased, praying that a law may pass, authorizing a sale of all the decedent's land in Casey county.

Which were received, and referred to the committee of courts of justice.

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

1. An act for the benefit of William Coy.
2. An act for the benefit of Thomas Isbell.

Reported the same, with the opinion of the committee that they ought not to pass.

The question being taken on reading the said bills a third time, it was decided in the negative, and so the said bills were disagreed to.

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

1. An act for the benefit of Martha Ann Harris.
2. An act for the benefit of John Jones; and
3. An act for the benefit of Amanda M. Rankin.

Reported the same with the opinion of the committee that they ought to pass.

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

The rule of the Senate, constitutional provision, and third reading 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.

Leave was given John M. Rankin to withdraw his remonstrance against the passage of the third bill.

Mr. Metcalf, from the committee of internal improvements, to whom was referred a bill from the House of Representatives, entitled an act for the benefit of Steele and Lamm, reported the same, with the opinion of the committee that the said bill ought to pass; and the said bill was ordered to be read a third time.

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

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

Mr. Metcalf, from the same committee, to whom was referred a bill from the House of Representatives, entitled an act to amend and reduce into one the several acts incorporating a company to
turnpike a road from Frankfort to Lexington, by way of Versailles, reported the same with an amendment, which was concurred in; and the said bill 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, 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, to-wit:

By Mr. Guthrie, from the committee of courts of justice—1. A bill to amend an act, entitled an act to establish the Louisville Medical Institute.

By Mr. Wingate, from the committee of religion—A bill for the benefit of Ann C. Riggs.

By Mr. Guthrie—3. A bill to regulate the county courts of this Commonwealth.

By Mr. Heady—4. A bill to regulate the guaging of spirituous liquors in the city of Louisville; and

By Mr. Wingate—5. A bill to incorporate the town of Frankfort.

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 third and fifth bills, having been dispensed with, they were referred to the committee of courts of justice; and the Public Printer was directed to print 150 copies of the third bill, for the use of the General Assembly.

The rule of the Senate, constitutional provision, and second and third readings of the first, second and fourth 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.

An engrossed bill, entitled an act for the benefit of Ann T. Mallary, was read the third time.

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

A bill to regulate the duties of Commonwealth’s Attorneys, and for other purposes, was read the 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 from the House of Representatives, entitled, an act regulating the fines and forfeitures of Marion 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, 

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 county courts to increase the pay to patrollers in Woodford, Henry and Oldham counties, 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 several acts to suppress the practice of duelling, was read the second time. 

The question being taken on reading the same a third time, it was decided in the affirmative.

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

YEAS—Mr. SPEAKER, Messrs. Blackburn, Bramlette, Bush, Chinn, Coffey, Daviess, Gholson, Griffith, Guthrie, Heady, James, Lyon, McDonald, McHenry, May, Metcalfe, Murrell, Nuttall, Roberts, Sisk, Smith, Southgate and Young—24.


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, FEBRUARY 9, 1835.

A message was received from the House of Representatives, announcing the adoption of a resolution, which originated in that House, requesting the Legislature of Ohio to pass a law in relation to fugitive slaves from this State.

And the passage of a bill, entitled,

An act to change the time of holding the Livingston, Caldwell and Hickman circuit courts, and for other purposes.
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 thereof having been dispensed with,

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

On the motion of Mr. Wingate,

Resolved by the Senate, That the doorkeeper be directed to cause the stove in the lobby, to be removed to the front seat of the lobby.

Mr. James presented the petition of sundry citizens of the town of Paducah, praying that the bounds of said town may be extended; which was received, and referred to the committee of courts of justice.

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

On the motion of Mr. Guthrie—1. A bill to establish the county of Geiger.

On the motion of Mr. Griffith—2. A bill authorizing Hancock county court to contract for the location of her seminary lands.

On the motion of Mr. McDonald—3. A bill to allow some additional ground to be attached to the town of Maxville, in Washington county.

On the motion of Mr. Carter—4. A bill to repeal the road law as it now exists in the county of Greenup, and to revive the old law upon that subject; and

5. A bill to allow the trustees of the Greenupspurg seminary to dispose of the building heretofore erected, and to invest the funds arising from said sale in a building, for the same purpose, in the town of Greensburg.

Messrs. Guthrie, Heady and Willis, were appointed a committee to prepare and bring in the first; Messrs. Griffith, Harrell and James, the second; Messrs. McDonald, James and Boyd, the third; Messrs. Carter, Young and McDonald, the fourth; and the committee of education was directed to prepare and bring in the fifth.

A bill from the House of Representatives, entitled an act to repeal the law declaring Eagle Creek a navigable stream from Sanders' lower mills to its mouth, approved January 16th, 1829, was taken up, 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.

On the motion of Mr. Metcalfe, the vote was re-considered by which a bill from the House of Representatives, entitled an act for the benefit of Amanda M. Rankin, was ordered to be read a third time.
The said bill was again 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.

Mr. McDonald, from the committee appointed for that purpose, reported a bill to establish an election precinct in the north part of Washington 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.

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. Smith in the chair.

Aftersome time spent in committee, the Speaker resumed the chair, when Mr. Smith reported that the committee had, according to order, had under consideration the resolutions, in relation to internal improvements, reported from the committee of finance, and had made further progress therein, but not having time to go through the same, had directed him to ask leave to sit again; which leave was granted.

And then the Senate adjourned.

TUESDAY, FEBRUARY 10, 1835.

A message was received from the House of Representatives, announcing their concurrence in the amendments proposed by the Senate to bills, which originated in that House, of the following titles, to-wit:

An act to amend and reduce into one the several acts incorporating a company to turnpike a road from Frankfort to Lexington, by way of Versailles.

An act to incorporate a company to make a turnpike road through Lebanon, Greensburg, Glasgow and Scottville, to Nashville.

An act allowing an additional justice of the peace and two constables to the county of Owen, and for other purposes.

An act to appropriate vacant lands in the county of Muhlenburg, to build a bridge across Pond river.
An act to repeal in part an act, entitled an act for building a bridge across Main Licking at Claysville.

An act to amend an act entitled an act to enlarge the boundaries of Georgetown, and for other purposes, approved February 22d, 1834.

An act for the benefit of the Hopkins Academy.

An act authorizing the county court of Graves county, to convey to John Anderson and Matthias Travis, one quarter section of land each, for their services in locating the seminary land of said county.

An act for the benefit of the Free School in Crab Orchard.

That they had passed a bill, which originated in the Senate, entitled,

An act to establish a State road from the mouth of Salt river to the Ohio river, opposite to Shawneetown, so as to pass through the towns of Plain Dealing, Harrodsburg, Knottsville, Owenboro' and Morganfield.

And that they had passed bills, which originated in that House, of the following titles, viz:

An act for the benefit of the heirs of James Monks, deceased.
An act for the benefit of James Fleming's heirs.
An act for the benefit of John and Susan Dye, and their children.
An act for the benefit of Nancy Bosley and her children.
An act for the benefit of Elizabeth Logan and her children, devisees of George Gill, deceased.
An act for the benefit of Cardwell Breathitt's children.
An act for the benefit of Thomas P. Burnett.
An act for the benefit of William Edmondson's heirs.
An act to establish a State road from Hardinsburg to Owenboro', through Cloverport, Hawesville and Yelvington.

Mr. Chinn presented the petition of the trustees of the first Presbyterian Church of Lexington, praying for the passage of a law, authorizing the sale of a part of the real estate belonging to said church, in order to improve and add to their present house of worship; and

Mr. Guthrie presented the petition of Shelton Morris, praying for the passage of a law, allowing the children and devisees of Richard Morris, deceased, to inherit from each other, and take the estate of the said Richard.

Which petitions were received, and referred to the committee of courts of justice.
Mr. Grider presented an additional report of the commissioners for the improvement of Green river, which is as follows, viz:

BOWLINGGREEN, KY. OCT. 18, 1834.

His Excellency, James T. Morehead, Gov. of Kentucky:

Dear Sir,—On Monday, the 5th day of October, (present,) contracts for the completion of lock and dam, No. 2, and for the construction of lock and dam, No. 1, in the Green River navigation, were entered into by the commissioners on behalf of the state, and by Messrs. John R. and S. S. Henry, and Joseph Barbor, for the first,—and Messrs. McRery, Fleming, and Tombe for No. 2. Henry & Co. from the Muscle Shoals works, on the Tennessee river, and McRery & Co. from the Tusquehanna works, Pennsylvania. The works were let on terms considerably more advantageous than to James Glenn.

The contract with James Glenn was made subsequent to the act appropriating $20,000, for the removal of obstructions at the falls of Green River, and preceding the act making the appropriation (additional) of $50,000, and also sanctioning the plan recommended by Messrs. Lacocke & Stealy for the general improvement of the river.

At this juncture it was deemed expedient by the commissioners to make their contracts with Mr. Glenn, first in strict conformity with the law promising $25,000 for the removal of obstructions at Vienna Falls, and secondly to embrace a work at Vienna which would form a link in the general chain recommended by the Engineers which we doubted not would be approved by the legislature. Mr. Glenn agreed to build a dam and wooden lock of 8 feet lift at Vienna Falls for $25,000, or a cut stone lock and wooden crib dam, according to the best Pennsylvania or New York models, for such terms as would amount to about $41,000; the lift of this lock was to be 12 feet, which was deemed sufficient to overcome both Vienna and Hogg's Falls, and throw a considerable additional depth of water upon Nun's ripple.

The legislature, by the appropriation of $50,000, afforded ample means to finish lock No. 2, and also a sufficient surplus to put lock No. 1, under contract. By this act the board considered the general improvements of the river determined upon.

In public works of this kind the most important improvements may be made on the plans of the most efficient and experienced projector, as the work progresses; and provision was accordingly made in the contract with Mr. Glenn for any future alteration which the interest of the state might demand.

To overcome Vienna and Hogg's Falls, and aid the passage of Nun's ripple was the object of the lock of 12 feet lift. Upon a review of the whole improvements of Green River, it became the duty of the board of commissioners, as they conceived, to increase
the lift of both the lower works to fourteen and half feet each. First, because 29 feet lift was necessary at these two dams to enable the board to locate lock, No. 3, near enough to the mouth of Muddy River to secure to that stream an advantage equal to the whole lift of the dam. Secondly, apart from the improvement of Muddy River, of the importance of which your Excellency is fully apprised—Barren River stood in the same attitude of Muddy, and was to be improved by dam, No. 4, exactly in proportion to its distance from, or proximity to, the mouth of that stream; and in this circumstance the board found an additional reason for placing No. 3, as high up the river as practicable; rock bottoms and excellent banks were to be found at several points immediately below the mouths of Barren and Muddy—by no means unimportant considerations.

By this arrangement three locks of fourteen and a half feet lift each, will produce an elevation of forty-three and a half feet, and allowing six and a half feet for the necessary descent of the surface of the water, we have 49 feet, the entire fall of Green River from the mouth of Barren.

Dam, No. 3, overcomes an equal extent of fall in Muddy River as in Green River; and dam, No. 4, also accomplishes a double work in the improvement of Green and Barren, leaving only one work necessary in the latter to make the navigation complete from the Ohio River to Bowling green.

By increasing the lift of work, No. 2, and requiring the contractor to lay a floor of heavy timbers in the lock-pit, the amount of Mr. Glenn's contract would have been swelled to about fifty-one thousand dollars.

Locks, Nos. 1 and 2, at the increased lift and including the timber floor, have been let at prices which will amount to about forty-eight thousand dollars each. Had not so much sickness prevailed, it is probable a further reduction might have taken place. Nine bids were received for the upper work, and seven for the lower; and the competition was of course sufficient to guard the interest of the state.

It is proper here to state, that the dams at Nos. 3 and 4, will be a third shorter than the two first. Stone, gravel, lime and sand, much more convenient timber about the same, being abundant everywhere on Green River.

The contractors for the outlet lock are apprized that a small amount of money only is yet appropriated for that work; and should any unfortunate circumstance prevent an appropriation, the state will incur no further liabilities than the amount now appropriated. The company will progress in preparation of materials, and cannot expend more than what is already appropriated before the approaching session of the legislature. The upper company have already commenced their operations, and are required to al-
low out of the amount of their bid the cost of all materials prepared and work done by James Glenn, dec'd. at the estimate of the Engineer.

A report of the financial affairs of the board of commissioners will be submitted at an early period of the session of the legislature—in the mean time, for the information of your Excellency, I will submit the following outline:

Cost of works, Nos. 1 and 2, as per bids, - - $96,000
Pay of Messrs. Lacock and Stealy, say - 600
" W. B. Foster, Engineer, 2 years, - 2,000
" An assistant, which will be necessary, - 800
Paid expenses of clearing snags from pool, No. 2, - 375
" Instruments, - - 300
" Expenses of clearing snags from pool, No. 1, - 375
Excavation of channel below No. 2, say - 2,000
For travelling expenses of commissioners—for printing, and Roman cement, - 1,000

$103,450

Appropriation, $20,000—less exchange, $19,000
Ditto, - - - - 50,000
69,000

Balance necessary to finish No. 1 and 2, - - $34,450

If the legislature desire only to appropriate money for the completion of works No. 1 and 2, an addition of three or four thousand dollars ought to be made to the above estimate for possible contingencies. If it should not be needed it will not be drawn.

If the legislature intend, which we cannot doubt, to carry this great work forward, to completion, we cannot too earnestly urge the policy of putting the whole river under contract as far as Bowlinggreen.

The amount necessary to accomplish the three upper locks will be nearly as follows:

The cost of No. 3, - - - - $45,000
" No. 4, - - 40,000
No. 1, in Barren River, - - 35,000
Contingent expenses, - - 5,000

$125,000

One half of this money would be required at the next session, the balance at the sessions of 1835-6.

After the delay of advertising and letting, time only would be allowed in the year 1835 to prepare materials, which might however be amply provided, and by this advantageous start, an early
completion, say in October, 1836, might be rendered certain of the whole river to Bowlinggreen. At this point, a considerable and increasing commerce, would produce to the state an immediate revenue, in tolls upon its imports and exports passing through this important avenue. This revenue, tho' small at first, will gradually restore to the state the money expended; and is destined, at no very distant period, to furnish the means for other important works of improvement, or otherwise increase the funds of the state. But, above all other considerations, are the lasting benefits, in a commercial point of view, which will be conferred on an extensive and fertile section of country.

As soon as leisure from official duties will permit, Mr. Foster will make a survey of Green River, from the mouth of Big Barren to the mouth of Little Barren, when it is hoped that the board will be able to make the most satisfactory report, in relation to this branch of the improvement.

It is certain that it contains a superabundant volume of water for filling locks up to that point, and perhaps higher; and that timber, stone, gravel, sand and lime are even more abundant than below. The character of the banks and bottoms, and the extent of fall only remains to be explored.

With sentiments of the highest respect,
I am yours, &c.

JAS. R. SKILES, President,
Board of Green River Commissioners.

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

Mr. Metcalfe, from the committee of internal improvements, to whom was referred a bill from the House of Representatives, entitled an act for the benefit of the Winchester and Lexington turnpike road company, reported the same, with the opinion of the committee that it ought to pass. The said bill was referred to the committee of the whole house on the state of the Commonwealth.

Mr. Metcalfe, from the same committee, to whom was referred the memorial of Lewis Grigsby, made the following report, viz:

The committee on internal improvements, to whom was referred the memorial of Lewis Grigsby, report:

That in consequence of the allegations contained in the memorial, and the inferences drawn from the same by the memorialist, a gentleman of fair unblemished character, the committee considered it their duty to institute a minute and particular inquiry into the transaction, to which the memorial refers. With that object in view, the committee caused to be brought before them persons and papers, as suggested by the parties respectively. After a full and deliberate investigation of the premises, the committee have determined to submit to the Senate the result of their inquiries.
As it respects the location of the road, the committee would remark, that in running from Lexington, and making the old road the basis of the turnpike, until it reaches a point at the forks of said road near Chiles' tavern, all the parties concerned appear to be well satisfied. From this point there are two roads, each diverging considerably from a direct line to Winchester, one of which is generally called the Strodes' road—the other, the Colbyville road. The directory declined the selection of a direct route, believing that the right of way upon a line so extended, running through the farms of so many citizens, might, in the way of damages, cost the company so much as thereby to interpose a serious obstacle to the progress of the work. The question then to be decided was, whether the Colbyville or Strodes' road should be made the basis of the turnpike. The Strodes' road has been selected. The distance on this line is less by fifty-six poles than the distance on the other line, and according to the estimates of the engineer, the cost for construction will be less by nearly five hundred dollars.

The residences of the directors are, as stated by the memorialist, immediately adjacent to the present location. A part of them, however, reside on that end of the road next to Lexington, in the location of which there was no difference of opinion, and consequently the directors, so situated, could not have been influenced to give their votes in favor of the Strodes' road by any undue anxiety to have the road near their farms. This, it seems, had been determined on by general consent, and here the road would remain, no matter on which of the contested lines it might be run from the forks of the road to Winchester. It is true, that some of the directors reside on the Strodes' road; and consequently the turnpike, as it is now located, runs immediately by their farms. How far considerations of this character may have influenced the votes of this portion of the directors, the committee cannot pretend to determine. If a desire on the part of any one or more of them to have the road located contiguous to their farms, has had any undue influence in giving it that direction, the committee are of opinion, that the same influence must, in the first place, have had the effect to satisfy their minds of the entire propriety and righteousness of that location in a public point of view; for this is a point about which there may, and does exist a difference of opinion, among those who are not so interested. There being no standard by which to demonstrate the advantages and disadvantages of the rival routes, it is not to be expected, that a number of individuals, in a region where there is but little experience on such subjects, however disinterested and honest they may be, will at once agree as to the line best calculated to promote the public good. Besides, we know, that individual convenience and accommodation are the most powerful inducements to take stock in such works of improvement—a feeling by no means to be censured—a feeling which, if it be restricted within its proper limits, deserves the applause and approbation of the public.

On this head, it is gratifying to the committee, to report, that the president and directors are all of them gentlemen of unsullied reputation; and that nothing has transpired during this investigation, in the slightest degree, to detract from the pure and elevated stand, which they respectively occupy in society.

It appears that the stockholders in the town of Winchester were nearly all of them, in the first instance, decidedly in favor of the Colbyville line, believing that it would yield a better interest to the stockholders, and subserve, in a more eminent degree, the interest of the public. But many of those stockholders have since, to some extent, become reconciled to the present location, lest by an attempt to change and run on the line of their first preference, the progress of the work might, in some way, be defeated. On the one hand it is urged, that it would not now be fair or just to leave the Strodes' road, because a part of the stockholders reside there, and a part of those stockholders
subscribed conditionally, upon the location of the road on that line. On the other hand it is urged, that a subscription can be had on the Colbyville line, at least equal to that which has been obtained conditionally or otherwise, along the Strodes' road between Chiles' and Winchester, and that by permitting those who might, in the event of a change be equitably entitled to withdraw their stock subscription, to do so, the amount so withdrawn would be fully made up by those who are in favor of the Colbyville line.

There is not entire unanimity among the witnesses as to the comparative advantages and disadvantages likely to result to the public and the stockholders, from the location of the turnpike upon the one or the other of those lines. It is the opinion, however, of much the greatest number of them, that the stock would have yielded an interest of from twenty, fifty, to an hundred per cent more, had the location been made on the Colbyville line; and of course, that the public interest would have been promoted in an equal ratio. But this again is a mere matter of opinion: an opinion, however, based upon such facts and reasoning, that the committee cannot resist its truth, at least to a considerable extent. To ascertain with entire precision the increased per centum on the stock, or the increased advantages to the public in other respects from a change of location, is impossible. But from all the evidence in the case, the committee think they hazard nothing in the assertion, that the value of the stock would be greatly enhanced, and the public good consulted, by changing the location of the turnpike from the Strodes' road to the Colbyville line. The line last mentioned approaches the Kentucky river, so that the point at Colbyville is within five miles of it. The timber, coal and other articles of commerce, would, in a short time, be obtained from the river by the citizens of Winchester and its vicinity, on much better terms than otherwise could be expected. Besides, it is believed that no part of the Colbyville road will be closed, and that during much the greater part of the year, it will be more used than the other.

The reverse of this proposition cannot hold true to any considerable extent by a withdrawal of the turnpike from the Strodes' road between Winchester and Chilesburg, because the residue of that road from Chilesburg to Lexington, will be occupied by the turnpike, and this would probably evinced in a discontinuance of all or part of the old road from which the turnpike would be withdrawn. Whereas, by taking what is called the Todd's road from Colbyville to Lexington, an open and a good summer road runs parallel with the turnpike from Lexington to Winchester. Having said this much respecting the location of the road, the committee will proceed to notice the contract for constructing it.

A contract has been entered into with a single individual to make the whole road. Preparatory to that step, the directors did not take the usual precaution of advertising in the public prints the time and manner of letting out the various sections, so as to invite competition and insure contracts on the most reasonable terms. There were but two other bids, each for a part only of the road. If the usual practice had been followed of publishing far and wide the time and place of letting out the various sections, allowing sufficient time for examination to be made by those who might wish to undertake a competition would thereby have been elicited, such as would have put to rest the question whether an extravagant price has, or has not been agreed to be given for the work. It was a material oversight on the part of the directors, inexperienced in such matters as they were, when compared with the contractor, thus to enter into a contract; especially when it is considered, that the price agreed to be given for the work exceeded its value, according to the estimates of their engineer, by the sum of about $5000.

The committee disapprove the manner in which this contract was made, and the irregularities attending it, as set forth by the memorialist—a part of which is now sought...
to be legalized. The reason of the case and custom of the country ought to have supplied the omission of the Legislature by positive enactment to require public notice to be given of the time and place of making the contracts, and the terms of payment, with a description as to the degree of elevation, the width of the road, the grading, and the metal to be put on it.

It is a duty which the committee owe to the Commonwealth, thus frankly to submit their views respecting this part of the transaction. If a system of internal improvements is to prevail in this State, it is a matter of the first importance, that the Legislature should vigilantly guard against all such irregularities. The president and directors were acting under high responsibility, not only to the individual stockholders, but also to the Commonwealth; important interests were concerned, demanding more care and circumspection than has, in this case, been observed by a majority of the directors. But in extenuation of this error, it must be remembered that they were also stockholders; and consequently, their fidelity to the other stockholders and to the public has been equal to their fidelity to themselves. As before stated, the committee acquit the directors of all intentional wrong. They doubtless thought they were acting so as to promote the best interests of the company. But an over anxiety to obtain a sufficient individual subscription, to enable them to secure the whole amount of subscription on the part of the State, and to close at once what they considered a good bargain, no doubt prompted this hasty and irregular action.

It may now be too late to test the question, whether the road could be let out on the one or the other of the rival lines, on terms more favorable than it has been let to this enterprising contractor. He might claim, and would probably be entitled to damages. Under other circumstances, the committee would not hesitate to recommend to the members of the Legislature, as the guardians of the public stock and of the public interest, to insist upon re-letting the road, and a change of location to the Colbyville line, on the condition herein before intimated, viz: provided an equal amount of stock could be obtained in favor of that line, to the amount which might, upon equitable principles, be withdrawn by those residing on the other line between Chilesburg and Winchester.

The foregoing views are founded upon the presumption, that an understanding exists between the contracting parties, that the turnpike is to run into Winchester, along the Strades' road as its basis. This indeed is one of the grounds of complaint in the memorial, and was admitted, as the committee understood, by the directors. But on examining the article of agreement between the parties, no specification is to be found as to the location of the road, except it be the beginning and the termination, which it is understood would be the same on either line. If therefore the directors have the right, under the contract, to turnpike the Colbyville line instead of the other, the committee would recommend to the Senate, to insist on that location. The contractor is well known to a part of the committee. He is a gentleman of good character, and as public spirited as he is enterprising. He would doubtless yield as much to the known wishes of the Legislature, especially, if a concurrent desire should be intimated to him by the directors, as could be expected from any individual similarly situated. With his consent, a change in the location could be effected, which, in the opinion of the committee, would be of material benefit to the public and to the stockholders.

On the motion of Mr. Metcalfe, the said report was laid on the table.
Mr. Bramlette, from the joint committee of enrollments, reported that the committee had examined an enrolled bill, entitled,
An act to incorporate Van Doren's College for Young Ladies. And had found the same truly enrolled; and that 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 presented to the Lieutenant and Acting Governor, for his approbation and signature.
After a short time, Mr. Bramlette reported that the committee had performed that duty.
The following bills were reported from the several committees appointed to prepare and bring in the same, viz.
By Mr. Guthrie, from the committee of courts of justice—1. A bill to allow further time for the independent banks to close their concerns.
By Mr. Metcalfe, from the committee of internal improvements—2. A bill to amend the several laws in relation to working on roads.
By Mr. Guthrie—3. A bill to establish the county of Geiger; and
By Mr. Murrell—4. A bill to amend an act, approved 22d February, 1834, authorizing the construction of a bridge across Big Barren river.
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 second, third and fourth bills, having been dispensed with, the third was referred to the committee of propositions and grievances; the fourth, to the committee of internal improvements; and the Public Printer was directed to print one hundred and fifty copies of the second bill for the use of the General Assembly.
On the motion of Mr. Willis,
Ordered, That the Public Printer print, for the use of the General Assembly, one hundred and fifty copies of a bill from the House of Representatives, entitled an act to establish the Northern Bank of Kentucky.

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. Smith in the chair.
After some time spent in committee, the Speaker resumed the chair, when Mr. Smith reported that the committee had, according to order, had under consideration the resolutions, in relation to internal improvements, reported from the committee of finance, and had made some progress therein, but not having time to go through the same, had directed him to ask leave to sit again; which leave the Senate refused to grant.
And then the Senate adjourned.
Mr. Guthrie read and laid on the table the following resolution, viz:

Resolved by the Senate and House of Representatives of the Commonwealth of Kentucky, That his Excellency the Acting Governor be requested to engage the services of counsel on the part of the Commonwealth, in the trial of John U. Waring before the examining court.

The rule of the Senate having been dispensed with, the said resolution was taken up, twice read and adopted.

Mr. Guthrie, from the committee of courts of justice, reported the following bills, viz:

A bill to apply the fines and forfeitures of Bourbon county, to the lessening the county levy.

A bill for the benefit of the first Presbyterian Church in Lexington; and

A bill amending the law as to dower slaves.

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 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.

Mr. Guthrie, from the same committee, to whom was referred a bill to repeal in part an act to regulate ferries on the Tennessee river, and part of Cumberland river, reported the same, with the opinion of the committee, that it ought to pass.

Ordered, That 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. Guthrie, from the same committee, to whom was referred the petition of the heirs of James Kanady, reported the following resolution thereon, viz:

Resolved, That the said petition be rejected.

Which was concurred in.

Mr. Wingate, from the committee of religion, reported a bill for the benefit of Cordelia M. Peck; and

Mr. Roberts from the committee of education, reported a bill to dispose of the Seminary building near Greenup'sburg.
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 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.

Mr. Taylor, from the committee of finance, to whom was referred a bill from the House of Representatives, entitled an act for the benefit of the sheriffs of Madison, Henderson and Washington counties, reported the same, with the opinion of the committee that it ought to pass; and the said bill 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.

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

By Mr. McDonald—1. A bill to establish the county of McDonald.

By Mr. Heady—2. A bill to amend the laws concerning public roads.

By Mr. Carter—3. A bill to repeal the road law in Greenup county; and

By Mr. Griffith—4. A bill authorizing Hancock county court to contract for the location of her seminary lands.

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 said bills, having been dispensed with, the first was referred to the committee from whom it was reported; the second, to the committee of courts of justice; the third was ordered to be engrossed and read a third time to-morrow; and the fourth was referred to the committee of education.

On the motion of Mr. Heady, 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 for the benefit of Major King and others.

Mr. Thornton presented the petition of William H. Eades, and Julia his wife, (who is under twenty-one years of age,) praying that a law may pass, authorizing them to sell and convey a tract of land in Bourbon county, belonging to the said Julia.

The resolutions in relation to internal improvements, and the amendments made thereto in the committee of the whole, were taken up.
Mr. Willis moved to lay the same on the table.
And the question being taken thereon, it was decided in the affirmative.

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

YEAS—Mr. Speaker, Messrs. Blackburn, Bramlette, Bush, Chinn, Coffey, Daviess, Gholson, Gilbert, Heady, James, Lusk, McDonald, McHenry, May, Miller, Murrell, Patterson, Roberts, Sisk, Smith, Southgate, Thornton, Willis and Wingate—25.


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:

1. An act for the benefit of the heirs of Thomas Ellis.
2. An act for the benefit of the jailer of Fayette county.
3. An act to subject to county levy all slaves, that may each year hereafter be hired, or otherwise introduced into the county of Greenup.
4. An act for the benefit of David Carrier and Jacob Carrier.
5. An act for the benefit of John Hughes, jr.'s heirs.
6. An act to authorize the sale of certain real estate belonging to Zerah T. Craig, an infant.
7. An act for the benefit of the heirs of William E. King.
9. An act to change the present mode of summoning jurors in this Commonwealth, and to provide for their compensation.

And that they had concurred in a resolution from the Senate, requesting the Acting Governor to engage counsel on the part of the Commonwealth, in the trial of John U. Waring.

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

1. An act to establish the town of Concord, in Calloway county, and for other purposes.
2. An act supplementary to an act, entitled an act to improve the navigation of Nolin, approved February 22, 1834.
3. An act to extend the limits of the town of Barboursville; and
4. An act for the benefit of the sheriff of Lincoln county, and for other purposes.

Were each read the second time; the second bill was referred to a committee of Messrs. Roberts, Willis and Taylor.

Ordered, That the first, third and fourth bills, be read a third time.

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

Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.
Bills from the House of Representatives of the following titles, viz:

An act establishing the town of Ghent in Gallatin county; and
An act allowing an additional constable to Wayne county, and
for other purposes.

Were each read the third time, the latter bill as amended.
Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

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

An act for the benefit of Amanda M. Rankin.
An act to authorize the erection of a school house, in the town of Crab Orchard.
An act to repeal the law declaring Eagle creek a navigable stream from Sanders' lower mills to its mouth, approved January 16, 1829.
An act for the benefit of the Hopkins and Union Academies.
An act authorizing the county court of Graves county, to convey to John Anderson and Matthias Travis, one quarter section of land each, for their services in locating the seminary land of said county.
An act for the benefit of Martha Ann Harris.
An act for the benefit of Steele and Lamm.
An act regulating the fines and forfeitures of Marion county.
An act to authorize the county courts to increase the pay to patrollers in Woodford, Henry and Oldham counties.
An act to appropriate vacant lands in the county of Muhlenburg, to build a bridge across Pond river.
An act to repeal in part an act, entitled an act for building a bridge across Main Licking at Claysville.
An act to amend the several acts to suppress the practice of duelling.
An act for the benefit of Nancy Whelan.
An act allowing additional constables to certain counties.
An act to incorporate a company to make a turnpike road through Lebanon, Greensburg, Glasgow and Scottville, to the State line in a direction to Gallatin.
An act for the benefit of John Jones.
An act to amend an act entitled an act to enlarge the boundaries of Georgetown, and for other purposes, approved Feb. 22, 1834; and

A resolution requesting the Acting Governor to engage counsel on the part of the Commonwealth, in the trial of John U. Waring.

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 they were delivered to the committee, to be presented to the Lieutenant and Acting Governor, for his approbation and signature. After a short time, Mr. Bramlette reported that the committee had performed that duty.

A bill for the benefit of the devisees of John Aldridge, deceased, was read the 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.

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

An act to allow an additional justice of the peace to the county of Meade.

An act to establish an inspection of tobacco and other articles of commerce, in the town of Paducah.

An act to allow additional justices to the county of McCracken, and for other purposes; and

An act to authorize the trustees of the town of Russellville to levy money for Macadamizing the streets in said town, 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 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.

Engrossed bills of the following titles, viz:

An act to amend an act, entitled an act to compel the speedy adjustment of land claims, approved February 9th, 1809; and

An act allowing further time to redeem land stricken off to the State for the non-payment of taxes, and providing for the sale of all land not redeemed in time.

Were each read the third time. Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

An engrossed bill, entitled an act to establish the Louisville Chancery Court, was read the third time, and amended by way of engrossed rider.

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

YEAS—Mr. Speaker, Messrs. Blackburn, Bramlette, Bush, Carter, Chinn, Daviess, Gholson, Grider, Griffith, Guthrie, McDonald, Metcalfe, Miller, Morehead, Morgan, Murrell, Nuttall, Patterson, Roberts, Southgate, Thornton, Willis and Wingate—24.


Resolved, That the title of the said bill be as aforesaid.
A bill from the House of Representatives, entitled an act to add an additional justice of the peace for Floyd and Pike counties, 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 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 amended by adding thereto, “and for other purposes.”

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

1. An act for the benefit of Thomas P. Burnett.
2. An act to reduce the number of justices of the peace in Whitley county.
3. An act for the benefit of Clarinda Rose.

W ere 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 and third were referred to the committee of religion, and the second, to the committee of courts of justice.

An engrossed bill, entitled an act to prohibit the circulation within this Commonwealth of bank notes of a less denomination than five dollars, was read the third time.

Mr. James moved to pass the said bill over in the orders of the day.
And the question being taken thereon, it was decided in the negative.

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

YEAS—Mr. Speaker, Messrs. Bush, Carter, Chinn, Coffey, Daviess, Gholson, James, McDonald, McHenry, May, Metcalfe, Roberts, Smith, Southgate, Thornton and Willis—17.
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Mr. Smith then moved to refer 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. Southgate and Murrell, were as follows, viz:


NAYS—Mr. Speaker, Messrs. Blackburn, Bramlette, Gilbert, Grider, Guthrie, Harrell, Heady, Lusk, Metcalf, Miller, Morehead, Morgan, Murrell, Taylor and Thornton—16.

Messrs. Smith, Willis and Southgate, were appointed the said committee.

And then the Senate adjourned.

THURSDAY, FEBRUARY 12, 1835.

1. Mr. Boyd presented the petition of sundry citizens of Shelby county, praying that an additional justice of the peace and constable may be allowed to said county.

2. Mr. Guthrie presented the petition of Jane Day, asking that a law may pass, authorizing the sale of a portion of the real estate of her grand daughter Mary Selena Cirode, situate in the city of Louisville; and also,

3. The petition of the devisees of James Frances Moore, deceased, praying that a law may pass, authorizing a sale of the real estate of the deceased.

Which petitions were severally received; the first was referred to a committee of Messrs. Boyd, Griffith and Heady; and the second and third, to the committee of courts of justice.

A message was received from the House of Representatives, announcing their disagreement to a bill from the Senate, entitled,

An act to authorize the trustees of the town of Versailles to sell part of a street in said town.

And that they had passed a bill from the Senate, entitled,

An act to amend the charter of the Bardstown and Louisville Turnpike Company.
And bills, and a resolution, which originated in that House, of the following titles, viz:

An act for the benefit of William Clark Twyman.
An act allowing an additional constable to Woodford county, and for other purposes.
An act to repeal an act, entitled an act to organize a Fire Company in the town of Nicholasville, approved Nov. 26, 1831.
An act to repeal the act declaring Rockcastle Creek navigable.
An act to enlarge the bounds of the town of Crab Orchard.
An act to appropriate the fines and forfeitures in Livingston, Mason and Cumberland counties, to the reduction of the levies of said counties.
An act to amend an act, entitled an act establishing a fire company in the town of Bowlinggreen, and for other purposes.
An act to change the place of voting in the Sharpsburg precinct in Bath county.
An act to authorize Granville Bowman to erect a gate across a certain road in Cumberland county.
An act appropriating six thousand acres of land warrants west of Tennessee river, for the erection of a bridge across Pitman's creek below Barnett's mill in Green county, where the road crosses from Greensburg to Louisville.
An act to regulate the appointment of jailers of this Commonwealth, and for other purposes.
An act for the benefit of Shannon Reed and wife; and
A resolution proposing a memorial to the Legislature of Louisiana, for a modification of the inspection laws of that State.

Mr. Guthrie, from the committee of courts of justice, reported the following bills, viz:

A bill to amend an act, entitled an act to incorporate the Franklin Insurance Company; and
A bill for the benefit of Shelton Morris and others.

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, and second and third readings of the second bill having been dispensed with, the first was referred to the committee of courts of justice.

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

Mr. Metcalfe, from the committee of internal improvements, to whom was referred a bill to amend an act, approved 22d February, 1834, authorizing the construction of a bridge across Big Barren river, 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. Taylor, from the committee of finance, to whom was referred a bill from the House of Representatives, entitled an act to reduce the price of the public lands west of the Tennessee river, and for other purposes, reported the same with amendments.

The first amendment proposes to strike out the first section of the bill, after the enacting clause.

The said section is as follows, viz:

Sec. 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That from and after the passage of this act, the price of the vacant and unentered public lands west of Tennessee river, shall be, and the same are hereby reduced to the sum of twelve and one half cents per acre, at which price the said vacant lands may be entered with the receiver of public moneys as heretofore.

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. Willis and Smith, were as follows, viz:

YEAS—Mr. SPEAKER, Messrs. Grider, Lusk, Miller, Murrell, Patterson, Roberts, Smith, Taylor, Thornton and Young—11.


The other amendment, reported by the committee, was 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. Grider, from the committee of finance, to whom was referred a bill to amend the law establishing a turnpike road from Louisville, in the direction to Nashville, by way of Elizabethtown, Munfordsville and Bowlinggreen, reported the same with an amendment, which was concurred in, and the said bill 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 dispensed with, and the same being engrossed,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.
Mr. Roberts from the committee of education, to whom was referred a bill authorizing Hancock county court to contract for the location of her Seminary lands, reported the same without amendment.

Ordered, That 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. McDonald, from the committee appointed for that purpose, reported a bill to allow some additional ground to be attached to the town of Maxville, in Washington 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.

On the motion of Mr. Roberts,

Resolved, That the committee of courts of justice be, and they are hereby instructed to inquire into the propriety and expediency of repealing all laws and parts of laws, establishing the General Court of this Commonwealth, and report to the Senate the result of their inquiries by bill or otherwise.

On the motion of Mr. Chinn, the committee of the whole house on the state of the Commonwealth, was discharged from the further consideration of a bill from the House of Representatives, entitled an act for the benefit of the Winchester and Lexington Turnpike Road Company.

On the motion of Mr. Daviess, the last vote was reconsidered; when Mr. Chinn withdrew his motion to discharge the said committee.

On the motion of Mr. Carter, leave was given to bring in a bill for the benefit of Thomas Mitchell, jailer of Lewis county; and Messrs. Carter, Daviess and Roberts, were appointed a committee to prepare and bring in the same.

An engrossed bill, entitled an act for the benefit of forms covert and their heirs, was read the third time.

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

A bill to prevent the entry of military lands west of the Tennessee river, was read the second time, and ordered to be engrossed and read a third time to-morrow.

A bill to establish the Farmers' and Mechanics' Bank of Kentucky, the principal Bank to be located on the north side of the Kentucky river, was taken up in the orders of the day.
Mr. Guthrie moved to lay the said bill on the table, until the first day of June next.

Mr. Willis then moved to lay the said bill on the table.

The Speaker decided that the motion of Mr. Willis had precedence, and that the question thereon should be first put.

Mr. Guthrie appealed from the decision of the chair.

The question being taken, "is the decision of the chair correct," it was decided in the affirmative.

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

YEAS—Mr. Speaker, Messrs. Bramlette, Bush, Carter, Chinn, Coffey, Daviess, James, Lusk, McDonald, McHenry, May, Metcalfe, Miller, Morgan, Patterson, Roberts, Smith, Southgate, Taylor, Thornton, Willis and Wingate—23.


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

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

An act to allow additional justices of the peace and constables to certain counties; and
An act making an appropriation of land warrants to improve the road leading from Tompkinsville to Dicken's ferry on Cumberland river, in Monroe county.
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 bill from the House of Representatives, entitled an act for the benefit of Obed Denham, was read the third time.

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:

1. An act to sell the real estate of Samuel May, deceased, to pay the debts, and for other purposes.
2. An act to authorize the sale of the real estate of Jesse M. Coffey and Tho. H. Coffey, deceased; and
3. An act for the benefit of the administrator and heir of Robert S. Young, deceased.
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 courts of justice.

A bill from the House of Representatives, entitled an act to establish the Northern Bank of Kentucky, was read the first time, and ordered to be read the second time.

And then the Senate adjourned.

FRIDAY, FEBRUARY 13, 1835.

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

An act regulating the public roads and highways in Bracken county.

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

An act to change the time of holding the Russell county court.

An act to repeal the sixth section of an act further to regulate the Wilderness and Turnpike Road, approved Feb. 22, 1834; and

A resolution fixing on a day for the election of Public Officers.

And that they had received official information, that the Lieutenant and Acting Governor, had approved and signed enrolled bills and resolutions of the following titles, viz:

An act for the benefit of the sheriffs of Pulaski and Garrard counties.

An act for the benefit of the Glasgow Academy.

An act to legalize the proceedings, and to extend the powers of the trustees of Elizabethtown, in the county of Hardin.

Approved 13th Jan. 1835.

An act to authorize the clerk of the county court of Boone, to record certain deeds.

An act for the benefit of constables.

An act allowing additional justices of the peace and constables, to certain counties.

Approved 16th Jan. 1835.

An act to repeal in part, and to amend in part an act, entitled an act, to incorporate a company to establish a turnpike road from the city of Louisville, by the way of the mouth of Salt river, Elizabethtown, Munjordsville and Bowlinggreen, to the State line, in a direction to Nashville.
An act to establish a mechanic's institute in the city of Louisville.
An act establishing an election precinct in Russell county, and to change the place of voting in a precinct in Green county.
An act to establish an election precinct in the county of Meade.
An act to authorize the insertion of advertisements in the Kentucky Whig and Flemingsburg Advertiser, and the Baptist Banner and Journal of Health.
An act for the benefit of William Babcock.
An act for the benefit of the surveyor of Harrison county.
An act to change the place of voting in certain precincts in certain counties.
An act to legalize the proceedings of the court of assessment of the 16th regiment of Kentucky militia.
An act to establish an election precinct at Keasburg, in the county of Logan.

Approved 17th Jan. 1835.

An act to repeal in part, and amend in part the act, establishing a road from Louisville to the State line, in a direction to Knoxville.
An act to establish in part the line run between the counties of Hart and Barren.
An act to authorize the county court of Clarke to increase the pay to patrollers of said county.
An act for the benefit of Polly Delong.
An act to amend the charter of the city of Louisville.
Approved 20th Jan. 1835.

An act providing for the payment of attorneys prosecuting pleas of the Commonwealth in certain cases.
An act giving further time to clerks to renew their official bonds.
An act to incorporate the Covington Fire Insurance Company.
An act to change the time of holding the county courts of Meade and Russell.
An act for the benefit of Catharine Sampson.
An act to authorize the county court of Nelson to correct its proceedings at the court of claims in November, 1834, and for other purposes.
Approved 24th Jan. 1835.

An act to incorporate the Richmond Female Academy.
An act for the benefit of the subscribers to the Evangelical Episcopal Church in Shelby county.
An act for the benefit of Jesse Reid.
An act to repeal certain acts regulating roads in the county of Fayette.
An act for the benefit of Susan Henderson.
An act for the benefit of Enos Lasseter, Thomas D. Parker and John L. Henderson.  
Approved 28th Jan. 1835.

An act concerning the town of Nicholasville.
An act to continue and extend the Salt Works' turnpike road from C. and J. White's furnace, to Wilson's and Quarrier's furnace.
An act for the benefit of William P. Grigg.
An act for the benefit of Richard L. Fox and Sarah Ann Fox his wife, and their infant children.
An act to establish election precincts in the counties of Nicholas, Bourbon, Pendleton and Campbell.
An act to repeal in part, and amend in part, "an act to establish seminaries of learning in the counties of Monroe, Grant, Todd, Trigg, Ohio and Daviess, approved December 13, 1820."
Approved 29th Jan. 1835.

An act to incorporate the male and female Academy of Lebanon, and the female Academy of Glasgow.
An act to amend an act, entitled an act, to incorporate a company to construct a turnpike road from Covington through Williamstown and Georgetown, to Lexington, in Fayette county, approved Feb. 24, 1834.
An act to extend the terms of the Green circuit court, and for other purposes.
An act to amend an act entitled an act, establishing the Shelbyville Library Company.
An act to establish an election precinct in the town of Pleasureville, in Henry county.
An act for the benefit of Ann Thornton and her children.
An act to incorporate the Georgetown Female Academy.
An act for the benefit of James C. Wilmore.
An act for the benefit of the representatives of James Glenn, deceased.
Approved 3d Feb. 1835.

An act concerning the office of sheriff.
An act to change the place of voting in McGee's precinct, in Christian county.
An act to reduce into one the several acts concerning the town of Glasgow.
An act to continue in force, and to amend an act, incorporating the Maysville Insurance Company.
An act for the benefit of Mary Ann Parish.
An act for the benefit of the heirs of Thomas Wilcoxen.
Approved 9th Feb. 1835.

An act to incorporate a company to make a turnpike road through Lebanon, Greensburgh, Glasgow and Scottsville, to the state line, in a direction to Gallatin.
An act allowing additional constables to certain counties.
An act to amend an act, entitled an act, to enlarge the boundaries of Georgetown, and for other purposes, approved Feb. 22, 1834.
An act for the benefit of John Jones.
An act for the benefit of the Hopkins and Union Academies.
An act to amend the several acts to suppress the practice of duelling.
An act to authorize the county court of Graves county, to convey to John Anderson and Matthias Travis one quarter section of land each, for their services, in locating the Seminary lands of said county.
An act for the benefit of Nancy Whelan.
An act to repeal in part an act, entitled an act for building a bridge across Main Licking at Claysville.
An act to appropriate vacant lands in the county of Muhlenburg, to build a bridge across Pond river.
An act regulating the fines and forfeitures of Marion county.
An act to authorize the county courts to increase the pay of patrollers in Woodford, Henry and Oldham counties.
An act for the benefit of Steele and Lamm.
An act for the benefit of Martha Ann Harris.
An act to authorize the erection of school house in the town of Crab Orchard.
An act for the benefit of Amanda M. Rankin.
An act to repeal the law declaring Eagle Creek a navigable stream from Sanders' lower mills to its mouth, approved January 16, 1829.

Approved 11th Feb. 1835.

The Speaker laid before the Senate the following letter from R. S. Todd, clerk of the House of Representatives, viz:

House of Representatives, Feb. 13, 1835.

To the Honorable Speaker of the Senate.

Sir:—In looking over the printed bill to establish the Northern Bank of Kentucky, I discover an error made by myself in the engrossment. In the thirteenth section of the printed bill, the words "choose one of their own body as president, and," were struck out by a vote of the House of Representatives. I respectfully ask permission to correct my own error, as it evidently was inadvertent. Respectfully yours,

R. S. TODD, Clerk H. R.

On the motion of Mr. Willis, leave was given to correct the said mistake.

Mr. Taylor presented the petition of James Best and others, praying that Edward Moore may be authorized to sell a tract of land belonging to his infant children; and
Mr. Patterson presented the petition of sundry citizens, praying that the place of voting in the town of Leesburg may be changed. Which were received; the former was referred to the committee of courts of justice, and the latter to a committee of Messrs. Patterson, Blackburn and Grider.

Mr. Guthrie, 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 the administrator and heir of Robert S. Young, deceased.

An act to authorize the sale of the real estate of Jesse M. Coffey and Tho. H. Coffey, deceased; and

An act to sell the real estate of Samuel May, deceased, to pay the debts, and for other purposes.

Reported the same, with the opinion of the committee that they ought to pass.

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. Guthrie, from the same committee, to whom was referred a bill from the House of Representatives, entitled an act to reduce the number of justices of the peace in Whitley county, reported the same with an amendment, which was 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 amend an act, entitled an act for classing tobacco in this Commonwealth, and for other purposes, approved Dec. 13, 1820, reported the same, with the opinion of the committee that it ought to pass.

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,

The question was taken on the passage thereof, and it was decided in the negative, and so the said bill was rejected.

Mr. Guthrie, from the same committee, to whom was referred the petition of Henry J. Darnall, reported the following resolution thereon, viz:

Resolved, That said petition be rejected.

Which was concurred in.

On the motion of Mr. Daviess, the committee of propositions and grievances was discharged from the further consideration of the petition for a new county out of a part of the counties of Hardin, Meade, Jefferson and Bullitt; and leave was given to withdraw the petition.
MR. Wingate, from the committee of religion, to whom was re­ferred a bill from the House of Representatives, entitled, an act for the benefit of Thomas P. Burnett, reported the same, with the opinion of the committee that it ought to pass.  
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. Blackburn, from the committee of internal improvements, reported a bill to amend an act in relation to the Mountsterling, Big Sandy and Flemingsburg turnpike road, passed Dec. 1831; 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 internal improvements.

MR. Taylor, from the committee of finance, to whom was re­ferred a bill to provide for making a road from Bowlinggreen, by the way of South Union, Russellville and Elton, to Hopkinsville, reported the same with amendments, which were concurred in.  
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. Boyd, from the committee appointed for that purpose, reported a bill allowing an additional justice of the peace and constable to the county of Shelby; 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. Boyd moved the following resolution, viz:  
Resolved, That hereafter the hour of the meeting of the Senate, shall be nine o'clock, A. M.

On the motion of Mr. Daviess, the said resolution was laid on the table.

A resolution from the House of Representatives, requesting the Legislature of Ohio to pass a law in relation to fugitive slaves form this State, was twice read and concurred in.

A bill to allow further time for the Independent Banks to close their concerns, was read the second time, and 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.

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

An act incorporating the Green River Female Academy.
An act for the benefit of Daniel B. Dorser.
An act for the benefit of Daniel Smith.
An act to establish an election precinct in Shelby county.
An act authorizing the sale of a portion of the real estate of Samuel Blackenbeker, deceased, to pay his debts.
An act authorizing the sale of certain estate belonging to Charles J. Riddle, Lafayette Riddle and Mary Jane Riddle, infant children of Lewis Riddle, deceased.
A resolution to furnish Mann Butler with certain documents.
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 they were delivered to the committee, to be presented to the Lieutenant and Acting Governor, for his approbation and signature.

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

A bill from the House of Representatives, entitled an act to change the present mode of summoning jurors in this Commonwealth, and to provide for their compensation, 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. Taylor and Murrell, were as follows, viz:

YEAS—Mr. Speaker, Messrs. Blackburn, Bush, Chinn, Grider, Griffith, Guthrie, James, McDonald, Metcalfe, Miller, Morehead, Morgan, Nuttall, Patterson, Roberts, Sisk, Smith, Southgate, Taylor, Willis and Young—23.


A bill to amend the several laws in relation to working on roads, was referred to the committee of courts of justice.

An engrossed bill, entitled an act to repeal the road law in Greenup county, was read the third time.

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 repeal the sixth section of an act further to regulate the Wilderness and Turnpike Road, approved Feb. 22, 1834.
An act for the benefit of William Clark Twyman.
An act to repeal an act, entitled an act to organize a Fire Company in the town of Nicholasville, approved Nov. 26, 1831.
An act to repeal the act declaring Rockcastle Creek navigable.
An act to enlarge the bounds of the town of Crab Orchard.
An act to amend an act, entitled an act establishing a fire company in the town of Bowlinggreen, and for other purposes.
An act to change the place of voting in the Sharpsburg precinct in Bath 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 appropriate the fines and forfeitures in Livingston, Mason and Cumberland counties, to the reduction of the levies of said counties, was 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 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 striking out "Mason."

Bills from the House of Representatives, of the following titles, were severally read the first time and ordered to be read a second time, viz:

1. An act for the benefit of the heirs of James Monks, deceased.
2. An act for the benefit of James Fleming's heirs.
3. An act for the benefit of John and Susan Dye, and their children.
4. An act for the benefit of Nancy Bosley and her children, devisees of George Gill, deceased.
5. An act for the benefit of Elizabeth Logan and her children, devisees of William Edmondson, deceased.
6. An act for the benefit of Cardwell Breathitt's children.
7. An act for the benefit of William Edmondson's heirs.
8. An act to establish a State road from Hardinsburg to Owensboro', so as to pass through Cloverport, Hawesville and Yelvington.
9. An act for the benefit of the heirs of Thomas Ellis.
10. An act for the benefit of the jailer of Fayette county.
11. An act to subject to county levy all slaves, that may each year hereafter be hired, or otherwise introduced into the county of Greenup.
12. An act for the benefit of Daniel Carrier and JacobCarrier.
13. An act for the benefit of John Hughes, Jr.'s. heirs.
14. An act to authorize the sale of certain real estate belonging to Zerah T. Craig, an infant.
15. An act for the benefit of the heirs of William E. King.
17. An act allowing an additional constable to Woodford county, and for other purposes.
18. An act appropriating six thousand acres of land warrants west of Tennessee river, for the erection of a bridge across Pitman's creek below Barnett's mill in Green county, where the road crosses from Greensburg to Louisville.
19. An act to regulate the appointment of jailers of this Commonwealth, and for other purposes; and
20. An act for the benefit of Shannon Reed and wife.

The rule of the Senate, constitutional provision, and second reading of the said bills, having been dispensed with, the eighth and eighteenth were referred to the committee of internal improvements; the tenth to the committee of finance; and all the others, to the committee of courts of justice.

A bill from the House of Representatives, entitled an act to authorize Granville Bowman to erect a gate across a certain road in Cumberland county, was read the first time.

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 resolution from the House of Representatives, proposing a memorial to the Legislature of Louisiana, for the modification of the inspection laws of that State, was read, and on the motion of Mr. Daviess, it was laid on the table.

A bill fixing the salaries of the judges of the court of appeals and circuit courts hereafter appointed, was read a second time, and referred to the committee of courts of justice.

A bill from the House of Representatives, entitled, an act to prevent pedlars from retailing certain wares without license, was read the third time, as amended, and laid on the table.

A bill from the House of Representatives, entitled an act to establish the Northern Bank of Kentucky, was read the second time.

Mr. James moved to commit the said bill to a committee of the whole house on the state of the Commonwealth, and make it the order of the day for Tuesday next.
Mr. Daviess called for a division of the question.

And the question being taken on committing the said bill to a committee of the whole house on the state of the Commonwealth, it was decided in the affirmative.

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

YEAS—Mr. Speaker, Messrs. Boyd, Bramlette, Bush, Gholson, Gilbert, Grider, Griffith, Guthrie, Heady, James, Lusk, McDonald, Morehead, Murrell, Nuttall, Patterson, Roberts, Sisk, Smith, Wingate and Young—22.


The question was then taken on making it the order of the day for Tuesday next, and it was decided in the affirmative.

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

YEAS—Messrs. Boyd, Bramlette, Gholson, Gilbert, Grider, Griffith, Guthrie, Harreld, Heady, James, Lusk, McDonald, Morehead, Murrell, Nuttall, Patterson, Sisk, Smith, Wingate and Young—20.

NAYS—Mr. Speaker, Messrs. Blackburn, Bush, Carter, Chinn, Coffey, Daviess, May, Metcalfe, Miller, Morgan, Roberts, Southgate, Taylor, Thornton and Willis—16.

And then the Senate adjourned.

SATURDAY, FEBRUARY 14, 1835.

Mr. Guthrie presented the petition of sundry citizens of Bullitt county, praying that John H. Baker may be permitted to erect a dam across Salt river below Shepherdsville, for the purpose of working a forge for the manufacturing of iron.

The said petition was received, and referred to the committee of internal improvements.

Mr. Guthrie, from the committee of courts of justice, reported a bill for the benefit of William H. Eades, husband of Julia A. Eades, 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, from the committee of courts of justice, to whom was referred bills from the House of Representatives, of the following titles, viz: An act to subject to county levy all slaves that may each year hereafter be hired, or otherwise introduced into the county of Greenup. An act for the benefit of James Fleming's heirs. An act for the benefit of Cardwell Breathitt's children; and An act for the benefit of John Hughes, jr.'s heirs. Reported the same, with the opinion of the committee that they ought to pass. 

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. Guthrie, from the same committee, to whom was referred a bill from the House of Representatives, entitled an act for the benefit of the heirs of James Monks, deceased, reported the same with amendments, which were 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. Guthrie, from the same committee, to whom was referred a bill to amend the laws concerning public roads, reported the same with an amendment, which was concurred in. 

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. Metcalfe, from the committee of internal improvements, to whom was referred a bill from the House of Representatives, entitled an act to establish a State road from Hardinsburg to Owensboro', so as to pass through Cloverport, Hawesville and Yelvington, reported the same, with the opinion of the committee that it ought to pass. 

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. Metcalfe, from the same committee, to whom was referred a bill to amend an act in relation to the Mountsterling, Big Sandy and Flemingsburg turnpike road, passed December, 1831, reported, the same, with the opinion of the committee that it ought to pass.

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.

A message in writing was received from the Lieutenant and Acting Governor, by Mr. Cox, Assistant 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 consent, John Evans, to be colonel of the 79th regiment, vice James Terrell, resigned.

Samuel M. Dysart, to be lieutenant colonel of the same, vice John Evans, if promoted.

Thomas Moore, to be major of the same, vice Sam'l. M. Dysart, if promoted.

Samuel McHargue, jr. to be lieutenant colonel of the 75th regiment, vice John Morris, resigned.

Ambrose Pitman, to be major of the same, vice Eli Tompkins, who refused to accept.

Francis S. Coleman, to be colonel of the 20th regiment, vice Ben. Brandon, resigned.

Alexander Givens, to be lieutenant colonel of the same, vice F. S. Coleman, if promoted.

William Lowell, to be major of the same, vice A. Givens, if promoted.

Silas Starke, to be colonel of the 71st regiment, vice H. T. Gregory, resigned.

Benjamin Shropshire, to be lieutenant colonel of the same, vice S. Starke, if promoted.

Joseph W. Hall, to be major of the same, vice William Nicholas, moved away.

Aaron Endicott, to be colonel of the 86th regiment, vice James Chambers, resigned.

John R. Whitehead, to be lieutenant colonel of the same, vice A. Endicott, if promoted.

Thomas Dunn, to be major of the same, vice John R. Whitehead, if promoted.
Paschal Kirtley, to be quarter master of the 4th brigade, vice Peter Clarkson, resigned.
James Byers, to be lieutenant colonel of the 15th regiment, vice Joseph Anderson, resigned.
Alexander Hunter, to be major of the same, vice James Byers, if promoted.
Edmund B. Cheatham, to be colonel of the 93d regiment, vice James Ewing, resigned.
William C. Paxton, to be lieutenant colonel of the same, vice E. B. Cheatham, if promoted.
John C. A. Strange, to be major of the same, vice W. C. Paxton, if promoted.
William G. Howard, to be major of the 109th regiment, vice William Rush, resigned.
Jacob Molden, to be colonel of the 90th regiment, vice William Reece, resigned.
Ben. M. Wallace, to be lieutenant colonel of the same, vice Jacob Molden, if promoted.
John Collins, to be major of the same, vice B. M. Wallace, if promoted.
Epps Allen, to be sheriff of McCracken county, vice Philip Williams, who failed to give bond.

February 13th, 1835.

Resolved, That the Senate advise and consent to the said appointments.
Ordered, That Mr. Griffith inform the Lieutenant and Acting Governor thereof.

Mr. Blackburn, from the joint committee appointed to examine the Treasurer’s Office, made the following report, viz:

The joint committee of the Senate and House of Representatives have discharged the duty to them assigned, of examining the Treasurer’s Office, report: That they have examined each voucher, with its entry, up to the 10th of October, 1834, and having found them all correctly entered, they caused the vouchers for the payment of money to be destroyed. The statement, heretofore reported by the Treasurer, exhibits the true situation of the Treasury up to the 10th of October, 1834.

All of which is respectfully submitted.

WILLIAM B. BLACKBURN,
PRICE NUTTALL,
From the Senate.

JAMES POMEROY,
JOHN G. JORDAN,
JAS. P. KENDALL,
From the House of Representatives.
The following bills were reported from the several committees, appointed to prepare and bring in the same, to-wit:

By Mr. Patterson—A bill to amend an act, entitled an act to establish an election precinct in Harrison county, approved Nov. 26, 1831.

By Mr. Carter—A bill for the benefit of Thomas Mitchell, jailer of Lewis county; and

By Mr. Guthrie, from the committee of courts of justice—A bill for the benefit of Jane Degallon and Selina Cirode.

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 and third readings of the said bills, 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. McDonald, from the committee to whom was referred a bill to establish the county of McDonald, reported the same without amendment.

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

Mr. Roberts, from the committee to whom was referred a bill from the House of Representatives, entitled an act supplementary to an act, entitled an act to improve the navigation of Nolin, approved Feb. 22d, 1834, 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.

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

On the motion of Mr. Carter—1. A bill to build a bridge across Little Sandy river, at or near its mouth.


On the motion of Mr. May—3. A bill for the benefit of grand jurors; and

4. A bill to appropriate all the vacant lands in this Commonwealth to the different counties in which they may be situated, for the purpose of internal improvement.

The committee of internal improvements was directed to prepare and bring in the first; the committee of courts of justice, the third; Messrs. McHenry, Smith and Daviess, were appointed a committee to prepare and bring in the second; and Messrs. May, Chinn and Blackburn, the fourth.
The Speaker laid before the Senate, the petition of John U. Waring, praying for a change of venue in the prosecution against him, for killing Samuel Q. Richardson; which was received, read and referred to the committee of courts of justice.

On the motion of Mr. Grider, the vote was reconsidered, rejecting a bill to amend an act, entitled an act for classing tobacco in this Commonwealth, and for other purposes, approved December 13th, 1820; and the said bill was placed in the order of the day.

A bill from the House of Representatives, entitled an act for the benefit of Major King and others, having been returned to the Senate, on the motion of Mr. May, the vote, by which it was disagreed to, was reconsidered, and the said bill was referred to the committee of internal improvements.

An engrossed bill, entitled an act to prevent the entry of military lands west of the Tennessee river, was re-committed to the committee of courts of justice.

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:

1. An act for the benefit of the heirs of Daniel Wood, deceased.
2. An act for the benefit of Joseph Mitchell and others, devisees under the will of William Basey, deceased.
3. An act to authorize the sale of Mount Carmel meeting house, for the benefit of the Methodist Episcopal Church.
4. An act allowing Spotswood Wilkinson to sell an interest in certain real estate, for the devisees of E. P. Wilkinson, deceased.
5. An act to allow two additional justices of the peace to Christian county; and
6. An act for the benefit of Charles Boone.

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 first, third, fourth and sixth bills, having been dispensed with, they were referred to the committee of courts of justice.

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

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

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

An act regulating the public roads and highways in Bracken county; and

An act for the benefit of the sheriff of Livingston county.
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, the former was referred to the committee of internal improvements, and the latter, to the committee of finance.

A bill from the House of Representatives, entitled an act to change the time of holding the Russell county court, 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 the Owen circuit court.”

A resolution from the House of Representatives, fixing a day for the election of public officers, was twice read and concurred in.

An engrossed bill, entitled an act to reduce the time allowed for prosecuting writs of right in certain cases, and authorizing writs of right to be revived, was read the third time.

Resolved, That the said bill do pass, and that the title be, “an act to reduce the time allowed for prosecuting writs of right in certain cases.”

A bill from the House of Representatives, entitled an act to reduce the number of justices of the peace in Whitley county, was read the third time, as amended.

Resolved, That the said bill, as amended, do pass, and that the title be amended to read, “an act to reduce the number of justices of the peace in Whitley and Madison counties.”

A bill from the House of Representatives, entitled an act to change the present mode of summoning jurors in this Commonwealth, and to provide for their compensation, was read the second time, and referred to the committee of courts of justice.

On the motion of Mr. Daviess, leave was given to withdraw the petition of Francis Wilson.

Mr. Bramlette, 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 Samuel Kimbrough.

An act to establish a state road from the mouth of Salt river to the Ohio River, opposite to Shawneetown, so as to pass through the towns of Plain Dealing, Hardinsburg, Knottsville, Owenboro', Henderson and Morganfield.

An act for the benefit of Thomas P. Burnett.

An act to repeal the act declaring Rockcastle Creek navigable.

An act to change the place of voting at the Sharpsburg precinct in Bath county.
An act to repeal the sixth section of an act further to regulate the Wilderness and Turnpike Road, approved Feb. 22, 1834.

An act to amend an act, entitled an act establishing a fire company in the town of Bowling green, and for other purposes.

An act to enlarge the bounds of the town of Crab Orchard; and

An act to amend and reduce into one the several acts incorporating a company to turnpike a road from Frankfort to Lexington, by way of Versailles.

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 they were delivered to the committee, to be presented to the Lieutenant and Acting Governor, for his approbation and signature.

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

And then the Senate adjourned.

MONDAY, FEBRUARY 16, 1835.

A message was received from the House of Representatives, announcing their disagreement to the amendments proposed by the Senate to a bill from that House, entitled,

An act to add an additional justice of the peace for Floyd and Pike county.

And that they had passed bills, which originated in the Senate, of the following titles, to-wit:

An act allowing an additional justice of the peace and constable to the county of Shelby.

An act to apply the fines and forfeitures of Bourbon county, to the lessening the county levy.

An act for the benefit of the first Presbyterian church in Lexington.

An act to dispose of the seminary building near Greenupburg.

An act to establish an election precinct in the north part of Washington county.

An act to regulate the guaging of spiritous liquors in the city of Louisville.

An act to amend an act, entitled an act, to establish the Louisville medical institute.

An act for the benefit of Ann T. Mallary.

An act to authorize Carroll C. Blinco, and Emeline Blinco, his wife, to sell and convey a tract of land lying in Nelson county.
An act to change the name of the Princeton Seminary, and to increase the number of trustees.

An act to incorporate the Louisville Museum Company.

An act for the benefit of the heirs of Patsey Patton.

An act for the benefit of Aylett H. Buckner and Charlotte, his wife.

An act to amend the law for the benefit of Frances Kercheval.

An act for the benefit of Holbert McLure and William Fish, both of Rockcastle county.

An act changing the time of holding the Logan and Simpson county courts.

An act to prevent justices of the peace from being taken or received as securities in bonds executed in their courts.

An act to establish a State road from Hopkinsville to Smithland.

An act to establish a road from Taylorsville, in Spencer county, in the direction of Harrodsburg, to intersect Delaney's old road, leading from Bardstown to Lexington.

An act to extend and continue in force an act for the benefit of Stephen Langford, approved January the 30th, 1833, and for other purposes; and

An act to amend the laws relative to the estate of the late John Breckenridge, deceased.

And that they had passed, with amendments, bills, and a resolution, from the Senate, of the following titles, viz:

An act allowing additional justices of the peace and constables to certain counties.

An act to allow some additional ground to be attached to the town of Maxville, in Washington county; and

A resolution directing a tombstone to be placed over the grave of John Breathitt, late Governor of Kentucky.

The Speaker laid before the Senate, the remonstrance of the trustees of the Princeton Seminary against the passage of a law, changing the name of said Seminary, and reducing the number of the trustees thereof, which was received and laid on the table.

1. Mr. Taylor presented the petition of the heirs of John Spotwell, sen. deceased, praying to be authorized to sell a lot in the town of Mayslick.

2. Mr. Guthrie presented the petition of a joint committee of the county court of Jefferson county, and the mayor and council of the city of Louisville, praying for the passage of a law authorizing a sale of the public ground in the city of Louisville.

3. Mr. Wingate presented the petition of sundry citizens of Owen county, praying that a law may pass, providing for the future support of John Simms, a pauper, and making compensation to George S. Forsee, for the time he has supported him.
Which petitions were severally received; the first and second were referred to the committee of courts of justice; and the third, to a committee of Messrs. Wingate, Patterson and Thornton.

Mr. Guthrie presented the annual report of the Treasurer of the Louisville Hospital, which was received and read, and is as follows, viz:

_To the Honorable, the General Assembly of the Commonwealth of Kentucky, in Frankfort assembled:

The Treasurer of the Louisville Hospital respectfully reports, that the number of patients, received into the Louisville Hospital since the date of the last year's report, are one hundred and seventy. Of this number, nine have died; one hundred and forty-seven have been discharged cured; and fourteen remain still in the hands of the resident physician of the institution.

The receipts of the Hospital have been, during that period, from the two per cent tax on auction sales, $2,932 40; and from the allowance of the United States, $500—in all, $3,432 40. There remains in the treasury $136 78.

From the inadequate receipts of this fund to the supply of the wants of the Hospital, the Managers have been compelled to limit the receipt of the patients into the Hospital; more have been probably excluded from the benefits of this humane institution the last year, than have been admitted. Respectfully, &c.

Louisville, 13th February, 1835.

This report would have been furnished early in the session of the Legislature, but for the sickness of the resident physician and surgeon.

Mr. Wingate presented the report of the Commissioners appointed to superintend the erection of an Arsenal, which is as follows, viz:

The undersigned Commissioners, appointed by an act of the Legislature, approved 22d February, 1834, to superintend the erection of an Arsenal on the north east corner of the public square, have performed that duty.

Early in the spring, a plan was prepared, and proposals invited by advertisement. Col. John Woods became the undertaker of the whole building at $2,000, the amount appropriated. The work, we think, well executed; the foundation of large and substantial stone; the sleepers of sound cedar; the wall of well burnt brick, and of sufficient thickness to give it strength; the windows well closed with strong and substantial
iron bars, with shutters thereto; the roof and floors good, and of sound material. We think the whole work has been faithfully performed.

Col. Woods expected to be paid in specie, but the undersigned examined the act making the appropriation, and decided that they were not authorized to direct the payment in any other than Commonwealth's paper; hence it would seem, that Col. Woods is justly entitled to the amount of the discount on the Commonwealth's paper, which is about $150. We would therefore respectfully suggest the propriety of making him that allowance.

We would further remark, that in the purchase of stone, brick, iron and lumber, the undertaker was compelled to sell Commonwealth's paper at ninety and ninety-five cents per dollar, to meet those payments as they became due. In conclusion, we would therefore invite the members of the Legislature to visit and examine the building; and we are persuaded that it will command their united approbation.

JAMES DAVIDSON, THO. S. PAGE, EMD. H. TAYLOR

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 bills from the House of Representatives, of the following titles, viz:
1. An act for the benefit of Shannon Reed and wife.
2. An act for the benefit of Charles Boone; and
3. An act allowing an additional constable to Woodford county, and for other purposes.

Reported the same, with the opinion of the committee that they ought not to pass.

The question being taken on reading the said bills a third time, it was decided in the negative, and so the said bills were disagreed to.

On the motion of Mr. Guthrie, the vote disagreeing to the second bill was reconsidered, and it was re-committed to the committee of courts of justice.

Mr. Metcalf, from the committee of internal improvement, to whom was referred a bill from the House of Representatives, entitled an act for the benefit of Major King and others, reported the same, with the opinion of the committee that it ought to pass.

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

Mr. Grider, from the committee of finance, to whom was referred a bill further to improve the navigation of Green river, reported the same with an amendment, which was concurred in; and the said bill was re-committed to the committee of finance.
Mr. Taylor, from the committee of finance, to whom was referred a bill from the House of Representatives, entitled an act for the benefit of the jailer of Fayette county, reported the same with an amendment, which was 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. Guthrie, from the committee of courts of justice, to whom referred a bill from the House of Representatives, entitled an act to regulate the appointment of jailers of this Commonwealth, and for other purposes, reported the same with an amendment, which was concurred in; and the said bill 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, as amended, do pass, and that the title thereof be as aforesaid.

On the motion of Mr. Thornton, the vote was reconsidered, disagreeing to a bill from the House of Representatives, entitled an act to authorize Granville Bowman to erect a gate across a certain road in Cumberland county, and the said bill was re-committed to the committee of internal improvements.

A bill to improve the road from Perry court house to the Virginia line, was taken up and referred to the committee of finance.

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

On the motion of Mr. Sisk—1. A bill to give the guardian the possession of the person of his ward, as well as his property.

On the motion of Mr. Southgate—2. A bill to amend an act authorizing the erection of a bridge across Main Licking at or near its junction with the Ohio, approved Feb. 22, 1834.

On the motion of Mr. Morehead—3. A bill to establish a tobacco inspection in the town of Russellville; and

On the motion of Mr. Willis—4. A bill to make copies from the books and papers of the Commonwealth's bank and branches, evidence in this Commonwealth.

The committee of courts of justice was directed to prepare and bring in the first; Messrs. Southgate, Metcalfe and Patterson, were appointed a committee to prepare and bring in the second; Messrs. Morehead, Harreld and Grider, the third; and Messrs. Willis, Thornton and Daviess, the fourth.

Resolved, That the Senate recede from the amendments proposed by them to a bill from the House of Representatives, entitled an act to add an additional justice of the peace for Floyd and Pike county.
The amendments proposed by the House of Representatives, to a bill from the Senate, entitled an act allowing additional justices of the peace and constables to certain counties, were twice read and concurred in, with amendments.

The amendments proposed by the House of Representatives, to a bill from the Senate, entitled an act to allow some additional ground to be attached to the town of Maxville, in Washington county, were twice read and concurred in.

The amendment proposed by the House of Representatives, to the resolution from the Senate, directing a tombstone to be placed over the grave of John Breathitt, late Governor of Kentucky, was twice read and disagreed to.

A message in writing was received from the Lieutenant and Acting Governor, by Mr. Cox, Assistant 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 consent, William Owsley, to be Secretary of State, vice J. J. Crittenden, resigned.

J. T. MOREHEAD.

February 16th, 1835.

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

Ordered, That Mr. Daviess inform the Lieutenant and Acting Governor thereof.

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

By Mr. Guthrie—1. A bill for the benefit of the devisees and heirs of James F. Moore and Elizabeth Moore, deceased.

By Mr. McHenry—2. A bill to establish a State road from Stanford, in Lincoln county, to Somerset, in Pulaski county.

By Mr. Wingate—3. A bill to authorize the county court of Owen to provide for the support of John Simms.

By Mr. Southgate—4. A bill to amend an act authorizing the erection of a bridge across Main Licking river, at or near its junction with the Ohio, approved Feb. 22, 1834; and

By Mr. Metcalfe—5. A bill for the benefit of John H. Baker.

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, the fourth was referred to the committee of internal improvements; and the others were ordered to be engrossed and read a third time.
The rule of the Senate, constitutional provision, and third reading of the said first, second, 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.

On the motion of Mr. Carter, leave was given to withdraw the petition of the heirs of John and George Graham, deceased.

On the motion of Mr. Smith, a bill to amend an act, entitled an act to amend the law prohibiting the importation of slaves into this State, approved Feb. 2d, 1833, was laid on the table.

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

An act to change the time of holding the Livingston, Caldwell and Hickman circuit courts, and for other purposes.
An act for the benefit of Obed Denham.
An act making an appropriation of land warrants to improve the road leading from Tompkinsville to Dicken's ferry on Cumberland river, in Monroe county.
An act to allow additional justices of the peace and constables in certain counties.
An act to extend the limits of the town of Barboursville.
An act to authorize the trustees of the town of Russellville to levy money for McAdamizing the streets in said town, and for other purposes.
An act to allow additional justices to the county of McCracken, and for other purposes.
An act to allow an additional justice of the peace to the county of Meade.
An act for the benefit of the sheriff of Lincoln county, and for other purposes.
An act for the benefit of the sheriffs of Madison, Henderson and Washington counties.
An act to establish an inspection of tobacco and other articles of commerce, in the town of Paducah.
An act establishing the town of Ghent in Gallatin county.
An act to establish the town of Concord, in Calloway county, and for other purposes.
An act to authorize the sale of the real estate of Jesse M. Coffey and Tho. H. Coffey, deceased.
An act for the benefit of the administrator and heir of Robert S. Young, deceased.
An act for the benefit of William Clark Twyman.
An act to repeal an act, entitled an act to organize a Fire Company in the town of Nicholasville, approved Nov. 26, 1831.
An act to sell the real estate of Samuel May, deceased, to pay the debts, and for other purposes; and

A resolution requesting the Legislature of Ohio to pass a law in relation to fugitive slaves from this State.

That the said bills and resolution 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 Lieutenant and Acting Governor, for his approbation and signature.

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

A message was sent to the House of Representatives, informing them that the Senate were now ready to proceed to the election of public officers.

A message was received from the House of Representatives, announcing that they were also ready to proceed to the election.

After interchanging nominations between the houses, the Senate proceeded to vote for the several officers; and Messrs. Willis and Wingate were appointed a committee on the part of the Senate, to compare the joint vote and report the result.

After a short time, Mr. Willis reported that the following gentlemen had respectively received a unanimous vote of both houses, and they were severally declared to be duly elected for the ensuing year, viz:

Mr. James Davidson, Treasurer.
Mr. Albert G. Hodges, Public Printer.
Mr. Peter Dudley, President of the Bank of Kentucky.
Mr. Henry Wingate, President of the Bank of the Commonwealth.
And Mr. George Alexander Robertson, Librarian.
And then the Senate adjourned.

TUESDAY, FEBRUARY 17, 1835.

A message was received from the House of Representatives, announcing the passage of bills, which had originated in the Senate, of the following titles, to-wit:

An act to provide for the more certain collection of the taxes on sales at auction, in the city of Louisville.

An act for the benefit of the heirs of George and John Graham.
An act for the benefit of the devisees of John Aldridge, deceased.

An act for the benefit of the heirs of Peter Carney, deceased.

An act to enlarge the jurisdiction and powers of the trustees of the town of Owensboro', in the county of Daviess.

An act for the benefit of the heirs of Mathew Hawkins.

An act for the benefit of the devisees of John C. Richardson, Sen.

An act for the benefit of the widow and heirs of Robert Ram­ney.

An act for the benefit of Samael Moore and others.

An act to appropriate some of the vacant lands of Pulaski county, to the improvement of the road leading from Somerset to the Coal Mines; and

An act for the benefit of the widow and heirs of Benjamin Quin, deceased.

With amendments to the two latter bills.

That they had passed bills, and a resolution, which originated in that House of the following titles, to-wit:

An act to amend the law in relation to search warrants.

An act to amend the several acts in relation to Morgantown.

An act for the benefit of Henry Carter.

An act for the benefit of Harry Bibbins, a free man of color.

An act to amend an act to construct a turnpike road from Cov­ington, through Williamstown and Georgetown, to Lexington, in Fayette county.

An act to authorize the county court of Owen to open and es­tablish a road leading from Brock's ford, on Eagle creek to the Twin Meeting House.

An act to amend an act concerning the troop of cavalry attached to the 7th brigade of the Kentucky Militia.

An act authorizing the trustees of West Liberty to sell part of

An act authorizing Samuel Hather to erect, upon conditions, a

An act to incorporate the Glasgow and Munfordsville turnpike

An act to change the mode of paying for teams and materials for repairing public roads.

An act concerning the Bank of the Commonwealth of Kentucky and the old Bank of Kentucky.

An act for the benefit of Eleanor F. Ragland, Martha C. Rag­land, Nancy Ragland, Andrew J. Ragland and Sarah M. Ragland.

An act for the benefit of Henry Shelton's heirs.

An act for the benefit of Samuel Abbott's heirs.
An act authorizing Henry Toland and Robert Toland, trustees of Sarah MacCoun and her children, to sell real estate.

An act for the benefit of Elizabeth Sharp and children, of Whitley county.

An act to incorporate the Covington and Latonian Spring Rail Road Company.

An act to authorize the clerk of the Wayne county court to transcribe certain minutes and records in his office.

An act for the benefit of John Stith, jr. deceased.

An act to authorize the county court of Hardin to sell their poor house land; and

A resolution fixing on a day for an adjournment of the General Assembly.

Mr. Chinn presented the petition of Samuel D. McCullough, praying that a law may pass, releasing him from any liability for damages for failing to return six stand of the public arms; which was received and referred to the committee on military affairs.

Mr. Guthrie, from the committee of courts of justice, to whom was referred a bill from the House of Representatives, entitled an act for the benefit of William Edmonson's heirs, reported the same with an amendment, which was concurred in; and the said bill 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, as amended, do pass, and that the title thereof be as aforesaid.

Mr. Guthrie, 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 Charles Boone.

An act for the benefit of Daniel Gwyn's heirs.

An act for the benefit of David Carrier and Jacob Carrier.

Reported the same, with the opinion of the committee that they ought to pass.

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

An act for the benefit of Nancy Bosley and her children.

An act for the benefit of the heirs of Thomas Ellis, deceased.

An act for the benefit of the heirs of William E. King.

Reported the same, with the opinion of the committee that they ought not to pass.
The question being taken on reading the said bills a third time, it was decided in the negative, and so the said bills were disagreed to.

Mr. Guthrie, from the same committee, to whom was referred a bill from the House of Representatives, entitled an act for the benefit of Elizabeth Logan and her children, devisees of George Gill, deceased, reported the same, with the opinion of the committee that it ought not to pass.

On the motion of Mr. Boyd, the said bill was laid on the table.

Mr. Guthrie, from the same committee, to whom was referred the petition of the heirs of John Shotwell, sen., deceased, reported the following resolution thereon, viz:

Resolved, That said petition be rejected.

Which was concurred in.

Mr. Guthrie, from the same committee, reported a bill for the benefit of the county of Jefferson and 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 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 the motion of Mr. Guthrie, the committee of courts of justice was discharged from the duty of preparing and bringing in a bill to give the guardian the possession of the person of his ward, as well as his property.

A message was received from the House of Representatives, requesting leave to withdraw the report of the passage of a bill, entitled an act to incorporate the Augusta, Cynthiana and Georgetown turnpike company; which was granted.

Mr. Guthrie, from the committee of courts of justice, to whom was referred a bill to amend the charter of the Kentucky Baptist Education Society, reported the same with an amendment, which was concurred in.

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. Wingate in the chair.

After some time spent in committee, the Speaker resumed the chair, when Mr. Wingate reported that the committee had, according to order, had under consideration a bill from the House of Representatives, entitled an act to establish the Northern Bank of Kentucky, and had gone through the same, and directed him to report it without amendment,
Mr. Bramlette, from the joint committee of enrollments, reported that the committee had examined enrolled bills, of the following titles, viz:

An act to establish an election precinct in the north part of Washington county.
An act for the benefit of Ann T. Mallary.
An act to establish a State road from Hopkinsville to Smithland.
An act to extend and continue in force an act for the benefit of Stephen Langford, approved January the 30th, 1833, and for other purposes.
An act to amend the laws relative to the estate of the late John Breckenridge, deceased.
An act to prevent justices of the peace from being taken or received as securities in bonds executed in their courts.
An act changing the time of holding the Logan and Simpson county courts.
An act for the benefit of Holbert McLure and William Fish, both of Rockcastle county.
An act to change the name of the Princeton Seminary, and to increase the number of trustees.
An act allowing an additional justice of the peace and constable to Shelby county.
An act to apply the fines and forfeitures of Bourbon county, to the lessening the county levy.
An act for the benefit of the first Presbyterian church in Lexington.
An act to amend an act, entitled an act, to establish a medical institute in the city of Louisville.
An act for the benefit of Aylett H. Buckner and Charlotte, his wife.
An act to amend the law for the benefit of Frances Kercheval.
An act to dispose of the seminary building near Greenupsburg.
An act to amend the charter of the Bardstown and Louisville Turnpike Company.

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 they were delivered to the committee, to be presented to the Lieutenant and Acting Governor, for his approbation and signature.

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

At half past two o'clock, P. M. Mr. Guthrie 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. Willis and Guthrie, were as follows, viz:

YEAS—Mr. Speaker, Messrs. Blackburn, Boyd, Bramlette, Bush, Gholson, Gilbert, Grider, Guthrie, Harreld, Headly, Lusk, McDonald, Morgan, Murrell, Nuttall, Patterson, Roberts, Sisk, Smith and Wingate—21.


And then the Senate adjourned.

WEDNESDAY, FEBRUARY 18, 1835.

Mr. Guthrie presented the petition of Charles M. Thruston, praying that a law may pass confirming, or authorizing the Jefferson circuit court to confirm the sale of a lot in the city of Louisville made by him, as guardian for his infant daughter, Mary Eliza Thruston; which was received, and was referred to the committee of courts of justice.

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 the sale of a street in the town of Somerset.
An act to amend the several laws establishing and regulating Jefferson town.
An act for the benefit of John S. Stokes.
An act for the benefit of the sheriff of Calloway county; and
An act to establish an election precinct in Grayson county.

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

An act to authorize the sale of Mount Carmel meeting house, for the benefit of the Methodist Episcopal Church; and
An act for the benefit of the heirs of Daniel Wood, deceased.

Reported the same, with the opinion of the committee that they ought to pass.

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. Guthrie, from the same committee, to whom was referred a bill from the House of Representatives, entitled an act for the benefit of John and Susanna Dye, and their children, reported the same, with the opinion of the committee that it ought not to pass.

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. Guthrie, from the same committee, to whom was referred a bill to amend the several laws in relation to working on roads, reported the same with amendments, which were 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 the petition of Edward Moore, reported the following resolution thereon, viz:

Resolved, That the said petition be rejected.

Which was concurred in.

On the motion of Mr. Guthrie, the committee of courts of justice was discharged from the duty of preparing and bringing in a bill for the benefit of grand jurors.

Mr. Metcalfe, from the committee of internal improvement, to whom was referred a bill from the House of Representatives, entitled, An act appropriating six thousand acres of land warrants west of Tennessee river, for the erection of a bridge across Pitman's creek below Barnett's mill in Green county, where the road crosses from Greensburg to Louisville, reported the same with amendments, which were 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,

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. Taylor and Wingate, were as follows, viz:


NAYS—Messrs. Boyd, Gholson, Guthrie, Metcalfe, Miller, Morehead, Nuttall, Patterson, Taylor and Young—10.

Resolved, That the title of the said bill be amended by striking out the word "warrants."
Mr. Metcalfe, from the same committee, to whom was referred a bill to amend an act authorizing the erection of a bridge across Main Licking river, at or near its junction with the Ohio, approved Feb. 22, 1834, reported the same with the opinion of the committee that it ought to pass.

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

The rule of the Senate, constitutional provision, and second 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.

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

By Mr. Guthrie—1. A bill to provide for the service of process on corporations; and
2. A bill to repeal part of the act regulating the mode of settling accounts of executors, administrators and guardians.

By Mr. Metcalfe—3. A bill to incorporate the Flemingsburg and Mayslick turnpike road company.

By Mr. May—4. A bill to appropriate the vacant lands in this Commonwealth, north and east of the Tennessee river, to the counties in which they lie, for the purpose of internal improvements.

By Mr. Morehead—5. A bill to establish a tobacco inspection at the town of Russellville.

By Mr. Willis—6. A bill to make copies from the books and papers of the Commonwealth's bank and branches, evidence in this Commonwealth.

By Mr. Gilbert—7. A bill to repeal a part of the fourth section of an act, approved 23d of February, 1834, that gives Laurel county court control of a part of the Goose Creek Salt Works road.

On the motion of Mr. Blackburn—8. A bill to incorporate the Versailles Hotel Company; and

By Mr. Wingate—9. A bill to authorize the Governor to transmit certain books to the executives of our sister States in exchange for other books.

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, sixth, seventh, eighth and ninth bills, having been dispensed with, the fourth, sixth, eighth and ninth, were referred to the committee of courts of justice; and the seventh, to the committee of internal improvements.
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. Metcalfe, from the committee of internal improvements, to whom was referred bills from the House of Representatives of the following titles, viz:
An act to authorize Granville Bowman to erect a gate across a certain road in Cumberland county; and
An act repealing the law declaring John's Creek a navigable stream.
Reported the same with amendments to each, which were concurred in:
Ordered, That the said bills be read a third time, as amended.
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 title of the former be amended by adding thereto, “and for other purposes;” and that the title of the latter be amended to read, “An act authorizing mill dams to be built across John's Creek.”

Mr. Smith, from the committee to whom was referred an engrossed bill, entitled an act to prohibit the circulation within this Commonwealth, of bank notes of a less denomination than five dollars, reported the same with amendments; the first amendment was disagreed to, and the second concurred in.
On the motion of Mr. Boyd, the said bill was laid on the table.

Mr. Willis, from the joint committee appointed to examine the Lunatic Asylum and Transylvania University, made the following report, viz:

The Joint Committee, raised for the purpose of examining the condition of the Lunatic Asylum and Transylvania University, and to report what legislative action is necessary to effect the objects of those institutions, have performed that duty, and beg leave to report:

That in pursuance of the resolution, by which they were appointed, they repaired to Lexington, and visited each of those institutions, and take pleasure in communicating to the Legislature, that the Lunatic Asylum is managed and conducted so as to meet their unqualified approbation. That the unfortunate persons, who are there confined, are treated with indulgence and humanity, well clothed. The rooms, which they inhabit, clean, warm and comfortable, and they are abundantly supplied with all such other accommodations, as are suited to their distressed and unhappy condition.
The lunatics in the Asylum, under the course of salutary discipline, to which they are subjected at occasional periods, when deemed necessary in order to aid their intellectual restoration, are employed at moderate labor in the cultivation of the land, not exceeding ten acres, belonging to the State, and adjoining the Asylum. The commissioners,
superintending this humane and benevolent institution, entertain the opinion, in which your committee concur, that to extend and increase the benefits and advantages, which certainly result from employing the lunatics as stated, that it would be advisable to purchase an additional quantity of land adjoining the present ownership of the State, of at least ten acres. Without taking into consideration the existing necessity for such a purchase, which is obvious to your committee, it is reasonable to anticipate, from our rapidly increasing population, that the number of lunatics will considerably augment. If the purchase of the land contemplated and recommended, is delayed, the price will, in all probability, be very much increased, in consequence of the internal improvements progressing in the vicinity of Lexington, and the continuing prosperity of that city, and perhaps the purchase itself rendered impracticable. We therefore recommend that provision be made, at the present session of the Legislature, for the acquisition of the ten acres of land proposed to be purchased.

We beg leave also to recommend a sufficient appropriation of money, to enable the commissioners of the Asylum, to enclose the land adjoining the Asylum, the property of the State, and also such additional land, if any, as may be purchased, in consequence of this report, with a good and substantial plank fence, sufficient to prevent the escape of the lunatics, when they are employed in the enclosures, or permitted to be there to take the benefits of free air and exercise.

Your committee have understood from the commissioners superintending the Asylum, that the State has expended in the erection of that building, about thirty thousand dollars, or that its present estimated value amounts to that sum or thereabouts; they have also been informed by the commissioners, that the Asylum, from the very nature and character of the disordered inmates of the institution, is very much exposed to destruction by fire, and your committee entirely accord with the commissioners in their representations in relation to this matter, and recommend that provision be made by law to effect an insurance against fire, on the Asylum and the buildings connected therewith; which insurance will, they are advised, not exceed one per cent per annum on the amount aforesaid.

The inclemency of the weather, and other circumstances, prevented their making as thorough an examination of the University, as they could have desired. It is with pride and pleasure, however, they are enabled to communicate to the Legislature, the high stand, which the Medical Department of the University has assumed—a stand, which your committee are satisfied, it well deserves, from the high qualifications and distinguished abilities of the different professors. Your committee had not an opportunity in person to witness the lecturing of the law classes; they are satisfied, nevertheless, from the acknowledged abilities and attainments of the gentlemen, who are the professors of law in the institution, that this department of the University, under their management, promises to become eminently useful as a Law School; and though comparatively, it is now in its infancy, the time is not remote when it may become as celebrated as the Medical Department already is.

However desirable to see the literary department of this ancient and valuable institution placed on a more permanent basis, and free from the occasional declension to which all such are more or less liable, your committee are not prepared to make any recommendation for appropriations for its benefit. The number and respectability of such institutions in our State, an inability to endow them all, and the impropriety of discriminating between them, together with the present (though we hope only momentary) derangement of our finances, in our opinion forbid it.
The Trustees of the University, through their Chairman, communicated to us, by letter, the means and the wants of the institution, which is herewith communicated, as well as a catalogue of the students and officers thereof. All of which is most respectfully submitted to the consideration of the Legislature.

Wm. T. Willis, 
Stilwell Heady, 
Rich'd. Southgate, 
Committee on the part of the Senate. 
A. K. Woolley, 
John Trimble, 
Benj. G. Burks, 
W. Sterett, 
Sherrod Williams, 
Committee on the part of the House of Representatives.

Transylvania University, February 2, 1835.

Sir:—The Board of Trustees of Transylvania University are not insensible to the honor done them by the Legislature, in appointing a Joint Committee of the two Houses to visit the University; and in order that the committee may be able to make a satisfactory report of its proceedings, the Trustees will now proceed to give to them a statement of its present condition and wants. And that the committee may be informed of all things pertaining to this State Institution, the Trustees will first endeavor succinctly to state the estimated value of the property of the academical department, its income and expenditure.

The old lot, upon which are situated the Preparatory Department and Janitor's House, estimated at $6,000
The ten acre lot, upon which is situated the Morrison College, estimated at $35,000
The Morrison Fund for the endowment of the Morrison Professorship, $10,000
Amount due from Joel Higgins for the purchase of the Macoun lot, $2,120
Stock in the Frankfort Bridge Company, $1,000
Endowed Property, $500
Library and Philosophical Apparatus, $2,000

$66,620

Present Liabilities of the Department,
To Gideon Shryock, for a balance yet unpaid for building Morrison College, $3,500
For Apparatus purchased, about 200
For Arrears of Salaries to Officers of the Department, 510

$3,210

Annual Income,
Interest of the Morrison Fund, $1,200
Tuition Fees of Morrison College, 800
Tuition Fees of the Preparatory Department, 1,000
Fines and Forfeitures in Fayette County, averaged at 150
Auction Tax in the City of Lexington, averaged at 130

3,280

From which sum deduct the Tuition Fees in the Preparatory Department of Students sent on the Arrears due from Subscriptions to the University, amounting during the last year to 250

Net Amount of Income, $3,030
300 JOURNAL OF THE SENATE [FEB. 18.

Annual Expenditure,
Salary of the Professor of Mathematics, 800.00
Salary of the Professor of Languages, (one half of the Tuition Fees,) 400.00
Salary of the Secretary and Treasurer, 150.00
Salary of the Principal of the Preparatory Department, 600.00
Salary of the Assistant of the Preparatory Department, 200.00
Wages of Janitor and Servant of College, 168.00
Insurance on Building, 112.50

$2,430.50

In addition to which are incidental expenses, of repairs, furniture, stationery and fuel, which vary too much to be accurately estimated.

Number of Students,
In Morrison College, 20
In Preparatory Department, 40
In Medical Department, 255
In Law Department, 43
Total, 358

The names of all the Officers of the University are hereto appended.

The residuary legacy of the late Col. James Morrison has not been specially mentioned. So much of this fund as has been received has been expended in the purchase of the Morrison College lot, and in the erection of the College building. The Trustees have, besides, advanced towards its erection, in aid of the said legacy, upwards of thirteen thousand dollars, with which amount that legacy stands chargeable; and the trustees may, in addition to this sum, out of their own funds and property, be compelled to pay the balance, which will be due to the undertaker of the Morrison College buildings, which is estimated at $2,500.

From all of which it appears, that the present income of the academical department is hardly sufficient for the employment of two ill paid professors in the College Proper, and a principal and assistant in the preparatory department, with the other necessary contingent expenses. A President, to discharge some of the duties now imposed upon the two professors of the College Proper, a professor of natural philosophy, and one of modern languages, are necessary for giving to the students as ample and complete an education as can be obtained at any similar institution in the United States. But the funds of the University are entirely inadequate, without legislative aid, to so desirable an object.

By the burning of the old College buildings, and the loss in books and philosophical apparatus, the University lost about $30,000; and although some books have been purchased since, and a valuable addition made to the library by the British government, in copies of some of the very ancient records and statutes of that kingdom, and some additions made to the philosophical apparatus, they are both in a very imperfect and mutilated condition; and the present revenue is too small to enable the Trustees to make the necessary additions to both, and the future prospect of increased prosperity does not justify the expectation that they will be able to make them usefully complete within any reasonable time.

In order that the expense of education may be lessened; that combinations to raise the price of boarding to students may be defeated, and the conduct of the young men
themselves be brought more immediately under the inspection of their instructors, than it can be by their being dispersed among the various boarding houses of the city, a suitable house is wanted for boarding and lodging the students of the University. The Trustees are aware of the many difficulties that must be surmounted before such an establishment can be made to answer the intended object, but as the greater part of the ancient Universities had such appendages, and many of the modern ones, they think the experiment worthy of a trial, were their funds sufficient for it. But this object, as well as those of greater importance before mentioned, they declare themselves utterly unable to accomplish for the want of means.

To the Legislature, therefore, they prefer their cause, and were it to appropriate the sum of four thousand dollars per annum for ten years, the Trustees have no doubt that with prudent management, the University would be able to realize the most sanguine expectations of the friends of literature and science everywhere. And when it is borne in mind that ignorance is the parent of error—that it generates selfish and contracted views and boundless wishes—that it endangers public freedom and prosperity, and individual security; and when combined with vice, as it too frequently is, it is one of the greatest evils that can befall any people, and when we consider what a mighty influence the highly educated classes do, and must always wield over the opinions and the conduct of men, by enlightening their minds, expanding their views, restraining their desires within reason's limits, and thereby better securing all the blessings of freedom, security, and consequent prosperity; the Trustees cannot do less than hope that the Legislature will do even more for the cause of knowledge and wisdom, by the advancement of Transylvania University to prosperity and usefulness, than they have ventured to ask.

All which is most respectfully submitted to your consideration.

ROBERT WICKLIFE, Chairman, B. T. T. U.

OFFICERS OF TRANSYLVANIA UNIVERSITY.


Faculty.

Benjamin Winslow Dudley, M. D. Professor of Anatomy and Surgery.
Charles Caldwell, M. D. Professor of the Institutes and Clinical Practice.
John Esten Cooke, M. D. Professor of the Theory and Practice of Medicine.
William Hall Richardson, M. D. Professor of Obstetrics and the Diseases of Women and Children.
Charles Wilkins Short, M. D. Professor of Materia Medica and Medical Botany, and Dean of the Medical Faculty.
Lunsford Pitts Yandell, M. D. Professor of Chemistry and Pharmacy.
Robert Peter, M. D. Secretary and Librarian of the Medical Faculty.
Hon. Daniel Mayes and Hon. George Robertson, Professors of Law.
Charles Caldwell, M. D. Professor of Medical Jurisprudence.
John Lutz, Professor of Mathematics and Natural Philosophy.
Robert Peter, M. D. Professor of Chemistry in Morrison College.
Rev. Samuel V. Marshall, Professor of Languages.
Charles E. Bains, Principal of the Preparatory Department.
Lyman W. Seely, Assistant.
Madison C. Johnson, Secretary of the Board of Trustees.

A bill from the House of Representatives, entitled an act to establish the Northern Bank of Kentucky, was taken up.

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. Willis and Taylor, were as follows, viz:

YEAS—Mr. Speaker, Messrs. Blackburn, Bush, Carter, Chinn, Coffey, Daviess, Gilbert, Grider, Harrel, McDonald, May, Meicalfe, Miller, Morehead, Morgan, Patterson, Southgate, Taylor, Thornton, Willis and Young—22.


Ordered, That the third reading of the said bill be on to-morrow.

A bill to amend the charter of the Baptist Education Society, was taken up and amended.

And then the Senate adjourned.

THURSDAY, FEBRUARY 19, 1835.

The Speaker of the Senate laid before the Senate the report of the Librarian, which is as follows, viz:

LIBRARY ROOM, Frankfort, Feb. 16, 1835.

Sir,—You will please lay before the honorable House, over which you preside, the accompanying report, which contains a catalogue of all the books received in the State Library the past year, 1834.

Yours respectfully,

GEO. A. ROBERTSON, Librarian.

HON. JAMES CLARK, Speaker of the Senate.
A Catalogue of Books received in the Public Library from the Secretary of State in 1834.

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2, do. 1831, 3 do.
3, do. 1832, 1 do.

No. 4, year 1832, 1 vol.
6, do. 1833, 1 do.
7, do. 1834, 1 do.

MONROE'S REPORTS.
No. 1, year 1825, 1 vol.
2, do. 1826, 1 do.
3, do. 1827, 1 do.

No. 4, do. 1828, 3 do.
5, do. 1829, 3 do.
6, do. 1829, 3 do.

LITTELL'S REPORTS.
No. 1, year 1823, 1 vol.
No. 2, do. 1824, 1 do.
No. 5, year 1824, 1 vol.

BIBB'S REPORTS.
No. 2, year 1816, 1 vol.
No. 3, year 1817, 1 vol.
No. 4, year 1817, 3 vols.

HARDIN'S REPORTS.
On hand, 96 volumes.

DANA'S REPORTS.
No. 1, year 1834, 43 volumes.

Acts of Kentucky, for 1833 and '34, 100 vols.
Senate Journals of Kentucky, for 1833 and '34, 9 vols.
House do. do. do. 11 do.

PIRTLE'S DIGEST.
Nov. 7, 1834—1 copy handed over to Henry Pirtle by the direction of
the secretary of state.
5 copies delivered to John J. Hardin, by the direction of the secretary
of state, in exchange for Hardin's Reports.
1 copy delivered to John G. Park, as clerk of Nicholas county, by
direction of the secretary of state.
1 copy delivered to Jacob Swigert, in exchange for Hardin's Reports.
Expenditures of the Public Library, in 1834:

To this sum paid John J. Vest, for articles furnished the Library Room, and work done in the same, as per bill, $246.07
To this sum paid J. H. Anderson, as per bill rendered, 3.93
To this sum paid Thomas J. Mayhall, as per bill rendered, 55.20
To this sum paid A. C. Keenan, as per bill rendered, 11.82
To this sum paid Mrs. S. Watson, as per bill rendered, 13.00
To this sum paid A. S. Parker, as per bill rendered, 29.52

$359.54

Books purchased by the court of appeals:
In 1833, (Commonwealth's paper,) $415.69
In 1834, do. do. 581.06

$996.75

Two years appropriation in Commonwealth paper, 1600.00

Leave a balance on hand in Commonwealth paper, $3.25

Books misplaced by the court of appeals, viz.
1 copy Toller on Executions,
1 copy Adams on Ejectment,
1 copy Pierris William's Reports,
1 copy Coxe's Digest,
5th volume Condensed Reports, Supreme Court, U. S.
7th volume Johnson's Chancery Reports,
1st volume Chitty's General Practice.
All of which is respectfully submitted to your consideration.

GEORGE A. ROBERTSON.

A message was received from the House of Representatives, announcing that they had receded from the amendment proposed by them to a resolution, which originated in the Senate, directing a tombstone to be placed over the grave of John Breathitt, late Governor of Kentucky.

And 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 for the benefit of the jailer of Fayette county.
An act appropriating six thousand acres of land warrants west of Tennessee river, for the erection of a bridge across Pitman's creek below Barnett's mill in Green county, where the road crosses from Greensburg to Louisville,
An act for the benefit of William Edmondson's heirs,
An act to regulate the appointment of jailers of this Commonwealth, and for other purposes; and
An act to reduce the number of justices of the peace in Whitley county.
And that they had concurred in the amendments proposed by the Senate to the amendments proposed by that House to a bill, which originated in the Senate, entitled,

An act allowing additional justices of the peace and constables to certain counties.

And that they had passed bills, which originated in that House of the following titles, to-wit:

An act to alter the time of the meeting of the General Assembly.

An act further to regulate appeals from justices of the peace, and to alter the law of costs in suits brought by executors or administrators.

An act for the benefit of Jane Turner.

An act for the benefit of William Garrard and Henry T. Duncan, and for other purposes.

An act to open and improve a road from the mouth of Salt river to Bowling Green.

An act to improve and open the road leading from Gaines' cross roads, by way of Union and Burlington, to the Ohio river, opposite Lawrenceburg, in the State of Indiana.

An act for the erection of a bridge across Marrowbone Creek, in Cumberland county.

An act to improve the navigation of Rough Creek, at the Great Falls.

An act for the benefit of David Rees; and

An act to regulate the service of process and notices on corporations.

1. Mr. Gholson presented the petition of sundry citizens of Christian county, praying that further time may be given to heads-right settlers to file their certificates.

2. Mr. Morgan presented the petition of sundry citizens, praying that a law may pass incorporating a company to make a dirt turnpike road from Millersburg, by Carlisle, mouth of Cassady, Elizaville, Flemingsburg and Vanceburg, to the mouth of Big Sandy river.

3. Mr. Young presented the petition of Silas W. Robbins, praying that a law may pass, making an appropriation to pay his costs, in the prosecution against him in the House of Representatives, in the year 1824.

4. Mr. Morgan presented the petition of sundry citizens of the town of Elizaville, praying that a law may pass incorporating said town; and

5. Mr. Wingate presented the petition of sundry citizens of Franklin county, praying that the election precinct at Weight's warehouse in said county, may be abolished.
Which petitions were severally received; the first was referred to a committee of Messrs. Gholson, Bramlette and McHenry; the second, to the committee of internal improvements; the third, to the committee of propositions and grievances; the fourth, to a committee of Messrs. Morgan, Bush and Gilbert; and the fifth, to a committee of Messrs. Wingate, Grider and Harrelld.

Mr. Guthrie, from the committee of courts of justice, to whom was referred a bill to incorporate the Versailles Hotel company, reported the same, with the opinion of the committee that it ought to pass.

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. Morgan, from the committee on the Penitentiary, made the following report, viz:

The Joint Committee, to whom was referred the memorial and report of Joel Scott, late keeper of the Penitentiary, have performed the duties assigned them, and after hearing all the testimony adduced by said Scott, relative to the credit claimed by him, the committee came to the conclusion, that although the claim was singular in its character, being to allow a credit for a large sum of money, and to correct a mistake on the books of said Penitentiary kept under the eye of said Scott, and which for years had escaped the detection of either keeper or clerk; yet on examining the books aforesaid, which have been very inartificially kept, the committee think there is much plausibility in the claim set up by said Scott, but from the time the committee could bestow in examining the books, kept in a very confused manner, they could not satisfy themselves certainly on the subject.

They therefore recommend the passage of a bill appointing commissioners to examine the accounts of said Scott, and settle with him upon equitable principles, which is herewith reported.

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 reading of the said bill having been dispensed with, it was referred to the committee of courts of justice.

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

On the motion of Mr. Daviess—1. A bill to regulate certain judicial districts.

On the motion of Mr. Nuttall—2. A bill to incorporate a company for the purpose of constructing a turnpike road from Frank-
fort to New Castle, thence through Bedford to Milton, on the Ohio river.

On the motion of Mr. Young—3. A bill for the benefit of Samuel Corne, of Clarke county.

On the motion of Mr. Wingate—4. A bill to appropriate six thousand acres of land west of the Tennessee river, for the erection of a bridge across Main Elkhorn, where the road from Frankfort to Big Bone crosses the same; and

On the motion of Mr. Smith—5. A bill to change the time of holding the Whitley circuit court.

Messrs. Daviess, Willis and Coffey, were appointed a committee to prepare and bring in the first; Messrs. Young, McDonald and Murrell, the third; Messrs. Wingate, Bush and Southgate, the fourth; Messrs. Smith, Lusk and Gilbert, the fifth; and the committee of internal improvements was directed to prepare and bring in the second.

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

By Mr. Guthrie—1. A bill for the benefit of Mary Eliza Thruston.

By Mr. Taylor—2. A bill for the benefit of John Woods.

By Mr. Wingate—3. A bill to abolish the election precinct on Flat creek, in Franklin county; and to change the place of voting in a precinct in Jefferson county; and

By Mr. Morgan—4. A bill to establish the town of Elizaville, in the county of Fleming.

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 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.

A bill from the House of Representatives, entitled an act to establish the Northern Bank of Kentucky, was read a 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. Guthrie and Murrell, were as follows, viz:

YEAS—Mr. Speaker, Messrs. Blackburn, Bush, Carter, Chinn, Coffey, Daviess, Gilbert, Grider, McDonald, May, Metcalfe, Miller, Morgan, Patterson, Southgate, Taylor, Thornton, Willis and Young—20.

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

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

An act to appropriate the fines and forfeitures in Livingston, and Cumberland counties, to the reduction of the levies of said counties.

An act allowing an additional constable to Wayne county, and for other purposes.

An act to subject to county levy all slaves that may each year hereafter be hired, or otherwise introduced into the county of Greenup.

An act for the benefit of the heirs of James Monks, deceased.

An act supplementary to an act, entitled an act to improve the navigation of Nolin, approved February 21, 1834.

An act for the benefit of John Hughes, Jr.'s, heirs.

An act allowing two additional justices of the peace to Christian county.

An act for the benefit of Cardwell Breathitt's children.

An act for the benefit of Joseph Mitchell and others, devisees under the will of William Basey, deceased.

An act for the benefit of James Fleming's heirs.

An act to establish a State road from Hardinsburg to Owenboro, so as to pass through Cloverport, Hawesville and Yelvington.

An act to reduce the price of public lands west of the Tennessee river, and for other purposes.

A resolution fixing on a day for the election of Public Officers.

That the said bills and resolution 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 Lieutenant and Acting Governor, for his approbation and signature.

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

The Senate resumed the consideration of a bill to amend the charter of the Kentucky Baptist Education Society.

Mr. Miller moved to lay the said bill on the table, until the first day of June next.

The question being taken thereon, it was decided in the negative.
The yeas and nays being required thereon, by Messrs. Smith and Daviess, were as follows, viz:

YEAS—Mr. Speaker, Messrs. Chinn, Coffey, Daviess, Lusk, May, Metcalfe, Miller, Morehead, Patterson, Smith, Southgate, Taylor and Young—14.


And then the Senate adjourned.

FRIDAY, FEBRUARY 20, 1835.

Mr. Guthrie presented the petition of the administrator and heirs of William E. King, deceased, praying that a law may pass, authorizing a sale of certain land and slaves, which belonged to the deceased; which was 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 change the present mode of summoning jurors in this Commonwealth, and to provide for their compensation, reported the same with an amendment.

On the motion of Mr. Daviess, the said bill and amendment were laid on the table, and the Public Printer was directed to print one hundred and fifty copies of the amendment, for the use of the General Assembly.

Mr. Metcalfe, from the committee of internal improvement, to whom was referred bills from the House of Representatives, of the following titles, viz:

An act regulating the public roads and highways in Bracken county; and
An act to amend an act, entitled an act to build a bridge across Jellico river, in Whitley county.

Reported the same, with the opinion of the committee that they ought to pass.

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

An act to establish a road from Taylorsville, in Spencer county, in the direction of Harrodsburg, to intersect Delaney's old road, leading from Bardstown to Lexington.

An act to regulate the guaging of spirituous liquors in the city of Louisville.

An act to incorporate the Louisville Museum Company.

An act for the benefit of the heirs of Patsey Patton.

An act to authorize Carroll C. Blinco, and Emeline Blinco, his wife, to sell and convey a tract of land lying in Nelson county.

An act for the benefit of the devisees of John C. Richardson, Sen.

An act for the benefit of the heirs of Matthew Hawkins.

An act for the benefit of the widow and heirs of Robert Ramey.

An act for the benefit of Samuel Moore and others.

An act for the benefit of the heirs of George and John Graham.

An act to enlarge the jurisdiction and powers of the trustees of the town of Owenboro, in Daviess county.

An act to allow some additional ground to be attached to the town of Maxville, in Washington county.

An act to regulate the appointment of jailers in this Commonwealth, and for other purposes.

An act to authorize the sale of Mount Carmel Meeting House, for the benefit of the Methodist Episcopal Church.

An act appropriating six thousand acres of land west of Tennessee river, for the erection of a bridge across Pitman's creek, below Barnett's mill, in Green county, where the road crosses from Greensburg to Louisville.

An act for the benefit of the heirs of Daniel Wood, deceased.

An act for the benefit of William Edmondson's heirs.

An act to provide for the more certain collection of the taxes on sales at auction, in the city of Louisville; and

An act to add an additional justice of the peace for Floyd and Pike county.

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 they were delivered to the committee, to be presented to the Lieutenant and Acting Governor, for his approbation and signature.

After a short time, Mr. Bramlette reported that the committee had performed that duty.
The following bills were reported from the several committees, appointed to prepare and bring in the same, to-wit:

By Mr. Metcalfe, from the committee of internal improvements—1. A bill to amend an act to encourage the manufacture of queensware.

2. A bill to incorporate the Carlisle, Flemingsburg and Green-upsburg turnpike road company.

By Mr. Gholson—3. A bill for the benefit of the holders of headright certificates.

By Mr. Daviess—4. A bill to regulate certain circuit courts; and

By Mr. Miller—5. An act to repeal in part an act concerning the troop of cavalry attached to the seventh regiment and 13th brigade Kentucky militia.

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 and fourth bills, having been dispensed with, the second was referred to a committee of Messrs. Metcalfe, Morgan, Carter and Blackburn, and the fourth, to a committee of Messrs. Willis, McDonald, Blackburn, Heady, Daviess, Coffey and Roberts.

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.

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

On the motion of Mr. Grider—A bill to establish the Bowling-green Water Company; and

On the motion of Mr. Morehead—A bill changing the times of the sitting of the General Court.

Messrs. Grider, Guthrie and Harreld, were appointed a committee to prepare and bring in the former, and Messrs. Morehead, Willis and Taylor, the latter bill.

A bill from the House of Representatives, entitled an act to prevent pedlars from retailing certain wares without license, was taken up.

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

An engrossed bill, entitled an act to prohibit the circulation within this Commonwealth, of bank notes of a less denomination than five dollars, was taken up.

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 re-engrossed,

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

A bill to amend the charter of the Kentucky Education Society, was re-committed to the committee of courts of justice.

The amendments proposed by the House of Representatives, to bills from the Senate, of the following titles, viz:

An act to appropriate some of the vacant lands in Pulaski county, to the improvement of the road leading from Somerset to the Coal Mines; and

An act for the benefit of the widow and heirs of Benjamin Quin, deceased.

Were twice read and concurred in.

A message was received from the House of Representatives, announcing the passage of a bill, of the following title, viz:

An act for the Internal Improvement of the State of Kentucky.

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

An act to establish the Northern Bank of Kentucky.

An act for the benefit of Charles Boone.

An act for the benefit of Daniel Gwyn's heirs; and

An act for the benefit of David Carrier and Jacob Carrier.

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 they were delivered to the committee, to be presented to the Lieutenant and Acting Governor, for his approbation and signature.

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

An engrossed bill, entitled an act to establish the county of McDonald, was read the third time as follows, viz:

Sec. 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That from and after the first day of April, eighteen hundred and thirty-five, all that part of Washington and Mercer counties contained in the following bounds, to-wit: Beginning where the Washington and Mercer county lines cross Chaplin's Fork, near John Lambert's Salt Lick, thence running up said Chaplin's Fork with its meanders to the mouth of Wilson's creek, thence a straight line to where the
Marion county line joins the Mercer county line, thence with the Marion line to where the same crosses the Beech Fork, thence down said Fork with its meanders to the mouth of Pleasant Run, thence a straight line to Hobbs' mill on Chaplin's Fork, and if said straight line does not leave John Moore, Esq. in the county of Washington, it shall be so varied at his farm as to leave him in the county of Washington, thence straight to said mill, thence up Chaplin's Fork to the Anderson county line, thence with the Anderson county line to the Mercer county line, thence with the Mercer county line to the beginning, shall be, and the same is hereby erected into one distinct county, to be called and known by the name of McDonald.

SEC. 2. Be it further enacted, That the county of McDonald shall be entitled to nine justices of the peace; who, after having been commissioned, shall, on the first Monday of April, eighteen hundred and thirty-five, meet at the house of Moses McCoun, in the town of Maxville, and after taking the necessary oaths of office, and qualifying their sheriff, they shall proceed to appoint a clerk, to whose permanent appointment a majority of all the justices in commission in and for said county, shall concur; but if such majority cannot be had in favor of any one, then the court may appoint one pro tem, until a majority of said court shall concur in said appointment.

SEC. 3. Be it further enacted, That the county and circuit courts of Washington county, and the justices of the peace thereof, shall have jurisdiction in law and equity, in all cases instituted before this act takes effect.

SEC. 4. Be it further enacted, That it shall be lawful for the sheriff, constables and collectors in the county of Washington, to collect all moneys, and execute all process, as the law directs, which may be in their hands at the time this act takes effect, and account for the same according to law.

SEC. 5. Be it further enacted, That the county court of McDonald shall appoint commissioners of tax for the year eighteen hundred and thirty-five, which shall be governed by the laws which may be in force on that subject.

SEC. 6. Be it further enacted, That the seat of justice of the county of McDonald, shall be fixed by a vote of the legal and qualified voters of said county, at an election held for that purpose, on the second Monday in April, eighteen hundred and thirty-five, at all the voting places in said county, which election shall only hold one day; and it shall be the duty of the county court of McDonald, on the first Monday in April, to appoint judges and clerks for said election, which shall be governed by
the laws now in force on that subject; and it shall be the duty of the
sheriff or sheriffs attending the polls at each voting place in said county,
immediately after the close of the polls, to return the poll books to the
clerk of the county court of said county; and it shall be the duty of the
county court of McDonald, at their next meeting after said return, and
they are hereby empowered to select and purchase a suitable lot or
parcel of ground at the place selected by the fair vote of the people of
said county, for the erection of the public buildings, and shall make
report of the purchase and terms thereof to the county court at its suc­
ceding session; and it shall be the duty of the said county court to make
provisions for the payment of the purchase money to be paid for said
lot or parcel of ground, according to the terms of the purchase; and the
said county court, as soon as may be after the purchase of said lot or
parcel of ground is reported to them as aforesaid, proceed to cause a
suitable court house and jail, with such other public buildings as they
shall think proper or necessary, to be erected thereon; and until the
public buildings are erected, it shall be the duty of the county court, at
the expense of their county, to select and secure some suitable house
in the place selected by the people at their election, in which the ses­
sions of the county and circuit courts may be held in and for said county,
until the court house shall be completed and prepared for that purpose.

SEC. 7. Be it further enacted, That the county of McDonald shall
be, and the same is hereby attached to the ninth judicial district.

Mr. Guthrie moved the previous question.

And the question being taken, “shall the main question be now
put,” it was decided in the affirmative.

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

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

YEAS—Mr. Speaker, Messrs. Gilbert, Heady, James, Mc­
Donald, May, Metcalfe, Southgate, Thornton, Willis, Wingate
and Young—12.

NAYS—Messrs. Blackburn, Bramlette, Carter, Coffey, Da­
viss, Gholson, Guthrie, Harrel, Lusk, McHenry, Miller, Moore­
head, Morgan, Murrell, Nuttall, Roberts, Sisk, Smith and
Taylor—19.

A bill from the House of Representatives, entitled an act for
the benefit of Major King and others, was read the third time.

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, were severally read the first time and ordered to be read a second time, viz:

1. An act to incorporate the Glasgow and Munfordsville turnpike company.
3. An act authorizing Samuel Hatler to erect, upon certain conditions, a mill dam across Big Barren river.
4. An act to change the mode of paying for teams and materials for repairing public roads.
5. An act for the benefit of Elizabeth Sharp and children, of Whitley county.
6. An act authorizing Henry Toland and Robt. Toland, trustees of Sarah Maccoum and her children, to sell real estate.
7. An act for the benefit of Henry Shelton's heirs.
8. An act to authorize the clerk of the Wayne county court to transcribe certain minutes and records in his office.
9. An act to incorporate the Covington and Latonian Spring Rail Road Company.
10. An act to amend an act, entitled an act to construct a turnpike road from Covington, through Williamstown and Georgetown, to Lexington, in Fayette county.
11. An act to amend the several acts in relation to Morgantown.
13. An act to amend the law in relation to search warrants.
15. An act for the benefit of the sheriff of Calloway county.
16. An act further to regulate appeals from justices of the peace, and to alter the law of costs in suits brought by executors or administrators.
17. An act for the benefit of Jane Turner.
18. An act for the benefit of William Garrard and Henry T. Duncan, and for other purposes.
19. An act to open and improve a road from the mouth of Salt river to Bowling-green.
20. An act to improve and open the road leading from Gaines' cross roads, by way of Union and Burlington, to the Ohio river, opposite Lawrenceburg, in the State of Indiana.
22. An act to improve the navigation of Rough Creek, at the Great Falls.
23. An act for the benefit of David Rees; and
24. An act to regulate the service of process and notices upon corporations.
The rule of the Senate, constitutional provision and second reading of the said bills, having been dispensed with, the first, third, ninth, tenth, nineteenth, twentieth, twenty-first and twenty-second, were referred to the committee of internal improvements; the second, fifteenth and eighteenth, to the committee of finance; the fourth, fifth, sixth, seventh, eleventh, thirteenth, fourteenth, sixteenth, twenty-third and twenty-fourth, to the committee of courts of justice; the eighth, to a committee of Messrs. Daviess, McHenry and Willis; the twelfth, to a committee of Messrs. Roberts, Southgate and Willis; and the seventeenth, to the committee of religion.

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

An act for the benefit of Samuel Abbott's heirs.

An act for the benefit of Eleanor F. Ragland, Martha C. Ragland, Nancy Ragland, Andrew J. Ragland and Sarah M. Ragland.

An act authorizing the trustees of West Liberty to sell part of Water street, in said town.

An act to amend an act concerning the troop of cavalry attached to the 7th regiment and 13th brigade of the Kentucky Militia.

An act for the benefit of Harry Bibbins, a free man of color.

An act to authorize the county court of Hardin to sell their poor house land.

An act to authorize the sale of a street in the town of Somerset.

An act to amend the several laws establishing and regulating Jeffersontown; and

An act to establish an election precinct in Grayson county.

Were severally 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 Henry Carter, 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 disagreed to.

An engrossed bill, entitled an act to amend the several laws in relation to working on roads, was read the third time.

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

A bill to repeal part of the act regulating the mode of settling the accounts of executors, administrators and guardians, was read the second time as follows, viz:

Sec. 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That so much of the act, entitled “an act regulating the mode of settling the accounts of executors, administrators and guardians,” approved February the twenty-fourth, eighteen hundred and thirty-four,
as requires that the vouchers of any such executor, administrator or
guardian, should be filed with the clerk of the county court, after the
court has received the report of commissioners, and ordered the same to
record, be repealed; and so much of said act as authorizes a justice of
the peace to be appointed the commissioner, shall be, and the same is
hereby repealed.

The question being taken on engrossing the said bill, and read-
ing 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. Taylor
and Thornton, were as follows, viz:

YEAS—Mr. Speaker, Messrs. Blackburn, Boyd, Chinn,
Daviess, Grider, Guthrie, McDonald, McHenry, Metcalfe, Miller,
Morgan, Murrell, Patterson and Thornton—15.

NAYS—Messrs. Bramlette, Carter, Gholson, Harreld, Head,
Lusk, May, Morehead, Nuttall, Roberts, Sisk, Smith, Southgate,
Taylor, Willis, Wingate and Young—17.

A bill from the House of Representatives, entitled an act to
alter the time of the meeting of the General Assembly, 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 internal improvement of the State of Kentucky, was read the
first time, and ordered to be read the second time.

Mr. Guthrie moved to dispense with the rule of the Senate and
constitutional provision, requiring said bill to be read on three
several days.

And the question being taken thereon, it was decided in the
negative, four-fifths of the Senate not having voted therefor.

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

YEAS—Mr. Speaker, Messrs. Blackburn, Carter, Chinn,
Daviess, Grider, Guthrie, Harreld, Lusk, McHenry, May, Met-
calfe, Miller, Morgan, Murrell, Nuttall, Roberts, Smith, Southgate,
Taylor, Thornton, Willis and Young—23.

NAYS—Messrs. Boyd, Bramlette, Gholson, Gilbert, Head,
McDonald, Morehead, Patterson, Sisk and Wingate—16.

On the motion of Mr. Wingate, the said vote was reconsidered.

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 improvements; and the Public Printer
was directed to print one hundred and fifty copies thereof, for
the use of the General Assembly.
A bill from the House of Representatives, entitled an act to authorize the county court of Owen to open and establish a road leading from Brock's ford, on Eagle creek, to the Twin Meeting House, 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 from Brock's ford to Warsaw."

A resolution from the House of Representatives, fixing on a day for an adjournment of the General Assembly, was twice read and concurred in as follows, viz:

"In the House of Representatives, February 16, 1835.
Resolved by the General Assembly of the Commonwealth of Kentucky, That when they adjourn on the 28th day of February, they will adjourn without day."

Att. R. S. TODD, Clerk, H. R."

On the motion of Mr. Guthrie, leave was given to bring in a bill authorizing the city of Louisville to establish gas lights in said city.

The committee of courts of justice was directed to prepare and bring in the same.

On the motion of Mr. Daviess, leave was given to bring in a bill supplemental to an act to establish the Northern Bank of Kentucky; and Messrs. Daviess, Thornton and Willis, were appointed a committee to prepare and bring in the same.

After a short time Mr. Daviess, from the said committee, reported the said bill; which was read the first time and ordered to be read a second time.

Mr. Daviess moved to dispense with the rule of the Senate and constitutional provision, requiring the said bill to be read on three several days.

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

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


NAYS—Messrs. Bramlette, Guthrie and Heady—3.
The said bill was then referred to a committee of Messrs. Daviess, Gilbert and Bush.

On the motion of Mr. Willis, leave was given to bring in a bill for the benefit of the heirs and representatives of James Reddleslarger; and Messrs. Willis, Roberts and May, were appointed a committee to prepare and bring in the same.

Mr. Roberts, from the committee to whom was referred a bill from the House of Representatives, entitled an act for the benefit of John Stith, jr. deceased, 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 amended to read, "an act for the benefit of John Stith's representatives."

And then the Senate adjourned.

SATURDAY, FEBRUARY 21, 1835.

On the motion of Mr. Guthrie, the committee of courts of justice was discharged from the further consideration of a petition of the citizens of Lexington, praying for a charter for a bank.

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

An act further to regulate appeals from justices of the peace, and to alter the law of costs in suits brought by executors or administrators.

An act authorizing Henry Toland and Robert Toland, trustees of Sarah Maccoupin and her children, to sell real estate.

An act to change the mode of paying for teams and materials for repairing public roads.

An act to authorize the sale of certain real estate belonging to Zerah T. Craig, an infant.

An act allowing Spotswood Wilkinson to sell an interest in certain real estate, for the devisees of E. P. Wilkinson, deceased.

Reported the same, with the opinion of the committee that they ought not to pass.

The question being taken on reading the said bills a third time, it was decided in the negative, and so the said bills were disagreed to.
Mr. Guthrie, from the same committee, to whom was referred a bill to incorporate the town of Frankfort, reported the same, with the opinion of the committee that it ought to pass.

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. Guthrie, from the same committee, to whom was referred a bill from the House of Representatives, of the following titles, viz: An act for the benefit of Elizabeth Sharp and children, of Whitley county.

An act for the benefit of David Rees.

An act for the benefit of John S. Stokes.

An act for the benefit of Henry Shelton’s heirs; and

An act to provide for transcribing certain books in the office of the Harrison county court, and for other purposes.

Reported the same, with the opinion of the committee that they ought to pass.

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. Guthrie, from the same committee, to whom was referred a bill from the House of Representatives, entitled an act to explain the powers of the several county courts in this Commonwealth, in regard to allowances to clerks and sheriffs for ex officio services, reported the same without amendment.

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 to authorize the Governor to transmit certain books to the executives of our sister States in exchange for other books, reported the same with an amendment, which was concurred in.

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

An act to amend the several acts in relation to Morgantown; and
An act to amend the law in relation to search warrants.
Reported the same with amendments to each, which were concurred in.

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

Resolved, That the said bill, as amended, do pass, and that the title be amended by adding thereto, "and to extend the bounds of the town of Richmond."

A message was received from the House of Representatives, announcing the passage of bills, which had originated in the Senate, of the following titles, to-wit:

An act to incorporate a company to turnpike the road from Nicholasville to Perryville, by way of Shakertown and Harrodsburg.

An act to amend the act, approved the 22d of Feb. 1834, to improve the navigation of Big Sandy river.

An act continuing in force the law providing for the appointment of Commonwealth's attorneys.

An act to establish an election precinct at Crittenden, in the county of Grant.

With amendments to each.

And that they had passed bills, which originated in that House of the following titles, to-wit:

An act to incorporate the Owingsville, Mountsterling and Winchester turnpike company.

An act to build a bridge over Blood river.

An act for the benefit of the infant heirs and devisees of Carter B. Foster, deceased.

An act to amend the several acts concerning the Wilderness and Goose Creek turnpike roads.

An act to allow one additional constable to Bullitt county.

An act for the benefit of the heirs of Charles Taylor, deceased.

An act to authorize the taking of depositions in civil causes depending before justices of the peace.

An act to amend an act, entitled an act to improve and open the road from Rocky Spring, in Harrison county, to Williamsown, in Grant county.

And that they had received official information, that the Lieutenant and Acting Governor, had approved and signed bills and resolutions, which originated in that House, of the following titles:

An act for the benefit of Daniel B. Dorser.

A resolution to furnish Mann Butler with certain documents.

An act to authorize the sale of a portion of the real estate of Samuel Blankenbecker, deceased, to pay his debts.
An act authorizing the sale of certain estate belonging to Charles J. Riddle, Lafayette Riddle and Mary Jane Riddle, infant children of Lewis Riddle, deceased.

An act to establish an election precinct in Shelby county.

An act for the benefit of Daniel Smith.

An act incorporating the Green river Female Academy.

An act to amend and reduce into one the several acts incorporating a company to turnpike a road from Frankfort to Lexington by way of Versailles.

An act to change the place of voting in the Sharpsburg precinct in Bath county.

An act to repeal the sixth section of an act further to regulate the Wilderness and turnpike road, approved Feb. 22, 1834.

An act to enlarge the bounds of the town of Crab Orchard.

An act to amend an act, entitled an act, establishing a fire company in the town of Bowling-green, and for other purposes.

An act to repeal an act declaring Rockcastle creek navigable.

An act for the benefit of Thomas P. Burnett.

Approved 14th Feb. 1835.

An act to change the time of holding the Livingston, Caldwell and Hickman circuit courts, and for other purposes.

An act for the benefit of Obed Denham.

An act making an appropriation of land warrants to improve the road leading from Tompkinsville to Dicken's ferry on Cumberland river, in Monroe county.

An act to allow additional justices of the peace and constables in certain counties.

A resolution requesting the Legislature of Ohio to pass a law in relation to fugitive slaves from this State.

An act to authorize the trustees of the town of Russellville to levy money for McAdamizing the streets in said town, and for other purposes.

An act to extend the limits of the town of Barboursville.

An act for the benefit of the sheriff of Lincoln county, and for other purposes.

An act for the benefit of the sheriffs of Madison, Henderson and Washington counties.

An act to establish the town of Concord, in Calloway county, and for other purposes.

An act to sell the real estate of Samuel May, deceased, to pay the debts, and for other purposes.

An act for the benefit of the administrator and heir of Robert S. Young, deceased.

An act to authorize the sale of the real estate of Jesse M. Coffey and Tho. H. Coffey, deceased.
An act to repeal an act, entitled an act to organize a Fire Company in the town of Nicholasville, approved Nov. 26, 1831.
An act for the benefit of William Clark Twyman.
An act to establish an inspection of tobacco and other articles of commerce, in the town of Paducah.
An act establishing the town of Ghent in Gallatin county.
An act to allow additional justices to the county of McCracken, and for other purposes.
An act to allow an additional justice of the peace to the county of Mende.

Approved 16th Feb. 1835.

An act to establish the Northern Bank of Kentucky.
An act to add an additional justice of the peace to Floyd and Pike county.
An act to reduce the price of public lands west of the Tennessee river.
An act to establish a road from Hardinsburg to Owenboro', so as to pass through Cloverport, Hawesville and Yelvington.
An act for the benefit of Joseph Mitchell and others, devisees under the will of William Basey, deceased.
An act for the benefit of James Fleming's heirs.
An act to subject to county levy all slaves that may each year hereafter be hired, or otherwise introduced into the county of Greenup.
An act for the benefit of the heirs of James Monks, deceased.
An act to appropriate the fines and forfeitures in Livingston and Cumberland counties, to the reduction of the levies of said counties.
An act allowing an additional constable to Wayne county, and for other purposes.
An act allowing two additional justices of the peace to Christian county.
A resolution fixing on a day for the election of public officers.
An act for the benefit of Cardwell Breathitt's children.
An act supplementary to an act, entitled an act to improve the navigation of Nolin, approved February 22, 1834.

Approved 20th Feb. 1835.

Mr. Guthrie, from the committee of courts of justice, to whom was referred a bill to regulate the county courts of this Commonwealth, reported the same without amendment.

The said bill is as follows, viz:

**Sec. 1.** Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the justices of the peace in the several counties in this Commonwealth shall, on the first Monday in July, 1835, and on the first Monday in July, in each succeeding two years, select three of the
most intelligent of their own body as judges of their respective county courts, for the two succeeding years; and it shall be the duty of the three justices, so selected, in each county in the State, to act as judges of the county court of their county; and they shall have all the power and jurisdiction which is now vested in the county courts of this Commonwealth, except as to the allowance of claims against the county, and laying the county levies, and the appropriation of the same. Any two of the three shall form a quorum for the transaction of the business of the court, and each shall be entitled to a compensation of two dollars for each day he shall preside as judge of the county court, to be paid out of the county levy of his county. And if either of the justices, so selected, shall refuse to act, or shall resign, or otherwise vacate his office, the remaining one or two, as the case may be, shall select some other justice or justices, from the magistracy of the county, to act as judge of the county court, for the two years for which they were selected.

Sec. 2. It shall be the duty of the judges of the county courts to cause an alphabetical list of all executorships, administrations and guardianships to be made out by their respective clerks, and to call over the list at each term of their courts, and see that regular appraisements, inventories and settlements are made; and when an estate is settled or a ward paid up the amount in the hands of the guardian, to cause the case to be stricken from the docket. They shall also have power to enforce the settlement of an estate within a shorter period than one year, if they shall be of opinion it ought to be done.

Sec. 3. The county courts shall be considered always open for the proof of wills, granting letters testamentary and administration, appointing guardians and binding out apprentices. The judges shall not be entitled to a per diem allowance for holding a county court at any time but a regular term or a continuance thereof; but in lieu of the per diem, they shall be entitled to have and receive a fee of one dollar for each will proved, each grant of letters testamentary or administration, and each appointment of a guardian, and each apprentice bound out.

Sec. 4. It shall be the duty of all the justices of the peace, in the several counties in this Commonwealth, to meet and hold their court of claims, and lay their county levies, and provide for the disbursement of the same, as though this act had not passed. And it shall be their duty to meet on the first Monday in July, 1835, and on the first Monday in July of each succeeding two years, and make the selection of three justices to act as judges of their county courts for the succeeding two years.

Mr. Willis moved to lay the said bill on the table, until the first day of June next.
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The question being taken thereon, it was decided in the affirmative.

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

YEAS—Mr. Speaker, Messrs. Blackburn, Bramlette, Bush, Carter, Coffey, Daviess, Gholson, Gilbert, Harrel, Heady, McDonald, McHenry, May, Miller, Morehead, Morgan, Murrell, Nuttall, Patterson, Sisk, Smith, Southgate, Willis, Wingate and Young—26.


Mr. Guthrie, from the same committee, to whom was referred a bill to make copies from the books and papers of the Commonwealth's bank and branches, evidence in this Commonwealth, reported the same without amendment.

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

Mr. Guthrie, from the same committee, to whom was referred a bill to amend the charter of the Kentucky Baptist Education Society, reported the same with an amendment, which was concurred in.

Mr. Willis moved the previous question.

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

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

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


NAYS—Mr. Speaker, Messrs. Coffey, Daviess, Harrel, Lusk, May, Metcalfe, Miller, Patterson, Smith, Southgate, Taylor and Young—13.

Mr. Wingate, from the committee of religion, to whom was referred a bill from the House of Representatives, entitled an act for the benefit of Clarinda Rose, reported the same, with the opinion of the committee that it ought not to pass.

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

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

YEAS—Messrs. Blackburn, Bramlette, Daviess, Gilbert, Head, McHenry, May, Metcalfe, Morgan, Nuttall, Patterson, Smith, Southgate, Willis and Young—15.

NAYS—Mr. Speaker, Messrs. Boyd, Coffey, Gholson, Gilder, Guthrie, Harreld, Lusk, Miller, Morehead, Sisk, Taylor, Thornton and Wingate—14.

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

Mr. Wingate, from the same committee, to whom was referred a bill from the House of Representatives, entitled an act for the benefit of Jane Turner, reported the same, with the opinion of the committee that it ought not to pass.

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

Mr. Patterson moved to dispense with the rule of the Senate, constitutional provision and third reading of the said bill,

And the question being taken thereon, it was decided in the negative, four-fifths of the Senate not having voted therefor.

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


NAYS—Mr. Speaker, Messrs. Coffey, Gholson, Gilbert, Guthrie, Lusk, Miller, Morehead, Murrell and Taylor—10.

Mr. Metcalfe, from the committee of internal improvements, to whom was referred bills from the House of Representatives of the following titles, viz:

An act authorizing Samuel Hatler to erect, upon certain conditions, a mill dam across Big Barren river; and

An act to incorporate the Glasgow and Munfordsville turnpike company.

Reported the same, with the opinion of the committee that they ought to pass.

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.
A message was received from the House of Representatives, announcing their concurrence in the amendments proposed by the Senate to bills, which originated in that House, of the following titles, to-wit:

An act to authorize Granville Bowman to erect a gate across a certain road in Cumberland county.

An act repealing the law declaring John’s Creek a navigable stream.

An act to authorize the county court of Owen to open and establish a road leading from Brock’s ford, on Eagle creek, to the Twin meeting house.

An act for the benefit of the heirs of John Stith, jr. deceased.

An act to prevent pedlars from retailing certain wares without license.

That they had passed bills, from the Senate, of the following titles, to-wit:

An act to amend an act, in relation to the Mountsterling, Big Sandy and Flemingsburgh turnpike road, passed Dec. 1831.

An act to amend an act, entitled an act, for incorporating the Hartford bridge company, approved Feb. 7, 1834.

An act to provide for making a road from Bowlinggreen by the way of South Union, Russellville and Elkton, to Hopkinsville.

An act to amend an act, approved 22d Feb. 1834, authorizing the construction of a bridge across Big Barren river.

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

An act for the benefit of the heirs of Peter Carney, deceased.

An act for the benefit of the devisees of John Aldridge, deceased.

A resolution directing a tombstone to be placed over the grave of John Breathitt, late Governor of Kentucky.

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 they were delivered to the committee, to be presented to the Lieutenant and Acting Governor, for his approbation and signature.

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

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

By Mr. Guthrie, from the committee of courts of justice—1. A bill authorizing the city of Louisville to establish gas lights in said city.
By Mr. Wingate, from the committee of religion—2. A bill for the benefit of Sarah Pepper.

By Mr. Guthrie—3. A bill to establish the Bowlinggreen water company; and

4. A bill to legalize the proceedings of the Bracken county court.

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, and second and third readings of the first, second and fourth, having been dispensed with, the third was referred to the committee of courts of justice; the first, second and fourth, being engrossed,

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

Mr. Daviess, from the committee to whom was referred a bill supplemental to an act to establish the Northern Bank of Kentucky, reported the same with an amendment, which was concurred in.

Mr. Guthrie moved a further amendment to the said bill.

And then the Senate adjourned.

MONDAY, FEBRUARY 23, 1835.

A message was received from the Lieutenant and Acting Governor, by Mr. Cox, Assistant Secretary of State, announcing that he had approved and signed enrolled bills and resolutions, which originated in the Senate, of the following titles, viz:

On the 11th instant,

A resolution requesting the Acting Governor to engage counsel on the part of the Commonwealth, in the prosecution of John U. Waring.

An act to incorporate Van Dorens' College for Young Ladies.

On the 14th instant,

An act to establish a state road from the mouth of Salt river to the Ohio River, opposite to Shawneetown, so as to pass through the towns of Plain Dealing, Hardinsburg, Knottsville, Owensboro', Henderson and Morganfield.

An act for the benefit of Samuel Kimbrough.

On the 17th instant,

An act for the benefit of Ann T. Mallary.

An act to establish an election precinct in the north part of Washington county.

An act to amend the charter of the Bardstown and Louisville Turnpike Company.
An act to dispose of the seminary buildings near Greenupsburgh.
An act to amend the law for the benefit of Frances Kercheval.
An act for the benefit of Aylett H. Buckner and Charlotte, his wife.
An act to amend an act, entitled an act, to establish a medical institute in the city of Louisville.
An act allowing an additional justice of the peace and constable to Shelby county.
An act to change the name of the Princeton Seminary, and to increase the number of trustees.
An act to prevent justices of the peace from being taken or received as securities in bonds executed in their courts.
An act to amend the laws relative to the estate of the late John Breckenridge, deceased.
An act for the benefit of Holbert McLure and William Fish, both of Rockcastle county.
An act changing the time of holding the Logan and Simpson county courts.
An act to extend and continue in force an act for the benefit of Stephen Langford, approved January the 20th, 1833, and for other purposes.
An act to establish a State road from Hopkinsville to Smithland.
An act for the benefit of the first Presbyterian church in Lexington.
An act to apply the fines and forfeitures of Bourbon county, to the lessening the county levy.
On the 20th instant,
An act to establish a road from Taylorsville, in Spencer county, in the direction of Harrodsburg, to intersect Delaney’s old road, leading from Bardstown to Lexington.
An act to regulate the guaging of spiritous liquors in the city of Louisville.
An act for the benefit of the heirs of Patsey Patton.
An act to authorize Carroll C. Blinco, and Emeline Blinco, his wife, to sell and convey a tract of land lying in Nelson county.
An act for the benefit of the widow and heirs of Robert Ramey.
An act for the benefit of Samuel Moore and others.
An act for the benefit of the heirs of George and John Graham.
An act to enlarge the jurisdiction and powers of the trustees of the town of Owemboro, in Daviess county.
An act to allow some additional ground to be attached to the town of Maxville, in Washington county, and for other purposes.
An act to incorporate the Louisville Museum Company.
An act to provide for the more certain collection of the taxes on sales at auction, in the city of Louisville.
An act for the benefit of the heirs of Matthew Hawkins.
An act for the benefit of the devisees of John C. Richardson, deceased.

And on the 21st instant,
A resolution directing a tombstone to be placed over the grave of John Breathitt, late Governor of Kentucky.
An act for the benefit of the devisees of John Aldridge, deceased.
An act for the benefit of the heirs of Peter Carney, deceased.

Two messages in writing were received from the Lieutenant and Acting Governor, by Mr. Cox, Assistant 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, to-wit:

An act to increase the powers of the trustees of the town of Williamstown in the county of Grant, and for other purposes.
An act incorporating the Frankfort, Georgetown and Paris turnpike road company.
An act to incorporate the Springfield and Bardstown turnpike road company.
An act to change the law in relation to tavern keepers in this Commonwealth, and for other purposes.
An act to amend an act, entitled an act to incorporate the Bowlinggreen bridge company.
An act for the benefit of the sheriffs of Laurel and Scott counties.
An act to incorporate the Augusta, Cynthiana and Georgetown turnpike company.
An act for the benefit of the town of Port William.
An act for the benefit of Laurel county Seminary.
An act to repeal an act allowing an additional constable in the county of Whitley.
An act to incorporate a turnpike road company from Versailles to Nicholasville.
An act to appropriate some of the vacant lands in Casey county, to the improvement of the roads in said county.
An act to incorporate the Bardstown and Green river turnpike road company.
An act to incorporate a turnpike road company from Lancaster to Crab Orchard.
An act appropriating certain land for improving certain roads in Harlan and Clay counties.
An act to appoint trustees of the Republican meeting house in Barren county.
Mr. Patterson presented the petition of the devisees of James Gough, sen. deceased, praying that a law may pass, authorizing a sale of one hundred and fifty acres of land in Scott county; which was received and referred to the committee of courts of justice.

Mr. Boyd presented the report of the Board of Internal Improvement for Shelby county, which is as follows, viz:

To the Legislature of Kentucky:

The law incorporating “the Board of Internal Improvements for Shelby county,” having made it the duty of said board to make an annual report to your honorable body, we would respectfully submit the following, as our report for the year 1834, ending on the 21st of November last:

The turnpike through Shelby county, (a distance of twenty-two and a half miles,) was completed, and the last gate erected on the 9th of July last. The total amount expended in the construction of said road was $98,795 48. In this sum, is included the money disbursed in the purchase of sites for toll houses, the building of said houses, and the erection of four elegant and permanent bridges. Of the above mentioned sum, disbursed in the construction of the road, $45,000 was originally contributed by the state in the way of subscriptions for stock. The sum of $43,266 29, was subscribed by individuals, and $7,168 83, by the county court of Shelby. By an act of the legislature, approved December 23, 1831, this board was authorized to appropriate the dividends accruing from the stock of the state, up to the 1st of January 1834, to the extension of the road, and allow the state an increase of stock proportioned to the amount so received and expended. By an order of the county court of Shelby, the board was empowered to make a similar use of the dividends from their stock. Thus the amount of the stock belonging to the state has been augmented to $47,750 54, and that of the county court to $7,770 65; which amounts, added to the $43,266 29, subscribed by individuals, makes the total amount aforesaid, of $98,795 48, expended upon the road, and due in stock in the above recited proportions to the state, the Shelby county court, and individual subscribers, and for which scrip will be issued on demand. After defraying all contingent expenses, the net proceeds of the whole road, from the establishment of the first gate, up to the 21st November last, amounted to $7,272 60, which sum is due to stockholders, and will be distributed in the following proportions; to the state, $3,667 89; to the county court of Shelby, $601 82; and the remainder to individual stockholders. Of the sum above reported as due to the state, $2,759 54 has been applied to the extension of the road, by virtue of the before mentioned act, and scrip will be issued for that amount of stock accordingly. This will
leave the board debtor to the state, on account of dividends, $908.15. This sum, however, is subject to a deduction of $278.26; for that amount lost to the board in exchanging into specie, the paper of the bank of the commonwealth, which had been paid by the state on account of her subscription, which will leave a balance of $629.89 due the state. The county has received the full amount of dividends due up to the 21st of November last, in stock; and there is now due to individuals, and subject to their order, the sum of $3,009.09.

All of which is respectfully submitted by your humble servant,

SAM'L. HARBISON, Chairman.

Mr. Guthrie, from the committee of courts of justice, to whom was referred bills of the following titles, viz:
A bill to establish the Bowlinggreen water company; and
A bill to amend an act, entitled an act to incorporate the Franklin insurance company.

Reported the same with an amendment to the latter bill, which was concurred in.

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. Guthrie, from the same committee, to whom was referred a bill fixing the salaries of the judges of the court of appeals and circuit courts, hereafter appointed, 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 the judges of the court of appeals, hereafter appointed and commissioned, shall receive a salary of two thousand dollars per annum, payable quarterly, and the judges of the circuit courts, hereafter appointed and commissioned, shall receive a salary of twelve hundred dollars per annum, payable quarterly.

The said amendment proposes to strike out the words “hereafter appointed and commissioned,” printed in italics, where they occur.

Mr. McHenry moved to lay the said bill and amendment on the table, until the first day of June next.

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

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

YEAS—Mr. Speaker, Messrs. Bramlette, Coffey, Gilbert, Harrel, Heady, James, McDonald, McHenry, May, Metcalfe,
Mr. Guthrie, from the committee of courts of justice, to whom was referred the petition of John U. Waring, reported the following resolution thereon, viz:

Resolved, 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 appropriate the vacant lands in this Commonwealth, north and east of the Tennessee river, to the counties in which they lie, for the purpose of internal improvements, reported the same without amendment; and it was referred to the committee of internal improvement.

Mr. Guthrie, from the same committee, to whom was referred a bill from the House of Representatives, entitled an act to regulate the service of process and notices upon corporations, reported the same with an amendment, which was 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. Metcalfe, from the committee of internal improvement, to whom was referred a bill from the House of Representatives, entitled an act for the internal improvement of the State of Kentucky, reported the same without amendment.
The said bill was placed in the orders of the day.

Mr. Murrell, from the committee of enrollments, reported that the committee had examined enrolled bills, of the following titles, and had found the same truly enrolled, viz:

An act for the benefit of Maj. King and others.
An act to amend an act, entitled an act to build a bridge across Jellico river, in Whitley county.
An act for the benefit of Eleanor F. Ragland, Martha C. Ragland, Nancy Ragland, Andrew J. Ragland and Sarah M. Ragland.
An act authorizing the trustees of West Liberty to sell part of Water street, in said town.
An act to amend an act concerning the troop of cavalry attached to the 7th regiment and 13th brigade of the Kentucky Militia.
An act for the benefit of Samuel Abbott's heirs.
An act to authorize the sale of a street in the town of Somerset.
An act to establish an election precinct in Grayson county.
An act for the benefit of Harry Bibbins, a free man of color.
An act to authorize the county court of Hardin to sell their poor house land.
An act to amend the several laws establishing and regulating Jeffersontown.
An act to amend an act approved 22d Feb. 1834, authorizing the construction of a bridge across Big Barren river.
An act, to amend an act, in relation to the Mountsterling, Big Sandy and Flemingsburg turnpike road, passed Dec. 1831.
An act to provide for making a road from Bowlinggreen, by the way of South Union, Russellville, and Elkton, to Hopkinsville.

That they 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 Lieutenant and Acting Governor, for his approbation and signature.

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

The amendments proposed by the House of Representatives, to bills from the Senate, of the following titles, were twice read and concurred in, viz:

An act continuing in force the law providing for the appointment of Commonwealth’s attorneys.
An act to amend the act, approved the 22d of Feb. 1834, to improve the navigation of Big Sandy river.
An act to incorporate a company to turnpike the road from Nicholasville to Perryville, by way of Shakertown and Harrodsburg.
An act to establish an election precinct at Crittenden, in the county of Grant.

The Senate took up a bill, supplemental to an act to establish the Northern Bank of Kentucky.

The amendment moved by Mr. Guthrie, proposes to add the following section, viz:

That after fifty dollars shall have been paid on each share of stock in the Bank of Kentucky, it shall be lawful for the president and directors of said bank to suspend or postpone the payments of the residue of the instalments on said stock, or any part thereof, if they shall find the capital cannot be used advantageously to the stockholders and the community, until there shall be a demand for more bank capital.

The question being taken on adopting the said amendment, it was decided in the negative.
The yeas and nays being required thereon, by Messrs. Guthrie and McHenry, were as follows, viz:


NAYS—Mr. SPEAKER, Messrs. Blackburn, Bush, Carter, Chinn, Coffey, Daviess, Grider, Griffith, Harreld, James, McDonald, McHenry, May, Metcalfe, Miller, Morgan, Murrell, Patterson, Southgate, Taylor, Thornton, Willis, Wingate and Young—25.

Mr. Guthrie then moved to add to the ninth section of the said bill, the following clause, viz:

"The Legislature reserve the right to enforce the establishment of the branches."

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

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


NAYS—Mr. SPEAKER, Messrs. Chinn, Coffey, Daviess, Grider, May, Miller and Thornton—8.

The said bill was further 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.

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

On the motion of Mr. Bush—1. A bill to establish the town of Landing, in Boone county; and

On the motion of Mr. Chinn—2. A bill to incorporate the life and fire insurance company of the city of Lexington.

Messrs. Bush, Guthrie and Gholson, were appointed a committee to prepare and bring in the former, and Messrs. Chinn, Wingate and Metcalfe, the latter bill.

Mr. Guthrie presented the petition of Eliza Angelina Rodgers, praying a divorce from her husband Charles Booth Rodgers; which was received and referred to the committee of religion.
On the motion of Mr. James, 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 allowing Spotswood Wilkinson to sell an interest in certain real estate, for the devisees of E. P. Wilkinson, deceased.

Mr. Daviess, from the committee to whom was referred a bill from the House of Representatives, entitled an act to authorize the clerk of the Wayne county court to transcribe certain minutes and records in his office, 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.

The following bills were reported, viz:

By Mr. Bush—1. A bill to establish the town of Landing, in Boone county.

By Mr. Wingate—2. A bill to reduce the number of justices of the peace in Caldwell county, and for other purposes.

By Mr. Metcalfe—3. A bill to authorize the county court of Bracken to settle with, and receive from the sheriff of said county all taxes in his hands, collected for the roads of said county; and

By Mr. Young—4. A bill for the benefit of Samuel Chorn.

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 the second and third readings of the second and fourth, having been dispensed with, the first and third were referred to the committee of courts of justice; the second and fourth, being engrossed,

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

And then the Senate adjourned.

TUESDAY, FEBRUARY 24, 1835.

A message was received from the House of Representatives, announcing the passage of bills, which originated in the Senate, of the following titles, to-wit:

An act for the benefit of the Clay county seminary.

An act authorizing Hancock county court to contract for the location of her seminary lands.
And that they had passed bills, which originated in that House of the following titles, to-wit:

An act to incorporate the Flemingsburg Lyceum.
An act appropriating land warrants to improve a road from Barboursville to intersect Wheeler’s turnpike.
An act to incorporate the Frankfort, New Castle and Bedford turnpike road company, and for other purposes.
An act to incorporate the Owingsville and Big Sandy turnpike road company.
An act to authorize an appropriation of money to build a bridge across Main Eagle Creek.
An act to repeal in part and amend in part an act concerning the Danville, Lancaster and Nicholasville turnpike road company.

The messages in writing received from the Lieutenant and Acting Governor on yesterday, were taken up and read as follows, viz:

GENTLEMEN OF THE SENATE:
I nominate for your advice and consent, Mortimer M. Benton, to be mayor of the city of Covington.
George W. Chambers, to be major general of the 6th division, vice James Roberts, resigned.
William Foster, to be colonel of the 51st regiment, vice Wm. White, resigned.
Thomas Spillman, to be lieutenant colonel of the same, vice W. Foster, if promoted.
John P. Canaway, to be lieutenant colonel of the 22d regiment, vice J. P. Sanders, resigned.
William A. Gorham, to be major of the same, vice Victor Monroe, promoted.
Henry Chrisman, to be colonel of the 9th regiment, vice John Cunningham, refused to accept.
Harvey Prewitt, to be lieutenant colonel of the same, vice J. Cunningham, resigned.
Joseph H. Chrisman, to be major of the same, vice H. Chrisman, if promoted.
Wm. C. McNary, to be colonel of the 40th regiment, vice William Campbell, resigned.
Mosely P. Wells, to be lieutenant colonel of the same, vice W. C. McNary, if promoted.
Samuel S. Baker, to be major of the same, vice M. P. Wells, if promoted.
Thomas Beauchamp, to be sheriff of Simpson county, vice C. Johnson, resigned.
Joseph Schoolfield, to be notary public for the county of Bracken, vice John Payne, resigned.

Skelton Ranfroes, to be keeper of the Wilderness and Turnpike Gate, for the ensuing year.

February 23d, 1835.

GENTLEMEN OF THE SENATE:

I nominate for your advice and consent, Ephraim M. Ewing, to be judge of the court of appeals of Kentucky, vice Joseph R. Underwood, resigned.

John Chambers, to be judge of the court of appeals of Kentucky, vice S. S. Nicholas, resigned.

Thomas P. Wilson, to be circuit judge of the fourth judicial district, vice David White, jr. deceased.

February 23d, 1835.

Resolved, That the Senate advise and consent to the said appointments.

Ordered, That Mr. Grider inform the Lieutenant and Acting Governor thereof.

On the motion of Mr. Daviess, the votes by which a bill, entitled an act supplemental to an act to establish the Northern Bank of Kentucky, was passed, and ordered to be engrossed and read a third time, were reconsidered.

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

SEC. 9. Be it further enacted, That said president and directors, after employing one million of the capital stock of said bank to the establishment of the branches, it shall be lawful for the said president and directors to employ one half of the residue of said capital stock in the principal bank, anything in the eleventh section of the act, to which this is a supplement, to the contrary notwithstanding. The Legislature reserve the right to enforce the establishment of the branches.

Mr. Daviess moved to amend the said section, by adding thereto the following words, viz:

"Upon the terms and in the manner prescribed by the act, to which this is a supplement."

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

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

YEAS—Mr. SPEAKER, Messrs. Blackburn, Bush, Carter, Chinn, Coffey, Daviess, Grider, Lusk, McDonald, May, Metcalfe, Miller,
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Morgan, Patterson, Smith, Southgate, Taylor, Thornton, Willis, Wingate and Young—22.


The said bill was further amended, and ordered to be re-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 re-engrossed,

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

On the motion of Mr. Harrell, the committee of propositions and grievances was discharged from the further consideration of the petition of Silas W. Robbins.

Mr. Metcalfe, from the committee of internal improvements, reported a bill to provide for re-building the turnpike bridge across Licking river on the Maysville road, and to complete said road.

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

Mr. Southgate, from the same committee, to whom was referred a bill from the House of Representatives, entitled an act to incorporate the Covington and Latonian Spring road company, reported the same with an amendment, which was 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. Metcalfe, from the same committee, to whom was referred a bill from the House of Representatives, entitled an act to appropriate the vacant lands in this Commonwealth, north and east of the Tennessee river, to the counties in which they lie, for the purpose of internal improvements, reported the same with amendments, which were concurred in.

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. Metcalfe, from the same committee, to whom was referred a bill from the House of Representatives, entitled an act to open and improve a road from the mouth of Salt river to Bowlinggreen, reported the same without amendment; and it was referred to the committee of finance.
Mr. Metcalfe, from the same committee, reported a bill to incorporate the Sandy turnpike road company; 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.

A bill from the House of Representatives, entitled an act to incorporate the Owingsville and Big Sandy turnpike road 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 referred to the committee of finance.

The Senate resumed the consideration of a bill from the House of Representatives, entitled an act for the Internal Improvement of the State of Kentucky.

Mr. Davies, moved to amend the said bill, by adding to the fifth section the following, viz:

That the Governor, under the provisions of this act, shall issue the bonds or scrip of this Commonwealth, in the following manner, to-wit: During the year 1835, a sum not exceeding one hundred thousand dollars; during the year 1836, a sum not exceeding three hundred thousand dollars; during the year 1837, a sum not exceeding three hundred thousand dollars; during the year 1838, the balance, so as not to exceed in all one million of dollars.

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

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


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

Sec. 6. That there shall be, and is hereby appropriated, for the purpose of carrying into effect and completing the improvement of the navigation of Green and Barren rivers, the sum of one hundred thousand dollars; to improve the navigation of Kentucky river, the sum one hundred thousand dollars; to improve the navigation of Licking river, fifty thousand dollars; of Salt river and the Beech and Rolling forks thereof, forty thousand dollars; to Cumberland river from the
mouth of Laurel creek, in Whitley county, to the Tennessee line, thirty thousand dollars; of Big Sandy, twenty-five thousand dollars; of Bayou du Chien, one thousand five hundred dollars; of the Kentucky river, above the three forks, and for removing fish dams in any part of said river, five thousand dollars; of the Big South Fork of Cumberland river, ten thousand dollars; of Pond river, five thousand dollars; of Rockcastle river, nine thousand, five hundred dollars; to improve Green river from Greensburg to Page's warehouse, three thousand dollars: Provided, That the appropriations herein made to the foregoing rivers, with the exception of Green river, and five thousand dollars to Kentucky river, shall not be drawn, nor any loan or sale of bonds or scrip made with reference thereto, until a survey shall have been made, and a plan of said improvement, with the estimated cost thereof, shall have been submitted by the engineer to the board of internal improvement, and by them approved; and said report of the engineer and board shall also be submitted to and receive the sanction of the legislature, before said appropriations shall be expended.

Mr. Smith moved to amend the said section by striking out "nine thousand, five hundred," appropriated to improve the navigation of Rockcastle river, and to insert in lieu thereof "twenty thousand dollars."

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

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


Mr. McHenry moved to amend the said section, by inserting after "Green river," printed in italics, the words "and Cumberland river."

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

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

Mr. Metcalfe moved to re-commit the said bill to the committee of internal improvements.

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

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

YEAS—Mr. Speaker, Messrs. Boyd, Bramlette, Coffey, Davies, Gholson, Gilbert, Heady, McDonald, McHenry, Metcalfe, Miller, Morehead, Murrell, Patterson, Roberts, Sisk, Smith, Thornton, Willis and Wingate—21.


Mr. Morgan, from the committee on the penitentiary, made a report, which was laid on the table.

And then the Senate adjourned.

WEDNESDAY, FEBRUARY 25, 1835.

Mr. Guthrie presented the petition of the president and directors of the Bank of Kentucky, praying that the charter of said bank may be amended; and

Mr. Willis presented the petition of R. Griffith, praying that a law may pass, authorizing him to erect a saw mill, in Daviess county, on the bank of Green river, in the bend below the mouth of Long Falls' creek at the Vienna Falls.

Which were received; the former was referred to the committee of courts of justice, and the latter, to a committee of Messrs. Willis, Smith and Griffith.

Mr. Bramlette, from the committee of enrollments, reported that the committee had examined enrolled bills, of the following titles, and had found the same truly enrolled, viz:

An act to appropriate some of the vacant lands in Pulaski county, to the improvement of the road leading from Somerset to the Coal Mines.
An act allowing additional justices of the peace and constables to certain counties.
An act for the benefit of the widow and heirs of Benjamin Quin, deceased.
An act to incorporate a company to turnpike the road from Nicholasville to Perryville, by way of Shakertown and Harrodsburg.
An act to amend an act, entitled an act, for incorporating the Hartford bridge company, approved Feb. 7, 1834.
An act to provide for the appointment of Commonwealth's attorneys.
An act for the benefit of Clarinda Rose.
An act to explain the powers of the several county courts in this Commonwealth, in regard to allowances to clerks and sheriffs for ex officio services.
An act to prevent pedlars from retailing certain wares without license.
An act to provide for transcribing certain books in the office of the Harrison county court, and for other purposes.
An act for the benefit of the heirs of John Stith, Jr.'s representatives.
An act to authorize the county court of Owen to open and establish a road leading from Brock's ford, on Eagle creek, to the Twin meeting house in said county, and from Brock's ford to Warsaw.
An act to incorporate the Glasgow and Munfordsville turnpike company.
An act authorizing Samuel Hatler to erect, upon certain conditions, a mill dam across Big Barren river.
An act authorizing Granville Bowman to erect a gate across a certain road in Cumberland county, and for other purposes.
An act authorizing mill dams to be built across John's Creek.
An act for the benefit of David Rees.
An act for the benefit of Henry Shelton's heirs.
An act regulating the public roads and highways in Bracken county.
An act to reduce the number of justices of the peace in Whitley and Madison counties.
An act for the benefit of John S. Stokes.
An act for the benefit of Elizabeth Sharp and children, of Whitley county.
That they 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 Lieutenant and Acting Governor, for his approbation and signature.

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

Mr. Guthrie, from the committee of courts of justice, to whom were referred bills of the following titles, viz:

1. A bill to establish the town of Landing in Boone county.
2. A bill to prevent the entry of military lands west of the Tennessee river.
3. A bill repealing all laws requiring bail in civil actions, and authorizing attachments on original process.
4. A bill to amend the law concerning the court of appeals; and
5. A bill authorizing the county court of Bracken to settle with the sheriff of said county for road tax in his hands.

Reported the same, without amendment to the third, fourth and fifth, and with amendments to the first and second, which were concurred in.

The third was laid on the table, and the others ordered to be engrossed and read a third time, the first and fourth on to-morrow.

The rule of the Senate, constitutional provision, and third reading of the second 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. Thornton, from the committee of finance, to whom was referred a bill from the House of Representatives, entitled an act for the benefit of William Garrard and Henry T. Duncan, and for other purposes, reported the same with amendments, which were 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.

The yeas and nays being required on the passage of the said bill, were as follows, viz:

YEAS—Mr. SPEAKER, Messrs. Blackburn, Boyd, Bush, Carter, Chinn, Coffey, Daviess, Gholson, Gilbert, Grider, James, May, Metcalfe, Miller, Morgan, Nuttall, Patterson, Roberts, Southgate, Taylor and Thornton—22.

Mr. Guthrie, from the committee of courts of justice, to whom was referred a bill from the House of Representatives, entitled an act to improve the navigation of Rough creek at the great falls, reported the same without amendment; and it was referred to the committee of finance.

Mr. Grider, from the committee of finance, to whom was referred a bill further to improve the navigation of Green river, reported the same with amendments, which were concurred in.

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,

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. Willis and Gholson, were as follows, viz:


Resolved, That the title of the said bill 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 provide for the service of process on corporations, with an amendment; and requesting leave to withdraw the report of their disagreement to a bill from the Senate, entitled an act to amend an act to encourage the publication of a new Digest of the Statute Law of Kentucky, approved February 8th, 1831; which leave was granted.

Mr. Guthrie, from the committee of courts of justice, reported a bill for the benefit of the sheriff of Hickman 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 finance, to whom was referred a bill from the House of Representatives, entitled an act concerning the Bank of the Commonwealth of Kentucky and the old Bank of Kentucky, reported the same with an amendment; and the said bill was placed in the orders of the day.
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 regulate the service of process and notices upon corporations.

An act to change the time of holding the Russell county court, with amendments.

That they had concurred in the amendments proposed by the Senate, to bills from that House, entitled,

An act to incorporate the Covington and Latonian Spring Rail Road Company.

An act for the benefit of William Garrard and Henry T. Duncan, and for other purposes.

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

An act to abolish the election precinct on Flat creek in Franklin county, and to change the place of voting in an election precinct, in Jefferson county.

An act for the benefit of the devisees and heirs of James F. Moore and Elizabeth Moore, deceased.

An act for the benefit of John H. Baker.

An act to incorporate the Versailles Hotel company.

An act to amend an act to encourage the manufacture of Queens-ware.

An act to incorporate the Versailles savings institution.

With amendments to each.

That they had passed bills, from the Senate, of the following titles, to-wit:

An act for the benefit of William H. Fades, husband of Julia A. Eades.

An act to amend the laws concerning public roads.

An act to amend an act, entitled an act to establish an election precinct in Harrison county, approved Nov. 26, 1831.

An act for the benefit of Thomas Mitchell, jailer of Lewis county.

An act for the benefit of Jane Degallon and Selina Cirode.

An act to authorize the county court of Owen to provide for the support of John Simms.

An act to establish a State road from Stanford, in Lincoln county, to Somerset, in Pulaski county.

An act for the benefit of the holders of headright certificates.

An act to establish the town of Elizaville, in the county of Fleming.

An act for the benefit of Mary Eliza Thruston.

An act to provide a remedy for religious societies or communities,
An act to amend an act authorizing the erection of a bridge across Main Licking river at or near its junction with the Ohio, approved Feb. 22, 1834.

An act to establish a tobacco inspection at the town of Russellville.

An act to incorporate the Flemingsburg and Maysville turnpike road company.

An act for the benefit of Lavina Off.

And that they had passed bills, which originated in that House of the following titles, to-wit:

An act to establish the county of Louisville, and for other purposes.

An act to secure to persons taking up slaves that escape from their masters, compensation for their services.

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. Boyd in the chair.

After some time spent in committee, the Speaker resumed the chair, when Mr. Boyd reported that the committee had, according to order, had under consideration a bill from the House of Representatives, entitled an act for the benefit of the Winchester and Lexington turnpike road company, and had gone through the same, and made two amendments thereto, which he handed in at the Clerk's table.

The said bill is as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That whenever the turnpike road from Winchester to Lexington shall be made fifty feet wide, and graded at all places where the ground will admit of it, at least thirty feet in width, and the artificial or McAdamized part thereof, shall be covered with pounded stone nine inches thick, and not less than twelve, nor more than eighteen feet in width, the president, directors and company of the Winchester and Lexington turnpike road may demand and exact for travelling thereon, the tolls prescribed by the act, approved February 24th, 1834, entitled an act to incorporate the Winchester and Lexington turnpike company, notwithstanding any thing contained in the sixth section of said act, requiring said road to be graded at least forty feet in width at all places where the ground will admit of it.

The first amendment proposes to strike out the word "twelve," printed in italics, and to insert in lieu thereof, the words "sixteen and a half."

The question being taken on concurred in the said amendment, it was decided in the affirmative.
The yeas and nays being required thereon, by Messrs. Chinn, and Gilbert, were as follows, viz:

YEAS—Mr. Speaker, Messrs. Boyd, Coffey, Gholson, Gilbert, Harrell, Head, James, Lusk, May, Metcalfe, Miller, Roberts, Sisk, Smith, Southgate, Taylor, Thornton, Willis, Wingate and Young—21.


The second amendment proposes to insert after the words "eighteen feet in width," printed in italics, the following, viz.

And that said road be located so as to make Colbyville a point on said road: Provided, That there be obtained an additional subscription of sixty shares in the stock of said company before the first day of May next, and that the persons, who have subscribed for stock in said company since the location of the road, except Lewis Vimont, shall be permitted to withdraw their stock; and the president and directors shall have power to permit the persons residing on Stroud's road, between Chilesburg and Winchester, to withdraw their stock upon equitable principles.

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. Chinn and Willis, were as follows, viz:

YEAS—Mr. Speaker, Messrs. Boyd, Bramlette, Coffey, Gholson, Gilbert, Harrell, Head, James, McHenry, May, Metcalfe, Miller, Roberts, Sisk, Smith, Southgate, Taylor, Thornton, Willis, Wingate and Young—22.


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,

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

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


NAYS—Messrs. Blackburn, Chinn, Grider, Miller, Morehead, Murrell and Patterson—7.
Resolved, That the title of the said bill be as aforesaid.

A bill to provide for re-building the turnpike bridge across Licking river on the Maysville road, and to complete said road, was read the 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,

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

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

YEAS—Mr. Speaker, Messrs. Blackburn, Bramlette, Carter, Chinn, Coffey, Daviess, Gilbert, Grider, Guthrie, Heady, Lusk, May, Metcalfe, Miller, Murrell, Smith, Southgate, Taylor, Thornton, Willis, Wingate and Young—23.

NAYS—Messrs. Boyd, Gholson, Harreld, James, McHeary, Morehead, Patterson and Sisk—8.

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

Leave having been obtained, the following bills were reported, viz:

By Mr. Southgate—1. A bill authorizing William S. Grant to make conveyances in certain cases of lands sold by Squire Grant, now deceased, and not heretofore conveyed.

By Mr. Miller—2. A bill to establish the Richmond fire company; and

By Mr. Thornton—3. A bill to change the place of holding the election in the North Middletown precinct, in Bourbon 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 bill having been dispensed with, it was referred to a committee of Messrs. Southgate, Lusk, Guthrie and Thornton.

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

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

Mr. Southgate, from the committee to whom was referred the first bill, after a short time, reported it 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. Taylor, from the committee of finance, to whom was referred bills from the House of Representatives, of the following titles, viz:

An act to open and improve the road from the mouth of Salt river to Bowling Green.
An act for the benefit of the sheriff of Calloway county.

Reported the same, with the opinion of the committee that they ought not to pass.

The question being taken on reading the former bill a third time, it was decided in the negative, and so the said bill was disagreed to.

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.

Mr. Taylor, from the same committee, to whom was referred a bill from the House of Representatives, entitled an act for the benefit of the sheriff of Livingston county, reported the same, with the opinion of the committee that it ought to pass.

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. Taylor, from the same committee, to whom was referred a bill from the House of Representatives, entitled an act to incorporate the Ovingsville and Big Sandy turnpike road company; reported the same with amendments, which were 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. Taylor, from the same committee, to whom was referred a bill authorizing a subscription of stock, on the part of the Commonwealth of Kentucky, in the Bank of Louisville, and in the Lexington and Ohio Rail Road Company, reported the same with amendments.

The said bill and amendments were laid on the table.

Mr. Taylor, from the same committee, to whom was referred a bill to improve the road from Perry court house to the Virginia line, reported the same, with the opinion of the committee that it ought not to pass.

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. Willis, from the committee to whom was referred a bill to regulate certain circuit courts, reported the same with amendments.

Mr. Morgan, from the committee to whom was referred a bill to incorporate the Carlisle, Flemingsburg and Greenupsburg turnpike road company, reported the same with an amendment.

The said amendments to each of said bills, were concurred in.

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

The rule of the Senate, constitutional provision, and third reading thereof, 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.

THURSDAY, FEBRUARY 26, 1835.

The Speaker laid before the Senate the petition of John M. Foster, Register of the Land Office, praying an increase of his salary; which was received, and referred to the committee of finance.

Mr. Guthrie presented the petition of sundry citizens of Jefferson county, praying for a division of said county; which was received and laid on the table.

Mr. Guthrie, from the committee of courts of justice, reported a bill amending the charter of the Bank of Kentucky; 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.

A message was received from the House of Representatives, announcing their disagreement to the amendments proposed by the Senate to a bill, which originated in that House, entitled an act to amend the several acts in relation to Morgantown.

And had disagreed to a bill, which originated in the Senate, entitled, an act to amend an act to encourage the publication of a new Digest of the Statute Law of Kentucky, approved February 8th, 1834.
A message in writing was received from the Lieutenant and Acting Governor, by Mr. Cox, Assistant Secretary of State, and also a message announcing that the Lieutenant and Acting Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act to provide for making a turnpike road from Bowling Green by the way of South Union, Russellville and Elks ton, to Hopkinsville.

An act to amend an act, in relation to the Mountsterling, Big Sandy and Flemingsburgh turnpike road, passed Dec. 1831.

An act to amend an act, approved 22d Feb. 1834, authorizing the construction of a bridge across Big Barren river.

Approved 23d Feb. 1835.

An act to provide for the appointment of Commonwealth's attorneys.

An act to amend an act, entitled an act, for incorporating the Hartford bridge company, approved Feb. 7, 1834.

An act to incorporate a company to turnpike the road from Nicholasville to Perryville, by way of Shakertown and Harrodsburg.

An act for the benefit of the widow and heirs of Benjamin Quin, deceased.

An act allowing additional justices of the peace and constables to certain counties.

An act to appropriate the vacant lands in Pulaski county, to the improvement of the road leading from Somerset to the Coal Mines, and for other purposes.

Approved 25th Feb 1835.

Mr. Metcalfe, from the committee of internal improvement, to whom was referred a bill from the House of Representatives, entitled an act for the internal improvement of the State of Kentucky, reported the same with an amendment.

The said bill is as follows, viz:

Sec. 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That, for the purpose of improving the navigable streams of this Commonwealth, and establishing a permanent system of internal improvement within the State, a board of commissioners shall be created, to be styled, "The Board of Internal Improvement," to consist of four members, to wit: The Governor, for the time being, shall be, ex officio, a member, and president of the board; and three other members shall be nominated by the Governor, and approved of by the Senate, who shall be citizens of the State, and shall severally, before entering on the duties of their offices, take an oath faithfully to do and perform the duties imposed on them by law; and in all cases of vacancy, by
resignation, death, or otherwise, in the recess of the Legislature, the Governor shall have power to fill such vacancy: Provided, said board, with the exception of the president thereof, shall be annually appointed in the manner herein provided.

Sec. 2. That the said board of internal improvement, any three of whom shall form a quorum to do business, and shall have power to employ one principal Engineer, at an annual salary not exceeding two thousand dollars.

Sec. 3. That it shall be the duty of said board to cause to be surveyed all such navigable streams and public turnpike roads as the Legislature may hereafter, or have heretofore directed, or may have chartered companies to improve or make, as to them may appear of sufficient public interest to have surveyed; and shall lay before the Legislature at their next session, within ten days after the commencement thereof, a report of such surveys as the engineer may make to the said board, with the estimated costs, practicability, and public utility of the proposed work.

Sec. 4. That the said board of internal improvement be, and they are hereby authorized, on behalf of this Commonwealth, to subscribe for stock in any incorporated company now existing, (and in which the capital stock is not wholly taken up,) for the purpose of constructing any turnpike road in this Commonwealth, an amount not exceeding the amount of stock subscribed by individual stockholders; and in like manner, said board are authorized to subscribe, on behalf of the Commonwealth, in all chartered turnpike companies hereafter created, stock to an amount equal to the subscription of individual stockholders in said company: Provided, That in all companies heretofore created, in which the Commonwealth has already taken stock, such stock shall be considered as part of the stock hereby authorized to be taken; and the said board shall only, in such cases, be authorized to take such additional stock as shall make the interest of the State equal to that of the individual stockholders.

Sec. 5. Be it further enacted, That the Governor of this Commonwealth be, and he is hereby authorized and required, from time to time, to issue the bonds or scrip of this Commonwealth, for such sum or sums as may be required to pay the several sums or amounts subscribed to incorporated turnpike road companies, or to the improvement of navigable rivers, under the authority of this act, and to sell and to dispose of said bonds or scrip to any individual or body corporate—bearing an interest not exceeding five per centum per annum, redeemable at any time after twenty years, and within thirty years from the date thereof.
Sec. 6. That there shall be, and is hereby appropriated, for the purpose of carrying into effect and completing the improvement of the navigation of Green and Barren rivers, the sum of one hundred thousand dollars; to improve the navigation of Kentucky river, the sum of one hundred thousand dollars; to improve the navigation of Licking river, fifty thousand dollars; of Salt river and the Beech and Rolling forks thereof, forty thousand dollars; to Cumberland river from the mouth of Laurel creek, in Whitley county, to the Tennessee line, thirty thousand dollars; of Big Sandy, twenty-five thousand dollars; of Bayou du Chien, one thousand, five hundred dollars; of the Kentucky river, above the three forks, and for removing fish dams in any part of said river, five thousand dollars; of the Big South Fork of Cumberland river, ten thousand dollars; of Pond river, five thousand dollars; of Rockcastle river, nine thousand, five hundred dollars; to improve Green river from Greensburg to Page's warehouse, three thousand dollars: Provided, That the appropriations herein made to the foregoing rivers, with the exception of Green river, and five thousand dollars to Kentucky river, shall not be drawn, nor any loan or sale of bonds or scrip made with reference thereto, until a survey shall have been made, and a plan of said improvement, with the estimated cost thereof, shall have been submitted by the Engineer to the board of internal improvement, and by them approved; and said report of the Engineer and board shall also be submitted to and receive the sanction of the Legislature, before said appropriations shall be expended.

Sec. 7. Be it further enacted, That the stock of the Commonwealth in any incorporated turnpike road company, together with all tolls and profits receivable on such stock, be, and the same is hereby pledged for the payment of the said bonds at maturity, hereby authorized to be sold, together with the interest contracted to be paid on the same.

Sec. 8. That it shall be the duty of the Governor, whenever he shall execute and sell any of the bonds of the State, under this act, to report the same to the auditor of State, with a statement of the amount so sold, the interest payable on the same, and the time they are redeemable, and the purpose and object to which the money has been, or is to be applied. And the auditor, in his annual report to the Legislature, shall make a true statement thereof.

Sec. 9. That the said board of internal improvement shall keep a record of all their proceedings under this act, and shall make a report to the General Assembly of the same, at each session thereof, within one week after the commencement. And for all expenses incurred by them in causing said surveys to be made under this act, the auditor of
the Commonwealth shall, on the certificate of the president of the board, issue his warrant on the treasurer, who is hereby directed to pay the same out of any moneys in the treasury appropriated for internal improvement.

SEC. 10. That the Governor is hereby authorized to appoint one or more suitable agent or agents, to sell the bonds or scrip, or negotiate a loan on behalf of the Commonwealth herein authorized: Provided, said loan or sale of scrip shall not exceed in amount, one million of dollars, without further authority from the Legislature.

SEC. 11. Be it further enacted, That no subscription of stock, on the part of the Commonwealth, in any turnpike road company, shall be paid by the board of internal improvement, until said board shall be satisfied, by the oath of the president of said company, that an equal amount has been, bona fide, paid in by individual stockholders.

SEC. 12. Be it further enacted, That said board shall, from time to time, make such other subscriptions to incorporated turnpike companies as the Legislature may direct.

SEC. 13. Be it further enacted, That the sums hereby appropriated to the rivers specified in this act, shall, in no event, be applied to the improvement of turnpike roads, until the board of internal improvement, and the Legislature shall, (after a survey and plan of improving said streams shall be made,) refuse to approve of the same.

SEC. 14. Be it further enacted, That the board of internal improvements, in subscribing for stock under this act, in the several turnpike roads now chartered, or which may be hereafter chartered, shall not subscribe more than one third of the sum hereby authorized to be borrowed, for the purpose of making such roads on the north side of the Kentucky river; and in like manner, not more than one third of the sum aforesaid, on roads between the Kentucky and Green rivers; and in like manner, not more than one third of the aforesaid sums on roads on the south side of Green river; Provided, That if the said board of internal improvements should not be called on, according to the provisions of this act, to subscribe the full amount of money authorized to be borrowed under this act for making turnpike roads, within one year, then, and in that event, the aforesaid board of internal improvements may subscribe the sum which may remain unsubscribed, in turnpike roads in any part of this Commonwealth, where individuals or corporate bodies may have subscribed and paid in the like amount, which the said board of internal improvements may be required to subscribe.
SEC. 15. Be it further enacted, That the proceeds of the vacant and unappropriated public lands in the district of country west of the Tennessee river, which may have been entered after the fifteenth day of January, 1835, or which may hereafter be entered, shall be, and the same are hereby appropriated and set apart to be equally divided between the counties of Calloway, Graves, Hickman and McCracken, for the purpose of improving the most important roads, and clearing out the obstructions to the navigation of the most important navigable streams of said counties; and which shall be applied in manner and form as hereinafter directed: for the accomplishment of which objects, all the vacant and unentered lands in said district, from and after the passage of this act, are hereby appropriated to the said counties, and their proceeds set apart for the above named purposes.

SEC. 16. Be it further enacted, That Jeremiah C. Wilkins, John Irvin, Reuben E. Rowland, Elisha Hardy and John Sample, of the county of Calloway, shall be, and they are hereby constituted a board of commissioners for said county; that Crawford Anderson, Lewis Gray, Henry Wheeler, Jonathan Pryor and Amos Atkin, of the county of Graves, shall be, and they are hereby constituted a board of commissioners for said county; that Thomas Helm, William Hunt, Richard P. Wright, E. A. Daniel and Benjamin Davis, of the county of Hickman, shall be, and they are hereby constituted a board of commissioners for said county; and that John McElyea, A. W. Naylor, John Hardin, Francis A. Harrison and John Cripe, of the county of McCracken, shall be, and they are hereby constituted a board of commissioners for said county. And it shall be the duty of the said several boards of commissioners to superintend the application of their respective shares of the money hereby appropriated to the improvements contemplated by this act, the particular objects of which they shall have full power to select, having due and primary regard: first, to the building and erecting of bridges, on the most important public roads, at the most eligible sites of the impassable streams; next, to the cross-waying of the bottoms and swamps on the most important public roads; and lastly, to the clearing out of the obstructions to the navigation of the navigable streams of their respective counties.

SEC. 17. Be it further enacted, That the said several boards shall have power to fill vacancies, which may, from time to time, happen in their bodies, and shall keep a full and complete record of their proceedings; and at their first or second meeting, select one of their own body as a treasurer, who shall enter into bond with good security, to be approved of by the county court, in such penalty as the court shall pre-
scribe, payable to the members of the board for the time being, and their successors, and conditioned for the safe-keeping of all such moneys as may come to his hand, as treasurer of said board, and for the faithful delivery thereof to his successor, or for the disbursement of the same, in pursuance of the order of the board.

Sec. 18. Be it further enacted, That it shall be the duty of the receiver of the public moneys to make an equal division of the proceeds of the lands entered in his office, between the said counties, after deducting therefrom his per centage, once every six months from and after the 15th January, 1835, and pay over to the treasurer of each board their respective share, taking from the treasurer his receipt therefor; all of which the receiver shall report to the Legislature at their annual sessions. And all laws requiring said receiver to make settlements with the auditor of public accounts, or to pay over the proceeds of said lands to the treasurer of the Commonwealth, or to make semiannual reports, and all laws inconsistent with the provisions of this act, shall be, and the same are hereby repealed.

Sec. 19. Be it further enacted, That when any of said boards shall select any object of improvement, such as is contemplated by this act, they shall employ some competent person or persons to examine such object so selected, and estimate the cost thereof, who shall report to the board the best practicable plan of such improvement, and the probable cost thereof; after which, the said board, if to them, upon consideration, it shall seem expedient, shall proceed to let the making or erection of the same to the lowest bidder, which shall be done at the door of the court house, on the first day of some public court, unless for good cause, the board shall otherwise order and direct: Provided, That the said board shall first advertise the letting thereof, at three of the most public places in the county, for thirty days previous thereto; in which advertisements, shall be designated the nature and plan of such improvement: And provided further, That upon letting the same, they shall take from the undertaker bond with approved security, in such penalty as the board shall prescribe; payable to the members of the board, for the time being, and their successors, and conditioned for the faithful performance of his undertaking.

Sec. 20. Be it further enacted, That whenever any such undertaker shall have finished and completed such work or improvement, he shall make report to the board, who shall appoint two of their own body to examine the work; and if they find that the same has been well performed, according to the contract, the report shall be received in full discharge of the bond of the undertaker, and shall be recorded by the board as part of their proceedings.
SEC. 21. Be it further enacted, That the members of the said boards of commissioners shall each receive one dollar per day, for every day they may be necessarily employed in attending to the duties devolving upon them, by virtue of this act, to be paid out of the county levy of the county for which they shall have been appointed; and any persons employed by the board, shall receive a compensation to be fixed by the county court, and paid out of the county levy.

SEC. 22. Be it further enacted, That the land appropriated in the county of Hancock, for seminary purposes, in the year 1834, be exempt from the provisions of the above appropriation.

The said amendment proposes to strike out all the bill after the second section, and insert the following, viz:

That it shall be the duty of said board to cause examinations and surveys to be made of all such rivers and roads in this Commonwealth, as they may think proper; beginning upon such object or objects of internal improvement as, in their opinion, are most demanded by the public interest; and to report particularly to the next Legislature, during its first week, such surveys as they may make, with the estimated cost of the improvement, and its utility, in the opinion of said board, to promote the commerce and public convenience of the country; and whether, in the opinion of said board, such improvement will, when completed, yield a profit, at reasonable tolls, on the amount expended for the improvement, and with such other remarks as they may think useful.

Be it further enacted, That it shall also be the duty of said board to cause such occasional examinations to be made by their Engineer, as they may think proper, of any of the public improvements now in progress, or that may hereafter go into operation, in which the State has, or may hereafter be interested as a stockholder or otherwise, for the purpose of obtaining information as to the faithful and judicious application of the public money to the object or objects intended; and such other information as they may deem useful to be laid by them, with their views thereupon, before the next succeeding Legislature.

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. Daviess and Willis, were as follows, viz:


NAYS—Mr. SPEAKER, Messrs. Blackburn, Bush, Carter, Chinn, Gholson, Grider, Griffith, Guthrie, Harrell, James, Lusk, Lyon, McHenry, May, Miller, Morgan, Nuttall, Sisk, Southgate, Taylor, Thornton, and Young—23.
Mr. Heady moved to lay the said bill on the table.
The question being taken thereon, it was decided in the negative.
The yeas and nays being required thereon, by Messrs. Grider and Heady, were as follows, viz:


Mr. Blackburn moved to amend the said bill by adding thereto the following section, viz:

Be it further enacted, That not exceeding fifty thousand dollars of the amount appropriated to Green river shall be paid till the two first locks, numbers one and two, are completed; and the appropriation of the residue shall depend upon future legislation, and its further direction.

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

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

YEAS—Mr. Speaker, Messrs. Blackburn, Bush, Carter, Chinn, Gholson, Grider, Griffith, Guthrie, Harrel, James, Lusk, Lyon, McHenry, May, Metcalfe, Miller, Morehead, Morgan, Murrell, Nuttall, Patterson, Roberts, Smith, Taylor, Thornton and Young—24.

NAYS—Messrs. Boyd, Bramlette, Coffey, Daviess, Gilbert, Heady, Morgan, Patterson, Sisk, Southgate, Willis, Wingate and Young—12.

Mr. Sisk moved to amend the said bill by inserting, after the words "of the Big South Fork of Cumberland river, ten thousand dollars," in the sixth section, the words, "to Tradewater, five thousand dollars."

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

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

YEAS—Messrs. Coffey, Daviess, Gholson, Gilbert, Guthrie, Heady, James, Lyon, McHenry, May, Metcalfe, Morehead, Morgan, Nuttall, Patterson, Sisk, Smith, Willis and Young—19.

Mr. Chinn moved the previous question.
And the question being taken, "shall the main question be now put?" it was decided in the negative.
The yeas and nays being required thereon, by Messrs. Coffey and Daviess, were as follows, viz:


NAYS—Mr. Speaker, Messrs. Blackburn, Bramlette, Coffey, Daviess, Gholson, Gilbert, Guthrie, Lyon, McHenry, May, Metcalfe, Miller, Murrell, Patterson, Sisk, Smith, Southgate, Taylor, Willis and Young—21.

The said bill was further amended; when Mr. James moved the previous question.
And the question being taken, "shall the main question be now put?" it was decided in the affirmative.
The yeas and nays being required thereon, by Messrs. Daviess and James, were as follows, viz:


NAYS—Messrs. Boyd, Bramlette, Coffey, Daviess, Gholson, Gilbert, Heady, Lyon, May, Metcalfe, Morehead, Patterson, Sisk, Smith, Southgate and Willis—16.

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. Heady and Murrell, were as follows, viz:

YEAS—Mr. Speaker, Messrs. Blackburn, Bush, Carter, Chinn, Gholson, Grider, Griffith, Guthrie, Harrell, James, Lusk, McHenry, May, Metcalfe, Miller, Morehead, Morgan, Nuttall, Patterson, Roberts, Smith, Southgate, Taylor, Thornton, Willis, Wingate and Young—23.


The rule of the Senate, constitutional provision, and third reading of the said bill, having been dispensed with,
Mr. Roberts moved the previous question; and the question being taken, "shall the main question be now put?" it was decided in the affirmative.
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. Daviess and Griffith, were as follows, viz:

YEAS—Mr. Speaker, Messrs. Blackburn, Bush, Carter, Chinn, Griffith, Guthrie, Harrell, James, May, Miller, Morgan, Nuttall, Roberts, Southgate, Taylor, Thornton, Wingate and Young—20.


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

A message was received from the House of Representatives, announcing that they had passed bills, which originated in that House of the following titles, to wit:

An act to amend the act, approved Feb. 22, 1834, to amend the charter of the city of Louisville, and to amend the charter of the city of Covington.

An act authorizing the citizens of Gallatin county to vote for and against the establishment of a new county.

An act to amend the law in relation to writs of *ad quod damnum*.

An act for the benefit of the Green River Female Academy.

And that they had received official information, that the Lieutenant and Acting Governor had approved and signed enrolled bills, which originated in that House, of the following titles, viz:

An act for the benefit of Wm. Edmondson's heirs.

An act to authorize the sale of Mount Carmel Meeting House, for the benefit of the Methodist Episcopal Church.

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

An act to regulate the appointment of jailers in this Commonwealth, and for other purposes.

An act appropriating six thousand acres of land west of Tennessee river, for the erection of a bridge across Pitman's creek, below Barnett's mill, in Green county, where the road crosses from Greensburg to Louisville.

An act for the benefit of the heirs of Daniel Wood, deceased.

An act for the benefit of Charles Boone.

An act for the benefit of Daniel Gwyn's heirs.

An act for the benefit of John Hughes, jr.'s heirs.

An act for the benefit of Eleanor F. Ragland, Martha C. Ragland, Nancy Ragland, Andrew J. Ragland and Sarah M. Ragland.

An act authorizing the trustees of West Liberty to sell part of Water street, in said town.

An act for the benefit of Samuel Abbott's heirs.

An act for the benefit of Maj. King and others.
An act to authorize the sale of a street in the town of Somerset.
An act to amend the several laws establishing and regulating Jefferson town.
An act to amend an act, entitled an act to build a bridge across Jellico river, in Whitley county.
An act to establish an election precinct in Grayson county.
An act to amend an act concerning the troop of cavalry attached to the 7th regiment and 13th brigade of the Kentucky Militia.
An act to authorize the county court of Hardin to sell their poor house lands.
An act for the benefit of Harry Bibbin, a free man of color.
Approved 23d Feb. 1835.

An act authorizing mill dams to be built across John's Creek.
An act authorizing Granville Bowman to erect a gate across a certain road in Cumberland county, and for other purposes.
An act to authorize the county court of Owen to open and establish a road leading from Brock's ford, on Eagle creek, to the Twin meeting house and from Brock's ford to Warsaw.
An act for the benefit of John Stith's representatives.
An act authorizing Samuel Hatler to erect, upon conditions, a mill dam across Big Barren river.
An act to incorporate the Glasgow and Munfordsville turnpike company.
An act for the benefit of John S. Stokes.
An act for the benefit of Elizabeth Sharp and children, of Whitley county.
An act for the benefit of Henry Shelton's heirs.
An act to explain the powers of the several county courts in this Commonwealth, in regard to allowances to clerks and sheriffs for ex officio services.
An act for the benefit of Clarinda Rose.
An act to reduce the number of justices of the peace in Whitley and Madison counties.
An act to prevent pedlars from retailing certain wares without license.
An act to provide for transcribing certain books in the office of the Harrison county court, and for other purposes.
An act regulating the public roads and highways in Bracken county.
Approved 25th Feb. 1835.

Mr. Murrell, from the committee of enrollments, reported that the committee had examined enrolled bills, of the following titles, and had found the same truly enrolled, viz:

An act for the benefit of William Garrard and Henry T. Duncan, and for other purposes.
An act to authorize the clerk of the Wayne county court to transcribe certain minutes and records in his office.

An act to incorporate the Covington and Latonian Spring railroad company.

That they 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 Lieutenant and Acting Governor, for his approbation and signature.

After a short time, Mr. Murrell reported that the committee had performed their duty.

The report of the committee on the penitentiary, was taken up and read as follows, viz:

The committee, to whom was referred so much of the Governor's message as relates to the Penitentiary, have had the same under consideration, and beg leave to report:

The committee have made a personal examination of the Penitentiary in its two-fold character of prison and manufacturing establishment; and from such examination, your committee, without any hesitancy, express the opinion that the police regulating the institution, is well calculated to answer the grand design of the law establishing this humane mode of punishment, as a substitute for the more sanguinary one used before its invention. It is no longer an experiment of doubtful result or utility—its successful operation for years has demonstrated the usefulness of the system, as a means of protecting society from the depredations of bad men, in the most humane and cheap way hitherto known. The solitary confinement at night is well calculated to awaken reflection, and produce repentance and reformation, while the exercise by labor in the day time answers the double purpose of promoting health and paying the expense incurred by the Commonwealth in guarding and supporting the convict.

The buildings of the Penitentiary were examined by your committee; and from such examination, your committee find that the buildings authorized by a law of the last session, are in a state of progress; a building two hundred and thirty feet long, and thirty-six feet wide, has been erected, and when finished, will furnish a very important addition to the workshops of the institution, as well as an hospital and chapel, so necessary to the establishment. It is anticipated by the keeper, that the work will be completed during the present season.

Your committee having with care examined every department of the institution, without swelling this report by a detailed statement of all the
wants and improvements necessary, beg leave to offer for adoption a
resolution, expressing particularly the improvements necessary to the
good organization of the Penitentiary; to wit:

Resolved, That the finances of the Penitentiary are in a prosperous
condition—that its discipline is wisely and judiciously administered, and
ought to be continued; and that a law ought to pass, authorizing the
erection of a new office and storehouse for the use of the Penitentiary,
and for the erection of the necessary machinery therein, out of the
means of the same, and for the erection of such new cells as may be
necessary, and improvement of old ones; and also, that provision should
be made by law for the education and religious instruction of the convicts.

The committee on the penitentiary also reported a bill to au­

thorize the erection of machinery, and an office and storehouse,
for the use of the penitentiary, 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. Morehead, having obtained leave, reported a bill supple­
mental to an act to reduce the number of justices of the peace and
constables for Logan 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. Metcalf, from the committee of internal improvements,
to whom was referred a bill from the House of Representatives,
ettitled an act to amend an act, entitled an act to construct a turn­
pike road from Covington, through Williamstown and Georgetown,
to Lexington, in Fayette county; reported the same, with the
opinion of the committee that it ought to pass.

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 Senate receded from the amendments proposed by them to
a bill from the House of Representatives, entitled an act to
amend the several acts in relation to Morgantown.
The amendments proposed by the House of Representatives, to
the amendments proposed by the Senate to bills from that House, of
the following titles, viz:
An act to regulate the service of process and notices upon cor-
porations.
An act to change the time of holding the Russell county court.
Were twice read and concurred in.
The amendments proposed by the House of Representatives,
to bills from the Senate, of the following titles, were twice read
and concurred in, viz:
An act for the benefit of the devisees and heirs of James F.
Moore and Elizabeth Moore, deceased.
An act for the benefit of John H. Baker.
An act to abolish the election precinct on Flat creek in Franklin
county, and to change the place of voting in an election precinct,
in Jefferson county.
An act to incorporate the Versailles savings institution.
An act to incorporate the Versailles Hotel company.
An act to amend an act to encourage the manufacture of queens-
ware.
A bill from the House of Representatives, entitled an act con-
cerning the Bank of the Commonwealth of Kentucky, and the
old Bank of Kentucky, and the amendment thereto, reported from
the committee of finance, were taken up.

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 passage of this act, there shall
be appointed by the directors of the old Bank of Kentucky a principal
agent of said bank, who shall perform the duties of said corporation—
shall have and possess all the powers which the president, cashier and
clerk now have; and said principal agent shall receive an annual salary
of one thousand dollars, to be paid to him in the same manner that the
salaries have been heretofore paid to the president, cashier and clerk of
said bank.

Sec. 2. Be it further enacted, That all laws now in force in this
Commonwealth, which authorize said corporation to employ a president,
cashier and clerk, at annual salaries, be, and the same are hereby re-
pealed. That the directors of said bank shall receive for their services
in actual attendance on the business of said bank, each after the rate of
twodollars per day; provided, that the pay of no one director shall exceed
the sum of twenty-five dollars per annum.

Sec. 3. Be it further enacted, That the charter of said corporation,
under the laws now in force, except so far as they are changed by this
act, shall be, and the same is hereby continued and extended until the first day of February, one thousand, eight hundred and thirty-seven.

Sec. 4. Be it further enacted, That there shall be a principal agent appointed by the Governor for the time being, by and with the advice and consent of the Senate, who shall continue in office until the next stated session of the General Assembly, and until his successor is appointed in like manner to act, who shall perform all the duties now required of the president, cashier and clerk of the Bank of the Commonwealth of Kentucky, and shall have and possess all the powers, which the said president, cashier and clerk now have, and said principal agent shall receive an annual salary of one thousand dollars, to be paid in like manner that the salaries have been heretofore paid to the president, cashier and clerk of said bank.

Sec. 5. Be it further enacted, That all laws now in force in this Commonwealth, which authorize said bank to employ a president, cashier and clerk, at annual salaries, be, and the same are hereby repealed. That the directors of said bank shall receive for their services in actual attendance on the business of said bank, each after the rate of two dollars per day; provided, that the pay of no one director shall exceed the sum of twenty-five dollars per annum.

The said amendment proposes to strike out the whole of the bill after the enacting clause, and to insert in lieu thereof the following, viz:

That the charter of the old Bank of Kentucky shall be, and the same is hereby extended to the first day of January, 1837.

Sec. 2. Be it further enacted, That the president and directors of said bank are hereby authorized and empowered to sell at public auction, or otherwise, for cash in hand, such bad and doubtful debts due to said institution, as cannot be collected by due course of law.

Sec. 3. Be it further enacted, That said president and directors shall advertise such bad and doubtful debts in some newspaper published at the nearest place, where such debt or debts originated, for three weeks before the day of sale, stating the names of the drawers and endorsers, principals and securities, the amount of the debt, whether in suit or otherwise, and the credit, if any, to which such debt is entitled; which sales shall be conducted by the president of said bank, or some authorized agent. Provided, That nothing herein contained shall so construed as to prohibit the said president and directors from compromising with the drawers, endorsers, principals and securities, or either of them, for their release. And provided further, That the said president and directors shall, in making the sale and transfer to the purchasers, do it by assignment, without any responsibility or recourse to the corporation.
SEC. 4. Be it further enacted, That the purchaser of any debt, sold as aforesaid, whether of bonds, notes, judgments, decrees in chancery, or otherwise, shall have the same rights and remedies to enforce the collection of said debts, which the president and directors of said bank now have; and for that purpose may prosecute any suit now pending, in the name of said president, directors and company: Provided, it shall be done in all cases at the cost of the purchasers, and without any recourse to said bank.

SEC. 5. Be it further enacted, That from and after the first Monday in July, 1835, (the time and place of sale, and description of estate, being first advertised, as herein before directed for the sale of debts,) it shall be the duty of said president and directors to expose to sale, at public auction, at the court house door of the county in which the same is situated, all the real estate which may remain, on the aforesaid first Monday in July, 1835, in possession, or continue the property of said bank, upon a credit of six months, with interest from the date; the purchaser giving bond, with approved security, payable to said president, directors and company, or their assignee or assignees. And the president of said bank shall, when the purchase money is paid, convey, under the corporate seal of said bank, to the purchaser, such real estate by deed, with clause of special warranty, against said president, directors and company, their successors, and no others. Provided, however, that any legal or equitable title said bank may hold to any real estate, in possession of any adverse title or claim, shall also be sold under the provisions of this section, and such legal or equitable title thereto conveyed to the purchasers, under the conditions and provisions aforesaid; which sale and conveyance shall vest in the purchaser all the right and title of the bank to such real estate.

SEC. 6. Be it further enacted, That it shall be the duty of said president and directors to call a general meeting of the individual and corporate stockholders of said bank, (not including the Commonwealth,) to be holden at the banking house of said bank, in the town of Frankfort, on the first Monday in June next, and lay before said meeting a list of the bad and doubtful debts due said bank; and at which meeting, said stockholders may be represented by proxy or attorney, and they shall then vote for or against the provisions of this act, so far as the same authorizes a sale at auction of the bad and doubtful debts due said bank; and if a majority of said stockholders, then attending and voting in said meeting, shall vote against such sale of bad and doubtful debts, that then, and in that case, said president and directors shall suspend said sale until after the next session of the General Assembly.
SEC. 7. Be it further enacted, That it shall be the duty of said president and directors to give notice of the meeting of the stockholders, provided for by the sixth section of this act, by advertising the same for two weeks successively, in at least one of the public newspapers published in Frankfort, Louisville, Lexington and Maysville.

Mr. Daviess moved to amend the said amendment by striking out the second and third sections thereof.

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

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


NAYS—Mr. SPEAKER, Messrs. Blackburn, Boyd, Carter, Chinn, Gholson, Grider, Griffith, Guthrie, Harreld, Heady, James, Lusk, Lyon, Metcalfe, Morehead, Morgan, Nuttall, Patterson, Southgate, Taylor, Thornton, Willis, Wingate and Young—25.

The question being on concurring in the amendment reported from the committee of finance, Mr. James called for a division of the question; and the question being taken on striking out the whole of the bill after the enacting clause, it was decided in the negative, and so the amendment was rejected.

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

YEAS—Mr. SPEAKER, Messrs. Blackburn, Boyd, Chinn, Gholson, Gilbert, Grider, Griffith, Lusk, Metcalfe, Morehead, Nuttall, Southgate, Taylor, Thornton and Wingate—16.

NAYS—Messrs. Bramlette, Carter, Coffey, Daviess, Guthrie, Harreld, Heady, James, Lyon, McHenry, May, Miller, Morgan, Murrell, Patterson, Smith, Willis, and Young—18.

Mr. Southgate moved to refer 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. Willis and Southgate, were as follows, viz:


NAYS—Messrs. Bramlette, Harreld, Heady, James, McHenry, Miller, Murrell, Patterson, Smith and Willis—10.

Messrs. Southgate, Thornton, Taylor, Daviess and Willis, were appointed said committee.
A bill to amend an act, entitled an act to amend the law prohibiting the importation of slaves into this State, approved Feb. 2, 1833, was taken up and placed in the orders of the day.

An engrossed bill, entitled an act to amend the act incorporating the trustees of the Kentucky Baptist Education Society, was read the third time.

Mr. Chinn moved to lay the said bill on the table.

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

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

YEAS—Mr. Speaker, Messrs. Chinn, Coffey, Daviess, Lusk, May, Metcalfe, Miller, Morehead, Patterson, Smith, Southgate, Taylor and Young—14.


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. Willis and Guthrie, were as follows, viz:


NAYS—Mr. Speaker, Messrs. Carter, Chinn, Coffey, Daviess, Harrel, Lusk, May, Metcalfe, Miller, Morgan, Patterson, Smith, Southgate, Taylor and Young—16.

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

An engrossed bill, entitled an act to make copies from the books and papers of the banks of this State, evidence, was read the third 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 alter the time of the meeting of the General Assembly, was read the third time, as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the General Assembly shall convene on the first Monday in December in every year.

Mr. James moved to lay the said bill on the table until the first day of June next.
The question being taken thereon, it was decided in the affirmative.

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

YEAS—Mr. Speaker, Messrs. Carter, Chinn, Coffey, Davie's, Gilbert, Grider, Griffith, Guthrie, Heady, James, Lyon, May, Metcalf, Miller, Morgan, Murrell, Nuttall, Patterson, Southgate, Taylor, Thornton and Young—23.


And then the Senate adjourned.

FRIDAY, FEBRUARY 27, 1835.

Mr. Blackburn, from the committee of courts of justice, reported a bill to amend the charters of the cities of Lexington and Louisville, 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.

A bill from the House of Representatives, entitled an act for the benefit of Isaac Turner, was read the third time, and amended by way of engrossed ryder.

Resolved, That the said bill do pass, and that the title be amended, by adding thereto "and Eliza Angelina Rodgers."

A message was received from the House of Representatives, announcing their concurrence in the amendments proposed by the Senate to bills, which originated in that House, of the following titles, viz:

An act for the internal improvement of the State of Kentucky.

An act incorporating the Owingsville and Big Sandy turnpike road company.

That they had passed bills, which originated in the Senate, of the following titles, to-wit:

An act to prohibit the circulation within this Commonwealth of Bank notes, of a less denomination than five dollars.
An act to amend an act, entitled an act for the improvement of the road from Franklin county, to Crab Orchard, in Lincoln county.

With amendments to each; which amendments were twice read and concurred in.

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

An act to amend an act, entitled an act, to amend the law establishing the town of Warsaw, in Gallatin county.

An act to establish an inspection of tobacco, in the town of Moscow, in Hickman county, and King's mill, in Hardin county.

An act to incorporate the Covington and Cincinnati manufacturing company.

An act for the benefit of Isaac Smith.

An act regulating the standing of studs and jacks in Bourbon county:

An act more effectually to protect the occupants of lands, which have been forfeited to the State for taxes.

An act for the benefit of Elizabeth Thompson.

An act for the benefit of Wm. D. Cope's heirs.

An act authorizing the sale of the real estate of John Hogan, for the payment of his debts.

An act for the benefit of Robert Harris.

An act to establish the town of Mortonsville, in Woodford county.

An act to legalize the sale of certain slaves by Lewis Conner, guardian of Joel McGlasson, infant heir of Wm. McGlasson, deceased.

An act for the benefit of Martin Mills' heirs.

An act providing for the sale of the land of John Shockley, deceased.

An act to authorize the sale of a negro man belonging to the infant children of Charles W. Summers, and for other purposes. An act for the benefit of the widow and heirs of Joseph Vantreese.

An act for the benefit of Wm. Simmons.

An act to repeal an act, to establish the town of Mills' Point, in the county of Hickman, and for other purposes, approved 8th Feb., 1834.

An act to establish the December chancery term of the Pendleton circuit court.

An act to impose a duty on sales at auction in the town of Irvine, in the county of Estill.

An act for the benefit of Rhodes S. Wilson and Hannah Ann, his wife.

An act for the benefit of John Owens.

An act for the benefit of John H. Slaughter and James T. Curd.
A bill from the House of Representatives, entitled an act to amend the law in relation to search warrants, was read the third time, as amended.

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 Lieutenant and Acting Governor, by Mr. Cox, Assistant Secretary of State.

A bill from the House of Representatives, entitled an act to amend the several acts concerning the Wilderness and Goose Creek turnpike roads, 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 ordered to be read a third time.

Mr. Gilbert moved to dispense with the rule of the Senate constitutional provision and third reading of the said bill.

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

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

YEAS—Mr. Speaker, Messrs. Blackburn, Bush, Chinn, Gilbert, Grider, Griffith, James, Lusk, McHenry, May, Metcalfe, Miller, Morehead, Morgan, Murrell, Nuttall, Patterson, Roberts, Sisk, Southgate, Taylor, Thornton, Willis, Wingate and Young—26.


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. Heady and Gilbert, were as follows, viz:


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

A message was received from the House of Representatives, announcing that they had concurred in the amendments proposed by the Senate to a bill from that House, entitled an act for the benefit of the Winchester and Lexington turnpike road company, with an amendment.

Mr. Metcalfe moved to lay the said bill and amendment on the table.
The question being taken thereon, it was decided in the affirmative.

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


NAYS—Messrs. Blackburn, Chinn, Grider, James, Miller and Nuttal—6.

A bill from the House of Representatives, entitled an act for the benefit of the heirs of Charles Taylor, deceased, 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 others."

Mr. Bramlette, from the committee of enrollments, reported that the committee had examined enrolled bills, of the following titles, and had found the same truly enrolled, viz:

An act authorizing Hancock county court, to contract for the location of her Seminary lands.

An act for the benefit of the Clay county Seminary.

An act to amend an act, entitled an act, to establish an election precinct in Harrison county, approved Nov. 26, 1831.

An act for the benefit of Thomas Mitchell, jailer of Lewis county.

An act to provide a remedy for religious societies or communities.

An act to authorize the county court of Owen, to provide for the support of John Simms.

An act to establish a state road from Stanford, in Lincoln county, to Somerset, in Pulaski county.

An act for the benefit of Jane Degallon and Selina Cirode.

An act to amend the act, approved 22d Feb. 1834, to improve the navigation of Big Sandy river.

An act to amend an act authorizing the erection of a bridge across Main Licking river, at or near its junction with the Ohio, approved Feb. 22, 1834.

An act to establish a tobacco inspection at the town of Russellville.

An act for the benefit of William H. Eades, husband of Julia A. Eades.
An act for the benefit of Mary Eliza Thruston.
An act to amend the laws concerning public roads.
An act for the benefit of Lavina Off.
An act to establish the town of Elizaville, in the county of Fleming.
An act for the benefit of the holders of headright certificates.
An act to establish election precincts in the counties of Grant, Bourbon, Madison, Clarke and Montgomery.
An act to amend an act, to encourage the manufacture of Queensware.
An act to abolish the election precinct on Flat creek, in Franklin county, and to change the place of voting in an election precinct in Jefferson county.
An act for the benefit of John H. Baker.
An act for the benefit of the devisees and heirs of James F. Moore and Elizabeth Moore, deceased, and for the heirs of John Hughes, Jr.
An act to regulate the service of process and notices upon corporations.
An act to change the time of holding the Russell county court.
An act to amend an act, entitled an act to construct a turnpike road from Covington, through Williamstown and Georgetown, to Lexington, in Fayette county.
An act for the benefit of the sheriff of Calloway county.
An act for the benefit of the sheriff of Livingston county.
An act incorporating the Owingsville and Big Sandy turnpike road company.
An act, to amend the several acts in relation to Morgantown.
That they 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 Lieutenant and Acting Governor, for his approbation and signature.

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

A bill from the House of Representatives, entitled an act to change the law in relation to tavernkeepers in this Commonwealth, and for other purposes, was read the first time.

Mr. Thornton moved to lay the said bill on the table.

The question being taken thereon, it was decided in the negative. The yeas and nays being required thereon, by Messrs. Willis and Murrell, were as follows, viz:

YEAS—Messrs. Lusk, Metcalfe, Miller, Nuttall, Patterson, Taylor, Thornton and Young—8.

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

A bill from the House of Representatives, entitled an act to appoint trustees of the Republican Meeting House in Barren county, was read the first time and ordered to be read a second time.

A bill from the House of Representatives, entitled an act to authorize an appropriation of money to build a bridge across Main Eagle creek, was read the first time, and ordered to be read the 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 was added to the committee of enrollments.

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

1. An act to build a bridge over Blood river.
2. An act to appropriate some of the vacant lands in Casey county, to the improvement of the roads in said county.
3. An act appropriating certain land for improving certain roads in Harlan and Clay counties.
4. An act to establish the county of Louisville, and for other purposes.
5. An act appropriating land warrants to improve a road from Barboursville to intersect Wheeler's turnpike.
6. An act to amend the law in relation to writs of *ad quod damnum*.

Were laid on the table.

A bill from the House of Representatives, entitled an act authorizing the citizens of Gallatin county to vote for and against the establishment of a new county, was read the first time, and ordered to be read a second time.

Mr. Metcalfe, from the committee of internal improvement, to whom was referred a bill from the House of Representatives, entitled an act to improve and open the road leading from Gaines' cross roads, by way of Union and Burlington, to the Ohio river, opposite Lawrenceburg, in the State of Indiana, reported the same, with the opinion of the committee that it ought to pass.

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

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

1. An act incorporating the Frankfort, Georgetown and Paris turnpike company.
2. An act to repeal an act allowing an additional constable in the county of Whitley.
3. An act to repeal an act to establish the town of Mills' Point, in the county of Hickman, and for other purposes, approved 8th February, 1834.

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 severally amended,

Resolved, That the said bills, as amended, do pass, and that the title of the first be as aforesaid; that the title of the second be amended by adding thereto “and for other purposes,” and that the title of the third be amended by striking out “repeal,” and inserting in lieu thereof, “amend.”

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

Resolved by the General Assembly of the Commonwealth of Kentucky, That the Lieutenant and Acting Governor be, and he is hereby authorized to appoint three fit persons to make a thorough examination of the books, vouchers and accounts of the auditor’s office, from the time of the last examination up to the tenth day of October next, and make report to the next General Assembly.

The rule of the Senate having been dispensed with, the said resolution was taken up, twice read and adopted.

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 incorporate the Frankfort, Georgetown and Paris turnpike road company.
- An act to amend the law in relation to search warrants.
- An act to repeal an act allowing an additional constable in the county of Whitley.
- An act for the benefit of Jane Turner.
- An act for the benefit of the heirs of Charles Taylor, deceased, with an amendment to the amendment to the latter bill; which amendment was concurred in.

And that they had passed a bill from the Senate, entitled an act to amend the law establishing a turnpike road from Louisville, in the direction to Nashville, by way of Elizabethtown, Munfor dsville and Bowlinggreen, with an amendment.

And that they had passed a bill from the Senate, entitled an act to regulate certain circuit courts, with an amendment.

The said amendment was concurred in, with an amendment.

That they had passed bills, which originated in the Senate, of the following titles, to-wit:

- An act to incorporate the town of Frankfort.
An act, supplemental to the act establishing the Northern Bank of Kentucky.

An act to reduce the number of justices of the peace in Caldwell county, and for other purposes.

An act to establish the Bowlinggreen water company.

An act to appropriate the vacant lands in this Commonwealth, north and east of the Tennessee river, to the counties in which they lie, for the purposes of internal improvement.

An act to amend an act, entitled an act to incorporate the Franklin insurance company.

An act amending the law in relation to dower slaves.

An act to repeal in part an act, to regulate ferries on the Tennessee river, and part of Cumberland river.

An act to legalize the proceedings of the Bracken county court.

An act to establish the town of Landing, in Boone county.

An act to change the place of holding the election in the North Middletown precinct in Bourbon county.

An act authorizing William S. Grant to make conveyances in certain cases, of lands sold by Squire Grant, now deceased, and not heretofore conveyed.

An act to incorporate the Carlisle, Flemingsburg and Greenupsburg turnpike road company.

An act to establish the Richmond fire company.

An act authorizing the county court of Bracken to settle with the sheriff of said county, for road tax in his hands.

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

And that they had passed bills, which originated in that House, of the following titles, viz:

An act for the benefit of Thomas C. Davis.

An act to incorporate the common school society of Bardstown.

An act to amend an act, entitled an act regulating the price of taking up boats in the Ohio river.

An act to amend the several laws in relation to the establishment and regulation of ferries in this Commonwealth.

An act to authorize the sheriff of Campbell county to execute bond at the March term of the Campbell county court.

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

An act to legalize the proceedings of the trustees of the town of Elizabeth.

An act to amend an act, entitled an act to incorporate the Richmond and Lexington turnpike road company, approved Feb. 14, 1834.

An act to incorporate the Newcastle and Middletown turnpike road company.

An act for the appropriation of money.
Mr. Griffith read and laid on the table the following resolution, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the Governor be authorized and requested to invite three Senators and six Representatives to visit locks, numbers one and two, now in progress on Green river, at some suitable period, before the sitting of the next Legislature, and examine and report the progress and character of the work, with their opinions as to the general improvement of said river by slack-water navigation, and its usefulness and importance to that section of the State.

The rule of the Senate having been dispensed with, the said resolution was taken up, twice read and adopted.

An engrossed bill, entitled an act to prevent the entry of military lands west of the Tennessee river, was read the third time. Resolved, That the said bill do pass, and that the title thereof be "an act to prevent the entry of military and treasury warrant lands west of the Tennessee river.

An engrossed bill, entitled an act to amend the law concerning the court of appeals, was laid on the table.

A bill to amend an act, entitled an act to amend the law prohibiting the importation of slaves into this State, approved Feb. 2d, 1833, was ordered to be engrossed and read a third time.

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

YEAS—Mr. Speaker, Messrs. Blackburn, Boyd, Gholson, Griffith, Guthrie, Harrell, Heady, Lusk, McHenry, May, Miller, Morehead, Murrell, Nuttall, Patterson, Roberts, Sisk, Smith, Willis and Young—21.


Mr. Guthrie moved to lay the said bill on the table.

The question being taken thereon, it was decided in the negative. The yeas and nays being required thereon, by Messrs. Roberts and Bush, were as follows, viz:


NAYS—Mr. Speaker, Boyd, Gholson, Griffith, Harrell, Heady, Lusk, McHenry, May, Patterson, Roberts, Sisk, Smith, Willis and Young—15.

The said bill is as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That from and after the passage of this act, an act entitled an act to amend the law, prohibiting the importation of slaves into this State, approved Feb. 2d, 1833, be, and the same is hereby repealed, any law to the contrary notwithstanding.
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. Boyd and Bush, were as follows, viz:

YEAS—Mr. Speaker, Messrs. Blackburn, Harrelld, Heady, McHenry, May, Patterson, Roberts, Sick, Smith, Willis and Young—12.


Bills from the House of Representatives of the following titles, were severally read the first time, and ordered to be read a second time, viz:

An act to authorize the taking of depositions in civil causes depending before justices of the peace.
An act to allow one additional constable to Bullitt county.
An act for the benefit of the infant heirs and devisees of Carter B. Foster, deceased.
An act to amend an act, entitled an act to improve and open the road from Rocky Spring, in Harrison county, to Williamstown, in Grant county.
An act to incorporate the Owingsville, Mountsterling and Winchester turnpike company.
An act to amend an act, entitled an act to incorporate the Bowling green bridge company.
An act to incorporate the Springfield and Bardstown turnpike road company.
An act to increase the powers of the trustees of the town of Williamstown in the county of Grant, and for other purposes.
An act for the benefit of the sheriffs of Laurel and Scott counties.
An act to incorporate the Augusta, Cynthiana and Georgetown turnpike company.
An act for the benefit of the town of Port William.
An act for the benefit of the Laurel county seminary.
An act to incorporate a turnpike road company from Lancaster to Crab Orchard.
An act to incorporate the Bardstown and Green river turnpike road company.
An act to incorporate a turnpike road company from Versailles to Nicholasville.
An act to repeal in part and amend in part an act concerning the Danville, Lancaster and Nicholasville turnpike road company.
An act to incorporate the Frankfort, New Castle and Bedford turnpike road company, and for other purposes.
An act to incorporate the Flemingsburg Lyceum.
An act to secure to persons taking up slaves that escape from their masters, compensation for their services.

An act to amend the act, approved Feb. 22, 1834, to amend the charter of the city of Louisville, and to amend the charter of the city of Covington.

An act to authorize the sheriff of Campbell county, to execute bond at the March term of the Campbell county court.

An act for the benefit of the Green river female academy.

An act for the benefit of Isaac Smith.

An act for the benefit of John H. Slaughter and James T. Curd.

An act to amend an act, entitled an act, to amend the law establishing the town of Warsaw, in Gallatin county.

An act to establish an inspection of tobacco, in the town of Moscow, in Hickman county, and King’s mill, in Hardin county.

An act to incorporate the Covington and Cincinnati manufacturing company.

An act for the benefit of Elizabeth Thompson.

An act for the benefit of Wm. D. Cope’s heirs.

An act to legalize the sale of certain slaves by Lewis Conner, guardian of Joel McGlasson, infant heir of Wm. McGlasson, deceased.

An act to authorize the sale of a negro man belonging to the infant children of Charles W. Summers, and for other purposes.

An act to establish the town of Mortonsville, in Woodford county.

An act to incorporate the Newcastle and Middletown turnpike road company.

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 more effectually to protect the occupants of lands, which have been forfeited to the State for taxes, was read the first time.

Mr. Daviess moved to lay the said bill on the table.

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

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


NAYS—Messrs. Blackburn, Boyd, Bush, Chinn, Gholson, Grider, Harrel, May, Metcalfe, Miller, Patterson, Sisk, Smith, Southgate, Taylor and Young—16.

The said bill was referred to the committee of courts of justice.
A message was received from the Lieutenant and Acting Governor, by Mr. Cox, assistant Secretary of State, announcing that he had on this day approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act for the benefit of Thomas Mitchell, jailer of Lewis county.
An act to amend an act, entitled an act to establish an election precinct in Harrison county, approved Nov. 26, 1831.
An act to provide a remedy for religious societies or communities.
An act to amend the act, approved the 22d of Feb. 1834, to improve the navigation of Big Sandy river.
An act to establish a State road from Stanford, in Lincoln county, to Somerset, in Pulaski county.
An act for the benefit of Jane Degallon and Selina Cirode.
An act authorizing Hancock county court, to contract for the location of her seminary lands.
An act for the benefit of the Clay county seminary.
An act to establish election precincts in the counties of Grant, Bourbon, Madison, Clarke and Montgomery.
An act for the benefit of the devisees and heirs of James T. Moore and Elizabeth Moore, deceased, and for the heirs of John Hughes, jr.
An act to amend the law concerning public roads.
An act for the benefit of Lavina Off.
An act for the benefit of the holders of headright certificates.
An act for the benefit of William H. Eades, husband of Julia A. Eades.
An act for the benefit of Mary Eliza Thruston.
An act to amend an act authorizing the erection of a bridge across Main Licking river at or near its junction with the Ohio, approved Feb. 22, 1834.
An act to abolish the election precinct on Flat creek in Franklin county, and to change the place of voting in an election precinct, in Jefferson county.
An act for the benefit of John H. Baker.
An act to amend an act to encourage the manufacture of queensware.

The rule of the Senate having been dispensed with, the message of the Lieutenant and Acting Governor received to-day, was taken up, and read as follows, viz:

Gentlemen of the Senate:
I nominate, for your advice and consent, the following individuals to be Attorneys for the Commonwealth, in the several Judicial Districts attached to their respective names.
Francis Johnson, in the fifth; William K. Wall, in the second; James O. Harrison, in the third; Mason Brown, in the fourth; Thomson Ward, in the first; Alexander R. Macey, in the sixth; J. B. Crockett, in the seventh; Zachariiah Wheat, in the eighth; George C. Thurman, in the ninth; W. C. Goodloe, in the tenth; R. H. Menifee, in the eleventh; Logan Hunton, in the twelfth; George Calhoon, in the thirteenth; John H. McHenry, in the fourteenth; Frank Ballinger, in the fifteenth; Robert A. Patterson, in the sixteenth.

J. T. MOREHEAD.

February 27, 1835.

The question being taken on advising and consenting to the appointment of Francis Johnson, it was decided in the affirmative.

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


NAYS—Messrs. Bramlette, Daviess, Gilbert, Guthrie, Heady, James, Lyon, McHenry, May, Patterson, Sisk, Willis, Wingate and Young—14.

Resolved, That the Senate advise and consent to the appointment of the other persons, as nominated.

The message in writing received from the Lieutenant and Acting Governor on yesterday, was taken up and read as follows, viz:

GENTLEMEN OF THE SENATE:

I nominate, for your advice and consent, Henry C. M. Cartmill, to be colonel of the 32d regiment, vice Joseph Bowman, resigned.

John H. Myers, to be lieutenant colonel of the same, vice H. C. M. Cartmill, if promoted.

Martin Allen, to be major of the same, vice J. H. Myers, if promoted.

Newton Payne, to be lieutenant colonel of the 12th regiment, vice Daniel Morris, moved away.

James L. Lindsey, to be major of the same, vice James Brown, moved away.

Wilkins Tannehill, to be notary public for the county of Jefferson.

J. T. MOREHEAD.

Resolved, That the Senate advise and consent to the said appointments.

Ordered, That Mr. Grider inform the Lieutenant and Acting Governor thereof.
A bill from the House of Representatives, entitled an act to establish the county of Louisville, and for other purposes, was taken up, 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. Guthrie, Willis and Heady.

After a short time, Mr. Guthrie reported the said bill without amendment; and it was ordered to be read a third time.

A bill from the House of Representatives, entitled an act to impose a duty on sales at auction in the town of Irvine, in the county of Estill, was read the first time.

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 regulating the standing of studs and jacks, in Bourbon county, 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 Thomas C. Davis, was read the first time, and ordered to be read a second time.

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

An act to incorporate the common school society in Bardstown.
An act for the appropriation of money.

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, the former was referred to a committee of Messrs. Heady, Daviess and Young, and the latter, to the committee of finance.

And then the Senate adjourned.

SATURDAY, FEBRUARY 28, 1835.

A message was received from the House of Representatives, announcing their concurrence in the amendment proposed by the Senate, to the amendments proposed by that House to a bill from the Senate, entitled an act to regulate certain circuit courts.

That they had concurred in resolutions from the Senate, of the following titles, viz:

A resolution providing for the examination of the auditor’s office.
A resolution authorizing the examination of public works on Green river.
That they had passed a bill, which originated in the Senate, entitled an act to establish the Louisville chancery court, with amendments; which amendments were concurred in.

That they had disagreed to a bill from the Senate, entitled an act to make copies from the books and papers of the banks of this State, evidence in certain cases.

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

- An act to amend the charters of the cities of Lexington and Louisville, and for other purposes.
- An act, supplemental to an act, to reduce the number of justices of the peace and constables, for Logan county.

And that they had passed bills, and adopted a resolution, of the following titles, viz:

1. An act appointing commissioners to superintend the improvement of the navigation of the Kentucky river.
2. An act to amend an act, entitled an act vesting circuit courts with power to authorize the sale of infants' real estate, in certain cases, approved 3d Feb. 1813.
3. An act to incorporate the Madison, Laurel, Knox and Harlan turnpike road company.
4. An act declaring Collins' fork of Goose creek navigable from its mouth, to the mouth of Disappointment creek.

And a resolution requiring the auditor to reject certain claims of mileage to witnesses.

The said first and third 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 first 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 Green river."

The said second bill was read the first time, and laid on the table.

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

- An act to legalize the proceedings of the trustees of the town of Elizabeth.
- An act to amend an act, entitled an act, to incorporate the Richmond and Lexington turnpike road company, approved Feb. 14, 1834.
- An act to establish the December chancery term of the Pendleton circuit court.

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. Taylor, from the committee of finance, 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 referred to the committee of the whole house on the state of the Commonwealth.

Therupon 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. Grider in the chair.

After some time spent in committee, the Speaker resumed the chair, when Mr. Grider reported that the committee had, according to order, had under consideration the said bill for the appropriation of money, and had gone through the same, and made sundry amendments thereto, which he handed in at the Clerk's table.

The said amendments were twice read and concurred in.

Mr. Wingate moved further to amend the said bill by adding thereto, the following, viz:

To John Woods, the balance due for building the public arsenal, one hundred and fifty dollars.

The question being taken an adopting the said amendment, it was decided in the negative.

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

YEAS—Mr. Speaker, Messrs. Boyd, Bush, Chinn, Gilbert, Grider, Guthrie, Lusk, Metcalfe, Patterson, Roberts, Taylor and Wingate—13.


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.

After a short time, a message was received from the House of Representatives, announcing that they had disagreed to the first, second, third, fourth, sixteenth and twentieth, and had concurred in the other amendments to the said bill.

Resolved, That the Senate recede from their first, third, fourth, sixteenth and twentieth amendments, and insist on their second amendment to the said bill.
Soon after, a message was received from the House of Representatives, announcing that they had concurred in the said second amendment.

Mr. Heady, from the committee to whom was referred a bill from the House of Representatives, entitled an act to incorporate the common school society of Bardstown, reported the same without amendment. The said bill was amended, and ordered to be read a third time.

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

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

Mr. Guthrie, from the committee to whom was referred a bill from the House of Representatives, entitled an act to incorporate the common school society of Bardstown, reported the same without amendment. The said bill was amended, and ordered to be read a third time.

The rule of the Senate, constitutional provision, and third reading thereof, 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 Lieutenant and Acting Governor, by Mr. Cox, assistant 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 consent, Henry Owsley, John L. Blaine, Jacob Swigert and Thomas S. Page, to be the securities of James Davidson, treasurer of this Commonwealth.

James McDonald, to be colonel of the 50th regiment, vice Dudley Robertson, deceased.

John Harvie, John L. Hickman and James Harlan, to be members of the Board of Internal Improvements of Kentucky.

J. T. MOREHEAD.

February 28th, 1835.

Resolved, That the Senate approve of the said securities, and advise and consent to the said appointments.

Ordered, That Mr. Grider inform the Lieutenant and Acting Governor thereof.

On the motion of Mr. Taylor, the several committees were discharged from the further consideration of all the business referred to them.
Mr. Murrell moved that all the unfinished business before the Senate be laid on the table.

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

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


A message was received from the House of Representatives, announcing that they had received official information, that the Lieutenant and Acting Governor had approved and signed enrolled bills, which originated in that House, of the following titles, viz:

An act to authorize the clerk of the Wayne county court to transcribe certain minutes and records in his office.

An act to incorporate the Covington and Latonian Springs Rail Road Company.

An act for the benefit of Wm. Garrard and Henry T. Duncan, and for other purposes.

Approved February 26, 1835.

An act to incorporate the Owingsville and Big Sandy turnpike road company.

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

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

An act to amend the several acts in relation to Morgantown.

An act to regulate the service of process and notices upon corporations.

An act to change the time of holding the Russell county court, and Owen circuit court, and for other purposes.

An act to amend an act, entitled an act to construct a turnpike road from Covington, through Williamstown and Georgetown, to Lexington, in Fayette county.

Approved 27th Feb. 1835.

On the motion of Mr. James,

Resolved, That the Public Printer be directed to print three thousand, eight hundred copies of the list of the acts of this General Assembly, for the use of the Senate.
Messrs. Bramlette, Murrell and Wingate, from the committee of enrollments, reported that the committee had examined enrolled bills and resolutions, of the following titles, and had found the same truly enrolled, viz:

An act to amend the penal laws of this Commonwealth, and the better to secure and guard the right of suffrage and freedom of elections therein.

An act for the benefit of Ann C. Riggs.

An act for the benefit of Cordelia M. Peck.

An act to incorporate the Flemingsburg and Mayslick turnpike road company.

An act to amend an act, concerning the dower and jointures of widows, approved Dec. 19, 1796.

An act authorizing the city of Louisville to establish gas lights in said city.

An act for the benefit of Sarah Pepper.

An act to change the place of holding the election in the North Middletown precinct, in Bourbon county.

An act to legalize the proceedings of the Bracken county court.

An act to authorize justices of the peace, to render judgments against constables and their securities, for failing to return executions, and paying over moneys collected by them.

An act to repeal in part an act, to regulate ferries on the Tennessee river, and part of Cumberland river.

An act to amend the act, entitled an act to incorporate the Franklin Insurance Company.

An act to discontinue the inspection of tobacco, at the warehouse of Wm. H. Boothe, in the city of Louisville.

An act for the benefit of Shelton Morris and others.

An act to amend an act, entitled an act, for classing tobacco in this Commonwealth, and for other purposes, approved Dec. 13, 1820.

An act for the benefit of Emigrants.

An act to amend the law establishing a turnpike road from Louisville, in the direction to Nashville, by way of Elizabethtown, Munfordsville and Bowlinggreen.

An act to appropriate the vacant lands in this Commonwealth, north and east of the Tennessee river, to the counties in which they lie, for the purpose of Internal Improvements.

An act to amend the law as to dower slaves.

An act authorizing Wm. S. Grant, to make conveyances in certain cases of lands sold by Squire Grant, now deceased, and not heretofore conveyed.

An act for the benefit of the sheriff of Hickman County.

An act to incorporate the Versailles Hotel company.

An act to incorporate the town of Frankfort.
An act supplemental to an act, to reduce the number of justices of the peace and constables, in Logan county.

An act to incorporate the Carlisle, Flemingsburg and Green-upsburg turnpike road company.

An act supplemental to the act, establishing the Northern Bank of Kentucky.

An act to reduce the number of justices of the peace, in Caldwell county, and for other purposes.

An act to authorize the county court of Bracken, to settle with the sheriff of said county, for road tax in his hands.

An act to prohibit the circulation within this Commonwealth, of Bank notes of a less denomination than five dollars.

An act to establish the town of Landing, in Boone county.

An act to establish the Louisville chancery court.

An act to establish the Richmond fire company.

An act to establish the Bowlinggreen water company.

An act to amend an act, entitled an act, for the improvement of the road from Franklin county to Crab Orchard, in Lincoln county.

A resolution providing for an examination of the Auditor’s Office.

A resolution authorizing an examination of the public works, on Green river.

An act to regulate certain circuit courts.

An act to amend the charters of the cities of Lexington and Louisville, and for other purposes.

An act to incorporate the Versailles savings institution.

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 Lieutenant and Acting Governor, for his approbation and signature.

After a short time, Messrs. Bramlette, Wingate and Murrell, reported that they had performed that duty.

Messrs. Bramlette, Murrell and Wingate, from the committee of enrollments, reported that the committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, and had found the same truly enrolled, viz:

An act to amend the law in relation to search warrants.

An act for the benefit of Jane Turner, and Eliza Angelina Rogers.

An act to authorize the sheriff of Campbell county, to execute bond at the March term of the Campbell county court.
An act to repeal an act, allowing an additional constable in the county of Whitley, and for other purposes.
An act for the benefit of the heirs of Charles Taylor, deceased, and others.
An act to incorporate the Augusta, Cynthiana and Georgetown turnpike company.
An act for the benefit of Isaac Smith.
An act to amend an act, entitled an act, to amend the law establishing the town of Warsaw, in Gallatin county.
An act for the benefit of the infant heirs and devisees of Carter B. Foster, deceased.
An act to amend the act, approved Feb. 22, 1834, to amend the charter of the city of Louisville, and to amend the charter of the city of Covington.
An act to authorize the taking of depositions in civil causes, depending before justices of the peace.
An act to allow one additional constable to Bullitt county.
An act for the benefit of the Laurel county Seminary.
An act to secure to persons taking up slaves that escape from their owners, compensation for their services.
An act, to amend the several acts, concerning the Wilderness and Goose creek turnpike roads.
An act for the internal improvement of Kentucky.
An act to incorporate the Flemingsburg Lyceum.
An act for the benefit of the Green River Female Academy.
An act for the benefit of John H. Slaughter and James T. Curd.
An act for the benefit of Elizabeth Thompson.
An act for the benefit of Wm. D. Cope's heirs.
An act to legalize the sale of certain slaves by Lewis Conner, guardian of J. McGlasson, infant heir of W. McGlasson, deceased.
An act incorporating the Frankfort, Georgetown and Paris turnpike road company.
An act to amend an act, to establish the town of Mills' Point, in the county of Hickman, and for other purposes, approved 8th Feb. 1834.
An act to establish an inspection of tobacco in the town of Moscow, Hickman county, and King's mill, in Hardin county.
An act to incorporate the Owingsville, Mountsterling and Winchester turnpike company.
An act to incorporate a turnpike road company from Versailles to Nicholasville.
An act to incorporate the Bardstown and Green river turnpike road company.
An act for the benefit of the town of Port William.
An act to amend an act, entitled an act, to incorporate the Bowlinggreen bridge company.
An act to incorporate the Springfield and Bardstown turnpike road company.
An act to amend an act, entitled an act, to improve and open the road from Rocky Spring in Harrison county, to Williamstown, in Grant county.
An act to incorporate the Frankfort, Newcastle and Bedford turnpike company, and for other purposes.
An act to incorporate a turnpike road company, from Lancaster to Crab Orchard.
An act for the benefit of the sheriffs of Laurel and Scott counties.
An act to repeal in part, and amend in part an act, concerning the Danville, Lancaster and Nicholasville turnpike road company.
An act to incorporate the common school society of Bardstown.
An act more effectually to protect the occupants of lands, which have been forfeited to the state, for taxes.
An act to establish the town of Mortonsville, in Woodford county.
An act to incorporate the Covington and Cincinnati manufacturing company.
An act to legalize the proceedings of the trustees of the town of Elizabeth.
An act to amend an act, entitled an act to incorporate the Richmond and Lexington turnpike road company, approved Feb. 14, 1834.
An act to incorporate the Newcastle and Middletown turnpike road company.
An act to authorize the sale of a negro man belonging to the infant children of Charles W. Summers, and for other purpose.
An act to establish the December chancery term of the Pendleton circuit court.
An act for the appropriation of money.
That they 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 Lieutenant and Acting Governor, for his approbation and signature.
After a short time, Messrs. Bramlette, Wingate and Murrell, reported that the committee had performed that duty.
After some time, a message was received from the House of Representatives, announcing that they had received official information that the Lieutenant and Acting Governor had approved and signed the said bills.
A message in writing was received from the Lieutenant and Acting Governor, by Mr. Cox, Assistant 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 consent, George M. Bibb, to be Judge of the Louisville Chancery Court.

Wm. A. Cocke, to be Marshal of said Court.

February 28, 1835.

J. T. MOREHEAD.

Resolved, That the Senate advise and consent to the said appointments.

Ordered, That Mr. Grider inform the Lieutenant and Acting Governor thereof.

A message was received from the Lieutenant and Acting Governor, by Mr. Cox, assistant Secretary of State, announcing that he had on this day approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act to amend the penal laws of this Commonwealth, and the better to secure and guard the right of suffrage and freedom of elections therein.

An act for the benefit of Ann C. Riggs.

An act for the benefit of Cordelia M. Peck.

An act to incorporate the Flemingsburg and Mayslick turnpike road company.

An act to amend an act, concerning the dower and jointures of widows, approved Dec. 19, 1796.

An act authorizing the city of Louisville to establish gas lights in said city.

An act for the benefit of Sarah Pepper.

An act to change the place of holding the election in the North Middletown precinct, in Bourbon county.

An act to legalize the proceedings of the Bracken county court.

An act to authorize justices of the peace, to render judgments against constables and their securities, for failing to return executions, and paying over moneys collected by them.

An act to repeal in part an act, to regulate ferries on the Tennessee river, and part of Cumberland river.

An act to amend the act, entitled an act to incorporate the Franklin Insurance Company.

An act to discontinue the inspection of tobacco, at the warehouse of Wm. H. Boothe, in the city of Louisville.

An act for the benefit of Shelton Morris and others.
An act to amend an act, entitled an act, for classing tobacco in this Commonwealth, and for other purposes, approved Dec. 13, 1820.

An act for the benefit of Emigrants.

An act to amend the law establishing a turnpike road from Louisville, in the direction to Nashville, by way of Elizabethtown, Munfordsville and Bowlinggreen.

An act to appropriate the vacant lands in this Commonwealth, north and east of the Tennessee river, to the counties in which they lie, for the purpose of Internal Improvements.

An act to amend the law as to dower slaves.

An act authorizing Wm. S. Grant, to make conveyances in certain cases of lands sold by Squire Grant, now deceased, and not heretofore conveyed.

An act for the benefit of the sheriff of Hickman County.

An act to incorporate the Versailles Hotel company.

An act to incorporate the town of Frankfort.

An act supplemental to an act, to reduce the number of justices of the peace and constables, in Logan county.

An act to incorporate the Carlisle, Flemingsburg and Greenupssburg turnpike road company.

An act supplemental to the act, establishing the Northern Bank of Kentucky.

An act to reduce the number of justices of the peace, in Caldwell county, and for other purposes.

An act to authorize the county court of Bracken, to settle with the sheriff of said county, for road tax in his hands.

An act to prohibit the circulation within this Commonwealth, of Bank notes of a less denomination than five dollars.

An act to establish the town of Landing, in Boone county.

An act to establish the Louisville chancery court.

An act to establish the Richmond fire company.

An act to establish the Bowlinggreen water company.

An act to amend an act, entitled an act, for the improvement of the road from Franklin county to Crab Orchard, in Lincoln county.

A resolution providing for an examination of the Auditor's Office.

A resolution authorizing an examination of the public works, on Green river.

An act to regulate certain circuit courts.

An act to amend the charters of the cities of Lexington and Louisville, and for other purposes.

An act to incorporate the Versailles savings institution.
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 of six on their part to wait on the Lieutenant and Acting 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. Willis, Wingate and Griffith, were appointed a committee on the part of the Senate.

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

The committee retired, and after a short time returned, when Mr. Willis reported that they had performed the duty assigned them, and were informed by the Lieutenant and Acting Governor that he had no further communication to make.

The Speaker having retired, Mr. Smith was called to the chair, when Mr. Griffith moved the following resolution, viz:

Resolved, That the thanks of the Senate be tendered to the Hon. James Guthrie for the able, dignified and impartial manner in which he discharged the duties of Speaker during the time he presided at the present Session of the Legislature.

Which was unanimously adopted.

Mr. Wingate moved the following resolution, viz:

Resolved, That the thanks of the Senate be tendered to the Honorable James Clark, for the able, dignified and impartial manner, in which he has discharged the duties of Speaker, during the present Session.

Which was unanimously adopted.

The Speaker having resumed the chair, and delivered an appropriate address, adjourned the Senate without day.
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