At a General Assembly, begun and held for the State of Kentucky, at the Capitol, in the town of Frankfort, on Saturday the 30th day of December, one thousand eight hundred and forty eight, it being the day appointed by law for the meeting of the General Assembly, John L. Helm, the Lieutenant Governor, appeared, and having taken the several oaths required by the Constitution of the United States, and the Constitution and Laws of this State, took his seat as Speaker of the Senate; and the following members of the Senate appeared and took their seats, to-wit:

From the second Senatorial District, William Bradley; from the fifth, George W. Triplett; from the seventh, William E. Munford; from the ninth, Nathan McClure; from the tenth, Thomas S. Speed; from the eleventh, George W. Barbour; from the twelfth, Charles Hambleton, from the fourteenth, John Cofer; from the sixteenth, Samuel S. English; from the seventh, John W. Russell; from the eighteenth, Thomas P. Linthicum; from the nineteenth, George W. Barbou; from the twentieth, John Druffin; from the twenty first, James Brien; from the twenty fourth, John P. Bruce; from the twenty fifth, J. Russell Hawkins; from the twenty sixth, John J. Thomas; from the thirty first, Robert S. Todd; from the thirty second, David Thornton; from the thirty third, Walter Chiles; from the thirty fourth, James M. Rice; from the thirty sixth, John F. McMillan; from the thirty seventh, Thomas I. Young; from the thirty eighth, Alexander White.

The said George W. Triplett, William E. Munford, Nathan McClure, Thomas S. Speed, George W. Barbour, John Cofer, Thomas P. Linthicum, John P. Bruce and Walter Chiles, severally produced certificates of their election, and took the oaths required by the Constitution of the United States and the Constitution and Laws of this State.

Mr. Cyrenus Waite, a member from the twenty second Senatorial District, appeared, produced a certificate of his election, and having taken the several oaths required by the Constitution of the United States and the Constitution and Laws of this State, took his seat.

Theodore Kohlhass was unanimously elected Clerk of the Senate during the present session. Whereupon he took the several oaths required
by the Constitution of the United States, and the Constitution and Laws of this State.

Thomas D. Tilford was unanimously elected Assistant Clerk of the Senate during the present session. Whereupon he took the several oaths required by the Constitution of the United States and the Constitution and Laws of this State.

John D. McClure was unanimously elected Sergeant-at-Arms of the Senate during the present session. Whereupon he took the several oaths required by the Constitution of the United States, and the Constitution and Laws of this State.

Mr. Speed nominated Ben. Selby as a proper person to fill the office of Doorkeeper of the Senate during the present session.

Mr. Triplett nominated Greenup Keene.

Upon the vote being taken it stood thus:

Those who voted for Mr. Selby, were—

Messrs. Barbour, Linthicum, Speed,
Brien, McClure, Thomas,
Bruce, McMillan, Thurman,
English, Munford, Todd,
Hambleton, Rice, White—16.
Hawkins, 

Those who voted for Mr. Keene, were—

Messrs. Bradley, Draffin, Triplett,
Chiles, Russell, Waite,
Cofer, Thornton, Young—9.

Benjamin Selby having received a majority of all the votes given, was declared duly elected Doorkeeper of the Senate during the present session. Whereupon he took the several oaths required by the Constitution of the United States, and the Constitution and Laws of this State.

Mr. William K. Wall, a member of the Senate from the twenty-ninth Senatorial District, and Mr. Wilson P. Boyd, a member of the Senate from the thirty fifth Senatorial District, appeared and took their seats.

On the motion of Mr. Bruce,

Resolved, That William L. Callender be permitted to occupy a seat within the bar of the Senate, for the purpose of reporting its proceedings for the Daily Commonwealth.

Leave of absence was granted to Mr. Young.

The Senate then took a recess until 1 o'clock.

The Senate met at 1 o'clock.

Mr. John Eaker, a member of the Senate from the first Senatorial District, appeared, produced a certificate of his election, and having taken the several oaths required by the Constitution of the United States, and the Constitution and Laws of this State, took his seat.
Mr. James V. Walker, a member of the Senate from the fourth Senatorial District, and Mr. George W. Williams, a member of the Senate from the twenty seventh Senatorial District, appeared and took their seats.

Mr. Linthicum moved the following preamble and resolution, to-wit:

WHEREAS, It is represented to the Senate of Kentucky, that George Clayton Slaughter, late Senator from the eighteenth District, has recently departed this life, and before the time for which he was elected had expired, therefore,

Be it resolved by the Senate of Kentucky, That in testimony of respect for George Clayton Slaughter, late a member of the Senate of Kentucky, his noble and lofty bearing as a gentleman, and his distinguished ability as a legislator, the members of the Senate wear crape on their left arms for thirty days.

The said preamble and resolution were unanimously adopted.

And then the Senate adjourned.

MONDAY, JANUARY 1, 1849.

Mr. William Barnett, a member of the Senate from the eighth Senatorial District, appeared and produced a certificate of his election, and having taken the several oaths required by the Constitution of the United States, and the Constitution and Laws of this State, took his seat.

Mr. Ben. Edwards Grey, a member of the Senate from the third Senatorial District, Mr. William Evans, a member of the Senate from the sixth Senatorial District, and Mr. William C. McNary, a member of the Senate from the thirteenth Senatorial District, appeared and took their seats.

On the motion of Mr. Rice,

Ordered, That a message be sent to the House of Representatives to inform them that the Senate is organized, and now ready to proceed to legislative business.

And Messrs. Rice, Grey and Chiles were directed to carry said message.

The Speaker announced the following standing Committees, to-wit:

On Judiciary—Messrs. Wall, Rice, Williams, Thurman and Barbour.


On Religion—Messrs. Draffin, McMillan, Thomas, Bruce and McClure.

On Internal Improvements—Messrs. J. Speed Smith, Grey, Thornton, Evans and Cofer.


On Education—Messrs. Evans, J. Speed Smith, Hobbs, Barbour and Waite.


On Executive Affairs—Messrs. Draffin, Thornton and Linthicum.


On Agriculture and Manufactures—Messrs. Chiles, Williams, Russell, White and Barnett.


JOINT COMMITTEES.


On Enrollments—Messrs. Bradley, McNary, Munford and Young.

Mr. Bruce moved the following preamble and resolution, to-wit:

WHEREAS, It is represented to the Senate of Kentucky, that James S. Henderson, late Senator from the twenty fourth District, has departed this life, and before the time for which he was elected had expired. Therefore,

Be it resolved by the Senate of Kentucky, That in testimony of respect for the deceased, the members of the Senate wear crapes on the left arm for thirty days.

The said preamble and resolution were unanimously adopted.

And then the Senate adjourned.
TUESDAY, JANUARY 2, 1849.

A message was received from the House of Representatives, by Messrs. Underwood, Newell and Vertress, announcing that they had met and organized, and are now ready to proceed to legislative business, and had appointed a committee on their part to wait upon the Governor and inform him that the General Assembly have convened, and are now ready to receive any communication he may think proper to make.

Messrs. Todd, Wall and Rice were appointed a committee on the part of the Senate to wait upon the Governor and inform him that the General Assembly have convened, and are now ready to receive any communication he may think proper to make.

The committee on the part of the Senate retired, and after a short time returned, when Mr. Todd reported that the joint committee had performed the duty assigned them, and were informed by the Governor that he would make a communication in writing, to each House, immediately.

A message in writing, was received from the Governor, by Mr. Brown, Secretary of State, which was read as follows, to wit:

Gentlemen of the Senate,

and House of Representatives:

In obedience to the provision of the Constitution requiring the Governor, from time to time, to give to the General Assembly information of the State of the Commonwealth, and to recommend to their consideration such measures as he shall deem expedient, I will now proceed to address you, briefly, on the topics that appear to me to possess the most general interest. And here permit me to state, that in contemplating the peace, plenty, and security, with which the Creator has blessed our people, the first impression of the mind and impulse of the heart should be of gratitude and praise to Him for the happiness of our condition. He has given to us a country having the advantages of a vigorous climate and a soil of unsurpassed fertility, and placed within our reach the natural means of greatness and prosperity. We have but to use these gifts with thankfulness and wisdom, to insure a glorious destiny to the inhabitants of our favored land.

Nor should we, on an occasion like the present, when the General Assembly will be called upon, in the course of their deliberations, to prepare the way for a new order of things, be unmindful of the obligations we are under to the wisdom and virtue of those who have gone before us, who framed for us a system of government and laws so well adapted to the genius and wants of the people for whom they were
enacted, and which have, for so many years, afforded the amplest protection to the rights and liberty of the citizen. To the benign influence of their wise and patriotic legislation we owe much of that character that constitutes the pride of every Kentuckian—causing him to feel that there is something honorably distinctive in the name, and attaching him, by the institutions of his country and the force of early association, to the great principles of Republican Government. The strength of our form of government is in the truth of the principles upon which it rests. Those principles are, the liberty and equality of all before the law, and in no state or country have those ends been more thoroughly attained than in ours. Ours is indeed a glorious past; and that should be an example and an encouragement to us to endeavor so to shape the future that it may truly be said of us that the republic sustained no damage at our hands.

The article of the Constitution that makes it the duty of the Executive to see that the laws are faithfully executed, whilst it is among the most important of the functions of that officer, is, happily, one that he is rarely called upon to exercise in any forcible manner. There is such a judicious distribution of powers to the various Departments, and the legislation of the country has been marked by so much justice, temperance and moderation, that there is an habitual respect and obedience paid to them; and any thing like opposition to the laws by individuals, or by organized resistance, is almost unheard of. Undoubtedly, there are imperfections incident to all legislation, and it must, in the nature of things, sometimes happen that the laws are unequal in their operation. Should such be the case it will not escape the attention of the People's Representatives, and they will be the first to apply the corrective.

The people having expressed their will, in the legal and constitutional mode, for a Convention to frame a new Constitution, it will become your duty to pass such laws as are necessary to carry their wishes into effect; and I would recommend an early action on that subject. The important question of a change in the fundamental law of the land was wisely left to the determination of the People alone, and they have, in two consecutive elections and by an increased majority at the last, voted for the call of a Convention. They have exercised their high prerogative in a manner that augurs favorably for its ultimate issue. We have seen them assemble without violence, excitement, or tumult, expressing their will with the calm dignity of freemen too well acquainted with their rights to bring them into contempt by an unseemly manner of asserting them. The extraordinary unanimity of the vote proves, beyond controversy, that the question rose high above party or ephemeral considerations, and it is to be hoped that this lofty spirit will prevail unto the end. When the People speak, the voice of faction or of party should not be heard. Parties rise and fall with the exciting topics of the day, and
catch their hue from the schemes of their leaders. But Constitutional Law is the agis of a whole People, and those who are called upon to frame it should never forget that their labors are to affect not only the present but future generations. The People of Kentucky should remember that their old Constitution has been to them the shadow of a great rock in a weary land—that it has protected them in the midst of strong excitement and the most embittered party conflicts, and that it had the power to do this because it was not the work of party but of patriotism and political wisdom. I have no fears myself as to the issue of the approaching Convention. I believe that it will be guided by a wise, and temperate spirit which, whilst it avoids all rash innovation, will, at the same time, by its prudence and wisdom, satisfy that public opinion which called it into existence and trusts so much to its hands.

There are some subjects to which I feel it my duty to call the particular attention of the General Assembly; and first among these is that of Education. The Legislature, at its last session, passed an act requiring the Sheriffs and other officers to open a poll, and take the vote of the qualified voters of this Commonwealth, upon the propriety and expediency of imposing a tax of two cents on each one hundred dollars worth of taxable property, for the purpose of establishing more permanently a Common School System in this State. In pursuance of this act, a poll was opened in August, and a direct vote taken upon it, which resulted in showing that out of an aggregate vote of one hundred and twelve thousand four hundred and sixty three, cast for and against it, there was a majority of thirty six thousand eight hundred and eleven votes in its favor. This vote proves clearly that the difficulty is not and has not been with the People. Taken in conjunction with messages of former Governors and acts of former Legislatures, it shows the universal sense of the importance of such a system. While I would avoid an appearance of needless exhortation on this subject, yet I would fail in my duty if I did not earnestly invite the General Assembly to make it the subject of their anxious care. However discouraging and unsuccessful former efforts may have proved, it cannot be doubted but that there is a way to success; and if there be, who so competent as the Representatives of the People, intimately acquainted as they are with their wishes and wants, to find it out, and to adapt it to the condition of the country? From the enlightened gentleman now acting as the Superintendent of the Common School System, every assistance may be expected that zeal, talents and a large experience can afford. We claim for our people no natural superiority of intellect or capacity; but the circumstances of their early history, under the influence of which they have grown up, have impressed upon them a character of great vigor, activity and enterprise of body and mind, and the State, to be true to herself and just to
them, should afford them the means of acquiring that degree of education that is necessary to give the most wholesome and efficient direction to those high attributes. Let no efforts be considered too great—no patience too exhausting, and no means too expensive. Let us exhibit to the nation the noble spectacle of Kentucky educated as she ought to be—her sons and daughters adding the grace and power and virtues of cultivated minds to their fine natural qualities, and those who have contributed to bring about the result will be entitled to the lasting gratitude of posterity.

The public debt is a subject that must always command the serious and fixed attention of the General Assembly. My predecessors in office have, in their annual communications, kept the country so fully advised as to the actual condition of the debt, that but little more is left to me to communicate by way of information than to notice such changes as may have occurred since the last meeting of the Legislature.

The public debt of the State on the first day of January, 1848, amounted to the sum of four millions, six hundred and eight thousand, three hundred and thirty-nine dollars. The following changes have occurred:

<table>
<thead>
<tr>
<th>Date</th>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>January 26</td>
<td>Cash of Craddock Fund</td>
<td>$612.81</td>
</tr>
<tr>
<td>January 15</td>
<td>30 year six per cent. bond issued</td>
<td>$1,000.00</td>
</tr>
</tbody>
</table>

Since that time the debt has been reduced, $77,068.00

Leaving the total debt of the State on the 20th December, 1848—this sum, $4,608,339.00

From the above sum it has been usual to deduct the amount of Bank Stocks owned by the State, as the State is in possession of the means to pay this without imposing taxation on the People. The amount of Bank Stock thus owned by the State, is $1,270,500.00

This deduction will make the actual debt of the State, $3,262,413.81

To provide for the payment of the interest, and for the gradual extinction of this debt, the General Assembly, at an early period, established a Sinking Fund.

That fund is composed of the following items:

1. Tax on the capital stock of the Bank of Kentucky, and dividends on 9,399 shares of stock in said Bank, held by the State and by the Commissioners of the Sinking Fund.

2. Tax on the capital stock of the Northern Bank of Kentucky, and dividends on 2,900 shares of stock in said Bank, held by the State and the Commissioners of the Sinking Fund.

5. Proceeds of the State stock in the Old Bank of Kentucky.
6. Five cents on every one hundred dollars worth of property liable to taxation.
7. One-third of the taxes collected on non-residents' lands.
8. Excess over five thousand dollars in the Treasury at the end of each year, after deducting all demands.
10. Tolls from slack water navigation on the Kentucky, Green and Barren rivers, and rent of water power.
11. Dividends on the State's stock in the various turnpike roads and bridges in the State.
12. Two thirds of the profits of the Penitentary.
13. Taxes on brokers and insurance offices.
14. Premium on sale or exchange of State bonds.

A few of the least important of these resources have ceased, while the productivity of others has been greatly enhanced.

For a detailed account of the management and operations of this ample fund, the General Assembly is referred to the Reports of the First and Second Auditors and of the Commissioners of the Sinking Fund. A brief abstract from the official statements will suffice for a general idea of what is the present condition of this fund.

**Balance on hand 10th October, 1847:**
- $139,387 12

**Receipts from that date to 10th October, 1848:**
- $328,265 61

**Receipts from 10th Oct., 1848, to 20th Dec., 1848:**
- $40,022 17

**Add amount due to Revenue Department:**
- $27,258 20

**Making:**
- $534,938 10

**Expenses:**

<table>
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<tr>
<th>Item</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Warrants issued and paid same time</td>
<td>$385,163 11</td>
</tr>
<tr>
<td>Necessary to pay interest due 1st Jan., 1849</td>
<td>121,807 41</td>
</tr>
</tbody>
</table>

**Making:**
- $516,970 52

**Leaving a balance of:**
- $17,962 58

**Resources for 1849:**

The resources, including the balance on hand as before stated (1848),
- $373,486 39

<table>
<thead>
<tr>
<th>Item</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Amount necessary to pay interest</td>
<td>$203,614 82</td>
</tr>
<tr>
<td>Repairs on Kentucky river</td>
<td>15,000 00</td>
</tr>
<tr>
<td>Repairs on Green and Barren river</td>
<td>10,000 00</td>
</tr>
<tr>
<td>Contingent expenses</td>
<td>900 00</td>
</tr>
</tbody>
</table>

**Making:**
- $289,514 82

**Surplus for 1849:**
- $83,971 57
It appears from the foregoing that the Sinking Fund has, in the course of the present year, not only furnished the means of paying punctually the interest of the public debt, but also of extinguishing $77,065 of the principal. And the estimates made for the year 1849, assure us of an equally favorably result, and exhibit a balance, after payment of interest, of $83,971 57, applicable to a further reduction of the debt. The payment of the semi-annual interest due on the 1st January, has been fully provided for. And, so far, it is believed that the expectations of the General Assembly have been fulfilled, by the operations and effects of the Sinking Fund. These results, and the prospects for the future, show the solidity of our means and our credit, and will be a just source of gratification to the General Assembly.

Our State debt was created, chiefly, in the construction of works of Internal Improvement, and dates its origin from the overthrow of that system by the General Government. It having been settled, at Washington, that there could be no improvements within the limits of Kentucky that would properly fall under the head of National works, it became necessary for the General Assembly, in order that Kentucky might not be put at a disadvantage by the superior public spirit of other States, to undertake the improvement of our own roads and rivers. This was necessary to facilitate the intercourse between the People, to stimulate their industry and aid their commerce—thus enabling them to come into equal competition with their rivals in enterprise and business. If the application of the money appropriated for these objects has not, always, been the most economical and judicious, yet the system was unquestionably founded in a spirit of patriotism, and in a laudable desire suitably to improve the country Providence has assigned us. When due allowance is made for the disadvantages attending first experiments, and the unavoidable concessions necessary to reconcile conflicting interests and insure harmonious action, there is more for us to rejoice at than complain of. Our citizens have, certainly, derived great advantages from the public works, even in their present incomplete condition, and the State is receiving an increasing remuneration from the tolls collected from the roads and rivers. There is much reason to hope that these receipts will, in a few years, directly contribute, largely, to the discharge of the debt incurred in their construction—throwing entirely out of the calculation the increased value of lands and property and the new sources of wealth to which they have given rise, and that greatly augment the annual revenue.

The course of legislation for the last few years indicates, clearly, the popular will that nothing should be done to diminish the power of the State to redeem, at maturity, her out-standing bonds, and to meet, with unwavering promptness, every payment of interest at the places and
times when and where they may fall due. I accord, most unreservedly, my approbation to the stern honesty of our people that bids them be just, before they consult their convenience, their comforts or their growth; and will not take it upon myself to recommend any measure that may hazard that sound principle—a principle as important for the good name of a State as of an individual. Nor would I, at the same time, advise the unwise economy that buries the talent, intended for increase, through an unfounded fear that we are serving hard masters. I know that our constituents desire us to do all that may be done, within the limits of salutary prudence, to develop the resources of the State. And I have no fear but that it is within the compass of wise legislation to connect together the broken links in the chain of improvements already constructed, so as to make them conduce to the purposes for which they were undertaken, or to give such extension to other works as will adapt them to the wants of a more extended section of country, and thus greatly increase the public wealth without involving us by a ruinous enlargement of the existing debt. To your better judgments, however, such subjects may be more properly submitted, and it is not appropriate to my office to say anything more than to promise my hearty co-operation in any measures that will promote the general interest without encroachment upon the resources that are necessary to extinguish liabilities already incurred. I desire to add, that if the General Assembly shall find it necessary, for any purpose whatsoever, to augment the public debt, they should accompany their legislation with such provisions; either by an increase of the resources of the Sinking Fund, or otherwise, as will insure its redemption at maturity, and the punctual payment of the interest. The prompt payment of our debt ought not to be regarded as a question of expediency or policy. It is a matter of duty. The preservation of the faith and credit of the State is something more than a mere abstract sentiment that it is the preservation of its honor. It is a part of the property and strength of the State, and they who squander it, bring on lamentable poverty and weakness.

To the annual Report of the Board of Internal Improvement you are referred for a detailed account of the condition of the public works and the operations of the Board during this year. A change occurred in the office of President by the resignation of Mr. Metcalfe, who, for many years, had discharged its arduous duties with credit to himself, and to the general satisfaction of the country. His successor, has, since his appointment, spared no pains in making himself thoroughly acquainted with the whole subject, having visited, in person, all the works, either on the Rivers or Roads, in which the State has any interest, and diligently applied himself to giving them the highest degree of efficiency and security. From his Report, I feel confident that you will derive much
valuable information; and to such suggestions as he may deem proper to lay before you, I would invite your most attentive consideration.

Intimately associated with a system intended to increase the facilities for exporting our products to market and bringing in, on the most favorable terms, whatever articles we desire to import, is the application of the science of Geology to test the various properties of the soil, and to indicate where the valuable minerals with which our State is known to abound will best reward the labor necessary to uncover them and bring them into use. I have received communications from scientific gentlemen, and been personally applied to by some of our most successful farmers, to bring the subject of a Geological Survey before the General Assembly and invite their action upon it. There is certainly a deep interest felt in the subject by many of our most valuable citizens, and we have the example of other States to encourage us, who have already reaped great advantages from similar surveys. Twenty States have engaged in this work, and some have expended large sums of money upon it. Something is also due by way of reciprocity towards those who are thus engaged in extending the scientific knowledge of their country, and I would recommend an annual expenditure for two or three years of an amount sufficient to defray the expenses of a General Survey. From that survey enough would be indicated to advise the country of the policy of prosecuting a more thorough and minute survey thereafter.

The condition of the Penitentiary is always a subject of interest to the General Assembly, and it gives me pleasure to state that under the management of its humane, mild, yet firm and judicious Keeper, it is, in most respects, answering the purposes for which it was intended. The number of persons in confinement on the 1st day of December was one hundred and sixty one. Of these, one hundred and forty-five are white males—thirteen negroes and mulattoes—two Mexicans, and one Albino. There is not a female in the prison. In consequence of the destruction of the buildings by fire and the necessary rebuilding of them and the construction of other houses and the purchase of ground and great enlargement of the enclosure, the State has not for some time derived any direct revenue from the labor of the convicts. But I am informed by the Keeper that there is every reason to expect that as such unforeseen and unavoidable expenditures have nearly all been incurred, the Institution will soon be able to make a dividend of profits that will add much to the available resources of the Sinking Fund. The annual report of the Keeper will be laid before you at an early day of the session.

For an accurate exhibition of the State of the Public Treasury, you are referred to the Reports of the Treasurer and First and Second Auditors. These Reports will fully inform you of the fiscal operations of that department for the year 1848, and will furnish you with an estimate for
1849. It will be seen from those Reports that the expenditures for the fiscal year ending on the 10th October, 1848, amounted to $314,279 29 cents. The amount transferred to the Sinking Fund during the same time, was $118,830 02 cents—making the total of expenditures for that year $433,119 31 cents.

The amount of receipts during the same period was $400,298 19 cents. Balance in Treasury on 10th day of October, 1847, was $19,269 23 cents—making the total of receipts $419,567 42 cents—leaving the Revenue Department in arrears on the 10th day of October, 1848, the sum of $8,550 99 cents.

There was received by the Treasurer from the 11th day of October to the 30th November, 1848, $37,886 09 cents. Amount of expenditures during same time, $38,559 71. To this add arrears on 10th October, as above, $8,550 99, and there was a balance in the Treasury on the 30th November, 1848, of $775 39 cents.

For the year 1849, the supposed receipts will amount to the sum of $439,136 48 cents. Of this, there is to be paid to the Sinking Fund $129,807 17 cents. Supposed expenditures for 1849, $282,750. Amount in arrears on 10th October, 1848, $8,550 99 cents—making a total of $421,108 16 cents—leaving a supposed balance in the Treasury on the 10th of October, 1849, of $17,028 32 cents.

The foregoing estimates of expenditures for the year 1849, are based upon the supposition that the present session of the Legislature will continue the usual number of days; which would make the pay of the members $28,500 for a session of sixty days—and the ordinary appropriations are estimated at $31,500. But it is proper to add, that it will be necessary to make provision for the expenses of the Convention that is to convene during the year 1849. If not otherwise provided for, those expenditures will be an additional charge upon the Treasury. It is estimated that the expenses of the Convention will amount to $392 80 cents per day, which, for a session of ninety days, would amount to $35,352. The balance in the Treasury on 10th October, 1849, deducted from $35,352, would leave a deficit on the 10th of October, 1849, of $18,323 68. It must also be borne in mind, that should any defalcation appear on a settlement with the late Treasurer the burden of the loss will fall upon the Treasury Department.

As properly appertaining to the foregoing subject, the painful duty devolves on me of communicating to the General Assembly the following information. A short time before the close of the administration of my predecessor, he was informed that there was an apparent deficit in the Treasury of uncertain, but supposed to be, of considerable amount. This led him to examine the bonds of the Treasurer to see who were the securities to whom the State must look to make up the deficit if any
should be found to exist. The result of this examination disclosed to him the fact that while the Treasurer had, annually, given to the Executive the names of good and sufficient securities, and the same had been accepted by him and approved by the Senate, the bonds themselves had not been signed by the securities since the year 1840. That this failure to duly execute the bonds was the result of inattention rather than of design is inferable from the fact that the names of the securities were regularly given to the Governor and spread upon the Journals of the Senate, and the securities themselves either supposed that they had signed the bonds until otherwise informed, or that the old bond was sufficient. Col. Davidson, the late Treasurer, was, at the time this defalcation was discovered, in a very infirm state of health, and languishing on a bed of sickness, from which it was thought for many weeks that he would not recover. While in this condition, despairing himself of recovery, and being informed that the public business was suffering for want of his personal attention, and in ignorance of even a rumor of any defalcation, he tendered his resignation to the Governor, accompanying it with an urgent request for a prompt settlement of his accounts with the State. The resignation was accepted, and Governor Owsley appointed Ambrose Dudley and Francis Lloyd, Esqs., commissioners, to examine into and report upon the condition of the Treasury, which report will be laid before the General Assembly.

I am unwilling to dismiss this subject without saying, that whatever defalcation may appear upon a final settlement of these accounts, I cannot, in justice to an old and diligent public servant and a patriot soldier well tried in the fire of battle and covered with wounds, withhold the expression of my opinion that it has not been occasioned by the dishonesty of the officer. Much may properly be attributed to the great complexity of the accounts necessarily to be kept by him, running through a long series of years and embracing transactions with Banks and the Board of Internal Improvement and the Commissioners of the Sinking Fund and the receiving and disbursing of millions of public money—all of which had to be done by an individual who had not been brought up as an accountant, and those who trusted him did so rather for his known honor and fidelity than for any other qualification. For myself, I do not believe that he has done any thing to sully his hitherto unimpeached character. I do not believe that James Davidson would, on any consideration, improperly thrust his hand into the Public Treasury. The whole subject is submitted to the General Assembly, as a matter deserving their strict examination and scrutiny.

In the preceding observations I have called the attention of the General Assembly to the consideration of our domestic affairs. Entertaining however, as we do, an intimate relation with the General Govern-
ment, a few remarks upon the nature of that connexion will not be out of place.

The message of the President has informed us that the United States are now at peace with the world. There is no important question unsettled in our foreign diplomacy. We have no subject of dispute with any other people, and there is no cause that threatens, so far as can be foreseen, to disturb this general peace. Under the auspices of our State Governments to take care of our domestic concerns, and of the General Government to guard our national and external rights and interests, we may confidently look forward to a future full of every thing that can gratify the hearts of a civilized and free people: It is in this general result of the operation of the American system of government, that the States feel and know that they are important parts of a great whole; and that they have other cares, interests and duties which claim their attention beyond those that are merely local and peculiar to themselves respectively. If we would act in the right spirit, and under the influence of proper sentiments, we must habitually contemplate ourselves and our State as members of the great National Union. It is in and by that Union that we are known among the nations of the Earth. It is in that Union that we are respected by the world. And, under the joint protection of the government of the Union and the government of the States, we have the amplest securities that patriotism and wisdom can furnish for freedom and prosperity. The Union of the States is not only indispensable to our greatness, but it is a guarantee for our Republican forms of Government. With the preservation of that Union and the constitution by which it is established and laws by which it is maintained, our dearest interests are indissolubly blended. An experience of near sixty years, while it has confirmed the most sanguine hopes of our patriotic fathers who framed it, has taught us its inestimable value. Its value will be above all price to us so long as we are fit for liberty, and it will fail only when we become unworthy of it. No form of government can secure liberty to a degenerate people. Kentucky, situated in the heart of the Union, must, and will exercise, a powerful influence on its destiny. Devotion to the Union is the common sentiment of her people. I do not know a man within the limits of the State who does not entertain it. We all feel that we can safely rely upon a Union which has sustained us so triumphantly in the trials of peace and war; and we entertain no fears from those who have a common interest in it with ourselves. The fraternal feelings with which we regard them, and the filial reverence we ourselves have for the link that binds us together, give us strength in the faith that they cherish the same bonds of brotherhood and will practice no intentional injustice towards us. We can have no better security for our rights than that Union and
the kindred feelings that unite us with all the members of the Confederacy. If these sentiments ever cease to prevail, I trust that Kentucky will be the last spot from which they will be banished. Errors, and even abuses may occasionally arise in the administration of the General Government—so they may in the administration of all Governments—and we must rely upon public opinion, the basis of all Republican Governments, for their correction. The dissolution of the Union can never be regarded—ought never to be regarded—as a remedy, but as the consummation of the greatest evil that can befall us. Kentucky, devoted to that Union, will look to it with filial confidence, and, to the utmost of her might, will maintain and defend it. We let no meditations or calculations on any sectional or other confederacy, beguile us to the point of weakening our attachment to the Union. Our relations and our attachments are with and to all the States; and we are unwilling to impair them by any entangling engagements with a part. We are prouder of our rank as a member of the United States than we could be of any sectional or geographical position that may be assigned us. We date our prosperity as a nation from the adoption of the Federal Constitution. From the government that it established we have derived unnumbered blessings, and whatever of evil has occurred in its administration bears no proportion to its benefits.

In proof of the foregoing sentiments we may appeal to our past history. We have seen measures of national policy which we considered of vital importance to our welfare perish in the conflicts of parties, and other systems, deemed by us inimical to our best interests, prevail. Yet we did not falter in our allegiance to our common government, but waited, with patience, for the development of the conclusion to which a majority of the whole nation would ultimately arrive after a calm survey and experience of what would best promote the public good. The administration that is now drawing to its close, was not called into existence by the vote or the wish of a majority of the people of Kentucky. Many of its most important measures have not been such as we desired to see enacted. Yet it has met with no other opposition than a manly expression of an honest difference of opinion. And when war was declared with Mexico, notwithstanding the opinion that prevailed, that it might have been avoided by wise statesmanship, still Kentucky responded to the call of the President, not halting to debate the necessity of the war, but finding in the fact that it was declared by the constituted authorities of the nation—a sufficient claim upon her patriotism. She has come out of that war with an increase of glory, being behind none in advancing the honor of the national flag; and to our brave volunteers who gained for us that proud eminence the thanks of the State are due. If such has been her action through the past, may we not safely promise that the ad-
ministration of Gen. Taylor will receive a cordial support from the State of Kentucky? The veteran patriot who has been just chosen to administer the government of the United States was brought to Kentucky an infant in his mother's arms. He was here reared to that vigorous manhood and with those sterling virtues that have sustained him through a long period in his country's service. There is, therefore, a natural reason for our confidence and attachment. But he comes into his high office with the avowed purpose of endeavoring to carry out the principles and policy of Washington, and this should commend him to the affections of the American people. It will be his aim to soften, if he cannot extinguish, the asperities of party strife—to give to the government its constitutional divisions of powers as they were designed to be exercised by its framers, and to make the Congress of the United States the true exponent of the will of their constituents.

Under such an Administration, guided by such principles and motives, the people of the United States seem to have the best assurance of their liberty, and of all the blessings that good Government can bestow. These relations have been alluded to in no partizan spirit, but in the hope that we at last see the dawn of an era ardently desired by every lover of his country—when the discordant elements that have so long disturbed the public repose, will give place to more fraternal feelings, and the pure patriotism of the Revolution prevail in every American heart.

But in the midst of our bright prospects and high hopes, it becomes us to acknowledge our grateful dependence upon that Supreme Being without whose favor all schemes of human happiness are vain, and without whose benediction the wisdom and exertion of man can accomplish nothing truly great and good.

J. J. CRITTENDEN.

DECEMBER 30, 1848.

Ordered, That the Public Printer print 4,000 copies of said message, for the use of the Senate.
Revolution Department, Auditor's Office, Ky.

Frankfort, January 3, 1849.

Sir: I herewith submit the annual report from this Department.

I am, sir, very respectfully,

THOS. S. PAGE, 2d Auditor.

To the Hon. JOHN L. HEEM,
Lieut. Governor and Speaker of the Senate.

[For Report—see Legislative Documents.]

The Speaker laid before the Senate the report of James Davidson, late Treasurer of the State, which is as follows, to-wit:

FRANKFORT, January 3d, 1849:

Sir: You will please lay before the House over which you preside the accompanying report, which exhibits the condition of the Treasury from the 11th day of October, 1847, to the 7th day of August, 1848, inclusive.

I am, with great respect, yours, &c.,

JAMES DAVIDSON.

To the Hon. JOHN L. HEEM,
Lieut. Governor and Speaker of the Senate.

[For Report—see Legislative Documents.]

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

1. Mr. Barbour presented the petition of R. G. Fletcher, of McCracken county, praying for the passage of a law to release him from the payment of a bond executed to the Commonwealth for the purchase of a negro boy sold at Sheriff's sale out of the McCracken county jail, after having remained in the same twelve months, and having after said sale instituted suit and secured his freedom.

2. Mr. Walker presented the petition of J. Hardaway, praying for the passage of a law declaring void the entry and patent made and located on Delaware creek, west of the Tennessee river, by his father, Joseph Hardaway, by virtue of a military land warrant issued by the State of Virginia.

3. Mr. Evans presented the petition of John Doss, of Allen county, praying for the passage of a law authorizing the return to the Register's office of the patent issued on the 12th day of January, 1847, to the County Court of Allen county, upon land warrant No. 581, and that the Register be authorized to issue a patent upon said warrant in the name of said Doss.

4. Mr. Evans also presented the petition of Lee Allen and Solomon H. Harris, of Simpson county, praying for the passage of a law to compensate them for conveying to the Lunatic Asylum at Lexington, Jos. Duncan, a lunatic.
5. Mr. Evans also presented the petition of Malachi Williams, praying for the passage of a law divorcing him from his wife, Mary Williams.

6. Mr. Todd presented the petition of Leslie Combs, of Lexington, praying for the passage of a law to release him from a bond executed for the safe return of one iron cannon to the State Arsenal at Frankfort.

7. Mr. Rice presented the petition of James L. Turman, of Lawrence county, praying for the passage of a law to permit him to import a negro woman named Jane, and her child Sylva, into this State, from the State of Virginia.

8. Mr. McMillan presented the petition of William H. Ritchie, of Nicholas county, praying for the passage of a law divorcing him from his wife, Matilda V. Ritchie.

9. Mr. Eaker presented the petition of Elizabeth Wilkinson, of Graves county, praying for the passage of a law divorcing her from her husband, Joseph R. E. Wilkinson.

10. Mr. Eaker also presented the petition of Asher Gough, of Graves county, praying for the passage of a law to authorize the sale of a certain tract of land lying in the county of Marshall, the property of his son, Augustus Gough.

11. Mr. Russell presented the petition of Thomas J. Crutcher, of Franklin county, praying for the passage of a law to authorize the sale of a tract of land of 20 acres, lying in Woodford county, the property of his daughter, Elizabeth Frances, and the proceeds invested in other lands.

Which petitions were severally received and referred, (the 6th being read,)—the 1st, 2d, 3d, 10th and 11th, to the committee on the Judiciary; the 4th to the committee on Finance; the 5th, 6th and 9th, to the committee on Religion; the 6th to the committee on Military Affairs; and the 7th to the committee on Propositions and Grievances.

A message was received from the House of Representatives, by Mr. Rhea, announcing that they had adopted a resolution fixing a time for the election of a Senator in Congress.

The said resolution was twice read and concurred in.

The Speaker laid before the Senate the annual report of the President and Directors of the Kentucky and Louisville Mutual Insurance Company, which is as follows, to-wit:
The Kentucky and Louisville Mutual Insurance Company.

Report of the condition, progress and affairs of said Company, up to the 30th November, 1848, inclusive, viz:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Amount insured, 1036 policies</td>
<td>$2,752,798</td>
</tr>
<tr>
<td>Deduct amount of policies expired</td>
<td>1,936,545</td>
</tr>
<tr>
<td>Amount insured on merchandise, 30 policies</td>
<td>$60,500</td>
</tr>
<tr>
<td>Deduct amount of policies expired</td>
<td>43,180</td>
</tr>
</tbody>
</table>

| Amount of premium notes                               | $175,124     |
| Deduct amount of premiums discharged                  | 55,000       |

| Received on premium notes                             | $122,033     |
| Received for 1,006 policies                           | 1,936        |
| Received for 30 policies on merchandise               | 233          |
| Received for premium on merchandise                   | 1,263        |
| Received for dividends on Bank stock                  | 378          |

| Paid expense account                                  | $14,734      |
| Paid for losses                                       | 13,398       |
| Paid for commissions to agents                        | 433          |
| Due from agents                                       | 275          |
| Cash, balance                                         | 2,145        |

**BALANCES.**

**DEBITS.**

At a meeting of the President and Directors of the Kentucky and Louisville Mutual Insurance Company, at their office in the city of Louisville, on the 7th December, 1848, the President of this Company submitted to the Board, a statement of the condition, progress and affairs of said Company, which, being read, examined and approved by the Board, was adopted; and the President is directed to furnish a copy of the same to the General Assembly of this State, agreeably to the requisition of the 22d section of the charter of this Company.
JOURNAL OF THE SENATE.

OFFICE OF THE KY. AND LOUISVILLE MUTUAL INSURANCE CO. 
Louisville, December 26, 1848.

Sir:

In obedience to the requisition of the 22d section of the charter of this Company, and the order of the Board, I herewith transmit to you the foregoing report of the condition, progress and affairs of this Company, from the commencement of their business up to and including the 30th of November last, and request that you will lay the same before the body over which you preside.

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

WILLIS STEWART, Pres't.

Hon. John L. Helm,
Lieut. Governor and Speaker of the Senate.

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

Resolved by the General Assembly of the Commonwealth of Kentucky, That a committee, to consist of — members of the Senate, and — members of the House of Representatives, be appointed to wait on General Zachary Taylor, President elect of the United States, upon his arrival at Louisville, and invite him, in the name of the General Assembly and of the citizens of Kentucky, to visit the Capital and become the guest of the State; for such time as may suit his convenience.

The rule of the Senate being dispensed with, the said resolution was taken up and amended, by filling the blanks with three as the number on the part of the Senate, and five as the number on the part of the House of Representatives, and adopted.

Messrs. Boyd, Grey and Draffen were appointed a committee on the part of the Senate, pursuant to said resolution.

On the motion of Mr. Boyd,

Resolved, That the several ministers of the Gospel of the town of Frankfort, be requested alternately to open the daily sessions of the Senate with prayer.

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

On the motion of Mr. Williams—1. A bill to call a convention.
On the motion of Mr. McNary—2. A bill to amend the revenue laws.
On the motion of Mr. Williams—3. A bill to incorporate the Paris and Flat Rock Turnpike Road Company.
On the motion of same—5. A bill providing for a special term of the Fleming Circuit Court.
On the motion of Mr. English—6. A bill to repeal an act, entitled, an act to amend the road law in the county of Trimble, approved January 18, 1848.
On the motion of Mr. Munford—7. A bill to change the time of holding the Magistrates' Courts in Barren county.
On the motion of Mr. Grey—8. A bill for the benefit of the Logan, Todd and Christian Turnpike Road.

On the motion of Mr. Williams—9. A bill for the benefit of Emanuel Wyatt.

On the motion of Mr. Chiles—10. A bill for the benefit of the Administrator and heirs of James G. Hazelrigg, deceased.

On the motion of Mr. Munford—11. A bill for the benefit of Samuel Ray, late Sheriff of Monroe county.


On the motion of same—13. A bill to change the name of Wm. Cobb.

The committee on the Judiciary was directed to prepare and bring in the 1st, 4th, 5th and 7th; the committee on Internal Improvement the 8th; the committee on Finance the 9th, 11th and 12th; the committee on Propositions and Grievances the 13th.

Messrs. McNary, Grey and Hambleton were appointed a committee to prepare and bring in the 2d; Messrs. Williams, Boyd and Linthicum the 3d; Messrs. English, Draffin and McMillan the 6th; and Messrs. Chiles, Triplett and Speed the 10th.

On the motion of Mr. Rice,

Resolved, That the committee on the Judiciary prepare and report a bill limiting the jurisdiction of the General Court, in the trial, in any suit either in law or chancery, in which the title of land comes in question, unless the land is situate in the county of Franklin.

Mr. Bruce was added to the committee on Internal Improvements.

On the motion of Mr. Munford,

Resolved, That the committee on the Judiciary be instructed to inquire into the expediency of so amending the act, entitled, an act to regulate the administration and settlement of estates, approved February 20, 1839, as to expedite and lessen the costs of such settlements.

Mr. English, from a select committee, reported a bill to repeal an act, entitled, an act to amend the road law in the county of Trimble, approved January 18, 1848. Which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second and third readings of said bill being 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. Bradley,

Ordered, That the Public Printer print 150 copies of the rules of the Senate, for the use of the General Assembly.

Mr. Williams, from a select committee, reported a bill to incorporate the Paris and Flat Rock Turnpike Road Company, which was read the first time, and ordered to be read a second time.
The constitutional rule as to the second reading of said bill being dispensed with, it was referred to the committee on Internal Improvement. Mr. J. Speed Smith, a member of the Senate from the twenty third Senatorial District, appeared and took his seat.

Mr. Todd presented the memorial of the President and Directors of the Lexington and Frankfort Railroad Company, asking such additional legislation in regard to said Company, as the Legislature may think proper.

Which was received, and referred to the committee on Internal Improvement.

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

A message, in writing, was received from the Governor, by Mr. Hal- lan, Assistant Secretary of State.

The rule of the Senate being dispensed with, the said message was taken up, and read as follows, to-wit: EXECUTIVE DEPARTMENT, January 3, 1839.

Gentlemen of the Senate:

I nominate for your advice and consent, Orlando Brown for the office of Secretary of State, he having been commissioned as such since the adjournment of the last General Assembly.

J. J. CRITTENDEN.

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

A message was received from the House of Representatives, by Mr. Hughes, announcing that they are now ready, in pursuance of the joint order, to proceed to the election of a Senator in Congress, to serve until the 4th day of March next, in the place of John J. Crittenden, resigned.

Ordered, That Messrs. Walker, Wall and Todd inform the House of Representatives that the Senate are now ready to proceed to said election.

A message was received from the House of Representatives, by Mr. Towles, announcing that Thomas Metcalfe and Lazarus W. Powell stood in nomination before that House, as proper persons to fill the office of Senator in Congress.

Mr Walker nominated Thomas Metcalfe.

Mr. Bradley nominated Lazarus W. Powell.

Ordered, That Messrs. Walker and Bradley inform the House of Repre- sentatives thereof.

The Senate then proceeded to vote for Senator in Congress, and the vote stood thus:

Those who voted for Mr. Metcalfe, were—

Messrs. Barbour, 
Boyd,  
Bruce,  
Chiles, 
Hawkins,  
Linthicum,  
McClure,  
McMillan, 
Thorton,  
Todd,  
Triplett,  
Waite,
Those who voted for Mr. Powell, were—

Messrs. Barnett, Brien, Wall, White,
Eaker, Rice, Williams—36.
Bradley, English, Thomas—7.

Messrs. Wall and Walker were appointed a committee on the part of the Senate, to compare the joint vote and report the result.

After a short time, Mr. Wall reported that the joint vote stood thus:

For Mr. Thomas Metcalfe, 88.
For Mr. Lazarus W. Powell, 38.

Whereupon, Mr. Thomas Metcalfe having received a majority all the votes given, was declared duly elected a Senator in Congress, from the State of Kentucky, until the 4th day of March next, in the place of John J. Crittenden, resigned.

And then the Senate adjourned.

THURSDAY, JANUARY 4, 1849.

Mr. Edward D. Hobbs, a member of the Senate from the fifteenth Senatorial District, appeared and took his seat.

The Speaker laid before the Senate the annual report of the keeper of the Penitentiary, which is as follows, to-wit:

Office Kentucky Penitentiary,
Frankfort, January 4th, 1849.

Sir:

In obedience to the requisitions of law, I herewith submit my annual report, showing the condition of this Institution on the 1st day of December, 1848, which you will please lay before the Senate.

I have the honor to be,
Very respectfully, your ob't. serv't.,
N. CRAIG, Agent and Keeper Ky. Pen'ty.

To the Hon. John L. HELM,
Lieut. Governor and Speaker of the Senate.

[For Report—see Legislative Documents.]
Ordered, That said report be referred to the committee on the Penitentiary, and that the Public Printer print 150 copies for the use of the General Assembly.

Mr. Speed presented the annual report of the Trustees of the Deaf and Dumb Asylum at Danville, which is as follows, to-wit: [For Report—see Legislative Documents.]

Ordered, That said report be referred to the committee on Finance and that the Public Printer print 1,000 copies thereof, for the use of the Senate.

1. Mr. Hambleton presented the petition of Walter Jones, and Susan, his wife, of Breckinridge county, praying for the passage of a law divorcing them from each other.

2. Mr. Eaker presented the petition of William L. Owens, of Graves county, praying for the passage of a law to divorce him from his wife, Sarah Owens.

3. Mr. Bradley presented the petition of Elizabeth Watt, of Hopkins county, praying for the passage of a law divorcing her from her husband, Sidi Hamet Watt.

4. Mr. Draffin presented the petition of Hezekiah F. Neely, of Anderson county, praying for the passage of a law divorcing him from his former wife, Barbara Ann Myers.

5. Mr. Eaker presented the petition of Isabel T. Humphreys, of Graves county, praying for the passage of a law to divorce her from her husband, John P. Humphreys.

6. Mr. Barbour presented the petition of Morton A. Rucker, of Caldwell county, praying for the passage of a law authorizing payment to be made him, for work and labor done as one of the contractors on the Logan, Todd and Christian Turnpike Road.

7. Mr. Waite presented the petition of Zilla Goldsberry, praying for the passage of a law divorcing her from her husband, Jack Goldsberry.

Which petitions were severally received and referred—the 1st, 2d, 3d, 4th, 5th and 7th, to the committee on Religion; and the 6th to the committee on the Judiciary.

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

Resolved by the General Assembly of the Commonwealth of Kentucky, That they will proceed upon Monday, the 5th inst., at 12 o'clock, to choose a Senator to the Congress of the United States, to serve for six years, from and after the 4th day of March next.

Mr. Walker, from the committee on Propositions and Grievances, reported a bill to change the name of William Cobb, which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second and third readings of said bill being dispensed with, and the same being engrossed,
Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Todd, from the committee on Finance, reported the following bills, to-wit:

A bill for the benefit of the Sheriff of Green county.
A bill for the benefit of Samuel Ray, late Sheriff of Monroe county.
Which bills were each read the first time, and ordered to be read a second time.

The constitutional rule as to the second and third readings of said bills being dispensed with, and the same being engrossed,

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

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

On the motion of Mr. Grey—1. A bill to amend an act, entitled, an act to prohibit the importation of slaves into this State.
On the motion of Mr. J. Speed Smith—2. A bill to change the time of holding Magistrates' Courts in Madison county.
On the motion of Mr. Boyd—3. A bill to restore the summer term of the Fleming Circuit Court.
On the motion of Mr. Evans—4. A bill to amend an act, entitled, an act to amend the charter of the Glasgow and Scottsville Turnpike Road Company, approved February 29, 1848.
On the motion of Mr. Draffin—6. A bill to repeal in part the law in relation to runaway slaves.

Messrs. Grey, Walker and Barbour were appointed a committee to prepare and bring in the 1st; Messrs. Speed Smith, Todd and Bruce the 2d; Messrs. Draffin, Evans and English the 6th; the committee on the Judiciary was directed to prepare and bring in the 3d; the committee on Internal Improvement the 4th; and the committee on Education the 5th.

On the motion of Mr. Bruce,

Resolved, That so much of the Governor's message as relates to a Geological survey of the State, be referred to a select Committee.
Messrs. Bruce, J. Speed Smith and Hobbs were appointed a committee pursuant to said resolution.

And then the Senate adjourned.
FRIDAY, JANUARY 5, 1848.

The Speaker laid before the Senate the report of the Treasurer, which is as follows, to-wit:

**Treasury Department,**

_Frankfort, January 3d, 1849._

I enclose a general statement of the operations and condition of the Treasury, since I have had charge of the Department, to the 30th of November, inclusive. The direct connection of the Sinking Fund (proper) with the Treasury, makes it necessary, for a more perfect understanding of the Treasurer's statements, to annex an abstract of the Sinking Fund account with the Treasurer. I have the honor to be,

Very respectfully,

P. DUDLEY, Treasurer.

To Hon. John L. Helm,

_Lieut. Governor and Speaker of the Senate._

[For Report—see Legislative Documents.]

The Speaker laid before the Senate the annual report of the Auditor of Public Accounts, which is as follows, to-wit:

**Auditor's Office,**

_Frankfort, January 5, 1849._

Sir:

I herewith enclose you the regular annual report of this Department; also, a supplemental report from the end of the fiscal year to the 16th ult.,

Very respectfully,

JOHN B. TEMPLE, Auditor of Public Accounts.

To Hon. John L. Helm,

_Lieut. Governor and Speaker of the Senate._

[For Report—see Legislative Documents.]

1. Mr. Thomas presented the petition of Robert Williams, contractor for constructing Lock and Dam No. 3, on Licking river, praying for the passage of a law to compensate him for losses sustained by reason of the suspension of the public works on said river.

2. Mr. Rice presented the petition of James Bartram, of Lawrence county, praying for the passage of a law authorizing him to import a family of slaves into this State, from the State of Virginia.

3. Mr. Hobbs presented the petition of Sophia A. Watkinson, praying for the passage of a law divorcing her from her husband, Redford A. Watkinson.

4. Mr. Hobbs also presented the petition of the President, Directors and Company of the Louisville Savings Institution, praying an amendment to the charter of said Institution.
5. Mr. Barbour presented the petition of David Pirtle, of Caldwell county, praying for the passage of a law to divorce him from his wife, Elizabeth Pirtle.

Which petitions were severally received and referred, (the first being read,) the 1st to the committee on Internal Improvement; the 2d to the committee on Propositions and Grievances; the 3d and 5th to the committee on Religion; and the 4th to the committee on the Judiciary.

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

An act to repeal an act, entitled, an act to amend the road law in the county of Trimble. Approved, January 18, 1848.

That they had concurred in the adoption of a resolution from the Senate, inviting Gen. Zachary Taylor to visit the Capital of Kentucky, with an amendment as a substitute for said resolution.

That they had adopted a resolution inviting Gen. William O. Butler to visit the Capital of Kentucky.

That they had passed bills of the following titles, to-wit:
An act to amend the several acts to suppress duelling.
An act for the benefit of Peter Estill.
An act for the benefit of the infant children of Thomas Payne.
An act to enlarge the Elk Fork Constable's District, in Todd county.
An act to establish two additional election precincts in Warren county.

The Speaker laid before the Senate the annual report of the Board of Internal Improvement, which is as follows, to-wit:

BOARD OF INTERNAL IMPROVEMENT OFFICE,

January 5th, 1849.

Sir:
The Board of Internal Improvement desire, through you, to submit their annual report to the Senate of the General Assembly of Kentucky.

With great respect, yours, &c.,

O. G. CATES.

To Hon. John L. Helm,
Lieut. Governor and Speaker of the Senate.

[For report—see Legislative Documents.]

Ordered, That said report he referred to the committee on Internal Improvement.

Mr. Wall, from the committee on the Judiciary, reported the following bills, to-wit:
A bill for the benefit of John Doss.
A bill for the benefit of R. G. Fletcher, of McCracken county.
A bill for the benefit of Asher and Augustus Gough.
A bill for the benefit of Joseph Hardaway.

Which bills were severally read the first time, and ordered to be read a second time.
The constitutional rule as to the second and third readings of said bills being dispensed with, and the same being engrossed,

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

Mr. Wall, from the same committee, to whom was referred the petition of Thomas J. Crutcher, reported the following resolution thereon, to-wit:

Resolved, That said petition be rejected.

Which was concurred in.

Mr. Wall, from the same committee, reported a bill to restore the summer term of the Fleming Circuit Court, which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second reading of said bill being dispensed with, it was amended, and ordered to be engrossed and read a third time.

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

Resolved, That said bill do pass, and that the title thereof be amended by adding "and in relation to the Nicholas Circuit Court."

Mr. Wall, from the same committee, reported a bill to call a Convention, which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second reading of said bill being dispensed with, it was committed to the committee of the Whole House on the state of the Commonwealth, and made the special order of the day for to-morrow.

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

Mr. Draffin, from the committee on Religion, to whom was referred the petition of William H. Ritchie, reported the following resolution thereon, to-wit:

Resolved, That the prayer of the petitioner is unreasonable, and ought to be rejected.

Which was concurred in.

Leave was given to withdraw the agreement filed with said petition.

Mr. McClure, from the same committee, reported the following bills, to-wit:

A bill to divorce Isabel T. Humphreys.

A bill to divorce Elizabeth Wilkinson.

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

The constitutional rule as to the second and third readings of said bills being dispensed with, and the same being engrossed,
Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

Mr. Todd, from the committee on Finance, reported the following bills, to-wit:

A bill for the benefit of Emanuel Wyatt.
A bill for the benefit of Solomon H. Harris.

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

The constitutional rule as to the second and third readings of said bills being dispensed with, and the same being engrossed,

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

Mr. J. Speed Smith, from a select committee, reported a bill to change the time of holding Magistrates' Courts in Madison county, which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second and third readings of said bill being dispensed with, and the same being engrossed,

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

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

Resolved, That a joint committee of three from the Senate, and five from the House of Representatives, be appointed to visit the Lunatic Asylum at Lexington, and that they have power to send for persons and papers, and make a correct report to the Legislature.

On the motion of Mr. Chiles,

Resolved, That so much of the Governor's message as relates to the subject of education, be referred to the committee on Education, with instructions to report a bill at the earliest convenient period of time, for the levying of the additional tax of two cents on each one hundred dollars worth of taxable property, as contemplated in the act of Assembly, entitled, an act concerning the common school system, approved Feb. 20, 1848.

A message in writing, was received from the Governor, by Mr. Brown, Secretary of State.

The rule of the Senate being dispensed with, the said message was taken up and read as follows, to-wit:

EXECUTIVE OFFICE, January 5th, 1840.

Gentlemen of the Senate:

I nominate for your advice and consent, John B. Temple for the office of Auditor of Public Accounts, he having been commissioned as such since the adjournment of the last General Assembly.

J. J. CRITTENDEN.

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

On the motion of Mr. Evans,

Resolved, That the committee on Internal Improvement be and they
are hereby requested to enquire into the propriety of passing a law more effectually to compel keepers of toll-gates and ferries in this Commonwealth, to keep a list of tolls and ferryages attached to said gates and ferries, that they may at all times be examined by travellers, &c., and that said committee report by bill, if they deem further Legislation necessary on this subject.

The Speaker laid before the Senate the annual report of the Superintendent of Public Instruction, which is as follows, to-wit:

LEXINGTON, January 9, 1849.

Sir:

I have the honor to communicate herewith, the annual report on the School System of this State, which it is my duty to make to the Senate. Very respectfully,

RO. J. BRECKINRIDGE, S. P. I.

To the Hon. JOHN L. HEEM,
Lieut. Governor and Speaker of the Senate.

[For Report—see Legislative Documents.]

Ordered, That said report be referred to the committee on Education, and that the Public Printer print 150 copies of said report for the use of the General Assembly.

On the motion of Mr. Eaker,

Resolved, That the Second Auditor lay before the Senate a comparative statement of the expenses of the sessions of the Legislature, since the time the meeting was changed to the last day of December; and also, a like number of sessions commencing the first Monday in December, omitting in said report, appropriations not connected with the annual expenses of each session, but giving such as are incident to a long or short session; and report, also, the number of days of each session. Provided that should the public business be such as to prevent the Second Auditor from making this report during the present session of the Legislature, then it shall be his duty to make out this statement as soon as he can do so, and when done, the same shall be published in the newspapers printed at Frankfort, and the same shall be reported in his annual report to the next Legislature.

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

On the motion of Mr. Grey—1. A bill authorizing the survey of a route for a Railroad from Louisville to the termination of the Mobile and Ohio Railroad at Columbus, near the mouth of the Ohio river. Also, from Lexington, as far as the eastern boundary of the State, in a direction to the western termini of the “Richmond and Kanawha,” and “Baltimore and Ohio Railroad.”

On the motion of Mr. Munford—2. A bill for the benefit of William Hare.

On the motion of Mr. Hobbs—3. A bill to amend the charter of the Louisville Marine and Fire Insurance Company.

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On the motion of Mr. Wall—4. A bill to amend the charter of the Cynthiana and Millersburg Turnpike Road Company.

On the motion of Mr. Thornton—5. A bill for the benefit of Miriam E. Carter, of Woodford county.

On the motion of Mr. Barbour—6. A bill to change the names of Wm. Johnson, Francis Marion Washburn and Archibald E. Dobbins, to Wm. Holland, Francis Marion Holland and Archibald E. Holland.

Messrs. Grey, Eaker, Brien, McNary and Cofer were appointed a committee to prepare and bring in the 1st; Messrs Hobbs, J. Speed Smith and Linthicum the 3d; Messrs. Wall, Williams and McMillan the 4th; Messrs. Barbour, Linthicum and Bradley the 6th; the committee on Propositions and Grievances was directed to prepare and bring in the 2d; the committee on the Judiciary the 5th.

The resolutions inviting Gen. Zachary Taylor to visit the Capital of Kentucky, as amended by the House of Representatives, was taken up and referred to a committee of Messrs. Boyd, J. Speed Smith, Hobbs and Rice.

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

A resolution from the House of Representatives, inviting Gen. William O. Butler to visit the Capital of Kentucky, was taken up. Several amendments were proposed thereto, and the said resolution and amendments were referred to a committee of Messrs. Boyd, J. Speed Smith, Hobbs and Rice.

Bills from the House of Representatives of the following titles were severally read the first time, to-wit:

1. An act to amend the several acts to suppress duelling.
2. An act for the benefit of Peter Estill.
3. An act for the benefit of the infant children of Thomas Payne.
4. An act to enlarge the Elk Fork Constable's District, in Todd county.
5. An act to establish two additional election precincts in Warren county.

Ordered, That said bills be read a second time.

The constitutional rule as to the second reading being dispensed with, the 1st was referred to the committee on the Judiciary; the 4th to the committee on Propositions and Grievances; and the 2d and 5th were ordered to be read a third time.

The constitutional rule as to the third reading of the 2d and 5th bills being dispensed with,

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

And then the Senate adjourned.
SATURDAY, JANUARY 6, 1849.

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

An act to change the name of William Cobb.
An act for the benefit of the Sheriff of Green county.
An act for the benefit of Samuel Ray, late Sheriff of Monroe county.
That they had passed bills of the following titles, to-wit:
An act to legalize the appointment of the Clerk of the Butler Circuit Court.
An act for the benefit of the Adas Israel, or Community of Israel, in the city of Louisville.
An act to change the name of Barsheba Mills, wife of Austin Mills, of Logan county.
An act for the benefit of the Sheriff of Bourbon county.
An act for the benefit of the heirs of Dennis D. Cooms.
An act to change an election precinct in the county of Floyd.
An act for the benefit of Lutanus Manassus Jefferson Branch Young.
An act to allow additional Justices to Cumberland and Clinton counties.
An act for the benefit of James Clarke, late Sheriff of Casey county.
An act for the benefit of John J. Everett, Jailer of Marshall county.
An act for the benefit of John W. Hawes, of Lawrence county.
An act to repeal an act, entitled, an act to amend the road law of Pendleton county, and for other purposes.

That they had adopted resolutions for firing National salutes on the 8th January, 22d and 23d of February, and on the arrival of General Taylor at Frankfort.

On the motion of Mr. Eaker,

Ordered; That the Public Printer print 1,000 copies of the report of the Superintendent of Public Instruction, for the use of the Senate.

The Speaker laid before the Senate a communication from the Governor, enclosing the report of the Commissioners appointed to settle the accounts of James Davidson, late Treasurer, which is as follows, to-wit:

EXECUTIVE OFFICE, January 5th, 1849.

Sir: I have the honor to transmit to you, to be laid before the Senate, the report of the Commissioners appointed by my predecessor, Governor Owsley, to settle the accounts of James Davidson, late Treasurer of Kentucky.

With great respect, yours, &c.,

J. J. CRITTENDEN.

To the Hon. John L. Helm,
Lieut. Governor and Speaker of the Senate.

[For Report—see Legislative Documents.]
Ordered, That said report be referred to the committee on Finance, and that the Public Printer print 150 copies thereof, for the use of the General Assembly.

Mr. Wall, from the committee on the Judiciary, reported the following bills, to-wit:
1. A bill to alter the time of holding Magistrates' Courts in Barren county.
2. A bill limiting the jurisdiction of the General Court, in certain cases.

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

The constitutional rule as to the second and third readings of said bills being dispensed with, Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Wall, from the same committee, to whom was referred a bill from the House of Representatives, entitled, an act to amend the several acts to suppress duelling, reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional rule as to the third reading being dispensed with, Resolved, That said bill do pass, and that the title thereof be as aforesaid.

A message, in writing, was received from the Governor, by Mr. Harlan, Assistant Secretary of State.

The rule of the Senate being dispensed with, the said message was taken up, and read as follows, to-wit:

EXECUTIVE OFFICE, January 6th, 1840.

Gentlemen of the Senate:
I nominate for your advice and consent, G. H. Monsarrat to be Notary Public for the county of Jefferson.

J. J. CRITTENDEN.

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

Mr. Walker, from the committee on Propositions and Grievances, to whom was referred a bill from the House of Representatives, entitled, an act to enlarge the Elk Fork Constable's District, in Todd county, reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional rule as to the third reading being dispensed with, Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Walker, from the same committee, reported a bill for the benefit of William Hare, which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second and third readings of said bill being dispensed with, and the same being engrossed,
Resolved, That said bill do pass, and that the title thereof be as afore-said.

Mr. Draffin, from the committee on Religion, reported the following bills, to-wit:

A bill to divorce Sophia A. Watkinson.
A bill to divorce Hezekiah F. Neely.
A bill for the benefit of Malachi Williams, of Allen county.

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

The constitutional rule as to the second and third readings of said bills being dispensed with, and the same being engrossed,

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

Mr. J. Speed Smith, from the committee on Internal Improvement, to whom was referred a bill to incorporate the Paris and Flat Rock Turnpike Road Company, reported the same with amendments, which were concurred in.

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

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

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

Mr. Evans, from the committee on Education, reported a bill to amend an act, entitled, an act to incorporate the Trustees of the Allen Seminary, approved January 3d, 1817, which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second and third readings of said bill being dispensed with, and the same being engrossed,

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

The following bills were reported from select committees, to-wit:

By Mr. Hobbs—1. A bill to amend the charter of the Louisville Marine and Fire Insurance Company.

By Mr. Barbour—2. A bill to change the name of William Johnston, and others.

By Mr. Linthicum—3. A bill to amend proceedings before Justices of the Peace.

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

The constitutional rule as to the second reading being dispensed with, the 1st and 3d were referred to the committee on the Judiciary, and the 2d was ordered to be engrossed and read a third time.
The constitutional rule as to the third reading of the second bill being dispensed with, and the same being engrossed,

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

On the motion of Mr. J. Speed Smith,

Ordered, That the Public Printer print 4,000 copies of the report of the Board of Internal Improvement, for the use of the Senate.

On the motion of Mr. Chiles
The vote was reconsidered by which the resolution was adopted on yesterday referring that portion of the Governor's message relating to the subject of education, to the committee on Education, with instructions to report a bill for levying the additional two cents taxation, as contemplated by the act concerning the Common School System, approved Feb. 20th, 1848.

The said resolution was amended to read as follows:

Resolved, That so much of the Governor's message as relates to the subject of education, be referred to the committee on Education.

The said resolution as amended was adopted.

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

On the motion of Mr. Bruce—1. A bill to change the name of Robert Goodin to that of Robert Henson, and to make him the legal heir of Robert Henson.

On the motion of Mr. Hawkins—2. A bill regulating divorces.

On the motion of Mr. Williams—3. A bill to amend the act, entitled, an act to incorporate the Georgetown and Paris Turnpike Road Company, approved March 13, 1847.

On the motion of Mr. Hobbs—4. A bill to amend the laws relating to peddlers, and for other purposes.

The committee on the Judiciary was directed to prepare and bring in the 1st; the committee on Religion the 2d; Messrs. Williams, Boyd and McMillan were appointed a committee to prepare and bring in the 3d; and Messrs. Hobbs, Munford and J. Speed Smith the 4th.

The resolutions from the House of Representatives for firing a National Salute on the 8th of January, 22d and 23d of February, and on the arrival of General Zachary Taylor at Frankfort, were taken up and amended.

The said resolutions as amended were concurred in.

Bills from the House of Representatives, of the following titles, were severally read the first time, to-wit:

1. An act to legalize the appointment of the Clerk of the Butler Circuit Court.

2. An act for the benefit of the Adas Israel, or Community of Israel, in the city of Louisville.
3. An act to change the name of Barsheba Mills, wife of Austin Mills, of Logan county.
4. An act for the benefit of the Sheriff of Bourbon county.
5. An act for the benefit of the heirs of Dennis D. Cooms.
6. An act to change an election precinct in the county of Floyd.
7. An act for the benefit of Lutanus Manassus Jefferson Branch Young.
8. An act to allow additional Justices to Cumberland and Clinton counties.
9. An act for the benefit of Jas. Clarke, late Sheriff of Casey county.
10. An act for the benefit of John J. Everett, Jailer of Marshall county.
11. An act for the benefit of John W. Hawes, of Lawrence county.
12. An act to repeal an act, entitled, an act to amend the road law of Pendleton county, and for other purposes.

Ordered, That said bills be read a second time.

The constitutional rule as to the second reading being dispensed with, the 1st, 2d and 5th were referred to the committee on the Judiciary; the 4th to the committee on Military Affairs; the 6th to the committee on Privileges and Elections; the 9th and 11th to the committee on Finance; the 12th to the committee on Internal Improvement; and the 3d, 7th, 8th and 10th were severally ordered to be read a third time.

The constitutional rule as to the third reading of the 3d, 7th, 8th and 10th bills being dispensed with,

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

The resolution to appoint a committee to examine the Lunatic Asylum at Lexington, read and laid on the table by Mr. Eaker on yesterday, 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. Rice in the Chair. After some time spent in committee, the Speaker resumed the Chair, when Mr. Rice reported that the committee had, according to order, had under consideration a bill to call a Convention, and having gone through the same, had directed him to report it to the Senate without amendment.

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

The constitutional rule as to the third reading being dispensed with, said bill was amended by way of engrossed rider.

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

Mr. Williams presented the petition of Henry G. Stemmons, and Almira, his wife, praying for the passage of a law authorizing the sale of a tract of land in Garrard county, which was received and referred to the committee on the Judiciary.

And then the Senate adjourned.
MONDAY, JANUARY 8, 1849.

Mr. Overton P. Hogan, a member of the Senate from the twenty-eighth Senatorial District, appeared and produced a certificate of his election, and having taken the several oaths required by the constitution of the United States, and the constitution of this State, took his seat.

Mr. Stilwell Heady, a member of the Senate from the thirtieth Senatorial District, appeared and took his seat.

A message was received from the House of Representatives, announcing that they had concurred in the amendment proposed by the Senate to resolutions from that House, for firing National Salutes on the 8th of January, 22d and 23d February, and on the arrival of General Taylor at Frankfort.

That they had passed bills from the Senate of the following titles, to-wit:

An act for the benefit of John Doss.
An act for the benefit of R. G. Fletcher, of McCracken county.
An act for the benefit of Asher and Augustus Gough.
An act for the benefit of Joseph Hardaway.
An act to restore the summer term of the Fleming Circuit Court, and in relation to the Nicholas Circuit Court.
An act to change the time of holding Magistrates' Courts in Madison county.

That they had adopted a resolution appointing a committee to visit the Lunatic Asylum.

Which resolution was concurred in.

That they had passed bills of the following titles, to-wit:

1. An act to change the names of Eliza Durham and Phoeby Ann Comingow.
2. An act to repeal an act prohibiting the County Court of Fleming from taking stock in Turnpike Roads in said county.
3. An act to empower the County Court of Pike, to appropriate the vacant lands in said county to the improvement of the rivers in said county.
4. An act allowing an additional Constable to the county of Taylor.
5. An act for the benefit of the Sheriff of Cumberland county.
6. An act for the benefit of James Herreford.
7. An act to change the Bowlinggreen and Adairsville State road.
8. An act for the benefit of Boon Thomas, of Logan county.
Which bills were severally read the first time, and ordered to be read a second time.

The constitutional rule as to the second reading being dispensed with, the 3d and 7th were referred to the committee on Internal Improvement; the 6th and 8th to the committee on the Judiciary; and the 1st, 2d, 4th, 5th and 9th, were ordered to be read a third time.

The constitutional rule as to the third reading of the 1st, 2d, 4th, 5th and 9th bills being dispensed with,

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

1. Mr. Wall presented the petition of Sarah A. Stevens, of Campbell county, praying for the passage of a law divorcing her from her husband, Oliver Stevens.

2. Mr. Thomas presented the petition of Nancy Landy, of Campbell county, praying for the passage of a law to divorce her from her husband, Eli B. Landy.

3. Mr. Munford presented the petition of John M. Fraim, of Monroe county, praying for the passage of a law allowing him to bring into this State, a negro girl named Mary, from the State of Tennessee.

4. Mr. Hobbs presented the petition of Elizabeth Howard Robinson, praying for the passage of a law to divorce her from her husband, Lawrence B. Robinson.

The constitutional rule as to the second and third readings of said bills being dispensed with, and the same being engrossed,

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

Mr. Wall, from the committee on the Judiciary, reported the following bills, to-wit:

A bill for the benefit of Henry G. Stemmons and wife.
A bill for the benefit of Miriam E. Carter.
A bill to release the Louisville Savings Institution from certain taxes. Which bills were severally read the first time, and ordered to be read a second time.

The constitutional rule as to the second and third readings of said bills being dispensed with, and the same being engrossed,

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

Mr. Wall, from the same committee, to whom was referred a bill from the House of Representatives, entitled, an act for the benefit of the infant children of Thomas Payne, reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional rule as to the third reading being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.
Mr. Eaker, from the committee on Privileges and Elections, to whom was referred a bill from the House of Representatives, entitled, an act to change an election precinct in the county of Floyd, reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional rule as to the third reading being dispensed with,

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

The following bills were reported from select committees, to-wit:

By Mr. Grey—1. A bill to authorize the survey of the route for a Railroad from Louisville to the terminus of the Mobile and Ohio Railroad at Columbus, and from Lexington to the eastern boundary of Kentucky.

By Mr. Williams—2. A bill to amend the act to incorporate the Georgetown and Paris Turnpike Road Company, approved March 13, 1847.

By Mr. Chiles—3. A bill for the benefit of the administrator and heirs of James G. Hazleiggg, deceased.

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

The constitutional rule as to the second reading of said bills being dispensed with, the 1st was referred to the committee on Internal Improvement; the 3d to the committee on the Judiciary; and the second was ordered to be engrossed and read a third time.

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

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

Mr. Bradley, from the joint committee on Enrollments, reported that the committee had examined enrolled resolutions and enrolled bills which originated in the House of Representatives, of the following titles, viz: Resolutions for firing National Salutes on the 8th of January, 22d and 23d of February, and on the arrival of General Taylor at Frankfort.

An act for the benefit of Peter Estill.

An act to establish two additional election precincts in Warren county.

And had found the same truly enrolled.

The said resolutions and bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor, for his approbation and signature. After a short time, Mr. Bradley reported that the committee had performed that duty.

Mr. Chiles was added to the committee on Education.
Leave was given to bring in the following bills, to-wit:

On the motion of Mr. English—1. A bill for the benefit of Martha Ann Montague, Elizabeth Montague and Albert Montague, infant heirs of Thomas Montague, and also Susanna Montague, wife of the said Thomas Montague.


On the motion of Mr. Hobbs—3. A bill to amend an act prescribing the duties of the Board of Commissioners of the Sinking Fund, and for other purposes, approved Feb. 10, 1845.

On the motion of Mr. Grey—4. A bill to amend an act, entitled, an act to establish the Southern Bank of Kentucky, approved 20th Feb., 1839.

On the motion of Mr. Barbour—5. A bill to incorporate the town of Princeton, in Caldwell county, and for other purposes.

On the motion of Mr. Bruce—6. A bill to regulate the management of the wilderness road, and for other purposes.

On the motion of Mr. Linthicum—7. A bill to amend the laws in relation to Turnpike Roads.

The committee on the Judiciary was directed to prepare and bring in the 1st; the committee on the Sinking Fund the 3d; the committee on Internal Improvement the 6th and 7th; Messrs. Grey, Barbour and J. Speed Smith were appointed a committee to prepare and bring in the 2d; Messrs. Grey, McNary and Williams the 4th, and Messrs. Barbour, Grey and Bradley the 5th.

Messrs. J. Speed Smith, Hobbs and Barbour were appointed a committee on the part of the Senate, to examine the Lunatic Asylum.

And then the Senate adjourned.

TUESDAY, JANUARY 9, 1849.

1. Mr. Hogan presented the petition of George Conton, of Grant county, praying for the passage of a law to divorce him from his wife, Scholastique Conton.

2. Mr. Speed presented the petition of Royal B. Wilkerson and Lovina, his wife, of Casey county, praying for the passage of a law to
change the name of Mary Eden, an orphan girl residing with them, to that of Wilkerson, and making her the lawful heir of said petitioners.

3. Mr. Boyd presented the petition of Peter Conway, of Fleming county, praying for the passage of a law to remit and release to him, any title or interest which the Commonwealth has, or may receive, by escheat or upon office found, in an undivided moiety of a lot, and frame tenement thereon situated, in the town of Tollsburg, in Lewis county, late the property of John Meeks, deceased.

Which petitions were severally received and referred; the 1st to the committee on Religion; the 2d to a select committee of Messrs. Speed, Chiles and Triplett; and the 3d to the committee on the Judiciary.

Mr. Wall, from the committee on the Judiciary, reported the following bills, to-wit:

A bill to incorporate the Escolopian Mineral Spring Hotel Company, in Lewis county.

A bill to change the name of Robert Goodin, and for other purposes. Which bills were each read the first time, and ordered to be read a second time.

The constitutional rule as to the second and third readings of said bills being dispensed with, and the same being engrossed,

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

Mr. Wall, from the same committee, to whom was referred bills from the House of Representatives; of the following titles, to-wit:

An act for the benefit of the Adas Israel, or Community of Israel, in the city of Louisville.

An act to legalize the appointment of the Clerk of the Butler Circuit Court.

Reported the same without amendment.

Ordered, That said bills be read a third time.

The constitutional rule as to the third reading being dispensed with,

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

Mr. Wall, 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 Dennis D. Coons, reported the same with the opinion of the committee that it ought not to pass.

The question being taken on reading said bill a third time, it was decided in the negative, and so the said bill was disagreed to.

Mr. McMillan, from the committee on Religion, reported a bill for the benefit of Elizabeth Howard Robinson.

Mr. McClure, from the same committee, reported a bill to divorce Elizabeth Wyatt.
Which bills were each read the first time, and ordered to be read a second time.

The constitutional rule as to the second and third readings of said bills being dispensed with, and the same being engrossed,

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

Mr. J. Speed Smith, from the committee on Internal Improvement, to whom was referred a bill from the House of Representatives, entitled, an act to repeal an act, entitled, an act to amend the road law of Pendleton county, and for other purposes, reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional rule as to the third reading being dispensed with,

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

Mr. Russell, from the committee on Military Affairs, reported a bill for the benefit of Leslie Combs, which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second and third readings of said bill being dispensed with, and the same being engrossed,

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

Mr. Todd, from the committee on Finance, to whom was referred bills from the House of Representatives, of the following titles, to-wit:

An act for the benefit of James Clarke, late Sheriff of Casey county.
An act for the benefit of John W. Hawes, of Lawrence county.

Reported the same without amendment.

Ordered, That said bills be read a third time.

The constitutional rule as to the third reading being dispensed with,

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

Mr. Russell was added to the select committee to whom was referred the resolutions inviting General Zachary Taylor to visit the Capital of Kentucky.

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

Resolved by the General Assembly of the Commonwealth of Kentucky, That when they adjourn on the 10th day of February, 1849, they will adjourn sine die.

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

On the motion of Mr. Barbour—1. A bill for the benefit of Thomas W. Hammond, late Sheriff of Trigg county.

On the motion of Mr. Linthicum—2. A bill to protect the estates of deceased persons from fraud.
On the motion of Mr. J. Speed Smith—3. A bill to continue the slack water improvement of the Kentucky river.


On the motion of Mr. Chiles—5. A bill for promoting uniformity in the sale of stone coal, and regulating the weight thereof.

On the motion of Mr. Eaker—6. A bill to amend an act, entitled, an act incorporating the town of Feliciana, in Graves county, and for other purposes.

On the motion of Mr. White—7. A bill to improve the downward navigation of the Kentucky river, and its three forks.

On the motion of Mr. Rice—8. A bill for the benefit of Green V. Goble.

On the motion of Mr. Grey—9. A bill to distribute the surplus copies of the Militia Laws of Kentucky, belonging to the State, and undistributed.

The committee on the Judiciary was directed to prepare and bring in the 1st and 2d; the committee on Internal Improvement the 3d and 7th; the committee on Agriculture and Manufactures the 5th; the committee on Finance the 8th; Messrs. McClure, Heady and Thomas were appointed a committee to prepare and bring in the 4th; Messrs. Eaker, Rice and Bradley the 6th; and Messrs. Grey, Heady and Eaker the 9th.

Mr. Williams moved to take up from the table the resolution offered by Mr. Boyd on the 4th inst., fixing a day for the election of a Senator in Congress.

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

The yeas and nays being required thereon, by Messrs. Williams and Evans, were as follows, to-wit:

Those who voted in the affirmative, were—


Those who voted in the negative, were—


Mr. Rice moved to amend the said resolution, by striking out Monday, the 8th inst., the day fixed for said election, and inserting in lieu thereof, "Thursday, the 1st day of February."
The question being taken thereon, it was decided in the affirmative. The yeas and nays being required thereon, by Messrs. Evans and Rice, were as follows, to-wit:

Those who voted in the affirmative, were—

Messrs. Barbour, Hawkins, Thomas,
Bradley, Hobbs, Thornton,
Brien, Linthicum, Thurman,
Bruce, Rice, Triplett,
Cofer, Russell, Wàite,
Eaker, Speed Smith, Walker,
Grey, Speed, White—21.

Those who voted in the negative, were—

Messrs. Barnett, Hambleton, McNary,
Boyd, Head, Munford,
Chiles, Hogan, Todd,
Draffin, McClure, Wall,
English, McMillan, Williams—16.

Evans,

The said resolution as amended was adopted.

The Speaker laid before the Senate a report from the Secretary of State, containing a statement of the votes given by the qualified voters of the State, at the last August Election, upon the propriety and expediency of the tax proposed by the act, entitled, an act concerning the Common School System, approved 29th Feb., 1848, which is as follows, viz:

[For Report—see Legislative Documents.]

Ordered, That the Public Printer print 1,000 copies of said report for the use of the Senate.

The Speaker laid before the Senate a report from the Auditor, containing a list of State bonds cancelled and burned, which is as follows, to-wit:

Auditor's Office, January 9th, 1849.

Sir: Herewith I send the list of the bonds of Kentucky, cancelled and burned October 16th, 1848, copied from the register kept in this office.

Respectfully,

J. B. TEMPLE, Auditor.

To the Hon. JOHN L. HELM,
Lieut. Governor and Speaker of the Senate.

[For Report—see Legislative Documents.]

The Speaker laid before the Senate the annual report of the Commissioners of the Sinking Fund, which is as follows, to-wit:

Auditor's Office, January 9th, 1849.

Sir: I beg leave to submit through you to the Senate, the annual report of the Commissioners of the Sinking Fund of Kentucky.

Respectfully,

J. B. TEMPLE, Auditor and Sec'y. of Board.

To the Hon. JOHN L. HELM,
Lieut. Governor and Speaker of the Senate.

[For Report—see Legislative Documents.]
Ordered, That said report be referred to the committee on the Sinking Fund, and that the Public Printer print 150 copies thereof for the use of the General Assembly.

And then the Senate adjourned.

WEDNESDAY, JANUARY 10, 1849.

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

An act for the benefit of Emanual Wyatt.
An act for the benefit of Solomon H. Harris.
An act to change the time of holding Magistrates' Courts in Barren county.
An act to change the name of Wm. Johnston and others.
That they had passed bills of the following titles, to-wit:  
1. An act to authorize T. M. Lillard to bring a negro boy into this State.
2. An act for the benefit of Jonathan W. Rice, of Logan county.
3. An act for the benefit of Wm. Sims, of Monroe county.
4. An act to change the name of Polly Ann Phipps to that of Polly Ann Lynch, and for other purposes.
5. An act to extend the powers of the Trustees of the town of Hartford.

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

The constitutional rule as to the second reading of said bills being dispensed with, the 1st, 2d and 3d were referred to the committee on Propositions and Grievances; the 5th to the committee on the Judiciary; and the 4th was ordered to be read a third time.

The constitutional rule as to the third reading of the fourth bill being dispensed with,

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

1. Mr. Wall presented the petition of Jane Beaseman and John W. Henry, administrators of the estate of Jno. O. Beaseman, deceased, praying for the passage of a law authorizing the sale of the tract of land belonging to said estate.
2. Mr. Wall also presented the petition of Elizabeth Hopkins, of Harrison county, praying for the passage of a law to divorce her from her husband, Philip G. Hopkins.

3. Mr. Thurman presented the petition of William Burns, who stands indicted in the Mercer Circuit Court for passing counterfeit money, praying for the passage of an act granting him a change of venue.

4. Mr. Thurman also presented the petition of Jack Hardin, of Washington county, praying for the passage of a law to reimburse him for money overpaid in his settlement with the Auditor, as Sheriff of Washington county.

5. Mr. McNary presented the petition of Charles F. Wing, Clerk of the Muhlenburg County Court, praying for the passage of a law authorizing him to purchase a number of well bound books, in which to copy the minutes and records of said court.

6. Mr. Cofer presented the petition of sundry citizens of Hardin county, praying for the passage of a law to change the place of voting in the Big Spring precinct in said county.

7. Mr. Wall presented the petition of sundry citizens of Harrison county, praying for the passage of a law to allow Gavin Morrison, a Constable of said county, to reside out of his district.

Which petitions were severally received and referred; the 1st, 3d, 5th and 7th, to the committee on the Judiciary; the 2d to the committee on Religion; the 4th to the committee on Finance; and the 6th to the committee on Privileges and Elections.

The Speaker laid before the Senate the annual report of the Board of Visitors of Kentucky Penitentiary, for the year 1848, which is as follows, to-wit:

[For Report—see Legislative Documents.]

Ordered, That said report be referred to the committee on the Penitentiary, and that the Public Printer print 150 copies thereof for the use of the General Assembly.

Mr. Wall, from the committee on the Judiciary, to whom was referred a bill from the House of Representatives, entitled, an act for the benefit of James Herreford, reported the same without amendment, and said bill was recommitted to the committee on the Judiciary.

Mr. McMillan, from the committee on Religion, reported the following bills, to-wit:

A bill to divorce Nancy Landy.

A bill to divorce Sarah A. Stevens.

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

The constitutional rule as to the second and third readings of said bills being dispensed with, and the same being engrossed,
Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

Mr. J. Speed Smith, from the committee on Internal Improvement, to whom was referred a bill from the House of Representatives, entitled, an act to change the Bowlinggreen and Adairsville State road, reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional rule as to the third reading being dispensed with, 

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

Mr. Heady, from the committee on Military Affairs, to whom was referred a bill from the House of Representatives, entitled, an act for the benefit of the Sheriff of Bourbon county, reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional rule as to the third reading being dispensed with, 

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

The following bills were reported from select committees, to-wit:

By Mr. McClure—1. A bill to establish an additional election precinct in Wayne county.

By Mr. Grey—2. A bill to establish the Bank of Hopkinsville.

By Mr. Speed—3. A bill to change the name of Mary Eden to Mary Wilkinson.

By Mr. Grey—4. A bill to amend an act, entitled, an act to establish the Southern Bank of Kentucky.

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

The constitutional rule as to the second reading of said bills being dispensed with, the 3d and 4th were referred to the committee on Banks, and the 1st and 3d were ordered to be read a third time.

The constitutional rule as to the third reading of the 1st and 3d bills being dispensed with, and the same being engrossed, 

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

Mr. Boyd, from the select committee, to whom was referred the resolutions inviting General Taylor to visit the Capital of Kentucky, together with the amendments proposed thereto by the House of Representatives, reported the same with an amendment to the amendment proposed by the House of Representatives, which was concurred in unanimously.

Mr. Boyd, from the select committee, to whom was referred the resolution from the House of Representatives, inviting General William O. Butler to visit the Capital of Kentucky, together with the amendments
proposed thereto, reported the same with an amendment as a substitute for said resolutions and amendments, which was concurred in.

The said resolution as amended was then concurred in.

Mr. Walker, from the committee on Propositions and Grievances, reported the following bills, to-wit:

A bill for the benefit of John M. Fraim, of Monroe county.

A bill for the benefit of James L. Turman.

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

The constitutional rule as to the second reading being dispensed with, the said bills were laid on the table.

Mr. Walker, from the same committee, reported a bill for the benefit of James Bartrum, which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second reading of said bill was dispensed with, and the hour of 12 o'clock having arrived, the Senate proceeded to the consideration of the orders of the day.

A message in writing, was received from the Governor, by Mr. Brown, Secretary of State.

The rule of the Senate being dispensed with, the said message was taken up and read as follows, to-wit:

*Gentlemen of the Senate:*

I nominate for your advice and consent, the following named persons for the offices attached to their respective names.

- E. C. Strong to be Sheriff of Breathitt county, in the place of A. Harrel, who failed to execute bond agreeably to law.
- Crawford A. Duncan to be Sheriff of Calloway county, in the place of Richard Nuckols, resigned.
- Nimrod D. Wheeler to be Sheriff of Pendleton county, in the place of George Hauser, deceased.
- Jonathan Williams to be Sheriff of Russell county, in the place of R. Higginbotham, resigned.
- Hezekiah Cox to be Sheriff of Carroll county, in the place of Burr H. May, deceased.
- Taliaferro P. Shaffner and Charles T. Flusser to be Notaries Public for Jefferson county.
- Leonard P. Buckman to be Sheriff of Meade county, in the place of Thomas J. Gough, resigned.
- Jacob J. Kimberlin, to be Sheriff of Washington county, in the place of James Trent, resigned.
- Horatio Turpin Harris, Mayor of the town of Newport, in the place of John B. Lindsey, resigned.
- Robert J. B. Gilchrist to be Sheriff of Union county, the County Court having failed to make a recommendation at either of the times prescribed by the constitution.
- Harrison Gill to be Sheriff of Bath county, in the place of Samuel C. Gill, resigned.
Mason Williams to be Sheriff of Morgan county, in the place of John Cassity, whose term is about to expire, the County Court having failed to make a recommendation agreeably to the constitution.

Andrew Alexander to be Sheriff of Estill county, the County Court having failed to make a recommendation agreeably to the constitution.

Clayton Miller to be Sheriff of Adair county, the County Court having failed to make a recommendation agreeably to the Constitution.

Joseph S. Lillard to be Sheriff of Gallatin county, in the place of Jno. Montgomery, whose time is about to expire, the County Court having failed to make a recommendation agreeably to the Constitution.

Christopher D. Jackson to be Sheriff of Daviess county, in the place of Abner Lee, whose term is about to expire, the County Court having failed to make a recommendation agreeably to the Constitution.

Jan. 10, 1849.

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

Messrs. Russell and Barbour were added to the committee on the part of the Senate, pursuant to the resolutions inviting Gen. Taylor to visit the Capital of Kentucky.

Mr. Bradley, from the joint committee on Enrollments, reported that the committee had examined enrolled bills which originated in the Senate, of the following titles, to wit:

- An act for the benefit of Samuel Ray, late Sheriff of Monroe county.
- An act for the benefit of Asher and Augustus Gough.
- An act to restore the summer term of the Fleming Circuit Court, and in relation to the Nicholas Circuit Court.
- An act to change the name of William Cobb.
- An act for the benefit of R. G. Fletcher, of McCracken county.
- An act for the benefit of the Sheriff of Green county.
- An act for the benefit of John Doss.
- An act to repeal an act, entitled, an act to amend the road law in the county of Trimble, approved January 18, 1848.
- An act to change the time of holding Magistrates' Courts in Madison county.
- An act for the benefit of Joseph Hardaway.

And had found the same truly enrolled.

The said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approbation and signature.

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

Mr. J. Speed Smith moved the following resolution, to wit:

Resolved, That the committee on the Judiciary be and it is hereby required to bring in a bill abolishing punishment by death for any crime.
On the motion of Mr. Rice, the said resolution was laid on the table. Leave was given to bring in the following bills, to-wit:

On the motion of Mr. Bradley—1. A bill for the benefit of the present and former Sheriffs of Crittenden county, allowing them further time until 1850, to collect and return delinquent lists of muster fines.

On the motion of Mr. Hawkins—2. A bill to amend the road law of Boone county, approved Jan. 28, 1848.

On the motion of same—3. A bill to increase the powers of the Trustees of the town of Hamilton, in Boone county.

On the motion of Mr. Speed—4. A bill to establish an election precinct in Casey county.

On the motion of Mr. Munford—5. A bill to give further time to make surveys, and return plats and certificates of Kentucky land warrants to the Register's office.

The committee on Military Affairs was directed to prepare and bring in the 1st: the committee on the Judiciary the 3d and 5th; the committee on Privileges and Elections the 4th; and Messrs. Hawkins, Rice and Evans were appointed a committee to prepare and bring in the 2d.

And then the Senate adjourned.

THURSDAY, JANUARY 11, 1849.

A message was received from the House of Representatives announcing that they had received official information that the Governor had approved and signed enrolled bills and enrolled resolutions, which originated in that House, of the following titles, to-wit:

An act to establish two additional election precincts in Warren county.

An act for the benefit of Peter Estill.

Resolutions for firing National Salutes on the 8th of January, 22d and 23d of February, and on the arrival of Gen. Taylor at Frankfort.

That they had passed bills from the Senate of the following titles, to-wit:

An act to divorce Sophia A. Watkinson.
An act for the benefit of Elizabeth Howard Robinson.
An act to call a Convention.

With amendments to the last named bill.
That they had passed bills of the following titles, to-wit:
1. An act changing the mode of taking the depositions of non-resident witnesses, in chancery causes.
2. An act to amend an act, entitled, an act regulating the mode of settling the accounts of executors, administrators and guardians, approved February 24, 1834.
3. An act for the benefit of Martin Fugate, late Sheriff of Pendleton county.
4. An act for the benefit of the town of Barboursville.
5. An act for the benefit of Elizabeth Ellen Swan.
6. An act to repeal an act to authorize the Trustees of Taylorsville to sell Water street, and for other purposes.
7. An act for the benefit of Stilwell H. Wakefield.
8. An act for the benefit of the estate of William Buckner, deceased.
9. An act confirming a sale of the land of Darwin Johnson, a lunatic.
10. An act for the benefit of the Sheriff of Hart county.
11. An act for the benefit of Wm. McCoy and others.
13. An act allowing an additional Justice of the Peace to the county of Pike.
14. An act to change the time of holding the Estill County Court.

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

The constitutional rule as to the second reading of said bills being dispensed with, they were referred; the 1st, 2d, 4th, 6th, 7th, 8th, 9th, 11th, 12th and 14th to the committee on the Judiciary; the 3d and 10th to the committee on Finance; the 5th and 13th to the committee on Propositions and Grievances; and the 15th to the committee on Religion.

1. Mr. English presented the petition of sundry citizens of the town of Lagrange and Oldham county, praying for the repeal of an act prohibiting the sale of spirituous liquors in said town, approved January 29, 1846.
2. Mr. Thornton presented the petition of sundry citizens of the town of Nicholasville, praying for the passage of a law ratifying the election of Trustees of said town.
3. Mr. Waite presented the petition of Ira H. and William George, who stand indicted in the Pulaski Circuit Court for murder, praying for
the passage of a law changing the venue in said case to the Russell Circuit Court.

4. Mr. Barnett presented the petition of Robert Stockton, of Green county, praying for the passage of a law authorizing him to make sale of certain lands in said county, the property of the children of said Stockton.

5. Mr. Hobbs presented the petition of John F. Locke, praying for the passage of a law authorizing the division of the estate of his father John D. Locke, a lunatic.

6. Mr. Cofer presented the petition of John Cunningham, praying for the passage of a law to divorce him from his wife, Elizabeth Cunningham.

Which petitions were severally received and referred; the 1st to the committee on Propositions and Grievances; the 2d, 3d, 4th and 5th to the committee on the Judiciary; and the 6th to the committee on Religion.

The Speaker laid before the Senate a communication from the Secretary of State, in relation to the number of votes cast in favor of calling a convention, at the last August election, which is as follows, to-wit:

Office of Secretary of State.

In conformity to the provisions contained in the 7th and 12th sections of an act of Assembly, approved January 18, 1848, entitled, "an act to re-take the sense of the people of this State as to the propriety of calling a convention," I herewith report, that it appears from the returns on file in my office, that the whole number of votes given at the general election held in August last, in favor of calling a convention, was one hundred and one thousand, eight hundred and twenty eight, (101,828,) and that the number of persons reported to have died or removed, after having been listed by the Commissioners of Tax, is two hundred and eighteen, (218.)

In testimony whereof, I have hereunto set my hand and caused my seal of office to be affixed, this 10th day of January, A. D., 1849.

ORLANDO BROWN, Sec'y. of State.

To Hon. John L. Helm, Lieut. Governor and Speaker of the Senate.

The Senate resumed the consideration of the unfinished order of yesterday, being a bill for the benefit of James Bartrum.

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

Mr. Todd, from the committee on Finance, reported the following bills, to-wit:

A bill for the benefit of Green V. Goble.

A bill for the benefit of Peter Conway, of Fleming county.

Which bills were each read the first time, and ordered to be read a second time.
The constitutional rule as to the second and third readings of said bills being dispensed with, and the same being engrossed,

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

Mr. Grey, from a select committee, reported a bill to modify and amend an act, entitled, an act to amend the law prohibiting the importation of slaves into this State, which was read the first time and ordered to be read a second time.

The constitutional rule as to the second reading being dispensed with, said bill was committed to the committee of the Whole House on the state of the Commonwealth, and made the special order of the day for Monday, the 22d inst.

The following bills were reported from select committees, to-wit:

By. Mr. Hobbs—1. A bill to amend the law relating to Pedlers.

By. Mr. Grey—2. A bill providing for the distribution of the undistributed copies of the Militia Laws belonging to the State.

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

The constitutional rule as to the second reading being dispensed with, the 1st was referred to the committee on Finance, and the 2d to the committee on Military Affairs.

Resolved, That the Senate concur in the amendments proposed by the House of Representatives to a bill from the Senate, entitled, an act to call a convention.

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

On the motion of Mr. Bradley—1. A bill to provide for running and marking the line between Crittenden and Caldwell counties.

On the motion of Mr. Chiles—2. A bill to provide for taking the depositions of practising physicians, to be read as evidence on the trial of common law suits.

On the motion of Mr. Young—3. A bill for the benefit of Edward Trimble, Clerk of the Floyd Circuit and County Courts.

On the motion of Mr. Thurman—4. A bill to amend the laws on the subject of conveyances.

On the motion of Mr. Brien—5. A bill to authorize the deputy Clerk of the Marshall County and Circuit Court, to qualify before a Justice of the Peace.

On the motion of Mr. Hogan—6. A bill for the benefit of the heirs of Richard Lowe.


Messrs. Bradley, Barbour and Eaker were appointed a committee to prepare and bring in the 1st; Messrs. Brien, Evans, J. Speed Smith,
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Bradley and Eaker the 5th; the committee on the Judiciary was directed to prepare and bring in the 2d, 3d, 4th and 6th; and the committee on Religion the 7th.

On the motion of Mr. Evans,

Resolved, That the committee on the Judiciary enquire into the propriety of repealing all laws in this State, authorizing merchants to retail spirituous liquors, and that they report by bill or otherwise.

A message, in writing, was received from the Governor, by Mr. Brown, Secretary of State.

The rule of the Senate being dispensed with, the said message was taken up, and read as follows, to-wit:

Gentlemen of the Senate:

I nominate for your advice and consent, the following named persons, Commissioners to take the acknowledgments of deeds and other instruments of writing executed out of this State, for the several States attached to their respective names:

Henry Martin for the State of Rhode Island.
Henry C. Banks for the State of New York.
A. H. Green for the State of New York.
John B. Breckinridge for the State of New York.
John J. Plume for the State of New Jersey.
Richard M. Ross for the State of Pennsylvania.
Thomas Shipley for the State of Pennsylvania.
William M. Fulton for the State of Virginia.
Harrison Robertson for the State of Virginia.
Robert D. Johnson for the State of Texas.
R. M. Kearney for the State of Louisiana.
N. Bradner Smith for the State of Louisiana.
Henry J. Read for the State of Tennessee.
George T. Williamson for the State of Ohio.
J. B. Moorman for the State of Ohio.
Henry B. Brown for the State of Ohio.
Andrew Monroe for the State of Ohio.
George Bedinger for the State of Ohio.
J. C. Foster for the State of Ohio.
T. Alexander Todd for the State of Ohio.
S. S. Carpenter for the State of Ohio.
A. H. McGuffy for the State of Ohio.
Edward R. Newhall for the State of Ohio.
Thomas C. Hatcher for the State of Missouri.
Basil Duke for the State of Missouri.
John Doniphan for the State of Missouri.
Robert Stevens for the State of Missouri.
James B. Haggan for the State of Louisiana.
Calhoun Benham for the State of Louisiana.
G. W. Meecher for the State of Illinois.
Lewis F. Robertson for the State of South Carolina.
Resolved, That the Senate advise and consent to said appointments.

A message was received from the Governor, by Mr. Brown, Secretary of State, announcing that the Governor had approved and signed enrolled bills which originated in the Senate, of the following titles, to-wit:

An act to change the name of William Cobb.

An act for the benefit of R. G. Fletcher, of McCracken county.

An act for the benefit of the Sheriff of Green county.

An act for the benefit of John Doss.

An act to repeal an act, entitled, an act to amend the road law in the county of Trimble, approved January 18, 1848.

An act for the benefit of Asher and Augustus Gough.

An act to restore the summer term of the Fleming Circuit Court, and in relation to the Nicholas Circuit Court.

An act for the benefit of Samuel Ray, late Sheriff of Monroe county.

An act to change the time of holding Magistrates' Courts in Madison county.

An act for the benefit of Joseph Hardaway.

Approved January 10, 1849.

And then the Senate adjourned.

FRIDAY, JANUARY 12, 1849.

A message was received from the House of Representatives, announcing that they had concurred in the amendment proposed by the Senate to the amendment proposed by the House of Representatives to resolutions inviting General Taylor to visit the Capital of Kentucky.

That they had concurred in the amendment proposed by the Senate to a resolution from the House of Representatives, inviting Gen. William O. Butler to visit the Capital of Kentucky.

That they had passed bills from the Senate of the following titles, to-wit:

An act to amend an act, entitled, an act to incorporate the Trustees of the Allen Seminary, approved January 3d, 1817.

An act to change the name of Robert Goodin, and for other purposes.
An act to divorce Elizabeth Wyatt.
An act for the benefit of Leslie Combs.
An act to change the name of Mary Eden to Mary Wilkinson.
An act to establish an additional election precinct in Wayne county.

With amendments to the bill last named.
Which amendments were concurred in.

That they had passed bills of the following titles, to-wit:
1. An act for the benefit of Francis Gowdy.
2. An act for the benefit of the Sheriff of Graves county.
3. An act to incorporate the Warsaw Turnpike Company.
4. An act to amend the act to incorporate the Millersburg and Cynthiana Turnpike Road Company.
5. An act establishing election precincts in the counties of Larue, Mercer, Greenup, Garrard, Taylor and Livingston.

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

The constitutional rule as to the second reading of said bills being dispensed with, they were referred; the 1st to the committee on Religion; the 2d to the committee on Finance; the 3d and 4th to the committee on Internal Improvement; and the 5th to the committee on Privileges and Elections.

1. Mr. Hambleton presented the petition of Thos. Crowder, of Hancock county, praying for the passage of a law to divorce him from his wife, Susan Crowder.
2. Mr. McMillan presented the petition of Caleb F. Riggs, of Nicholas county, praying for the passage of a law divorcing him from his wife, Mary E. Riggs.
3. Mr. Eaker presented the petition of Jane Duddy, praying for the passage of a law to divorce her from her husband, James Duddy.

Which petitions were severally received and referred to the committee on Religion.

Mr. Wall, from the committee on the Judiciary, reported a bill granting a change of venue to William Burns, which was read the first time, and ordered to be read a second time.

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

Mr. Wall, from the same committee, reported the following bills, viz:
A bill for the benefit of the Clerk of the Muhlenburg County Court.
A bill for the benefit of Robert Stockton and his children.
A bill for the benefit of Thomas W. Hammond, late Sheriff of Trigg county.
A bill to extend the time for surveying and returning Kentucky Land Office warrants to the Register's Office.
A bill to legalize the election of Trustees for the town of Nicholasville. Which bills were severally read the first time, and ordered to be read a second time.

The constitutional rule as to the second and third readings of said bills being dispensed with, and the same being engrossed,

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

Mr. Wall, from the same committee, reported a bill to protect the estates of deceased persons; which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second reading being dispensed with, said bill was committed to the committee of the Whole House on the state of the Commonwealth, and made the special order of the day for Thursday next, the 18th inst.

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

Mr. Wall, from the same committee, to whom was referred bills from the House of Representatives, of the following titles, to-wit:

- An act to extend the powers of the Trustees of the town of Hartford.
- An act for the benefit of the estate of William Buckner, deceased, Reported the same without amendment.

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

The constitutional rule as to the third reading being dispensed with,

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

Mr. Wall, from the same committee, to whom was referred a bill from the House of Representatives, entitled, an act for the benefit of Boone Thomas, of Logan county, reported the same with the opinion of the committee that it ought not to pass.

The question being taken on reading said bill a third time, it was decided in the negative, and so the said bill was disagreed to.

Mr. Wall, from the same committee, to whom was referred a bill from the House of Representatives, entitled, an act for the benefit of James Hereford, reported the same without amendment.

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

The constitutional rule as to the third reading being 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. Chiles and Triplett, were as follows, to-wit:

Those who voted in the affirmative, were—

- Messrs. Barbour, Hogan, Thurman,
- Barnett, McClure, Todd,
Resolved, That the title of the said bill be as aforesaid.

Mr. Walker, from the committee on Propositions and Grievances, to whom was referred a bill from the House of Representatives, entitled, an act for the benefit of Jonathan W. Rice, of Logan county, reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional rule as to the third reading being dispensed with,

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

Mr. Walker, from the same committee, to whom was referred a bill from the House of Representatives, entitled, an act to authorize T. M. Lillard to bring a negro boy into this State, reported the same without amendment.

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. Draffin and Boyd, were as follows, to-wit:

Those who voted in the affirmative, were——


Those who voted in the negative, were——


The constitutional rule as to the third reading being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.
Mr. Walker, from the same committee, to whom was referred a bill from the House of Representatives, entitled, an act for the benefit of Wm. Sims, of Monroe county, reported the same without amendment.

Mr. Draffin moved an amendment to said bill.

Mr. Evans 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. Draffin and Barbour, were as follows, to-wit:

Those who voted in the affirmative, were—

Messrs. Evans, Munford, Triplett,
Hamelton, Russell, Walker,
Hawkins, Speed Smith, White,
Hobs, Speed, Williams,
Linthicum, Thornton, Young—15.

Those who voted in the negative, were—

Messrs. Barbour, Eaker, McMillan,
Barnett, English, McNary,
Boyd, Grey, Thurman,
Bradley, Heady, Todd,
Brien, Hogan, Waite,
Chiles, McClure, Wall—19.

Mr. Draffin withdrew his amendment.

Ordered, That said bill be read a third time.

The constitutional rule as to the third reading being dispensed with,

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

A message, in writing, was received from the Governor, by Mr. Harlan, Assistant Secretary of State.

The rule of the Senate being dispensed with, the said message was taken up and read as follows, to-wit:

Gentlemen of the Senate:

I nominate for your advice and consent, the following named persons to be Police Judges for the several towns attached to their respective names.

Charles W. Linthicum for the town of Blandville.
Charles C. Tomlinson for the town of Harrodsburg.
Cyrus Van Bibber for the town of Greenup.
George Johnson for the town of Morganfield.
Joseph M. Coates for the town of New Liberty.
Martin D. Hardin for the town of Monticello.
Charles Kirtley for the town of Mount Vernon.
James D. Alcorn for the town of Somerset.

I also nominate for your advice and consent, Jonathan Kelly to be Sheriff of Harlan county, the County Court having failed to recommend during the time prescribed by the constitution; and the following named
persons to be Commissioners for the States attached to their names, under an act of the General Assembly, approved January 23, 1843.
Charles H. Mason for the State of Indiana.
John H. Frick for the State of Pennsylvania.
Jan. 12, 1849.
Resolved, That the Senate advise and consent to the said appointments.
The Speaker laid before the Senate a communication from the Treasurer, containing a statement of the receipts and disbursements at the Treasury, for the month of December, 1848; also, an abstract of the Sinking Fund account current for the same time, which is as follows, to-wit:

[For Report—see Legislative Documents.]

Ordered, That said report be referred to the committee on the Sinking Fund, and that the Public Printer print 150 copies thereof, for the use of the General Assembly.

The Speaker laid before the Senate the twenty fourth annual report of the President and Directors of the Louisville and Portland Canal Company, which is as follows, to-wit:

Twenty fourth annual report of the President and Directors of the Louisville and Portland Canal Company.

The balance in the Treasury, as shown by the last report, was appropriated in the purchase of shares, and 526 shares were taken, as authorized by a resolution of the Stockholders, and the amount charged in the general account of the Company, which is as follows:

Louisville and Portland Canal Company in General Account,

DEBITS.

Balance of Cash, January 1st, 1849, $102,338 95.
Received for tolls in 1848, 158,067 96.

$260,406 91

CREDITS.

By 526 shares of the stock purchased and paid for, $102,570 00.
By expenses on Canal, 98,919 34.
By tax to the State of Kentucky, 1,500 00.
By incidental expenses, of salaries, office charges, &c., 733 00.

$260,406 91

The balance on hand will be immediately appropriated to the purchase of about 630 shares of stock, as authorized by Act of Assembly, which, added to those purchased in the five previous years, will make 7,176 shares retired, leaving 2,834 shares to be hereafter liquidated.
The Board congratulate the stockholders upon the favorable result of the year's business, as shown by the foregoing statement, particularly when it is considered that the disastrous flood of December, 1847, caused so much difficulty in the navigation of the canal for some months after.
This result is, in no small degree, attributable to the persevering and energetic attention of the superintendent and his deputy. The increased expenses of the canal for the year are in consequence of unusual but necessary repairs to the embankments, and the building of a new dredge boat, scows, and machinery, at a cost in all of about $8,000.

It will be noticed by an item in the above account that the State of Kentucky has taxed the entire property and franchises of the canal, consequently no stockholder can be held to give in the amount of his stock for taxation and thus be subjected to a double tax.

The annexed table shows the number and tonnage of boats that have passed through the canal since its commencement.

Respectfully submitted,

JAMES MARSHALL, Pres't.

J. H. RHORER, Secretary.


Abstract of Boats that have passed, and tolls received on the Louisville and Portland Canal

<table>
<thead>
<tr>
<th>Year</th>
<th>Steam Boats</th>
<th>Flat &amp; Reel Boats</th>
<th>Tons</th>
<th>Amount received</th>
</tr>
</thead>
<tbody>
<tr>
<td>1831</td>
<td>406</td>
<td>431</td>
<td>76,323</td>
<td>$12,750 75</td>
</tr>
<tr>
<td>1832</td>
<td>453</td>
<td>179</td>
<td>74,110</td>
<td>25,756 13</td>
</tr>
<tr>
<td>1833</td>
<td>875</td>
<td>710</td>
<td>163,885</td>
<td>63,755 92</td>
</tr>
<tr>
<td>1834</td>
<td>938</td>
<td>623</td>
<td>163,800</td>
<td>61,816 15</td>
</tr>
<tr>
<td>1835</td>
<td>1,255</td>
<td>355</td>
<td>200,418</td>
<td>89,163 24</td>
</tr>
<tr>
<td>1836</td>
<td>1,182</td>
<td>860</td>
<td>183,230</td>
<td>88,342 28</td>
</tr>
<tr>
<td>1837</td>
<td>1,501</td>
<td>165</td>
<td>243,374</td>
<td>145,434 69</td>
</tr>
<tr>
<td>1838</td>
<td>1,058</td>
<td>458</td>
<td>221,750</td>
<td>121,197 16</td>
</tr>
<tr>
<td>1839</td>
<td>1,406</td>
<td>578</td>
<td>300,406</td>
<td>108,064 51</td>
</tr>
<tr>
<td>1840</td>
<td>1,231</td>
<td>369</td>
<td>294,841</td>
<td>94,094 55</td>
</tr>
<tr>
<td>1841</td>
<td>1,051</td>
<td>369</td>
<td>181,997</td>
<td>113,944 50</td>
</tr>
<tr>
<td>1842</td>
<td>983</td>
<td>183</td>
<td>172,755</td>
<td>95,605 10</td>
</tr>
<tr>
<td>1843</td>
<td>1,306</td>
<td>88</td>
<td>202,394</td>
<td>107,274 65</td>
</tr>
<tr>
<td>1844</td>
<td>1,476</td>
<td>168</td>
<td>304,384</td>
<td>140,389 97</td>
</tr>
<tr>
<td>1845</td>
<td>1,585</td>
<td>594</td>
<td>318,741</td>
<td>138,291 17</td>
</tr>
<tr>
<td>1846</td>
<td>1,656</td>
<td>383</td>
<td>341,695</td>
<td>149,401 84</td>
</tr>
<tr>
<td>1847</td>
<td>1,452</td>
<td>296</td>
<td>307,579</td>
<td>139,960 72</td>
</tr>
<tr>
<td>1848</td>
<td>1,523</td>
<td>348</td>
<td>341,501</td>
<td>158,067 96</td>
</tr>
</tbody>
</table>

Total: 21,398 | 6,020 | 4,039,767 | $1,953,676 86

At a meeting of the stockholders of the Louisville and Portland Canal Company, at their office in the city of Louisville, January 1, 1849, the report of the President and Directors was received and ordered to be printed.

The following persons were then duly elected President and Directors for the present year:

JAMES MARSHALL, President.

JOHN HULME, J. CLEVES SHORT, PETER HULME, J. H. RHORER,

[Directors]

Whereas the individual stockholders in this Company have offered to sell and transfer to the Company, proportions of their stock, under the conditions of the amended Charter of the Company, as adopted by the stockholders at their meeting on the 4th of July, 1842:
Resolved, That the Board of President and Directors proceed to purchase the number of shares that the net income of the Company will warrant, by taking from each individual stockholder the number of shares he is entitled to sell under the arrangement adopted by the stockholders.

C. W. SHORT, Chairman.

[Extract from the Minutes.]

J. H. RHORER, Secretary.

Mr. Bradley, from the joint committee on Enrollments, reported that the committee had examined enrolled bills and enrolled resolutions which originated in the House of Representatives, of the following titles, to-wit:

An act to amend the several acts to suppress duelling.
An act for the benefit of the infant children of Thomas Payne.
An act to enlarge the Elk Fork Constable's District, in Todd county.
An act to legalize the appointment of the Clerk of the Butler Circuit Court.
An act for the benefit of the Adas Israel, or Community of Israel, in the city of Louisville.
An act to change the name of Barsheba Mills, wife of Austin Mills, of Logan county.
An act to change an election precinct in the county of Floyd.
An act for the benefit of Lutanus Manassus Jefferson Branch Young.
An act to allow additional Justices to Cumberland and Clinton counties.
An act for the benefit of James Clarke, late Sheriff of Casey county.
An act for the benefit of John J. Everett, Jailer of Marshall county.
An act for the benefit of John W. Hawes, of Lawrence county.
An act to change the names of Eliza Durham and Phesy Ann Commingow.
An act to repeal an act prohibiting the County Court of Fleming from taking stock in Turnpike Roads in said county.
An act allowing an additional Constable to the county of Taylor.
An act for the benefit of the Sheriff of Cumberland county.
An act for the benefit of C. H. Sauley.
A resolution appointing a committee to visit the Lunatic Asylum.
And had found the same truly enrolled.

The said bills and resolutions having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approbation and signature.

After a short time, Mr. Bradley reported that the committee had performed that duty.
Mr. Eaker, from the committee on Privileges and Elections, reported a bill to establish an election precinct in Casey county, which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second and third readings of said bill being dispensed with, and the same being engrossed,

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

Mr. Draffin, from the committee on Religion, reported the following bills, to-wit:

A bill to divorce Louisa Jane Lafayette Usrey, of Marshall county.
A bill to divorce Walter Jones and wife.

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

The constitutional rule as to the second and third readings of said bills being dispensed with, and the same being engrossed,

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

Mr. J. Speed Smith, from the committee on Internal Improvement, to whom was referred a bill from the House of Representatives, entitled, an act to empower the County Court of Pike to appropriate the vacant lands in said county, to the improvement of the rivers in said county, reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional rule as to the third reading being dispensed with,

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

Mr. Eaker, from the committee on Finance, to whom was referred bills from the House of Representatives, of the following titles, to-wit:

An act for the benefit of Martin Fugate, late Sheriff of Pendleton county.
An act for the benefit of the Sheriff of Hart county.

Reported the same without amendment.

Ordered, That said bills be read a third time.

The constitutional rule as to the third reading being dispensed with,

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

Mr. McNary, from a select committee, reported a bill to amend the revenue laws.

Mr. Brien, from a select committee, reported a bill in relation to the Clerks of the Marshall Circuit and County Courts.

The said bills were each read the first time, and ordered to be read a second time.
The constitutional rule as to the second reading of said bills being dispensed with, the 1st was referred to the committee on Finance; and the 2d to the committee on the Judiciary.

Mr. J. Speed Smith presented the memorial of Samuel L. Thomasson, Executor of J. T. Thomasson, deceased, praying for the passage of a law to compensate him for timber, lumber, &c., furnished by his testator for the use of the Lexington and Frankfort Railroad; which was received and referred to the committee on Internal Improvement.

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

Resolved by the General Assembly of the Commonwealth of Kentucky, That they will, on the fourth Monday in January, 1849, go into the election of Treasurer and Public Printer of this Commonwealth.

And then the Senate adjourned.

SATURDAY, JANUARY 13, 1849.

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

An act to divorce Isabel T. Humphreys, with an amendment. Which amendment was concurred in.

That they had passed bills of the following titles, to-wit:

1. An act for the benefit of Buford E. Allen, of Fayette county.
3. An act for the benefit of Wm. Webb, of Grant county.
5. An act for the benefit of Albert A. Boswell, of Graves county.
6. An act for the benefit of David D. Moore, of Crittenden county.
7. An act for the benefit of Wilson Hackney.
8. An act for the benefit of James F. Drane.
10. An act for the benefit of Randolph H. Caldwell, of Logan county.
11. An act for the benefit of Caleb Kash and Robert Wilson, of Morgan county.
13. An act concerning the compensation and settlements of county Treasurers.
14. An act to change the venue in the prosecution against Wm. Boner.
15. An act to divorce Henry R. Bishop.
16. An act for the benefit of Minerva O'Reilly.
17. An act for the benefit of Helen Cannon.
18. An act for the benefit of C. P. and Elizabeth Miller.
19. An act for the benefit of Abigail Wolford.
20. An act to divorce Maria Chapman.

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

The constitutional rule as to the second reading of said bills being dispensed with, they were referred; the 1st, 5th, 6th, 7th, 8th, 9th and 10th, to the committee on Propositions and Grievances; the 2d, 11th and 12th, to the committee on Finance; the 3d, 4th, 13th and 14th, to the committee on the Judiciary; and the 15th, 16th, 17th, 18th, 19th, 20th, 21st and 22d, to the committee on Religion.

1. Mr. English presented the petition of Samuel B. Woolfolk, of Oldham county, praying for the passage of a law to divorce him from his wife, Matilda T. C. Woolfolk.
2. Mr. Rice presented the petition of Roland Salmons, praying for the passage of a law to change the names of and legitimate his three children, Joel, Nelson and Jeremiah.

Which petitions were each received and referred; the 1st to the committee on Religion, and the 2d to the committee on Propositions and Grievances.

Mr. Wall, from the committee on the Judiciary, reported a bill for the benefit of Richard Lowe, deceased, which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second and third readings of said bill being dispensed with, and the same being engrossed,

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

Mr. Wall, from the same committee, to whom was referred bills from the House of Representatives, of the following titles, to-wit:

1. An act confirming a sale of the land of Darwin Johnson, a lunatic.
2. An act to change the time of holding the Estill County Court.
3. An act for the benefit of Alexander Harald, Harris Harald and Edwin Combs.
4. An act for the benefit of Wm. McCoy and others.
5. An act to repeal an act to authorize the Trustees of Taylorsville to sell Water street, and for other purposes.
6. An act to amend an act, entitled, an act regulating the mode of settling the accounts of executors, administrators and guardians, approved February 24, 1834.

7. An act for the benefit of the town of Barbourville.

Reported the same without amendment.

Ordered, That said bills be read a third time.

The constitutional rule as to the third reading of the 1st, 2d, 4th, 5th, 6th and 7th bills being dispensed with,

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

Mr. Wall, from the same committee, to whom was referred a bill from the House of Representatives, entitled, an act for the benefit of Stillwell H. Wakefield, reported the same with an amendment, which was concurred in.

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

The constitutional rule as to the third reading being dispensed with,

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

Mr. Walker, from the committee on Propositions and Grievances, to whom was referred a bill from the House of Representatives, entitled, an act for the benefit of Elizabeth Ellen Swan, reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional rule as to the third reading being dispensed with,

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

Mr. Draffin, from the committee on Religion, to whom was referred a bill from the House of Representatives, entitled, an act for the benefit of Asa B. Gardner and Jane Gardner, his wife, reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional rule as to the third reading being dispensed with,

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

Mr. Draffin, from the same committee, reported a bill to divorce Caleb F. Riggs, which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second reading being dispensed with, said bill was amended, and ordered to be engrossed and read a third time.

The constitutional rule as to the third reading of said bill being dispensed with, and the same being engrossed,
Resolved, That said bill do pass, and that the title thereof be amended by adding "and Samuel B. Woolfolk."

Mr. Draffin, from the same committee, to whom was referred a bill from the House of Representatives, entitled, an act for the benefit of Francis Gowdy, reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional rule as to the third reading being dispensed with,

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

Mr. Todd, from the committee on Finance, to whom was referred a bill from the House of Representatives, entitled, an act for the benefit of Francis Gowdy, reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional rule as to the third reading being dispensed with,

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

Mr. Todd, from the same committee, reported a bill for the benefit of Jack Hardin and B. Mills Crenshaw, which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second and third readings of said bill being dispensed with, and the same being engrossed,

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

Mr. Eaker, from the committee on Privileges and Elections, to whom was referred a bill from the House of Representatives, entitled, an act establishing election precincts in the counties of Larue, Mercer, Garrard, Taylor and Livingston, reported the same with an amendment, which was concurred in.

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

The constitutional rule as to the third reading being dispensed with,

Resolved, That said bill, as amended, do pass, and that the title thereof be amended by adding after Taylor, the word "Hopkins."

Leave was given to bring in the following bills, to-wit: On the motion of Mr. Grey—1. A bill to amend the act, entitled, an act to amend the law which provides for condemning lands for public purposes, approved Feb. 26, 1842.

On the motion of Mr. Hawkins—2. A bill to amend an act, entitled, an act to incorporate the Rough and Ready Turnpike Road Company.

On the motion of same—3. A bill for the benefit of Isham G. Hamilton, Clerk of the Boone County Court.

On the motion of Mr. Linthicum—4. A bill to repeal an act, entitled, an act to prohibit the circulation, within this Commonwealth, of bank notes of a less denomination than five dollars, approved February 1835.
On the motion of Mr. Rice—5. A bill for the benefit of the Jailer of Lawrence county.

On the motion of Mr. Eaker—6. A bill for the benefit of certain school districts in Graves county.

On the motion of Mr. Brien—7. A bill for the benefit of the Clerk of the Marshall County and Circuit Courts.

On the motion of Mr. Bruce—8. A bill declaring the Garrard Banner, of Lancaster; the Lexington Atlas, of Lexington, and the Louisville Chronicle, at Louisville, legally authorized newspapers of this State.

On the motion of Mr. McClure—9. A bill for the benefit of Robert B. Semple.

On the motion of Mr. Wall—10. A bill to add a part of a street in Cynthiana, to the cemetery of said town.

On the motion of Mr. Evans—11. A bill to prevent the sale of spirituous liquors to students, and other children at school, who are infants.

On the motion of Mr. Waite—12. A bill for the benefit of certain school districts in Pulaski county.

On the motion of Mr. Young—13. A bill to change the time of holding the Bath Circuit Court.

On the motion of Mr. Draffin—14. A bill to regulate the distance of the toll gates in the county of Anderson, apart from each other.

The committee on Internal Improvement was directed to prepare and bring in the 1st, 2d and 14th; the committee on Finance the 3d and 5th; the committee on Banks the 4th; the committee on Education the 6th and 12th; the committee on Propositions and Grievances the 7th; the committee on the Judiciary the 8th and 10th; the committee on Religion the 9th; Messrs. Evans, Draffin and Rice were appointed a committee to prepare and bring in the 11th; and Messrs. Young, Chiles and Boyd the 13th.

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

Resolved by the General Assembly of the Commonwealth of Kentucky, That John W. Finnell and William Tanner be, and they are hereby authorized to procure the services of a corps of competent and faithful reporters, to report the proceedings and debates of the Convention called to modify, amend, or re-adopt the Constitution of Kentucky: Provided, That the contract, when made with the reporters, shall be submitted to, and approved by, the Governor of this Commonwealth.

Mr. Bradley, from the joint committee on Enrollments, reported that the committee had examined enrolled bills and enrolled resolutions which originated in the Senate, of the following titles, viz:

An act to call a Convention.
An act for the benefit of Emanuel Wyatt.
An act for the benefit of Solomon H. Harris.
An act to change the time of holding Magistrates' Courts in Barren county.

An act to divorce Sophia A. Watkinson.

An act to change the name of Wm. Johnston and others.

An act for the benefit of Elizabeth Howard Robinson.

Resolutions inviting Gen. Taylor to visit the Capital of Kentucky.

And had found the same truly enrolled.

The said bills and resolutions having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor, for his approbation and signature. After a short time, Mr. Bradley reported that the committee had performed that duty.

Mr. Wall, from the committee on the Judiciary, reported a bill declaring the Garrard Banner, Lexington Atlas, and Louisville Chronicle, public authorized newspapers, which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second and third readings of said bill being dispensed with, and the same being engrossed,

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

Engrossed bills of the following titles were severally read the third time, to-wit:

An act for the benefit of James Bartrum.

An act granting a change of venue to Wm. Burns.

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

The resolution fixing a day for the election of Public Officers, read and laid on the table by Mr. Evans, on yesterday, was then taken up, amended and adopted.

And then the Senate adjourned.

MONDAY, JANUARY 15, 1849.

A message was received from the House of Representatives, announcing that they had received official information that the Governor had approved and signed enrolled bills and enrolled resolutions, which originated in that House, of the following titles, to-wit:
An act for the benefit of C. H. Saufliey.
An act allowing an additional Constable to the county of Taylor.
An act for the benefit of the Sheriff of Cumberland county.
An act for the benefit of the infant children of Thomas Payne.
An act to change the names of Eliza Durham and Pheby Ann Commingow.
An act for the benefit of John W. Hawes, of Lawrence county.
An act to legalize the appointment of the Clerk of the Butler Circuit Court.
An act to change an election precinct in the county of Floyd.
An act to repeal an act prohibiting the County Court of Fleming from taking stock in turnpike roads in said county.
An act for the benefit of Jas. Clarke, late Sheriff of Casey county.
An act to repeal an act, entitled, an act to amend the road law of Pendleton county, and for other purposes.
An act for the benefit of the Adas Israel, or Community of Israel, in the city of Louisville.
An act to amend the several acts to suppress duelling.
An act to enlarge the Elkfork Constable's District, in Todd county.
An act to change the name of Bartheba Mills, wife of Austin Mills, of Logan county.
An act for the benefit of Lutamus Manassus Jefferson Branch Young.
An act to allow additional Justices to Cumberland and Clinton counties.
An act for the benefit of John J. Everett, jailer of Marshall county.
A resolution appointing a committee to visit the Lunatic Asylum.

Approved Jan. 12th, 1849.

That they had passed bills of the following titles, to-wit:
1. An act for the benefit of the Sheriff of Oldham county.
2. An act to incorporate the Beaver Dam Pond Draining Company.
3. An act for the benefit of the Mechanics of Union county.
4. An act to authorize the Hart County Court to appoint a Constable.
5. An act for the benefit of John Janes and others.
6. An act to change the August Chancery term of the Christian Circuit Court.
7. An act changing the names of Joseph Franks and others.
8. An act for the benefit of David Snowden, late Sheriff of Owsley county.
9. An act to change the time of holding the Garrard Circuit Court.
10. An act to authorize the Trustees of the town of Henderson, to sell certain Public grounds.
11. An act to repeal the law repealing an act giving the county of Greenup one road commissioner.

10

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12. An act authorizing the Mason County Court to apply a certain part of the road tax to the Helena turnpike road, in said county.
13. An act giving the city of Maysville the right to hold title to property outside of the city limits.

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

The constitutional rule as to the second reading of said bills being dispensed with, the 1st and 8th were referred to the committee on Finance; the 2d, 3d, 5th, 6th, 9th, 10th and 13th to the committee on the Judiciary; the 7th to the committee on Propositions and Grievances; the 11th to the committee on Internal Improvement; and the 12th was ordered to be read a third time.

The constitutional rule as to the third reading of the twelfth bill being dispensed with.

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

1. Mr. Young presented the petition of Joseph Howard, praying for the passage of a law to divorce him from his wife, Polly Howard.
2. Mr. Young also presented the petition of George D. Brown and Mary, his wife, praying for the passage of a law authorizing the sale of a negro woman, the property of the said Mary.
3. Mr. Russell presented the petition of sundry citizens of Harrisonville, in Shelby county, praying for the passage of a law to amend the charter of said town.
4. Mr. Barnett presented the petition of Cassandra W. Hazlewood, of Green county, praying for the passage of a law authorizing the sale of a tract of land in said county, and the investment of the proceeds in other lands.
5. Mr. Eaker presented the petition of Delia Atcherry, praying for the passage of a law to authorize the sale of the interest of her two children in a certain tract of land in Fulton county.
6. Mr. Evans presented the petition of sundry citizens of the counties of Mercer, Anderson, Spencer, Washington and Nelson, praying for the formation of a new county out of parts of said counties, to be called McKee.
7. Mr. Triplett presented the petition of Thomas Smith, who stands indicted in the Henderson Circuit Court on a charge of rape, praying for the passage of a law granting him a change of venue.
8. Mr. Chiles presented the petition of William Cecil, Surveyor of Pike county, praying for the passage of a law to compensate him for certain surveys made under the orders of the Pike and Lawrence Circuit Courts.
9. Mr. Chiles also presented the petition of David E. Baker and Lucinda Baker, his wife, praying for the passage of a law divorcing them from each other.

10. Mr. Bradley presented the petition of Robert Sisk, of Hopkins county, praying for the passage of a law allowing him to keep a tavern without obtaining a license from the County Court of said county.

Which petitions were severally received and referred; the 1st and 9th to the committee on Religion; the 2d, 3d, 4th, 5th, 7th and 8th to the committee on the Judiciary; and the 6th and 10th to the committee on Propositions and Grievances.

Mr. Wall, from the committee on the Judiciary, reported a bill to add part of a street in Cynthiana, to the cemetery of said town, which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second and third readings of said bill being dispensed with, the same being engrossed,

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

Mr. Walker, from the committee on Propositions and Grievances, to whom was referred bills from the House of Representatives, of the following titles, to-wit:

An act allowing an additional Justice of the Peace to the county of Pike.

An act for the benefit of Randolph H. Caldwell, of Logan county. Reported the same without amendment.

Ordered, That said bills be read a third time.

The constitutional rule as to the third reading being dispensed with,

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

Mr. Walker, from the same committee, reported a bill to repeal an act, entitled, an act to prevent the sale of spirituous liquors within the town of Lagrange, and one mile therefrom, approved January 29, 1846; which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second reading being dispensed with,

Mr. Draffin 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. Draffin and English, were as follows, to-wit:

Those who voted in the affirmative, were—

Those who voted in the negative, were—

Messrs. Barnett, Hambleton, McNary,
Bradley, Hawkins, Munford,
Brien, Heady, Thomas,
Bruce, Hogan, Thurman,
Eaker, Linthicum, White,
English, McClure, Young—18.

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

Mr. Draffin, from the committee on Religion, to whom was referred a bill from the House of Representaives, entitled, an act for the relief of Jonas Durham, reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional rule as to the third reading being dispensed with,

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

Mr. Draffin, from the same committee, reported the following bills, viz:

1. A bill for the benefit of Zilla Goldsberry.
A bill for the benefit of Elizabeth Hopkins.

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

The constitutional rule as to the second reading being dispensed with,

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

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

Resolved, That said bills do pass, and that the title of the first be as aforesaid, and the second be amended by adding thereto, "and Wm. H. Ritchie."

Mr. McClure from the same committee, reported a bill for the benefit of Robert B. Semple, which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second and third readings of said bill being dispensed with, and the same being engrossed,

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

Mr. Munford, from the joint committee on Enrollments, reported that the committee had examined an enrolled bill and an enrolled resolution which originated in the House of Representaives, of the following titles, to-wit:

An act for the benefit of the Sheriff of Hart county.
A resolution inviting Gen. William O. Butler to visit the Capital of Kentucky.

And had found the same truly enrolled.
The said bill and resolution having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approbation and signature.

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

A bill from the House of Representatives, entitled, an act for the benefit of Alexander Harrel, Harris Harrel and Edwin Combs was read the third time.

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

The resolution in relation to reporters to report the debates and proceedings of the Convention, read and laid on the table by Mr. Wall, on Saturday, was taken up, twice read, and adopted.

Mr. Evans, from the committee on Education, reported a bill for the benefit of certain school districts in this State; which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second and third readings of said bill being dispensed with, and the same being engrossed,

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

A message, in writing, was received from the Governor, by Mr. Brown, Secretary of State.

The rule of the Senate being dispensed with, the said message was taken up, and read as follows, to-wit:

EXECUTIVE OFFICE, January 15th, 1849.

Gentlemen of the Senate:

Major J. H. Humphrey having, since the last annual meeting of the General Assembly, been commissioned by my predecessor, Gov. Owsley, as Lieutenant Colonel in the 2d Regiment and 1st Brigade, in the place of Lieut. Col. Wm. H. Abel, cashiered, I therefore hereby nominate him for that office for your advice and consent. But, in so doing, I feel it my duty to inform the Senate, that I have recently been furnished with a copy of the record of the proceedings of the Court Martial that sentenced Col. Abel to be cashiered, and also his appeal to Gen. Martin, the General of his division, who disapproved and annulled that sentence. The effect of this decision of Maj. Gen. Martin, is also contested, on the alleged ground that the appeal to him was not taken in the time prescribed by law. Col. Abel insists that he is still in commission, and that the nomination of J. H. Humphrey as his successor ought not to be confirmed. I communicate to the Senate the record of said trial and appeal, and leave to their decision the whole matter of controversy between the parties.

Henry A. Miles having also been commissioned Major, in the room of J. H. Humphrey, promoted by my predecessor, Gov. Owsley, since the last annual meeting of the General Assembly, I hereby nominate him for the office of Major, for your advice and consent, referring the Senate
to the record and appeal in the case of Lieutenant Colonel Abel, as matters proper to be considered by them in deciding upon the nomination.

The confirmation or rejection of the nomination of J. H. Humphrey, will decide all the matters in controversy, as the case of Major Miles will depend on the same question.

J. J. CRITTENDEN.

Ordered, That said message, together with the accompanying documents, be referred to the committee on Military Affairs.

On the motion of Mr. Todd,

Resolved, That the committee on the Judiciary be directed to take into consideration the subject of requiring free persons of color to enter into bonds, with security, for their good behavior, and prescribing the causes and manner of requiring such bonds, and the penalty for failure to give them, and that said committee report thereon by bill or otherwise.

Mr. Boyd read and laid on the table the following resolution, to-wit:
Resolved by the General Assembly of the Commonwealth of Kentucky, That the joint committee on Banks be directed to visit, in person, the several banks in Louisville and Lexington, if, in the discharge of their duty, they shall deem it necessary.

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

Leave was given to bring in the following bills, to-wit:
On the motion of Mr. Todd—1. A bill to extend to the county of Fayette, the provisions of an act further to provide for the appointment of Patroits in this Commonwealth, approved February 18, 1841, and for other purposes.

On the motion of Mr. Williams—2. A bill for the benefit of the heirs of Singleton Davis.

On the motion of Mr. Thornton—3. A bill for the benefit of Susan Catharine Thornton, of Woodford county.

On the motion of Mr. Bradley—4. A bill to allow the Sheriff of Hopkins county, further time to collect and return his delinquent list of master fines.

On the motion of Mr. White—5. A bill to change the time of holding the fall term of the Clay Circuit Court.

On the motion of Mr. Draffin—6. A bill to prevent the payment of money out of the Treasury to porters for Executive offices.

On the motion of Mr. Hogan—7. A bill to repeal an act, entitled, an act to better protect the rights of married women.

On the motion of Mr. Bruce—8. A bill for the benefit of the Crab Orchard and Cumberland Gap road, and for other purposes.

On the motion of Mr. Eaker—9. A bill to amend an act, entitled, an act to incorporate the town of Mayfield, and for other purposes, approved 3d January, 1846.
The committee on the Judiciary was directed to prepare and bring in the 1st, 2d, 3d and 7th; the committee on Military Affairs the 4th; the committee on Finance the 6th; the committee on Internal Improvement the 8th; Messrs. White, Bruce and Waite were appointed a committee to prepare and bring in the 5th; and Messrs. Eaker, Grey and English the 9th.

On the motion of Mr. Evans,

Resolved, That the President of the Board of Internal Improvement, report to the Senate the number of persons engaged as officers—such as members of said Board, Collectors of Tolls, Superintendents of Locks or Roads, as are engaged on the public works, and the pay or salary of each one.

And then the Senate adjourned.

TUESDAY, JANUARY 16, 1849.

A message was received from the House of Representatives, announcing that they had received official information that the Governor had approved and signed enrolled bills which originated in that House, of the following titles, to-wit:

An act for the benefit of the Sheriff of Hart county.

A resolution inviting Gen. Wm. O. Butler to visit the Capital of Kentucky.

Approved January 15, 1849.

That they had passed bills from the Senate of the following titles, to-wit:

An act to divorce Elizabeth Wilkinson.
An act to divorce Hezekiah F. Neely.
An act for the benefit of Malachi Williams, of Allen county.
An act to amend the act to incorporate the Georgetown and Paris Turnpike Road Company, approved March 13, 1847.
An act to incorporate the Paris and Flat Rock Turnpike Road Company.

With amendments to the last named bill.

Which amendments were concurred in.

That they had passed bills of the following titles, to-wit:
1. An act to divorce John and Nancy Eversole.
3. An act to divorce Tilman H. and Julia Ann Steele.
5. An act to divorce Lucinda Hayden.
6. An act to divorce William Young.
7. An act to divorce Louisa Green.
8. An act to divorce Lucinda Hicklin.
10. An act for the divorce of John L. Vaughn.
11. An act to divorce Nancy Murphy.
12. An act for the benefit of Samuel Hogan, of Taylor county.
15. An act authorizing a change of the State road in Lewis county.
16. An act to enlarge the powers of the Trustees of the town of Popular Plains, in Fleming county.

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

The constitutional rule as to the second reading of said bills being dispensed with, they were referred; the 1st, 2d, 3d, 4th, 5th, 6th, 7th, 8th, 9th, 10th and 11th, to the committee on Religion; the 12th to the committee on Finance; the 13th, 14th and 15th to the committee on Internal Improvement; and the 16th to the committee on the Judiciary.

1. Mr. English presented the petition of John Fible, of Oldham county; praying for the passage of a law to reimburse him for money expended in capturing and bringing to trial a certain William Bennett, on a charge of felony, in the Oldham Circuit Court.

2. Mr. Rice presented the petition of sundry citizens of the town of Louisa, in Lawrence county, praying for the passage of a law to authorize the citizens of said town to determine, by vote, whether or not licences shall be granted to sell spirituous liquors in said town.

3. Mr. McMillan presented the petition of Isaac M. Monson and Nancy, his wife, of Nicholas county, praying for the passage of a law confirming the sale of a small tract of land, descended to the said Nancy from her father, Samuel Miller, deceased.


5. Mr. Grey presented the petition of N. M. Tandy, guardian of the infant heirs of Edward Haley, deceased, praying for the passage of a law to authorize the sale of the interest of said infants, in a tract of land lying in Todd county.
Which petitions were severally received and referred; the 1st to the committee on Finance; the 2d to the committee on Propositions and Grievances; and the 3d, 4th and 5th to the committee on the Judiciary.

Mr. Wall, from the committee on the Judiciary, to whom was referred a bill in relation to the Clerks of the Marshall Circuit and County Courts, reported the same without amendment.

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

The constitutional rule as to the third reading being dispensed with, and the same being engrossed,

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

Mr. Wall, from the same committee, reported the following bills, viz: A bill to enlarge the powers of the Trustees of the town of Hamilton. A bill for the benefit of the heirs of Singleton G. Davis.

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

The constitutional rule as to the second and third readings of said bills being dispensed with, and the same being engrossed,

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

Mr. Wall, from the same committee, reported the following bills to-wit: An act to change the venue in the prosecution against Wm. Boner. An act concerning the compensation and settlements of county Treasurers. An act for the benefit of Henry C. Thomas. An act for the benefit of Wm. Webb, of Grant county. Reported the same without amendment.

Ordered, That said bills be read a third time.

The constitutional rule as to the third reading being dispensed with, Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Walker, from the committee on Propositions and Grievances, reported the following bills, to-wit: A bill for the benefit of the Clerk of the Marshall County and Circuit Courts.

A bill for the benefit of Roland Salmons and his children.

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

The constitutional rule as to the second and third readings of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.
Mr. Walker, from the same committee, to whom was referred bills from the House of Representatives, of the following titles, to-wit:
1. An act for the benefit of Buford E. Allen, of Fayette county.
2. An act for the benefit of Albert A. Boswell, of Graves county.
3. An act changing the names of Joseph Franks and others.
4. An act for the benefit of Wilson Hackney.
5. An act for the benefit of David D. Moore, of Crittenden county.
Reported the same without amendment.

Ordered, That said bills be read a third time.
The constitutional rule as to the third reading of the third and fifth bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.
Mr. Walker, from the same committee, to whom was referred a bill from the House of Representatives, entitled, an act for the benefit of James F. Drake,
Reported the same without amendment.
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. Williams and Grey, were as follows, to-wit:
Those who voted in the affirmative, were—
Messrs. Bradley, Brien, Bruce, Eaker, English, Evans,
Grey, Hambleton, Hawkins, Hogan, Münford, Rice,
Russell, Thomas, Thurman, Walker, White, Young—18.

Those who voted in the negative, were—
Messrs. Barnett, Boyd, Chiles, Cofer, Draffin, Heady,
Linthicum, McClure, McCranie, McNary, Speed, Thornton,
Todd, Trippett, Waite, Wall, Williams—17.

The constitutional rule as to the third reading being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.
Mr. Draffin, from the committee on Religion, reported the following bills, to-wit:
A bill for the benefit of Jane Duddy.
A bill for the benefit of John Cunningham.
A bill for the benefit of Thomas Crowder.
Which bills were severally read the first time, and ordered to be read a second time.

The constitutional rule as to the second and third readings of said bills being dispensed with, and the same being engrossed,

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

Mr. McClure, from the same committee, to whom was referred bills from the House of Representatives of the following titles, to-wit:
An act to divorce Henry R. Bishop.
An act to divorce James C. Gourley, John Carroll, Sr., and John Cowen.

Reported the same without amendment.

Ordered, That said bills be re-committed to the committee on Religion.

Mr. Todd, from the committee on Finance, to whom was referred bills from the House of Representatives, of the following titles, to-wit:
An act for the benefit of Conrad Havens.
An act for the benefit of Caleb Kash and Robert Wilson, of Morgan county.
An act for the relief of James Moody.

Reported the same without amendment.

Ordered, That said bills be read a third time.

The constitutional rule as to the third reading being dispensed with,

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

Mr. Todd, from the same committee, reported a bill for the benefit of Isham G. Hamilton, Clerk of the County Court of Boone; which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second and third readings of said bill being dispensed with, and the same being engrossed,

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

Mr. Boyd, from the committee on Banks, reported a bill to repeal all acts prohibiting the circulation in this Commonwealth of Bank notes of less denomination than five dollars; which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second and third readings of said bill being dispensed with, and the same being engrossed,

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

An engrossed bill, entitled, an act to repeal an act, entitled, an act to prevent the sale of spirituous liquors within the town of Lagrange, and.
one mile therefrom, approved January 29, 1846, was read the third time.

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. Cofer and English, were as follows, to-wit:

Those who voted in the affirmative, were—

Messrs. Barnett, Hambledon, McNary,
Bradley, Hawkins, Munford,
Brien, Heady, Thomas,
Bruce, Ylogan, Thurman,
Eaker, Linthicum, White,
English, McClure, Young—18.

Those who voted in the negative, were—

Messrs. Boyd, McMillan, Trippett,
Chiles, Rice, Waite,
Cofet, Russell, Walker,
Draffin, Speed, Wall,
Evans, Thornton, Williams—17.
Grey, Todd,

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

The following bills were reported from select committees, to-wit:

By Mr. Eaker—1. A bill to amend an act, entitled, an act to incorporate the town of Mayfield, and for other purposes.

By Mr. White—2. A bill to change the full term of the Clay Circuit Court.

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

The constitutional rule as to the second reading being dispensed with, the second was amended.

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

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

Resolved, That said bills do pass, and that the title of the first be as aforesaid, and the title of the second be amended by adding, "and in relation to the Fleming Circuit Court."

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

On the motion of Mr. McMillan—1. A bill to secure the completion of the Carlisle and Sharpsburg Turnpike Road, and to extend the same to Owingeville, in Bath county, and for other purposes.

On the motion of Mr. English—2. A bill to repeal an act, entitled, an act to amend the law prohibiting the importation of slaves into this State, approved February 2, 1833.
On the motion of Mr. Young—3. A bill for the benefit of Jilson P. Snelling, of Bath county.

On the motion of Mr. Williams—4. A bill for the benefit of the Bourbon County Agricultural Society.

On the motion of Mr. Brien—5. A bill to incorporate the Murray Male and Female Institute.

On the motion of Mr. McClure—6. A bill for the benefit of Edward S. Bowman.

Messrs. McMillan, Young and Chiles were appointed a committee to prepare and bring in the 1st; Messrs. English, Bradley and Draffin the second; the committee on Propositions and Grievances was directed to prepare and bring in the 3d; the committee on the Judiciary the 4th; the committee on Education the 5th, and the committee on Religion the 6th.

And then the Senate adjourned.

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WEDNESDAY, JANUARY 17, 1849.

1. Mr. Hobbs presented the petition of sundry citizens of Middletown, in Jefferson county, praying for the passage of a law to close certain streets and alleys in said town.

2. Mr. Triplett presented the petition of Daniel M. Griffith, and others, the heirs of W. R. Griffith, deceased, praying for the passage of a law to confirm the sales of certain lands sold by their ancestor in his lifetime, and also to authorize the sale of other lands descended to them from their said ancestor.

3. Mr. Russell presented the petition of Nancy Forbes, of Franklin county, praying for the passage of a law to divorce her from her husband, Hiram Forbes.

Which petitions were severally received and referred; the 1st to the committee on Propositions and Grievances; the 2d to the committee on the Judiciary, and the 3d to the committee on Religion.

On the motion of Mr. Evans,

Ordered, That the committee on Propositions and Grievances be discharged from the further consideration of the petition of sundry citizens of the counties of Mercer, Anderson, Spencer, Washington and Nelson,
praying for the formation of a new county out of parts of said counties, and leave was given to withdraw the same.

The Speaker laid before the Senate the following report from the President of the Board of Internal Improvement, in answer to a resolution of the Senate, adopted on the 15th instant, to-wit:

**Board of Internal Improvement Office,**  
**January 15th, 1849.**

In obedience to a resolution of the Senate of the 15th instant, in relation to the number of persons engaged as officers, &c., &c., in public works, the President of the Board of Internal Improvement respectfully responds, to-wit:

1. The Board of Internal Improvement consists of three members. The salary of the President is $1,000 per annum. The other two members receive no salary as such. The Secretary of the Board, *ex officio*, by law, is a member, and receives a salary of $500. Heretofore the other member of the Board acted as Superintendent of Green and Barren River Line of Navigation, at a salary of $800 per annum; and, on the same line, there is a Collector of Tolls, &c., who receives $250 per cent. commission on his collections, *provided* the per centage does not exceed the sum of $500. On the same line there are five Lock Keepers; four of whom receive a salary of $250 each, the other $300 per annum. On the Green and Barren Rivers there is one Collector of Tolls, who receives $250 per cent. upon all collections, *provided* the per centage does not exceed $400 per annum. On the same line, there are five Lock Keepers, each of whom receive a salary of $198 per annum. The salary of the Collector on the Kentucky River has, for the last four years, amounted to the sum of $500; and the Collector on Green and Barren Rivers, for the last three years, has amounted to the sum of $155.

Thus it will be seen, that the Board has engaged, on the Kentucky River line, seven persons as officers, agents, &c., at a gross sum of $2,400; and on the Green and Barren line, the like number, at a gross sum of $1,945.

The State is a mere stockholder in the various Turnpike Roads, and, with the exception of the short road over Muldrow's Hill, are all under the action and control of each respective company. There is no law making it the duty of these roads to report the names of officers employed thereon, and hence this Board have no information on that subject. W. H. Hawkins is the Gate Keeper and Superintendent of the Muldrow's Hill road, at a salary of $175 per annum.

All of which is respectfully submitted, &c.,

O. G. CATES, P. B. I. I.

To Hon. John L. Helm,  
Lieut. Governor and Speaker of the Senate.

Ordered, That said report be referred to the committee on Internal Improvement, and that the Public Printer print 150 copies thereof for the use of the General Assembly.

A message was received from the House of Representatives, announcing that they had passed bills of the following titles, viz:
An act to restore the right of licensing taverns in the town of Danville to the County Court of Boyle.

An act for the benefit of Julia E. Crowds.

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

The constitutional rule as to the second reading of said bills being dispensed with, they were referred to the Committee on the Judiciary.

Mr. Wall, from the committee on the Judiciary, reported the following bills, to-wit:

A bill to extend to the county of Fayette the provisions of an act further to provide for the appointment of patrols in this Commonwealth, approved February 18, 1841, and for other purposes.

A bill for the benefit of the widow and heirs of Henry C. Hazlewood, deceased.

A bill for the benefit of the Bourbon County Agricultural Society.

A bill for the benefit of Edwin Trimble.

A bill for the benefit of William Cecil.

A bill to provide for a change of venue in the prosecution against Thomas Smith.

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

The constitutional rule as to the second and third readings of said bills being dispensed with, and the same being engrossed,

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

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

1. An act to authorize the Trustees of the town of Henderson, to sell certain Public grounds.

2. An act for the benefit of the Mechanics of Union County.

3. An act giving the city of Maysville the right to hold title to property outside of the city limits.

4. An act to change the time of holding the Garrard Circuit Court.

5. An act for the benefit of John Janes and others.

6. An act to incorporate the Beaver Dam Pond Draining Company. Reported the same without amendment.

The sixth bill was then amended.

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

The constitutional rule as to the third reading being dispensed with, Resolved, That said bills (the sixth as amended,) do pass, and that the titles thereof be as aforesaid.

Mr. Draffin, from the committee on Religion, to whom was referred bills from the House of Representatives of the following titles, to-wit:
An act to divorce James O. Nelson.
An act for the benefit of C. P. and Elizabeth Miller.
An act for the benefit of Helen Cannon.
An act for the benefit of Abigail Woolford.
Reported the same without amendment.
Ordered, That said bills be read a third time.
The constitutional rule as to the third reading being dispensed with,
Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

Mr. Draffin, from the same committee, to whom was referred a bill from the House of Representatives, entitled, an act for the benefit of Minerva O'Reiley, reported the same without amendment.
The said bill was amended, and ordered to be read a third time.
The constitutional rule as to the third reading being dispensed with,
Resolved, That said bill as amended, do pass, and that the title thereof be amended by adding thereto, “and Mary Hudnall.”

Mr. Draffin, from the same committee, reported the following bills, to wit:
1. A bill for the benefit of William L. Owens.
2. A bill for the benefit of George Conlen.
3. A bill for the benefit of David Pirtle.
4. A bill regulating divorces.
Which bills were severally read the first time, and ordered to be read a second time.
The constitutional rule as to the second reading of said bills being dispensed with, the 1st and 2d were amended, and the 4th was referred to the committee on the Judiciary.
Ordered, That the 1st, 2d and 3d bills be engrossed and read a third time.
The constitutional rule as to the third reading of the 1st, 2d and 3d bills being dispensed with, and the same being engrossed,
Resolved, That said bills do pass, and that the title of the 1st be amended by adding, “and others,” and the title of the second by adding, “and Amanda Bileter.”

Mr. McClure, from the same committee, reported a bill to divorce Jos. Howard, which was read the first time and ordered to be read a second time.
The constitutional rule as to the second and third readings of said bill being dispensed with, and the same being engrossed,
Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Grey, from the committee on Internal Improvement, to whom was referred a bill to authorize the survey of the route for a Railroad from...
Louisville to the terminus of the Mobile and Ohio Railroad, at Columbus, and from Lexington to the eastern boundary of Kentucky, reported the same with an amendment, which was concurred in.

And the further consideration of said bill was postponed, and it was made the special order of the day for Tuesday the 23d instant.

Mr. Todd, from the committee on Finance, to whom was referred bills from the House of Representatives of the following titles, to-wit:

An act for the benefit of David Snowden, late Sheriff of Owsley county.
An act for the benefit of Samuel Hogan, of Taylor county.
An act for the benefit of the Sheriff of Oldham county.
Reported the same without amendment.

Ordered, That said bills be read a third time.

The constitutional rule as to the third reading being dispensed with, Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Todd, from the same committee, reported a bill for the benefit of John Fible, of Oldham county; which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second and third readings of said bill being dispensed with, and the same being engrossed,

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

Mr. Heady, from the committee on military affairs, reported the following bills, to-wit:

A bill for the benefit of the Sheriff of Hopkins county.
A bill for the benefit of the former and present Sheriffs of Crittenden county.

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

The constitutional rule as to the second and third readings of said bills being dispensed with, and the same being engrossed,

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

A message in writing, was received from the Governor, by Mr. Brown, Secretary of State.

The rule of the Senate being dispensed with, the said message was taken up and read as follows, to-wit:

Gentlemen of the Senate:

I nominate for your advice and consent the following named persons for the respective offices attached to their names:

Owen G. Cates, to be President of the Board of Internal Improvement, in place of Thomas Metcalfe, resigned.

Edward I. Bullock, to be Attorney for the Commonwealth in the 16th Judicial District, in the place of R. L. Mayes, resigned.

Bruce Porter, to be Attorney for the Commonwealth in the 11th Judicial District, in place of Walter C. Chiles, resigned.

Charles S. Waller, for re-appointment to the office of Clerk of the Penitentiary.

Constantine B. Beverly, to be Commissioner for the State of Louisiana, under an act of Assembly, approved January 23d, 1843.

G. W. Carter, to be Sheriff of Woodford county, in place of Samuel M. Wallace, resigned—to hold the said office for the remainder of the constitutional term for which said Wallace was commissioned.

James A. Lee, to be Mayor of the city of Maysville.

January 17th, 1849.

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

A message was received from the Governor, by Mr. Brown, Secretary of State, announcing that the Governor had approved and signed enrolled bills and enrolled resolutions which originated in the Senate, of the following titles, to-wit:

An act for the benefit of Emanuel Wyatt.

An act to change the time of holding Magistrates' Courts in Barren county.

An act to change the name of Wm. Johnston and others.

An act for the benefit of Solomon H. Harris.

An act for the benefit of Elizabeth Howard Robinson.

An act to divorce Sophia A. Watkinson.

An act to call a Convention.

Approved January 13, 1849.

A resolution inviting General Zachary Taylor to visit the Capital of Kentucky.

Approved January 13, 1849.

On the motion of Mr. Wall, the votes were re-considered by which a bill from the House of Representatives, entitled, an act to change the time of holding the Garrard Circuit Court, was ordered to a third reading and passed, and said bill was recommitted to the committee on the Judiciary.

Bills from the House of Representatives of the following titles were severally read the third time, to-wit:

An act for the benefit of Buford E. Allen, of Fayette county.

An act for the benefit of Albert A. Boswell, of Graves county.

An act for the benefit of Wilson Hackney.

An act for the benefit of W. W. Merritt.

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.
Mr. Grey, from the committee on Banks, to whom was referred a bill to amend an act, entitled, an act to establish the Southern Bank of Kentucky, made the following report, to-wit:

The Committee on Banks, to whom was referred a bill, which had been reported to the Senate from a select committee, entitled, “an act, to amend an act to establish the Southern Bank of Kentucky,” respectfully ask leave to submit to your honorable body a report in writing.

By reference to the report of the Second Auditor of Kentucky, it will be perceived, that the southern portion of this State, usually called the “Green River Country,” and including those counties west and south from Salt River and “Muldrow’s Hill,” (it being that region of the State in which the “Southern Bank” is intended to operate,) contains taxable property to the valuation of about eighty millions of dollars, whilst the valuation for the whole Commonwealth is only about two hundred and seventy two millions. Those same counties have, also, more than sixty thousand of the one hundred and forty thousand qualified voters of the State.

Thus, this vast region of country, equal in wealth to nearly one third of the whole State, paying annually into her Treasury almost one third of the State’s revenue—having also about one half of the qualified voters, and constituting quite half of the Territory of this Commonwealth, has, set apart for its portion, only about one eighteenth part of the banking facilities of Kentucky.

At present there is employed—
At the Branch Bank at Hopkinsville, $250,000
At the Branch Bank at Bowlinggreen, $175,000
At the Branch Bank at Greensburg, $125,000
At the Branch Bank at Paducah, $100,000

Total amount, $650,000

The aggregate capital of the three principal Banks located at Louisville and Lexington will, by reference to their charters, be found to be as follows:
The capital stock for the Bank of Kentucky, $5,000,000
The capital stock for the Northern Bank, 3,000,000
The capital stock for the Bank of Louisville, 2,000,000

Total capital, $10,000,000

The capital used in the several Branches of these principal Banks is—
In the Branch at Lexington, $650,000
In the Branch at Frankfort, 350,000
In the Branch at Maysville, 450,000
In the Branch at Danville, 220,000
In the Branch at Louisville, 600,000
In the Branch at Paris, 370,000
In the Branch at Covington, 250,000
In the Branch at Richmond, 150,000
In the Branch at Flemingsburg, 100,000

This great inequality, in the monied facilities afforded by the State to commercial and other industrial pursuits, cannot be claimed because of
any superiority of geographical position for the more favored sections, nor either from the natural course of trade and commerce.

The most wise and advantageous use to which Bank accommodations can be applied, is towards building up manufactures, and in facilitating the transportation to the more valuable markets of our varied agricultural and mineral productions.

The superior advantages and peculiar adaption for manufactures of those portions of this State situated upon the upper Cumberland and upon Green River, and in the counties of Trigg, Caldwell and Livingston, will be readily conceded by all who are correctly informed of the extensive beds of coal lying in those counties; and, also, of their rich and inexhaustible iron ore—their dense and valuable forests, and boundless water power. All those important and unrivalled advantages point out those counties as the great manufacturing regions of this great and growing Commonwealth.

That the organization of the Southern Bank, and its Branches, will facilitate the development of the wealth and valuable resources of this vast portion of the State, your committee cannot entertain a doubt.

The citizens of the “Green River Country” did, in the month of September of 1838, hold a general convention, in which all their interests were fully and ably represented, and at which they resolved to petition the succeeding General Assembly for an increase of Banking capital. In accordance with that resolve, they, at that date, respectfully represented that the want of a sufficiency of monied facilities for the South of Green river, had depressed their commercial enterprises—reduced the value, at home, of their agricultural and mineral productions—extensively and ruinously prejudiced the growth of their manufacturing interests, and retarded greatly the prosperity and advancement of that portion of the State.

Acting upon these representations, the Legislature, at the session of 1838, granted a charter for establishing the “Southern Bank of Kentucky,” and authorizing the principal Bank and four branches to be located south of Green river, and three branches north of Green river, as follows:

The principal Bank and one branch to be located within a district composed of the counties of Livingston, Caldwell, Crittenden, Trigg, Christian, Todd, Logan, Butler, Edmonson, Warren, Allen, Simpson, Monroe, Barren and Hart; also, a branch in a district composed of the counties of Hickman, Calloway, Graves, McCracken, Fulton, Ballard and Marshall; also, a branch in a district composed of the counties of Henderson, Union, Hopkins and Muhlenburg; also, a branch in a district composed of the counties of Adair, Cumberland, Clinton, Russell, Casey, Pulaski, Rockcastle, Whitley and Wayne; also, a branch in the district composed of the counties of Hardin, Meade, Breckinridge, Grayson, Hancock, Ohio and Daviess; and two other branches are, by said charter, authorized to be established “north of Green river,” but without specifying any particular counties for their location.

The disastrous circumstances which surrounded the period of the date of its charter—the suspension of specie payments by many of the Banks—the repudiation of their bonds by many of the States of the Union—the almost universal derangement in the monetary affairs of the country—
and the general prostration of trade; of commerce, and of credit, rendered it impossible at that day to obtain the stock, and at that time to put into operation the "Southern Bank of Kentucky."

It is now represented to your honorable body that, with some slight, and, as your committee conceive, unobjectionable amendments to the original charter, the stock can and will be subscribed, and the principal Bank and branches now be put into operation.

For that purpose, your committee report the following bill, as a substitute for the bill previously referred to them by the Senate, and would ask respectfully to recommend the adoption of this substitute, and its passage into a law.

The said amendment was concurred in.

Ordered, That said bill be referred to the committee of the Whole House on the state of the Commonwealth, and made the special order of the day for Friday the 19th instant, and that the Public Printer print 150 copies of said bill and report for the use of the General Assembly.

Mr. Bradley, from the joint committee on Enrollments, reported that the committee had examined enrolled bills which originated in the House of Representatives, of the following titles, to wit:

An act to authorize T. M. Lillard to bring a negro boy into this State.
An act for the benefit of the Sheriff of Bourbon county.
An act for the benefit of Jonathan W. Rice, of Logan county.
An act for the benefit of Martin Fugate, late Sheriff of Pendleton county.
An act to empower the County Court of Pike, to appropriate the vacant lands in said county to the improvement of the rivers in said county.
An act for the benefit of Wm. Sims, of Monroe county.
An act for the benefit of James Herreford.
An act to change the Bowlinggreen and Adairsville State road.
An act to change the name of Polly Ann Phipps to that of Polly Ann Lynch, and for other purposes.
An act for the benefit of the estate of William Buckner, deceased.
An act for the benefit of Francis Gowdy.
An act for the benefit of the Sheriff of Graves county.
And had found the same truly enrolled.

The said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereunto, and they were delivered to the committee to be presented to the Governor, for his approbation and signature. After a short time, Mr. Bradley reported that the committee had performed that duty.

Leave was given to bring in the following bills, to wit:
On the motion of Mr. J. Speed Smith—1. A bill for the benefit of David I. Caldwell, his wife and children.

On the motion of Mr. Grey—2. A bill to amend an act, entitled, an act to authorize the Mobile and Ohio Railroad Company to extend their Railroad from the south boundary line of the State of Kentucky to the Mississippi or Ohio rivers, approved 26th February, 1848.

On the motion of Mr. McNary—3. A bill for the benefit of the town of Greenville, in Muhlenburg county.

On the motion of Mr. Barnett—4. A bill to incorporate a turnpike company to build a road from Greensburg to Brownfields, on the Bardstown and Glasgow Turnpike Road.

On the motion of Mr. Waite—5. A bill for the benefit of the Sheriff of Lincoln county.

On the motion of Mr. Thornton—6. A bill for the benefit of Thomas B. Scott, of Jessamine county.

On the motion of Mr. Barbour—7. A bill for the benefit of Sarah S. Fowler, late Sarah S. Barnett.

On the motion of Mr. J. Speed Smith—8. A bill for the benefit of John L. Price.

On the motion of Mr. Barbour—9. A bill allowing the Judge of the 16th Judicial District the further time of two years to move into his District.

On the motion of Mr. Chiles—10. A bill to repeal all laws authorizing the peddling of goods or the exhibition of wild animals in this Commonwealth.

On the motion of Mr. Barbour—11. A bill to add the county of Livingston to the 16th Judicial District.

On the motion of Mr. Hobbs—12. A bill to charter the Kentucky Insurance Company.

On the motion of same—13. A bill to amend the charter of the Louisville and Frankfort Railroad Company.

On the motion of Mr. Hogan—14. A bill for the benefit of the Lexington and Covington Turnpike Road.

The committee on the Judiciary was directed to prepare and bring in the 1st, 7th and 9th; the committee on Internal Improvement the 2d, 4th and 6th; the committee on Finance the 5th and 10th; the committee on Propositions and Grievances the 8th; Messrs. McNary, Rice and Hambleton were appointed a committee to prepare and bring in the 3d; Messrs. Barbour, Brien and Eaker the 11th; Messrs. Hobbs, Wall and Barbour the 12th; Messrs. Hobbs, J. Speed Smith and Wall the 13th, and Messrs. Hogan, Wall, Todd and Hawkins the 14th.

A bill for the benefit of James L. Turman, was taken up.

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

The said bill was amended by adding an engrossed clause by way of rider.

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. Boyd and Rice, were as follows, to-wit:

Those who voted in the affirmative, were—


Resolved, That the title of said bill be amended by adding, "and John L. Price."

A bill for the benefit of John M. Fraim, of Monroe county, was taken up.

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

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

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

Mr. Bruce, from a select committee, reported a bill to provide for a Geological and Mineralogical Survey of the State, which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second reading being dispensed with, said bill was committed to a committee of the Whole House on the state of the Commonwealth, and made the special order of the day for Monday the 22d instant.

And then the Senate adjourned.
THURSDAY, JANUARY 18, 1849.

A message was received from the House of Representatives, announcing that they had passed bills from the Senate, of the following titles, to-wit:

An act limiting the jurisdiction of the General Court in certain cases.
An act to incorporate the Esulaipian Mineral Spring Hotel Company, in Lewis county.

That they had passed bills of the following titles, to-wit:
1. An act to amend Chancery practice.
2. An act to establish election precincts in the counties of Fleming and Campbell, and to change certain election precincts in the counties of Clay and Perry.
3. An act concerning the election of certain municipal officers in the city of Lexington.
4. An act concerning the town of Lancaster.
5. An act for the benefit of Reuben Brison.
6. An act for the benefit of William Giles.
7. An act for the benefit of John Carr, a lunatic.

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

The constitutional rule as to the second reading of said bills being dispensed with, they were referred; the 1st, 3d, 4th, 5th and 7th to the committee on the Judiciary; the 2d to the committee on Privileges and Elections, and the 6th to the committee on Finance.

Mr. Wall, from the committee on the Judiciary, reported the following bills, to-wit:

A bill for the benefit of John D. Locke's children.
A bill for the benefit of Ira H. and William George.
A bill for the benefit of David I. Caldwell, his wife and children.

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

The constitutional rule as to the second and third readings of said bills being dispensed with, and the same being engrossed,

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

Mr. Wall, from the same committee, to whom was referred a bill from the House of Representatives, entitled, an act to enlarge the powers of the Trustees of the town of Poplar Plains, in Fleming county, reported the same without amendment.
Ordered, That said bill be read a third time.

The constitutional rule as to the third reading being dispensed with,

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

Mr. Wall, from the same committee, to whom was referred a bill from the House of Representatives, entitled, an act changing the mode of taking the depositions of non-resident witnesses in chancery causes, reported the same, with the opinion of the committee that it ought not to pass.

And the said bill was recommitted to the committee on the Judiciary.

Mr. Wall, from the same committee, to whom was referred the petition of George D. Brown and wife, reported the following resolution thereon, to-wit:

Resolved, That said petition be rejected.

Which was concurred in.

Mr. Wall, from the same committee, to whom was referred the petition of N. H. Tandy, of Todd county, reported the following resolution thereon, to-wit:

Resolved, That said petition be rejected.

Which was concurred in.

Mr. Wall, from the same committee, to whom was referred the petition of Delia Atteberry, reported the following resolution thereon, to-wit:

Resolved, That said petition be rejected.

Which was concurred in.

Mr. Wall, from the same committee, to whom was referred the petition of Jeptha G. Collins and George W. Collins, reported the following resolution thereon, to-wit:

Resolved, That said petition be rejected.

Which was concurred in.

Mr. Wall, from the same committee, to whom was referred a bill to amend proceedings before Justices of the Peace, reported the same with the opinion of the committee that it ought not to pass.

Ordered, That said bill be committed to the committee of the Whole House on the state of the Commonwealth, and made the special order of the day for Wednesday, the 24th instant, and that the Public Printer print 150 copies of said bill for the use of the General Assembly.

Mr. Walker, from the committee on Propositions and Grievances, reported a bill to permit the citizens of the town of Louisa to vote for or against granting tavern license, and for other purposes; which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second and third readings of said bill being dispensed with, and the same being engrossed,
A message was received from the House of Representatives, announcing that they had passed bills from the Senate, of the following titles, to-wit:

1. An act limiting the jurisdiction of the General Court in certain cases.

That they had passed bills of the following titles, to-wit:

1. An act to amend Chancery practice.
2. An act to establish election precincts in the counties of Fleming and Campbell, and to change certain election precincts in the counties of Clay and Perry.
3. An act concerning the election of certain municipal officers in the city of Lexington.
4. An act concerning the town of Lancaster.
5. An act for the benefit of Reuben Brison.
6. An act for the benefit of William Giles.
7. An act for the benefit of John Carr, a lunatic.

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

The constitutional rule as to the second reading of said bills being dispensed with, they were referred; the 1st, 3d, 4th, 5th and 7th to the committee on the Judiciary; the 2d to the committee on Privileges and Elections, and the 6th to the committee on Finance.

Mr. Wall, from the committee on the Judiciary, reported the following bills, to-wit:

1. A bill for the benefit of John D. Locke's children.
2. A bill for the benefit of Ira H. and William George.
3. A bill for the benefit of David I. Caldwell, his wife and children.

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

The constitutional rule as to the second and third readings of said bills being dispensed with, and the same being engrossed,

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

Mr. Wall, from the same committee, to whom was referred a bill from the House of Representatives, entitled, an act to enlarge the powers of the Trustees of the town of Poplar Plains, in Fleming county, reported the same without amendment.
Ordered, That said bill be read a third time.
The constitutional rule as to the third reading being dispensed with,
Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Wall, from the same committee, to whom was referred a bill from the House of Representatives, entitled, an act changing the mode of taking the depositions of non-resident witnesses in chancery causes, reported the same, with the opinion of the committee that it ought not to pass.

And the said bill was recommitted to the committee on the Judiciary.

Mr. Wall, from the same committee, to whom was referred the petition of George D. Brown and wife, reported the following resolution thereon, to-wit:

Resolved, That said petition be rejected.

Which was concurred in.

Mr. Wall, from the same committee, to whom was referred the petition of N. H. Tandy, of Todd county, reported the following resolution thereon, to-wit:

Resolved, That said petition be rejected.

Which was concurred in.

Mr. Wall, from the same committee, to whom was referred the petition of Jeptha G. Collins and George W. Collins, reported the following resolution thereon, to-wit:

Resolved, That said petition be rejected.

Which was concurred in.

Mr. Wall, from the same committee, to whom was referred a bill to amend proceedings before Justices of the Peace, reported the same with the opinion of the committee that it ought not to pass.

Ordered, That said bill be committed to the committee of the Whole House on the state of the Commonwealth, and made the special order of the day for Wednesday, the 24th instant, and that the Public Printer print 150 copies of said bill for the use of the General Assembly.

Mr. Walker, from the committee on Propositions and Grievances, reported a bill to permit the citizens of the town of Louisa to vote for or against granting tavern license, and for other purposes; which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second and third readings of said bill being dispensed with, and the same being engrossed,
Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Walker, from the same committee, to whom was referred the petition of Robert Sisk, reported the following resolution thereon, to-wit:

Resolved, That said petition be rejected.

Which was concurred in.

Mr. Walker, from the same committee, reported a bill for the benefit of Gilson P. Snelling; which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second and third readings of said bill being dispensed with, and the same being engrossed,

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

The yeas and nays being required thereon, by Messrs. McMillan and Grey, were as follows, to-wit:

Those who voted in the affirmative, were—

Messrs. Barbour, Hambleton, Speed Smith,
Bradley, Hawkins, Thurman,
Brien, Hogan, Triplett,
Baker, Munford, Walker,
English, Rice, White,
Evans, Russell, Young—19.
Grey,

Those who voted in the negative, were—

Messrs. Barnett, Drafิน, McMillan,
Boyd, Heady, Speed,
Bruce, Hobbs, Todd,
Chiles, Linthicum, Waite,
Cofler, McClure, Wall—15.

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

Mr. Walker, from the same committee, to whom was referred a bill from the House of Representatives, entitled, an act to authorize the Hart County Court to appoint a Constable, reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional rule as to the third reading being dispensed with,

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

Mr. Drafииn, from the committee on Religion, to whom was referred a bill from the House of Representatives, entitled, an act to divorce Lucinda Hicklin, reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional rule as to the third reading being dispensed with,
The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. Barnett and Linthicum, were as follows, to-wit:

Those who voted in the affirmative, were—

Messrs. Barbour, Grey, Russell,
Bradley, Hambleton, Speed,
Brien, Hawkins, Thomas,
Bruce, Heady, Thurman,
Cofer, Hogan, Waite,
Drallin, McClure, Wall,
Eaker, Munford, White,
English, Rice, Young—25.
Evans,

Those who voted in the negative, were—

Messrs. Barnett, Hobbs, McNary,
Boyd, Linthicum, Thornton,

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

A message, in writing, was received from the Governor, by Mr. Harlan, Assistant Secretary of State.

The rule of the Senate being dispensed with, the said message was taken up, and read as follows, to-wit:

Gentlemen of the Senate:

I nominate for your advice and consent the following named persons for the offices, in the militia of this State, attached to their respective names:

Daniel F. James, to be Major General of the 8th Division, in place of Peter Jordan, deceased.
James Patterson, to be Brigadier General of the 9th Brigade, 2d Division, in place of S. H. Slaughter, resigned.
Isham Thomas, to be Brigadier General of the 11th Brigade, 1st Division, in place of J. W. Dorr, removed.
Green V. Goble, to be Brigadier General of the 14th Brigade, 7th Division, in place of John Friend, resigned.

January 18th, 1849.

J. J. CRITTENDEN.

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

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. Bradley in the Chair; after some time spent in committee, the Speaker resumed the Chair, when Mr. Bradley reported that the committee had, according to order, had under consideration a bill to protect the estates of deceased persons, and had made some progress therein, but not
having gone through the same, had directed him to ask leave to sit again, which was granted.

On the motion of Mr. Walker,

Resolved, That the committee on Military Affairs be requested to enquire into the propriety of providing for the better keeping of the Public Arms.

1. Mr. Todd presented the petition of Hannah Dolan, of Fayette county, praying for the passage of a law to divorce her from her husband, Patrick Dolan.

2. Mr. Boyd presented the petition of John J. Greenwade and wife, of Montgomery county, praying for the passage of a law to authorize the appointment of a Trustee, in this State, to receive whatever money or property may have descended or been devised or bequeathed to said female by her father, the late Moses Palmer, of the State of Virginia.

Which petitions were severally received and referred; the 1st to the committee on Religion, and the 2d to the committee on the Judiciary.

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

On the motion of Mr. Evans—1. A bill to cause certain Chancery papers to be conveyed from the Butler Circuit Court to the Circuit Court of Allen county.

On the motion of same—2. A bill to amend the law of 1846, regulating certain penal proceedings.

On the motion of Mr. Wall—3. A bill for the benefit of Thomas Rankin, Jailer of Harrison county.

On the motion of same—4. A bill to amend the penal laws of this Commonwealth.

The committee on the Judiciary was directed to prepare and bring in the 1st, 2d and 4th, and the committee on Finance the 3d.

And then the Senate adjourned.

FRIDAY, JANUARY 19, 1849.

1. Mr. Thomas presented the petition of Margaret Wilson, of Campbell county, praying for the passage of a law to divorce her from her husband, Henry Wilson.

2. Mr. Rice presented the petition of the heirs of Samuel Riggs, deceased, praying for the passage of a law to authorize a sale of the interest of said heirs in certain lands lying in the county of Fleming.
3. Mr. Rice also presented the petition of Nancy G. Veach, widow of Jesse B. Veach, deceased, praying for the passage of a law authorizing the sale of the interest at law, of her late husband, in a tract of land lying in Lewis county.

4. Mr. Speed presented the petition of Robert Gilmer and William G. Lobban, executors of Thomas Gilmer, deceased, praying for the passage of a law authorizing the sale of certain lands and slaves belonging to said estate.

5. Mr. Barbour presented the petition of sundry citizens of the town of Princeton, in Caldwell county, praying for the repeal of the 3d and 4th sections of an act, entitled, an act to enlarge the powers of the Trustees of the town of Princeton, approved February 18, 1848.

Which petitions were severally received and referred; the 1st to the committee on Religion; the 2d, 3d and 4th to the committee on the Judiciary, and the 5th to the committee on Propositions and Grievances.

A message was received from the House of Representatives, announcing that they had concurred in the amendment proposed by the Senate to a bill from that House, entitled, an act to incorporate the Beaver Dam Pond Draining Company.

Bills from the House of Representatives, of the following titles, were severally reported from the Committee on Religion, to whom they had been referred, without amendment, to-wit:

By Mr. Bruce—An act to divorce John and Nancy Eversole.
By Mr. McClure—An act to divorce William Young.
An act to divorce Lucinda Hayden.
An act to divorce William Grissom.
An act to divorce Maria Chapman.

Ordered, That said bills be read a third time.

The constitutional rule as to the third reading being dispensed with,

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

Mr. McClure, from the same committee, to whom was referred a bill from the House of Representatives, entitled, an act to divorce Henry R. Bishop, reported the same with an amendment, which was concurred in.

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

The constitutional rule as to the third reading being dispensed with,

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

Mr. J. Speed Smith, from the committee on Internal Improvement, to whom was referred a bill from the House of Representatives, entitled, an act to amend an act to incorporate the Millersburg and Cynthiana Turnpike Road Company, reported the same with an amendment, which was concurred in.
Ordered, That said bill be read a third time, as amended.

The constitutional rule as to the third reading being dispensed with,

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

Mr. J. Speed Smith, from the same committee, to whom was referred bills from the House of Representatives, of the following titles, to-wit:

An act for the benefit of John Caudle, of Letcher county.
An act authorizing a change of the State road in Lewis county.
An act to repeal the law repealing an act giving the county of Greenup one Road Commissioner.

Reported the same without amendment.

Ordered, That said bills be read a third time.

The constitutional rule as to the third reading being dispensed with,

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

The following bills were reported, to-wit:

By Mr. Draffin, from the committee on Religion:

1. A bill to divorce Hannah Dolan.

By Mr. Bruce, from the same committee:


By Mr. J. Speed Smith, from the committee on Internal Improvement:

4. A bill to amend an act, entitled, an act to incorporate the Rough and Ready Turnpike Road Company.
5. A bill to amend an act for condemning lands for public purposes, approved February 26, 1842, and for other purposes.

6. A bill for the benefit of the Sheriff of Lincoln county.

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

The constitutional rule as to the second and third readings of said bills being dispensed with, and the same being engrossed,

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

Mr. Todd, from the committee on Finance, reported a bill in relation to the Executive Offices; which was read the first time and ordered to be read a second time.

The constitutional rule as to the second and third readings of said bills being dispensed with, and the same being engrossed,

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

The yeas and nays being required thereon, by Messrs. Evans and Boyd were as follows, to-wit:
Those who voted in the affirmative, were—

Messrs. Barbour, McMillan, Thurman,  
Boyd, Munford, Todd,  
Cofer, Russell, Triplett,  
Grey, Speed Smith, Walker,  
Hambleton, Speed, Wall,  

Those who voted in the negative, were—

Messrs. Barnett, Evans, McNary,  
Bradley, Heady, Thomas,  
Brien, Hogan, Waite,  
Draffin, Linthicum, Young—14.  
Eaker, McClure,  

Resolved, That the title of said bill 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. Bradley in the Chair; after some time spent in committee, the Speaker resumed the Chair, when Mr. Bradley reported that the committee had, according to order, again had under consideration a bill to protect the estates of deceased persons, and had made further progress therein, but not having time to go through with the same, had directed him to ask for leave to sit again, which leave was granted.

On the motion of Mr. Wall, the vote was reconsidered by which a resolution was adopted on yesterday, rejecting the petition of N. H. Tandy, and the said petition was recommitted to the committee on the Judiciary.

On the motion of Mr. Wall, the committee on the Judiciary was discharged from the further consideration of the petition of Morton A. Rucker, to them referred; and the said petition was referred to the committee on Propositions and Grievances.

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

On the motion of Mr. McMillan—1. A bill to incorporate the Maysville Cemetery Company.

On the motion of same—2. A bill to incorporate the Maysville Gas Light Company.

On the motion of Mr. Hobbs—3. A bill to amend the road laws of Jefferson county.

Messrs. McMillan, Boyd and Williams were appointed a committee to prepare and bring in the 1st; Messrs. McMillan, Boyd and English the 2d, and Messrs. Hobbs, J. Speed Smith and Triplett the 3d.

On the motion of Mr. Barbour,

Resolved, That the President of the Board of Internal Improvement cause to be laid before the Senate, at as early a day as practicable, a report of the Logan, Todd and Christian Turnpike Road, showing, in de
tail, the annual expense for repairs on said road; by whom such repairs, if any, were made; and the contract or contracts under which they were made; and on what portions or sections of said road repairs have been made, and to what extent; also, that he report the number of toll gates that have been erected on said road, and their respective locations and distances from each other, and the amount of tolls received annually at each gate; that he also report the amount of salary paid each gate keeper on said road, and whether any money arising from the tolls on said road, has been paid into the Treasury; if so, how much and when; that he also report who is now the President of said road company, when elected, and for what term; and whether or not annual elections have been held for the election of a President and other officers, and the amount of salary annually paid to each officer; and whether the same individual has or not been the President of said road for a number of years past, and how long; and who, from time to time, has filled the office of President of said road company. Said report to embrace the period of five years next preceding the 1st day of December, 1848.

And be it further resolved, That should it appear from the report of the President of the Board of Internal Improvement, that the President of said road has failed to make to the Board of Internal Improvement such a report or reports, as will enable the President of the Board to make a report in conformity with the first resolution herein; and if there be no law now in force requiring Presidents of the various road companies to make such reports, then it shall be the duty of the committee of the Senate on Internal Improvements, to report a bill, requiring all the Presidents of the road companies to make annual reports to the President of the Board of Internal Improvement, in conformity with the first resolution herein.

Mr. Hogan, from a select committee, reported a bill for the benefit of the Lexington and Covington Turnpike Road Company; which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second reading being dispensed with, said bill was referred to the committee on Internal Improvement.

And then the Senate adjourned.

SATURDAY, JANUARY 20, 1849.

1. Mr. McMillan presented the petition of Hannah Plank, of Nicholas county, praying for the passage of a law to divorce her from her husband, John Plank.
2. Mr. Thurman presented the petition of Stephen Jarboe, praying for the passage of a law to authorize the issuing of a patent for a tract of land surveyed by his father, John Jarboe, deceased, on an entry made in the year 1781.

Which petitions were severally received and referred; the 1st to the committee on Religion, and the 2d to the committee on the Judiciary.

The Speaker laid before the Senate a communication, enclosing a memorial from James Davidson, late Treasurer of this State, which is as follows, to-wit:

FRANKFORT, January 20.

SIR: You will please lay before the Senate the enclosed memorial.

Very respectfully,

JAMES DAVIDSON.

To the Hon. JOHN L. HELM,
Lieut. Governor and Speaker of the Senate.

[For Memorial—see Legislative Documents.]

Ordered, That said memorial be referred to a select committee of Messrs. Wall, Todd and Eaker, and that the Public Printer print 1,000 copies thereof for the use of the Senate.

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

An act for the benefit of Henry G. Stemmons and wife.

That they had passed a bill entitled,

An act to amend the criminal laws.

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

The constitutional rule as to the second reading of said bill being dispensed with, it was referred to the committee on the Judiciary.

Mr. Wall, from the committee on the Judiciary, to whom was referred bills from the House of Representatives, of the following titles, viz:

An act concerning the election of certain municipal officers in the city of Lexington.

An act concerning the town of Lancaster.

An act for the benefit of Reuben Brison.

Reported the same without amendment.

Ordered, That said bills be read a third time.

The constitutional rule as to the third reading being dispensed with,

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

Mr. Wall, from the same committee, to whom was referred bills from the House of Representatives, of the following titles, to-wit:

An act for the benefit of Julia E. Crow dus.

An act for the benefit of John Carr, a lunatic.
Reported the same with amendments to each, which were concurred in.

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

The constitutional rule as to the third reading being dispensed with,

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

On the motion of Mr. Todd, the committee on Finance was discharged from the further consideration of a bill from the House of Representatives, to them referred, entitled, an act for the benefit of Wm. Giles, and said bill was referred to the committee on the Judiciary.

Mr. Todd, from the committee on Finance, to whom was referred a bill to amend the law relating to Pedlers, reported the same without amendment.

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

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

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

Mr. J. Speed Smith presented to the Senate the annual report of the Directors of the Lunatic Asylum, which is as follows, to-wit:

[For Report—see Legislative Documents.]

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

Mr. Wall, from the committee on the Judiciary, to whom was referred a bill to amend the charter of the Louisville Marine and Fire Insurance Company, reported the same with an amendment, which was concurred in.

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

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

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

Mr. Wall, from the same committee, reported a bill respecting conveyances by married women, which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second reading being dispensed with, said bill was committed to the committee of the Whole House on the State of the Commonwealth, and made the special order of the day for Thursday, the 25th inst.

Ordered, That the Public Printer print 150 copies of said bill for the use of the General Assembly.
Mr. Wall, from the same committee, to whom was referred a bill regulating divorces, reported the same with the opinion of the committee that it ought not to pass.

The question being taken on engrossing and reading said bill a third time, it was decided in the negative, and so the said bill was rejected.

Mr. Wall, from the same committee, to whom was referred bills from the House of Representatives, of the following titles, to-wit:
1. An act to amend Chancery practice.
2. An act changing the mode of taking the depositions of non-resident witnesses in Chancery causes,

Reported the same with the opinion of the committee that they ought not to pass.

The second bill was amended.

The question being taken on reading said bills a third time, it was decided in the negative, and so the said bills were disagreed to.

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. Bradley in the Chair; after some time spent in committee, the Speaker resumed the Chair, when Mr. Bradley reported that the committee had, according to order, again had under consideration a bill to protect the estates of deceased persons, and having gone through the same, had directed him to report it to the Senate with amendments; which amendments were concurred in.

The said bill was further amended.

Ordered, That the further consideration of said bill be postponed until Wednesday next, the 24th instant, and that the Public Printer print 150 copies thereof, for the use of the General Assembly.

A message in writing, was received from the Governor, by Mr. Harlan, Assistant Secretary of State.

The rule of the Senate being dispensed with, the said message was taken up and read as follows, to-wit:

Gentlemen of the Senate:

I nominate for your advice and consent, John A. Crittenden to be reappointed Marshal of the Louisville Chancery Court.

Thomas B. Hancock to be Sheriff of Henry county, in the place of John P. Force, whose time is about to expire, the County Court having failed to recommend during the time prescribed by the Constitution.

J. J. CRITTENDEN.

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

On the motion of Mr. Boyd, the committee of the Whole was discharged from the further consideration of a bill to amend an act, entitled, an act to establish the Southern Bank of Kentucky.
Mr. Boyd moved an amendment to the said bill, and the said bill and amendment were committed to the committee of the Whole House on the state of the Commonwealth, and made the special order of the day for Friday, the 26th instant.

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

On the motion of Mr. Walker, the committee on Propositions and Grievances was discharged from the further consideration of the petition of Morton A. Rucker, to them referred; and said petition was referred to the committee on Internal Improvement.

Mr. Walker, from the same committee, reported a bill for the benefit of Middletown, in Jefferson county, which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second reading being dispensed with, said bill was amended, and ordered to be engrossed and read a third time.

The constitutional rule as to the third reading being dispensed with, said bill was amended, and ordered to be read a second time.

Resolved, That said bill do pass, and that the title thereof be amended by adding "and for other purposes."

Mr. Eaker, from the committee on Privileges and Elections, to whom was referred a bill from the House of Representatives, entitled: an act to establish election precincts in the counties of Fleming and Campbell, and to change certain election precincts in the counties of Clay and Perry, reported the same with an amendment, which was concurred in.

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

The constitutional rule as to the third reading being dispensed with, Resolved, That said bill, as amended, do pass, and that the title thereof be amended by inserting after Fleming, the word "Madison."

Mr. Grey, from the committee on Banks, to whom was referred a bill to establish the Bank of Hopkinsville, reported the same.

Ordered, That said bill be committed to the committee of the Whole House on the state of the Commonwealth, and made the special order of the day for Friday, the 26th inst.

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

The following bills were reported, to-wit:

By Mr. Todd, from the committee on Finance:
A bill to amend an act concerning strays, approved March 1, 1847.

By Mr. Wall, from the committee on the Judiciary:
A bill to require certain papers to be conveyed from the Butler to the Allen Circuit Court.

A bill for the benefit of John J. Greenwade and Mary, his wife.
20.

A bill to establish the office of Police Judge for the town of Harrisonville, in Shelby county.

By Mr. McMillen, from a select committee:

A bill to incorporate the Maysville Gas Light Company.

By same:

A bill to incorporate the Maysville Cemetery Company.

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

The constitutional rule as to the second and third readings of said bills being dispensed with, and the same being engrossed,

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

Mr. Bradley, from the joint committee on Enrollments, reported that the committee had examined enrolled bills which originated in the Senate, of the following titles, viz:

An act to divorce Isabel T. Humphreys, and for other purposes.
An act to divorce Elizabeth Wilkinson.
An act to divorce Hezekiah F. Neely.
An act for the benefit of Malachi Williams, of Allen county.
An act to amend an act, entitled, an act to incorporate the Trustees of the Allen Seminary, approved January 3d, 1817.
An act to amend the act to incorporate the Georgetown and Paris Turnpike Road Company, approved March 13, 1847.
An act to change the name of Robt. Goodin, and for other purposes.
An act to divorce Elizabeth Wyatt.
An act for the benefit of Leslie Combs.
An act to establish an additional election precinct in Wayne county, and for other purposes.

An act to change the name of Mary Eden to Mary Wilkinson.

And enrolled bills which originated in the House of Representatives, of the following titles, to-wit:

An act to amend an act, entitled, an act regulating the mode of settling the accounts of executors, administrators and guardians, approved February 24, 1834.
An act for the benefit of Buford E. Allen, of Fayette county.
An act to extend the powers of the Trustees of the town of Hartford.
An act for the relief of James Moody.
An act for the benefit of the town of Barbourville.
An act for the benefit of Elizabeth Ellen Swan.
An act to repeal an act to authorize the Trustees of Taylorsville to sell Water street, and for other purposes.
An act confirming a sale of the land of Darwin Johnson, a lunatic.
An act for the benefit of Wm. McCoy and others.
An act for the benefit of Alexander Harald, Harris Harald and Edwin Combs.
An act allowing an additional Justice of the Peace to the county of Pike.
An act to change the time of holding the Estill County Court.
An act for the benefit of Asa B. Gardner and Jane Gardner, his wife.
An act for the benefit of Wm. Webb, of Grant county.
An act for the benefit of Henry C. Thomas.
An act for the benefit of Albert A. Boswell, of Graves county.
An act for the benefit of David D. Moore, of Crittenden county.
An act for the benefit of Wilson Hackney.
An act for the benefit of James F. Drane.
An act for the benefit of W. W. Merritt.
An act for the benefit of Randolph H. Caldwell, of Logan county.
An act for the benefit of Caleb Kash and Robert Wilson, of Morgan county.
An act for the benefit of Conrad Havens.
An act concerning the compensation and settlements of county Treasurers.
An act for the benefit of Helen Cannon.
An act for the benefit of C. P. and Elizabeth Miller.
An act for the benefit of Abigail Woford.
An act for the relief of Jonas Durham.
An act for the benefit of the Sheriff of Oldham county.
An act to incorporate the Beaver Dam Pond Draining Company.
An act for the benefit of the Mechanics of Union county.
An act to authorize the Hart County Court to appoint a Constable.
An act for the benefit of John Janes and others.
An act for the benefit of David Snowden, late Sheriff of Estill county.
An act changing the names of Joseph Franks and others.
An act to authorize the Trustees of the town of Henderson to sell certain Public grounds.
An act authorizing the Mason County Court to apply a certain part of the road tax to the Helena Turnpike Road, in said county.
An act giving the city of Maysville the right to hold title to property outside of the city limits.
An act to divorce James O. Nelson.
An act to divorce Lucinda Hicklin.
An act for the benefit of Samuel Hogan, of Taylor county.
An act to enlarge the powers of the Trustees of the town of Popular Plains, in Fleming county.
And had found the same truly enrolled.
The said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor, for his approbation and signature. After a short time, Mr. Bradley reported that the committee had performed that duty.

Mr. J. Speed Smith, from the committee on Internal Improvement, to whom was referred a bill from the House of Representatives, entitled, an act for the benefit of Samuel Dews, of Spencer county, reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional rule as to the third reading being dispensed with,

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

Mr. Hobbs, from a select committee, reported the following bills; to-wit:

1. A bill to amend the charter of the Louisville and Frankfort Railroad Company.

2. A bill to charter the Kentucky Insurance Company.

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

The constitutional rule as to the second reading of said bills being dispensed with, the 2d was referred to the committee on the Judiciary; and the 1st was committed to a committee of the Whole House on the state of the Commonwealth, and made the special order of the day for Monday next, the 22d instant.

Ordered, That the Public Printer Print 150 copies of the 1st bill for the use of the General Assembly.

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

On the motion of Mr. Evans—1. A bill to amend the penal laws in relation to gambling in this State.

On the motion of Mr. Russell—2. A bill for the benefit of Thomas H. Taylor and his securities.

On the motion of Mr. Boyd—3. A bill to incorporate the Elizaville and Helena Turnpike Road Company.

On the motion of Mr. McMillan—4. A bill to change the time of holding the Nicholas Circuit Court.

The committee on the Judiciary was directed to prepare and bring in the 1st; the committee on Military Affairs the 2d; the committee on Internal Improvement the 3d; and Messrs. McMillan, Williams and White were appointed a committee to prepare and bring in the 4th.

And then the Senate adjourned.
MONDAY, JANUARY 22, 1849.

A message was received from the House of Representatives, announcing that they had received official information that the Governor had approved and signed enrolled bills which originated in that House, of the following titles, to-wit:

An act for the benefit of the Sheriff of Graves county.
An act for the benefit of Francis Gowdy.
An act for the benefit of Wm. Sims, of Monroe county.
An act for the benefit of Martin Fugate, late Sheriff of Pendleton county.
An act to change the name of Polly Ann Phipps to that of Polly Ann Lynch, and for other purposes.
An act to change the Bowlinggreen and Adairsville State road.
An act for the benefit of Jonathan W. Rice, of Logan county.
An act to authorize T. M. Lillard to bring a negro boy into this State.
An act for the benefit of the Sheriff of Bourbon county.
An act for the benefit of James Herreford.
An act for the benefit of the estate of William Buckner, deceased.
An act to empower the County Court of Pike to appropriate the vacant lands in said county to the improvement of the rivers in said county.

Approved January 18, 1849.

That they had adopted preamble and resolutions in relation to water rotted hemp.

Resolutions requesting the Convention to submit the new Constitution to the people for ratification or rejection.

That they had passed bills of the following titles, to-wit:

1. An act for the benefit of the heirs of Hiram Beazley, deceased.
2. An act authorizing the Bracken County Court to lay the levy at their January, February or March Term.
3. An act for the benefit of the School Commissioners of Casey county.
4. An act to amend an act, entitled, an act for the benefit of William Calmes, approved March 1st, 1847.
5. An act to amend the law in relation private passways in Pike county.
6. An act for the benefit of William Bethel.
7. An act to authorize Läure county to use the jail of Hardin county.
8. An act to change the place of voting in an election precinct in Butler county.
9. An act allowing an additional Justice of the Peace to the county of Muhlenburg.
10. An act for the benefit of William Blair.
11. An act to incorporate the Kinnacanick Bridge Company.
12. An act to incorporate the Mount Sterling and Red River Railroad Company.
13. An act for the benefit of Elizabeth and Asa Hiatt.
14. An act to change an election precinct in Pulaski county.
16. An act to change a part of the State road in Todd county, leading from Hopkinsville to Morgantown.
17. An act for the benefit of the Trustees of Morganfield.
18. An act to incorporate the Henderson Cemetery Company.
19. An act to amend an act, approved 26th of February, 1848, incorporating the town of Monticello.

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

The constitutional rule as to the second reading being dispensed with, the 1st, 4th, 15th, 17th, 18th and 19th were referred to the committee on the Judiciary; the 2d and 10th to the committee on Finance; the 3d to the committee on Education; the 5th, 13th and 16th to the committee on Internal Improvement; the 6th to the committee on Propositions and Grievances; the 8th and 14th to the committee on Privileges and Elections; and the 7th, 9th, 11th and 13th were ordered to be read a third time.

The constitutional rule as to the third reading of the 7th, 9th, 11th and 13th bills being dispensed with,

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

On the motion of Mr. Grey, the votes were reconsidered by which a bill from the House of Representatives, entitled, an act concerning the election of certain municipal officers in the city of Lexington, was ordered to be read a third time and passed; and said bill was placed in the orders of the day.

1. Mr. Cofer presented the petition of R. M. Davis, who stands bound to appear and answer a charge of felony in the criminal court of the city of Louisville, praying for the passage of a law granting him a change of venue.
2. Mr. McNary presented the petition of H. W. McNary, agent of J. D. Shaw, praying for the passage of a law to authorize him to sell, within this State, a negro man named Harry, without incurring the penalties of the law to prohibit the importation of slaves into this State.
3. Mr. Evans presented the petition of John Richmond, of Allen county, praying for the passage of a law to divorce him from his wife, Elizabeth Richmond.

4. Mr. Evans also presented the petition of Thomas Shea, who stands indicted in the Allen Circuit Court, upon a charge of murder, praying for the passage of a law granting him a change of venue.

5. Mr. Evans also presented the petition of Mary C. Duncan, of Allen county, praying for the passage of a law divorcing her from her husband, Roberson Duncan.

6. Mr. Bradley presented the petition of James Byles, of Hopkins county, praying for the passage of a law relieving him from the penalties of the law prohibiting the importation of slaves into this State.

Which petitions were severally received and referred; the 1st and 4th to the committee on the Judiciary; the 2d and 6th to the committee on Propositions and Grievances, and the 3d and 5th to the committee on Religion.

Mr. Grey presented to the Senate the report of the Commissioners in relation to the location of the Second Kentucky Lunatic Asylum, which was received and referred to a select committee of Messrs. Grey, McMillan and Hawkins.

Mr. Draffin, from the committee on Religion, reported a bill to divorce Edward S. Bowman, which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second reading being dispensed with, the said bill was amended, and ordered to be engrossed and read a third time.

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

Resolved, That said bill do pass, and that the title thereof be amended by adding "and Hickerson Smith."

Mr. Draffin, from the same committee, to whom was referred bills from the House of Representatives, of the following titles, to-wit:

An act to divorce Nancy Murphy.
An act to divorce Louisa Green.

Reported the same without amendment.

Ordered, That said bills be read a third time.

The constitutional rule as to the third reading being dispensed with,

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

Mr. Draffin, from the same committee, reported a bill to divorce Hannah Plank, of Nicholas county; which was read the first time and ordered to be read a second time.
The constitutional rule as to the second and third readings of said bill being dispensed with, and the same being engrossed,
Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Heady, from the committee on Military Affairs, to whom was referred a bill providing for the distribution of the undistributed copies of the militia laws belonging to the State, reported the same with amendments, which were concurred in.

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

The constitutional rule as to the third reading of said bill being dispensed with, and the same being engrossed,
Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Bradley, from a select committee, reported a bill to run and mark the line between the counties of Crittenden and Caldwell; which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second reading being dispensed with, said bill was amended and ordered to be engrossed and read a third time.

The constitutional rule as to the third reading of said bill being dispensed with, and the same being engrossed,
Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. McNary, from a select committee, reported a bill for the benefit of the town of Greenville, in Muhlenburg county, which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second and third readings of said bill being dispensed with, and the same being engrossed,
Resolved, That said bill do pass, and that the title thereof be as aforesaid.

On the motion of Mr. Bruce, leave was given to bring in a bill to correct an omission of the Clerk of the Garrard Circuit Court; and the committee on the Judiciary was directed to prepare and bring in the same.

After a short time, Mr. Wall, from said committee, reported the said bill; which was read the first time and ordered to be read a second time.

The constitutional rule as to the second and third readings of said bill being dispensed with, and the same being engrossed,
Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Mr. Evans read and laid on the table the following preamble and resolution, to-wit:

WHEREAS, It has been the custom to report the general appropriation bill at a very late period of the session, sometimes as late as the last
day of the session; and whereas, said bill generally appropriates large sums of money from the Treasury—having appropriated last session near $18,000, a great portion of said sum based upon claims against the State; and whereas, it is believed, for the sake of economy, that said claims should be more thoroughly examined than the time heretofore given will admit. Therefore,

*Be it resolved by the General Assembly of the Commonwealth of Kentucky, That the committee on Claims be, and they are hereby directed to report said bill, for such claims as may be presented, by the 10th day of February, 1849, and such other claims as may accrue thereafter, shall be reported by supplemental bill, at least four days before the end of the session, provided the final day of adjournment be determined previous to that time.*

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

On the motion of Mr. Williams—1. A bill for the benefit of Washington Kennedy's children.

On the motion of Mr. Speed—2. A bill to amend the charter of the Clark's Run and Salt River Turnpike Road Company, approved 29th February, 1848.

On the motion of Mr. Hawkins—3. A bill legalizing the organization of the first election of officers by the Dry Creek and Covington Turnpike Road Company.

On the motion of same—4. A bill for the benefit of Aaron Yager, of Boone county.

On the motion of same—5. A bill to incorporate the Burlington and Dry Creek Turnpike Road Company.

On the motion of Mr. Thomas—6. A bill to amend an act, entitled, an act to incorporate the Trustees and Stockholders of the Doan and Gracy Fund in the city of Covington.

On the motion of Mr. Hogan—7. A bill for the benefit of the town of Owenton, and for other purposes.

On the motion of Mr. McNary—8. A bill for the benefit of Alonzo Livermore and Jacob Yost.

On the motion of Mr. Bruce—9. A bill for the benefit of Christopher C. Freeman, of Laurel county.

On the motion of Mr. Chiles—10. A bill for the protection of Commonwealth's Attorneys against judicial oppression.

On the motion of Mr. Russell—11. A bill to amend the laws relating to the town of Frankfort.

The committee on the Judiciary was directed to prepare and bring in the 1st, 6th, 8th, 10th and 11th; the committee on Internal Improvement the 2d, 3d, 5th and 8th; the committee on Finance the 5th; and Messrs. Hogan, Wall and Heady were appointed a committee to prepare and bring in the 7th.

Mr. Hobbs moved the following resolution, to-wit:
Resolved. That the committee on Religion be instructed hereafter to report against all applications for divorce referred to them, where such applicants have remedy under the existing laws of this Commonwealth.

The question being taken on the adoption of said resolution, it was decided in the negative, and so the said resolution was rejected.

The yeas and nays being required thereon, by Messrs. Hobbs and J. Speed Smith, were as follows, to-wit:

Those who voted in the affirmative, were—

Messrs. Barnett, Linthicum, Speed,
Boyd, McMillan, Thornton,
Chiles, McNary, Tripllett,
Cofer, Munford, Walker,
Grey, Speed Smith, Williams—16.
Hobbs,

Those who voted in the negative, were—

Messrs. Barbour, Evans, Thomas,
Bradley, Hambleton, Thurman,
Brien, Hawkins, Waite,
Bruce, Heady, Wall,
Draffin, Hogan, White,
Eaker, McClure, Young—18.

Mr. Grey, from a select committee, reported a bill further to provide for the erection of the Second Kentucky Lunatic Asylum; which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second reading being dispensed with, said bill was committed to the committee of the Whole House on the State of the Commonwealth, and made the special order of the day for Monday, the 29th instant.

Mr. Bruce, from the committee on Internal Improvement, reported a bill for the benefit of Robert Williams; which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second reading of said bill was dispensed with, and the Senate proceeded to the consideration of the orders of the day.

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 to modify and amend an act, entitled, an act to amend the law prohibiting the importation of slaves into this State, and had made some progress therein, but not having time to go through with the same, had directed him to ask for leave to sit again, which leave was granted.
Preamble and resolutions from the House of Representatives, in relation to water rotted hemp, were taken up, and referred to the committee on Agriculture and Manufactures.

A resolution from the House of Representatives, requesting the Convention to submit the new Constitution to the people, for ratification or rejection, was taken up, and referred to the committee on the Judiciary.

Mr. J. Speed Smith, from the committee on Internal Improvement, reported a bill for the benefit of the Lexington and Frankfort Railroad Company, which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second reading being dispensed with, said bill was placed in the orders of the day.

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

And then the Senate adjourned.

TUESDAY, JANUARY 23, 1849.

A message was received from the House of Representatives, announcing that they had passed bills from the Senate, of the following titles, to-wit:

An act for the benefit of the Clerk of the Muhlenburg County Court.

An act for the benefit of Robert Stockton and his children.

An act for the benefit of Thomas W. Hammond, late Sheriff of Trigg county.

An act to legalize the election of Trustees of the town of Nicholasville.

An act to establish an election precinct in Casey county.

An act for the benefit of the heirs of Richard Lowe, deceased.

An act declaring the Garrard Banner, Lexington Atlas and Louisville Chronicle, public authorized newspapers.

An act for the benefit of the heirs of Singleton G. Davis.

An act for the benefit of Isham G. Hamilton, Clerk of the County Court of Boone.

That they had concurred in the adoption of resolutions from the Senate, of the following titles, to-wit:
A resolution concerning the committee on Banks.

Resolution fixing a day for the election of a Senator in Congress.

Resolution fixing a day for the election of Public Officers, with an amendment to the last named resolution; which amendment was concurred in.

1. Mr. Rice presented the petition of Joel Ferguson, of Lawrence county, praying for the passage of a law to refund to him the sum of fifty dollars, paid as the security of one Obediah Ferguson, who stood bound by a recognizance to appear in the Lawrence Circuit Court to answer a charge of petit larceny, and who failed to appear in discharge of said recognizance.

2. Mr. Cofer presented the petition of sundry citizens of Hartlin county, praying for the passage of a law to authorize the sale of a house for public worship in said county, known as the “Stone Meeting House.”

Which petitions were received and referred; the 1st to the committee on Finance; and the 2d to the committee on the Judiciary.

The Speaker laid before the Senate a communication from Thomas Metcalfe, which was read and ordered to be spread upon the journal, and which is as follows, to wit:

WASHINGTON CITY, January 15, 1849.

Gentlemen of the Senate and House of Representatives:

I have had the pleasure to receive an official communication over the signatures of my highly respected friends, the Clerk of the Senate and Clerk of the House of Representatives, informing me of my election as Senator of the United States, to fill the vacancy occasioned by the resignation of the Hon. J. J. Crittenden. For this act of generous confidence, on the part of the honored Senators and Representatives, I know not how, in fit and suitable language, to express my feelings of gratitude—my profoundest acknowledgments.

From the days of my youth, have I been in the service of my country—the most of the time in high and responsible offices, civil and military—services from which, if I have been able in a pecuniary point of view, to realize but little with which to supply the good things of this life, I have, nevertheless, received a reward above all price; the memory of which, during life, will never be forgotten.

The main object of my ambition has thus far been accomplished. I have won the glorious prize of “well done thou good and faithful servant;” and that too from the noble Representatives of a noble State. Tell me, if you can, “what Monarch or Prince can be richer.”

By this crowning act of approval of my long public services, I find myself placed upon an elevated platform, from whence, in the language of a much respected, but departed friend, I may “fire the last shot for my country,” my whole country, and nothing but my country. That shot shall be gallantly given. Its first aim shall be to perpetuate this glorious Union “now and forever,” “union and liberty, one and indivisible.” They must rise and fall together. No, I mistake—fall they never will while they remain together.
What a commentary is this, my election, upon the institutions of the Republic? What an encouragement it affords to the sons and daughters of adversity?

But I must not permit my overflowing gratitude to that gracious Providence, which has never forsaken me, in any wise to diminish the gratitude as it does not weaken the obligation I am under to the people of Kentucky, and to their Representatives, for their long continued and generous support.

It is abundantly known, that, as a free man, I commenced my career in life at the age of eighteen, at the head of a family consisting of an aged and beloved parent, and her orphan son and daughters—that the cold hand of poverty rested heavily upon me. The only capital of which I could boast to enable me to provide for, and to educate, was in reality my "old stone hammer." How that capital was employed is well known. Laugh not at the simplicity of my narrative—for I assure you it is the moral of the thing and not vanity that prompts the faithful story. Let none of the children of adversity despair. Let them sustain the Republic in all its purity—remembering the remarks of an immortal mind:

"Sweet are the uses of adversity, Which, like the toad, ugly and venomous, Wears yet a precious jewel in its head."

Recollecting that order is heaven's first law, let their watchword be law and liberty. Let them carefully discriminate between the pretended and the true friends of liberty and equality—scout the counterfeit, no matter under what name or what disguise it may appear. All are fallible. But this is no reason why the most pure, and most sincere in the great and glorious cause, should not command the respect and admiration of the virtuous.

Our responsibilities are great. This Republic now furnishes the only beacon-light. It is the polar star to the friends of human liberty throughout the civilized world. An old and respected friend, now and for some years in Europe, writes to me the following, after giving a history of the overthrow of European monarchies:

"Now we are the theme of every tongue, and of every press; and are regarded as the best intentioned, the most happy, the most prosperous, the most valiant, and the peculiarly favored of the family of nations. In every intelligent circle on this side of the "blue waters," it is acknowledged that the destiny which seems to be marked out for us, is the most sublime ever assigned to a power of the earth. That a desire to imitate our example—to enjoy similar blessings, accompanied by an inflexible resolution to succeed, caused the commotion which is shaking monarchs from their thrones, is as perfectly apparent as that darkness is made bright by the rays of the morning sun."

How glowing this picture! How impressive the thought—that our little petty party strifes may soon pass away like the fleeting clouds, and that we may continue, under the auspices of divine protection, to uphold, and to bear aloft, to the latest generations, the "star spangled banner," is the most sincere wish and prayer of one of Kentucky's old and truly humble servants.

THOMAS METCALFE.

Mr. J. Speed Smith read and laid on the table the following resolution, to-wit:
Resolved by the General Assembly of the Commonwealth of Kentucky, That the members of the Senate and House of Representatives will follow the remains, and join in the funeral obsequies of the late gallant W. S. Harris, a Captain of the United States Navy, and a native Kentuckian, who lost his life on Tuspan Bar, whilst nobly endeavoring to save the lives of others.

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

After a short time, a message was received from the House of Representatives, announcing that they had concurred in the adoption of said resolution.

The Senate resumed the consideration of the unfinished order of yesterday, being a bill for the benefit of Robert Williams; which was discussed until the hour of 12 o'clock, when the Senate proceeded to the consideration of the orders of the day.

A message was received from the House of Representatives, by Mr. Towles, announcing that they are now ready, in pursuance of the joint order, to proceed to the election of Public Officers.

Ordered, That Mr. J. Speed Smith inform the House of Representatives that the Senate are now ready to proceed to said election.

Mr. Cofer nominated Mr. Richard C. Wintersmith, as a proper person to fill the office of Treasurer.

Mr. Munford nominated Mr. Benedict Beverly Crump.

Mr. Wall nominated Mr. Samuel Todd.

After interchanging nominations between the Houses, the Senate proceeded to vote for Treasurer, and the vote stood thus:

Those who voted for Mr. Samuel Todd, were—


Those who voted for Mr. Richard C. Wintersmith, were—


Those who voted for Mr. Benedict Beverly Crump, were—


Messrs. Wall, Munford and Cofer were appointed a committee to compare and report the joint vote.
After a short time, Mr. Wall reported that it stood thus:

For Mr. Samuel Todd, 27
For Mr. Richard C. Wintersmith, 57
For Mr. Benedict Beverly Crump, 51

No person received a majority of all the votes given.

A message was received from the House of Representatives, by Mr. Towles, announcing that the nomination of Samuel Todd had been withdrawn from before that House.

The nomination of Mr. Todd was withdrawn from before the Senate.

The Senate then proceeded to vote a second time for Treasurer, and, upon taking the vote, it stood thus:

Those who voted for Mr. R. C. Wintersmith, were—

Messrs. Chiles, Headly, Speed Smith,
Cof er, Hobbs, Speed,
Draffin, Hogan, Thurman,
Hambleton, Russell,

Those who voted for Mr. B. B. Crump, were—

Messrs. Barbour, Hawksins, Todd,
Barnett, McClure, Triplett,
Boy d, McMillan, Waite,
Bradley, McNary, Walker,
Brien, Munford, Wall,
Bruce, Rice, Williams,
Eaker, Thomas, Young—23.
Evans, Thornton,

The same committee were directed to compare and report the joint vote.

After a short time, Mr. Wall reported that the joint vote stood thus:

For Mr. Richard C. Wintersmith, 75
For Mr. Benedict Beverly Crump, 60

Mr. Richard C. Wintersmith having received a majority of all the votes given, was declared to be duly elected Treasurer of this Commonwealth, for the ensuing year.

Mr. Russell nominated Messrs. A. G. Hodges & Co., as proper persons to fill the office of Public Printers.

Mr. Hogan nominated Mr. Wm. Tanner.

After interchanging nominations between the two Houses, the Senate proceeded to vote for Public Printer, and the vote stood thus:

Those who voted for Messrs. A. G. Hodges & Co., were—

Messrs. Barbour, Hawksins, Speed,
Boyd, Hobbs, Thornton,
Bruce, Linthicum, Todd,
Chiles, McClure, Triplett,
Cofer, McMillan, Waite,
Draffin, McNary, Walker,
Evans, Munford, Wall,
Grey, Russell, White,
Hambleton, Speed Smith,

Those who voted for Wm. Tanner, were—

Messrs. Barnett, Head, Thomas,
Bradley, Hogan, Thurman,
Brien, Rice, Young—10.
Eaker,

Messrs. Russell and Bruce were appointed a committee on the part of the Senate to compare the joint vote and report the result.

After a short time, Mr. Russell reported that the joint vote stood thus:

For Messrs. A. G. Hodges & Co., 92
For Mr. William Tanner, 43

Messrs. A. G. Hodges & Co. having received a majority of all the votes given, were declared duly elected Public Printers for the ensuing year.

Mr. Boyd nominated Mr. Richard D. Harlan as a proper person to fill the office of Public Librarian.

Mr. Hawkins nominated Mr. Asabion Tarrant.

After interchanging nominations between the two Houses, the Senate proceeded to vote for Public Librarian, and the vote stood thus:

Those who voted for Mr. Richard D. Harlan, were—

Messrs. Barbour, Hobbs, Thurman,
Boyd, Linthicum, Todd,
Bradley, McClure, Triplett,
Chiles, McMillan, Waite,
Draffin, McNary, Walker,
Eaker, Russell, Wall,
Grey, Speed Smith, White,
Hambleton, Speed, Young—26.
Heady, Thornton,

Those who voted for Mr. Asabion Tarrant, were—

Messrs. Barnett, Evans, Rice,
Brien, Hawkins, Thomas,
Bruce, Hogan, Williams—11.
Cofer, Munford,

Messrs. Boyd and Hawkins were appointed a committee to compare the joint vote and report the result.

After a short time, Mr. Boyd reported that it stood thus:

For Mr. Richard D. Harlan, 102
For Mr. Asabion Tarrant, 32

Mr. Richard D. Harlan having received a majority of all the votes given, was declared duly elected Public Librarian for the ensuing year.
Mr. J. Speed Smith nominated Mr. Richard Pindell as a proper person to fill the office of Director of the Lunatic Asylum at Lexington.

After interchanging nominations between the two Houses, the Senate proceeded to vote for a Director of the Lunatic Asylum, and Mr. Richard Pindell received the unanimous vote of the Senate.

Messrs. J. Speed Smith and Bruce were appointed a committee to compare and report the joint vote.

After a short time, Mr. J. Speed Smith reported that Mr. Richard Pindell had received the unanimous vote of both Houses; whereupon, he was declared duly elected a Director of the Lunatic Asylum for the term of five years.

A message was received from the Governor, by Mr. Harlan, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills which originated in the Senate, of the following titles, to-wit:

- An act to change the name of Robt. Goodin, and for other purposes.
- An act to change the name of Mary Eden to Mary Wilkinson.
- An act to amend the act to incorporate the Georgetown and Paris Turnpike Road Company, approved March 13, 1847.
- An act to amend an act, entitled, an act to incorporate the Trustees of the Allen Seminary, approved January 3d, 1817.
- An act for the benefit of Malachi Williams, of Allen county.
- An act to establish an additional election precinct in Wayne county, and for other purposes.
- An act to divorce Elizabeth Wilkinson.
- An act to divorce Hezekiah F. Neely.
- An act to divorce Isabel T. Humphreys, and for other purposes.
- An act for the benefit of Leelie Combs.
- An act to divorce Elizabeth Wyatt.

Approved January 22, 1849.

On the motion of Mr. Thomas, leave was given to bring in a bill to amend the charter of the Campbell Turnpike Road Company, and Messrs. Thomas, Heady and McClure were appointed a committee to prepare and bring in said bill.

And then the Senate adjourned.
JAN. 24.]

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WEDNESDAY, JANUARY 24, 1849.

1. Mr. Young presented the petition of James Finley, who stands indicted in the Floyd Circuit Court for perjury, praying for the passage of a law granting him a change of venue.

2. Mr. Draffin presented the petition of George Riley, of Mercer county, praying for the passage of a law to divorce him from his wife, Matilda Riley.

3. Mr. Hambleton presented the petition of Nathan A. Williams, praying for the passage of a law to divorce him from his wife, Eliza Williams.

4. Mr. Waite presented the petition of Andrew J. James, praying for the passage of a law to authorize the sale of a part of the estate set apart by the will of John Evans, Sr., deceased, for the support of his son, Wilson Evans, a lunatic, to enable him to pay the debts created for the support of said Wilson Evans.

5. Mr. Bruce presented the petition of sundry citizens of Danville and Boyle county, praying an amendment to the charter of said town of Danville, so as to restore the right of licensing taverns, in said town, to the County Court of Boyle.

6. Mr. Speed presented the remonstrance of sundry citizens of the town of Danville, against amending the town charter, so as to restore to the County Court the right of licensing taverns in said town.

7. Mr. Brien presented the petition of sundry citizens of Marshall county, praying for the passage of a law to change the location of the State road leading from Hopkinsville, by the way of Aurora and Wadesboro, to the Iron Works.

8. Mr. Hawkins presented the petition of Henrietta Dupuy, praying for the passage of a law to divorce her from her husband, John Dupuy.

9. Mr. Hawkins also presented the petition of John Peyton, praying for the passage of a law to divorce him from his wife, Brazilla Peyton.

10. Mr. Eaker presented the petition of Ervin Anderson, praying for the passage of a law authorizing the receiver of public moneys for the land district west of the Tennessee river, to refund to him the sum of $28,874.6 cents, money paid to said receiver for the entrance of certain lands in said district, and which had been previously entered.

Which petitions were severally received and referred; the 1st, 4th, 5th and 6th to the committee on the Judiciary; the 2d, 3d, 8th and 9th to the committee on Religion; the 7th to the committee on Internal Improvement, and the 10th to the committee on Finance.
A bill from the House of Representatives, entitled, an act concerning the election of certain municipal officers in the city of Lexington, was taken up.

Ordered, That said bill be read a third time.
The constitutional rule as to the third reading being dispensed with,

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

The Senate resumed the consideration of the unfinished order of yesterday, being a bill for the benefit of Robert Williams.

On the motion of Mr. Barbour,

Ordered, That said bill be re-committed to the committee on Internal Improvement, with instructions to bring in a bill referring all such cases to the Board of Internal Improvement for final adjustment, with such guards and restrictions as they may deem proper.

And then the Senate adjourned.

THURSDAY, JANUARY 25, 1849.

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

An act to correct an omission of the Clerk of the Garrard Circuit Court.

That they had received official information that the Governor had approved and signed enrolled bills which originated in that House, of the following titles, to-wit:

An act for the benefit of Randolph H. Caldwell, of Logan county.
An act for the benefit of Alexander Harald, Harris Harald and Edwin Combs.
An act to incorporate the Beaver Dam Pond Draining Company.
An act for the benefit of the Mechanics of Union county.
An act changing the names of Joseph Franks and others.
An act for the benefit of Wm. Webb, of Grant county.
An act authorizing the Mason County Court to apply a certain part of the road tax to the Helena Turnpike Road, in said county.
An act for the relief of Jonas Durham.
An act for the benefit of the Sheriff of Oldham county.
An act giving the city of Maysville the right to hold title to property outside of the city limits.
An act for the benefit of Abigail Wolford.
An act to divorce James O. Nelson.
An act for the benefit of Elizabeth Ellen Swan.
An act for the benefit of the town of Barbourville.
An act for the benefit of Conrad Havens.
An act concerning the compensation and settlements of county Treasurers.
An act for the benefit of Asa B. Gardner and Jane Gardner, his wife.
An act to repeal an act, to authorise the Trustees of Taylorsville to sell Water street, and for other purposes.
An act for the benefit of W. W. Merritt.
An act for the benefit of Buford E. Allen, of Fayette county.
An act for the benefit of David Snowden, late Sheriff of Owsley county.
An act to authorize the Trustees of the town of Henderson to sell certain public grounds.
An act to change the venue in the prosecution against Wm. Boner.
An act for the relief of James Moody.
An act to amend an act, entitled, an act regulating the mode of settling the accounts of executors, administrators and guardians, approved February 24, 1834.
An act confirming a sale of the land of Darwin Johnson, a lunatic.
An act to extend the powers of the Trustees of the town of Hartford.
An act for the benefit of Wm. McCoy and others.
An act allowing an additional Justice of the Peace to the county of Pike.
An act to change the time of holding the Estill County Court.
An act for the benefit of Wilson Hackney.
An act for the benefit of Albert A. Boswell, of Graves county.
An act for the benefit of John Janes and others.
An act for the benefit of Samuel Hogan, of Taylor county.
An act for the benefit of Henry C. Thomas.
An act for the benefit of Caleb Kash and Robert Wilson, of Morgan county.
An act for the benefit of C. P. and Elizabeth Miller.
An act for the benefit of Helen Cannon.
An act for the benefit of David D. Moore, of Crittenden county.
An act for the benefit of James F. Drane.
An act to authorize the Hart County Court to appoint a Constable.
An act to enlarge the powers of the Trustees of the town of Poplar Plains, in Fleming county.
An act to divorce Lucinda Hicklin.

Approved January 22, 1849.
1. Mr. English presented the petition of Mary Lucas, praying for the passage of a law to divorce her from her husband, Richard Lucas.

2. Mr. Barnett presented the petition of the Trustees of the town of Greensburg, praying for the passage of a law to extend their powers as Trustees of said town.

3. Mr. Munford presented the petition of Elbridge G. Sibley, and Ellen, his wife, praying for the passage of a law to divorce them from each other.

4. Mr. J. Speed Smith presented the petition of sundry citizens of Madison county, praying for the passage of a law conferring on the County Court of said county, the power of levying an ad valorem tax, in aid of building a Court House, Clerk's offices, &c.

5. Mr. J. Speed Smith also presented the petition of John Morris and Job Allen, praying compensation for expenses incurred, and money expended, in apprehending —— Baker, for the murder of —— Prewitt.

Which petitions were severally received and referred; the 1st and 3d to the committee on Religion; the 2d and 4th to the committee on the Judiciary; and the 5th to the committee on Finance.

On the motion of Mr. McNary, Mr. Barbour was added to the committee on Banks.

The Speaker laid before the Senate a communication from the Governor, enclosing the report of the committee on the Military Monument, which is as follows, to-wit:

EXECUTIVE OFFICE, January 25th, 1849.

Sir: The Committee on the Military Monument have transmitted to me their report, with the request that I would submit the same to the General Assembly. I therefore send to you the enclosed report, with the request that you would cause the same to be laid before the Senate.

With the highest respect, yours, &c. &c.,

J. J. CRITTENDEN.

To the Hon. JOHN L. HELM,
Lieut. Governor and Speaker of the Senate.

[For report—see Legislative Documents.]

Ordered, That said report be referred to a select committee of Messrs. J. Speed Smith, Hobbs and Rice.

A message, in writing, was received from the Governor, by Mr. Brown, Secretary of State.

The rule of the Senate being dispensed with, the said message was taken up and read as follows, to-wit:

Gentlemen of the Senate:
I nominate for your advice and consent, the following named persons for the offices in the militia of this State, which are attached to their respective names:
Resolved, That the Senate advise and consent to said appointments.

Mr. Wall, from the committee on the Judiciary, to whom was referred bills of the following titles, viz:

A bill to amend an act for condemning lands for public purposes, approved February 26, 1842, and for other purposes.

A bill for the benefit of the Administrator and heirs of James G. Hatzrigg, deceased,

Reported the same with amendments to each, which amendments were concurred in.

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

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

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.
Mr. Wall, from the same committee, to whom was referred a bill to charter the Kentucky Insurance Company, reported the same without amendment.

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

The constitutional rule as to the third reading being dispensed with, and the same being engrossed,

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

Mr. Wall, from the same committee, reported a bill to amend the penal laws in relation to gambling, which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second reading being dispensed with, said bill was amended and ordered to be engrossed and read a third time.

Mr. Wall, from the same committee, reported the following bills, viz:

A bill for the benefit of Gavin Morrison, Constable of Harrison county.
A bill for the benefit of the heirs of Wm. R. Griffith, deceased.
A bill for the benefit of Washington Kennedy's children.
A bill for the benefit of R. M. Davis.
A bill for the benefit of Thomas Shea.

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

The constitutional rule as to the second and third readings of said bills being dispensed with, and the same being engrossed,

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

Mr. Wall, from the same committee, to whom was referred the petition of N. H. Tandy, reported the following resolution thereon, to-wit:

Resolved, That said petition be rejected.

Which was concurred in.

Mr. Wall, from the same committee, to whom was referred the petition of the heirs of Samuel Riggs, deceased, reported the following resolution thereon, to-wit:

Resolved, That said petition be rejected.

Which was concurred in.

Mr. Wall, from the same committee, to whom was referred bills from the House of Representatives, of the following titles, to-wit:

An act to amend an act, entitled, an act for the benefit of William Calmes, approved March 1st, 1847.
An act to amend an act, approved 20th of February, 1848, incorporating the town of Monticello.
An act for the benefit of the Trustees of Morganfield.
An act for the benefit of William Giles.
Reported the same without amendment.

Ordered, That said bills be read a third time.

The constitutional rule as to the third reading being dispensed with,

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

Mr. Wall, from the same committee, to whom was referred the petition of Nancy G. Veach, reported the following resolution thereon, to-wit:

Resolved, That said petition be rejected.

Which was concurred in.

Mr. Wall, from the same committee, to whom was referred the petition of Robert Gilmer and William G. Lobban, executors of Thomas Gilmer, deceased, reported the following resolution thereon, to-wit:

Resolved, That said petition be rejected.

Which was concurred in.

Mr. Wall, from the same committee, to whom was referred a bill from the House of Representatives, entitled, an act to incorporate the Henderson Cemetery Company, reported the same with amendments, which were concurred in.

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

The constitutional rule as to the third reading being dispensed with,

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

Mr. Wall, from the same committee, to whom was referred a resolution from the House of Representatives, requesting the Convention to submit the new Constitution to the people for ratification or rejection, reported the same without amendment.

The said resolution was twice read and concurred in.

Mr. Walker, from the committee on Propositions and Grievances, reported the following bills, to-wit:

A bill for the benefit of James Byles.
A bill to authorize Hugh W. McNary to sell a slave in this State, and for other purposes.

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

The constitutional rule as to the second and third readings of said bills being dispensed with, and the same being engrossed,

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

Mr. Walker, from the same committee, to whom was referred a bill from the House of Representatives, entitled, an act for the benefit of William Bethel, reported the same, with the opinion of the committee that it ought not to pass.
The said bill reads as follows, to-wit:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky,*
That William Bethel, a tavern keeper in the town of Claysville, in Hardin county, be and he is hereby authorized and permitted to keep the bar of his tavern in a brick house at the forks of the road leading from Elizabethtown to Louisville, and the road from Elizabethtown to Hardinsburg, which house stands on the opposite side of the Hardinsburg road from the tavern house of said Bethel: *Provided, however,* That said tavern keeper procure and keep regular license from the County Court of said county, otherwise he is not permitted to retail liquors at said house.

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

The constitutional rule as to the third reading being dispensed with,

Mr. Bradley moved to amend said bill by adding thereto the following engrossed clause, by way of rider, to-wit:

*Be it further enacted,* That Robert Sisk, of Hopkins county, be allowed to keep a tavern at his house without first obtaining a license.

Mr. Hogan moved the previous question, and the question being taken, "shall the main question be now put," it was decided in the affirmative. The main question was then put, "shall the bill pass?" and it was decided in the negative, and so the said bill was disagreed to.

The yeas and nays being required thereon, by Messrs. Bradley and Walker, were as follows, to-wit:

Those who voted in the affirmative, were—


Those who voted in the negative, were—


A message, in writing, was received from the Governor, by Mr. Harlan, Assistant Secretary of State.

The rule of the Senate being dispensed with, the said message was taken up, and read as follows, to-wit:

*Gentlemen of the Senate:*
I nominate for your advice and consent, Edmond Botts to be Sheriff of Fleming county, in place of John Mynheer, resigned.
James P. Tyler to be Sheriff of Fulton county, in place of Robert Brown, whose term is about to expire—the County Court having failed to recommend during the time prescribed by the Constitution.

January 25th, 1849.

J. J. CRITTENDEN.

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

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, again had under consideration a bill to modify and amend an act, entitled, an act to amend the law prohibiting the importation of slaves into this State, and had made further progress therein, but not having time to complete the same, had directed him to ask for leave to sit again, on Tuesday next at 10 o'clock, which leave was granted.

On the motion of Mr. Draffin,

Resolved, That the committee on Internal Improvement be, and they are hereby instructed to enquire into the manner money has been paid into, and drawn from, the Treasury, by the Board of Internal Improvement, for repairs, &c., on the Kentucky, Green and Barren rivers, since the year 1846. That said committee further enquire whether there has been any violation of the act prescribing the duties of said Board, approved February 23, 1846; and if any violation thereof, in what particular; and whether, at any time, the proceeds of said rivers, or the funds drawn for repairs of either, by said Board, have been at any time appropriated to uses other than the repair of public works on said rivers. That said committee report by bill, or otherwise, any change in the present organization of said Board, or its future operations, that they may deem right and proper.

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

On the motion of Mr. Boyd—1. A bill to authorize the Secretary of State to purchase copies of Derby's & Co. Edition of the Kentucky Reports of the Court of Appeals, and to regulate the distribution and preservation of the same in the several counties.

On the motion of same—2. A bill to change the mode of, and compensation for, publishing the decisions of the Court of Appeals.

On the motion of same—3. A bill for the benefit and repair of the Owingsville and Big Sandy Turnpike Road.

On the motion of same—4. A bill to amend an act concerning mill dams and other obstructions in water courses, approved 22d February, 1797.

On the motion of Mr. Russell—5. A bill to establish the Franklin Bank of Kentucky.
On the motion of Mr. Williams—6. A bill to amend the act to incorporate the Georgetown and Paris Turnpike Road Company, approved March 5th, 1847.

On the motion of same—7. A bill to amend the act to incorporate the Great Crossings and Stamping Ground Turnpike Road Company, approved February 25, 1848.

On the motion of same—8. A bill to incorporate the Newtown and Leesburg Turnpike Road Company.

On the motion of Mr. Linthicum—9. A bill for the benefit of the children and heirs of Nancy Strother and Margaret B. Carpenter.

On the motion of Mr. Hogan—10. A bill to incorporate Owen Lodge, No. 128, and Owen Chapter, No. 23.

On the motion of Mr. Brien—11. A bill to amend an act, entitled, an act requiring tavern keepers, peddlers of clocks, owners and keepers of covering horses and jacks, to pay taxes in advance, and obtain licenses, approved 23d December, 1831.

On the motion of Mr. Thomas—12. A bill to incorporate the Campbell and Pendleton Turnpike Road Company.

Messrs. Boyd, Williams and Draffin were appointed a committee to prepare and bring in the 1st and 2d; Messers. Russell, J. Speed Smith, Wall, Chiles, Thomas and McMillan the 5th; Messrs. Linthicum, Williams and Thurman the 9th; the committee on Internal Improvement was directed to prepare and bring in the 3d, 6th, 7th, 8th and 12th; the committee on the Judiciary the 4th and 10th, and the committee on Finance the 11th.

Mr. Bradley, from the joint committee on Enrollments, reported that the committee had examined enrolled bills and resolutions which originated in the Senate, of the following titles, to-wit:

An act to incorporate the Paris and Flat Rock Turnpike Road Company.

An act limiting the jurisdiction of the General Court in certain cases.

An act for the benefit of Henry G. Stemmons and wife.

An act to incorporate the Esualian Mineral Spring Hotel Company, in Lewis county.

An act for the benefit of the Clerk of the Muhlenburg County Court.

An act for the benefit of Robert Stockton and his children.

An act for the benefit of Thomas W. Hammond, late Sheriff of Trigg county.

An act to legalize the election of Trustees of the town of Nicholasville.

An act to establish an election precinct in Casey county.

An act for the benefit of the heirs of Richard Lowe, deceased.
An act declaring the Garrard Banner, Lexington Atlas and Louisville Chronicle, public authorised newspapers.
An act for the benefit of the heirs of Singleton G. Davis.
An act for the benefit of Isham G. Hamilton, Clerk of the County Court of Boone.
An act to correct an omission of the Clerk of the Garrard Circuit Court.
Resolution fixing a day for the election of a Senator in Congress.
A resolution concerning the committee on Banks.
And enrolled bills which originated in the House of Representatives, of the following titles, to-wit:
An act concerning the election of certain municipal officers in the city of Lexington.
An act for the benefit of Reuben Brison.
And had found the same truly enrolled.
The said bills and resolutions having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approbation and signature.
After a short time, Mr. Bradley reported that the committee had performed that duty,
And then the Senate adjourned.

FRIDAY, JANUARY 26, 1849.
A message was received from the House of Representatives, announcing that they had adopted a resolution fixing a day for the final adjournment of the General Assembly.
That they had passed bills of the following titles, to-wit :
1. An act to amend the charter of the Kentucky and Louisville Mutual Insurance Company.
2. An act to amend the law for the appointment of Commissioners to take acknowledgment of deeds, &c.
3. An act authorizing the Campbell County Court to appoint an additional Justice of the Peace to grant injunctions, &c.
4. An act to incorporate the St. Louis and New Orleans Telegraph Company.
5. An act allowing Carter county an additional Justice of the Peace, and for other purposes.
6. An act for the benefit of Julius A. Labarthe.
7. An act for the benefit of the Sheriff of Meade county.
8. An act for the benefit of Benjamin All.
9. An act to extend the terms of the Morgan Circuit Court.
10. An act granting a change of venue to Wm. P. Hart.

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

The constitutional rule as to the second reading of said bills being dispensed with, they were referred; the 1st, 2d, 3d, 5th, 6th, 8th, 9th and 10th to the committee on the Judiciary; the 4th to the committee on Internal Improvement, and the 7th to the committee on Finance.

1. Mr. Williams presented the petition of James Haun, Guardian for his infant son James, praying for the passage of a law authorizing the investment, in lands, of certain moneys devised to said James by Jane Hurst, deceased.

2. Mr. Williams also presented the petition of sundry citizens of Leesburg and Scott county, praying for the passage of a law to incorporate the Light Artillery Company formed at said town.

3. Mr. J. Speed Smith presented the petition of Jones, Wilson & Jackson, silk manufacturers of the town of Newport, praying for the passage of a law authorizing them to retail their manufactured articles in the several counties of this State, without obtaining license.

4. Mr. Bruce presented the petition of sundry citizens of the counties of Laurel and Rockcastle, praying for the passage of a law to repeal certain acts in relation to the extension of the Madison and Wilderness Turnpike Road.

5. Mr. Bruce also presented the petition of Robert Langford, praying for the passage of a law to divorce him from his wife, Frances Langford.

Which petitions were severally received and referred; the 1st to the committee on the Judiciary; the 2d to the committee on Military Affairs; the 3d to the committee on Finance; the 4th to the committee on Internal Improvement; and the 5th to the committee on Religion.

Mr. Eaker, from the committee on Privileges and Elections, to whom was referred bills from the House of Representatives, of the following titles, to-wit:

An act to change the place of voting in an election precinct in Butler county.
An act to change an election precinct in Pulaski county.

Reported the same without amendment.

Ordered, That said bills be read a third time.

The constitutional rule as to the third reading being dispensed with,
Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Draffin, from the committee on Religion, reported a bill for the benefit of Margaret Wilson, which was read the first time and ordered to be read a second time.

The constitutional rule as to the second reading being dispensed with, the said bill was amended and ordered to be engrossed and read a third time.

The constitutional rule as to the third reading being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be amended by adding "and others."

Mr. Draffin, from the same committee, to whom was referred a bill from the House of Representatives, entitled, An act to divorce Harriet J. Wheeler. Reported the same with an amendment, which was concurred in.

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

The constitutional rule as to the third reading being dispensed with,

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

Mr. Draffin, from the same committee, to whom was referred a bill from the House of Representatives, entitled, An act for the divorce of John L. Vaughn. Reported the same without amendment.

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

The constitutional rule as to the third reading being dispensed with,

Resolved, That said bill, as amended, do pass, and that the title thereof be amended by adding "and others."

Mr. J. Speed Smith, from the committee on Internal Improvement, reported a bill to amend the charter of the Clark's Run and Salt River Turnpike Road Company; which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second and third readings of said bill being dispensed with, and the same being engrossed,

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

Mr. J. Speed Smith, from the same committee, reported a bill authorizing toll gate keepers to administer oaths in certain cases, and for other purposes; which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second reading being dispensed with, Mr. Munford moved an amendment to said bill.
5. An act allowing Carter county an additional Justice of the Peace, and for other purposes.
6. An act for the benefit of Julius A. Labarthe.
7. An act for the benefit of the Sheriff of Meade county.
8. An act for the benefit of Benjamin All.
9. An act to extend the terms of the Morgan Circuit Court.
10. An act granting a change of venue to Wm. P. Hart.

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

The constitutional rule as to the second reading of said bills being dispensed with, they were referred; the 1st, 2d, 3d, 5th, 6th, 8th, 9th and 10th to the committee on the Judiciary; the 4th to the committee on Internal Improvement, and the 7th to the committee on Finance.

1. Mr. Williams presented the petition of James Haun, Guardian for his infant son James, praying for the passage of a law authorizing the investment, in lands, of certain moneys devised to said James by Jane Hurst, deceased.
2. Mr. Williams also presented the petition of sundry citizens of Leesburg and Scott county, praying for the passage of a law to incorporate the Light Artillery Company formed at said town.
3. Mr. J. Speed Smith presented the petition of Jones, Wilson & Jackson, silk manufacturers of the town of Newport, praying for the passage of a law authorizing them to retail their manufactured articles in the several counties of this State, without obtaining license.
4. Mr. Bruce presented the petition of sundry citizens of the counties of Laurel and Rockcastle, praying for the passage of a law to repeal certain acts in relation to the extension of the Madison and Wilderness Turnpike Road.
5. Mr. Bruce also presented the petition of Robert Langford, praying for the passage of a law to divorce him from his wife, Frances Langford.

Which petitions were severally received and referred; the 1st to the committee on the Judiciary; the 2d to the committee on Military Affairs; the 3d to the committee on Finance; the 4th to the committee on Internal Improvement; and the 5th to the committee on Religion.

Mr. Eaker, from the committee on Privileges and Elections, to whom was referred bills from the House of Representatives, of the following titles, to-wit:

An act to change the place of voting in an election precinct in Butler county.
An act to change an election precinct in Pulaski county.

Reported the same without amendment.

Ordered. That said bills be read a third time.

The constitutional rule as to the third reading being dispensed with,
Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Draffin, from the committee on Religion, reported a bill for the benefit of Margaret Wilson, which was read the first time and ordered to be read a second time.

The constitutional rule as to the second reading being dispensed with, the said bill was amended and ordered to be engrossed and read a third time.

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

Resolved, That said bill do pass, and that the title thereof be amended by adding "and others."

Mr. Draffin, from the same committee, to whom was referred a bill from the House of Representatives, entitled,

An act to divorce Harriet J. Wheeler.

Reported the same with an amendment, which was concurred in.

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

The constitutional rule as to the third reading being dispensed with,

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

Mr. Draffin, from the same committee, to whom was referred a bill from the House of Representatives, entitled,

An act for the divorce of John L. Vaughn.

Reported the same without amendment.

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

The constitutional rule as to the third reading being dispensed with,

Resolved, That said bill, as amended, do pass, and that the title thereof be amended by adding "and others."

Mr. J. Speed Smith, from the committee on Internal Improvement, reported a bill to amend the charter of the Clark's Run and Salt River Turnpike Road Company; which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second and third readings of said bill being dispensed with, and the same being engrossed,

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

Mr. J. Speed Smith, from the same committee, reported a bill authorizing toll gate keepers to administer oaths in certain cases, and for other purposes; which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second reading being dispensed with,

Mr. Munford moved an amendment to said bill.
Mr. Hogan moved to lay said bill and amendment on the table, and it was decided in the negative.

The yeas and nays being required thereon, by Messrs. Hogan and Triplett, were as follows, to-wit:

Those who voted in the affirmative, were—


Those who voted in the negative, were—


The amendment proposed by Mr. Munford was rejected.

The said bill was then amended, and recommitted to the committee on Internal Improvement.

The Speaker laid before the Senate a communication from the President of the Board of Internal Improvement, which is as follows, to-wit:

OFFICE OF BOARD OF INTERNAL IMPROVEMENT,

January 26th, 1849.

To the General Assembly of Kentucky:

The Board of Internal Improvement, in their annual report during the present session of your honorable body, use the following language: “The road from Lexington, by the way of Harrodsburg to Perryville is “in length, forty two miles, of which about seven miles are unfinished.”

This statement was made from information then deemed correct. But the Board are now fully satisfied it was not true as to the unfinished portion of said road. The contract of lease to Singleton, was set aside by an act of the Legislature; and the present managers, with a promptitude and energy worthy of all praise, during the last spring and summer, from their individual funds, caused the seven miles of road to be finished to the Kentucky river. And, by an effort equally meritorious to those gentlemen, commenced the construction of a bridge over said river, where the line of road crosses the same—but for the want of funds they were reluctantly compelled to suspend operations. This bridge, if completed, will add very much to the profits of the road, and should be made by the State. Therefore, the Board earnestly recommend the sum of $10,000, heretofore reported in aid of this road, be appropriated to the finishing of this bridge. In justification of the Board for the unintentional error thus made in regard to this road, I would remark, that this was the only unfinished McAdamized Turnpike Road, in which the State had an interest, not personally examined by the President during the past year: and this even would have been looked to, had it not been
for want of time, and other engagements on the various roads and rivers up to the meeting of the Legislature.
All of which is respectfully submitted,
O. G. CATES, P. B. I. I.

To Hon. JOHN L. HELM,
Lieut. Governor and Speaker of the Senate.

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

Mr. Russell, from a select committee, reported a bill to establish the Farmers' Bank of Kentucky; which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second reading being dispensed with, said bill was committed to the committee on Banks.

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

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. Rice in the Chair; after some time spent in committee, the Speaker resumed the Chair, when Mr. Rice reported that the committee had, according to order, had under consideration a bill to amend the charter of the Louisville and Frankfort Railroad Company, and having gone through the same, had directed him to report the same to the Senate with an amendment.

The said amendment was concurred in.

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

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

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

A bill to protect the estates of deceased persons, came up in the orders of the day.
Ordered, That the further consideration of said bill be postponed until Tuesday next, the 30th instant.

A bill for the benefit of the Lexington and Frankfort Railroad, came up in the orders of the day.

Ordered, That said bill be referred to the committee on the Sinking Fund, with instructions to report the same back to the Senate on Wednesday next, the 31st instant.

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. English in the Chair; after some time spent in committee, the Speaker resumed the Chair, when Mr. English reported that the committee had, according to order, had under consideration a bill respecting conveyances by married women, and having gone through the same, and adopted some amendments thereto, had directed him to report the bill and amendments to the Senate.

The first amendment reported by the committee was amended and concurred in.

The second amendment was then concurred in.

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

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

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

A message was received from the Governor, by Mr. Harlan, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills which originated in the Senate, of the following titles, to-wit:

An act to correct an omission of the Clerk of the Garrard Circuit Court.
An act for the benefit of Thomas W. Hammond, late Sheriff of Trigg county.
An act for the benefit of the Clerk of the Muhlenburg County Court.
An act for the benefit of Isham G. Hamilton, Clerk of the County Court of Boone.
An act for the benefit of the heirs of Richard Lowe, deceased.
An act to legalize the election of Trustees of the town of Nicholasville.
An act for the benefit of Robert Stockton and his children.
An act for the benefit of the heirs of Singleton G. Davis.
An act to establish an election precinct in Casey county.
An act to incorporate the Esclapian Mineral Spring Hotel Company, in Lewis county.
An act declaring the Garrard Banner, Lexington Atlas and Louisville Chronicle, public authorised newspapers.
An act to incorporate the Paris and Flat Rock Turnpike Road Company.

An act for the benefit of Henry G. Stemmons and wife.

Approved January 26, 1849.

A message, in writing, was received from the Governor, by Mr. Harlan, Assistant Secretary of State.

The rule of the Senate being dispensed with, the said message was taken up, and read as follows, to-wit:

**Gentlemen of the Senate,**

... I nominate for your advice and consent, the following named persons to be Commissioners, under an act of Assembly, approved Jan. 23, 1849.

Hyland B. Pennington for the State of Pennsylvania.

Robert Bayard Campbell for the State of New York.

Leonard Myers for the State of Pennsylvania.

January 26th, 1849.

J. J. CRITTENDEN.

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

An engrossed bill entitled,

An act to amend the penal laws in relation to gambling, was taken up and re-committed to the committee on the Judiciary.

A resolution from the House of Representatives, fixing a day for the final adjournment of the General Assembly, came up in the orders of the day.

**Ordered,** That said resolution be laid on the table.

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

On the motion of Mr. J. Speed—1. A bill to amend the act, entitled, an act to amend the several laws establishing a permanent revenue, approved 31st January, 1814.

On the motion of same—2. A bill to promote the growth and manufacture of silk.

On the motion of Mr. Draffin—3. A bill for the benefit of the children and heirs of Louisa Dunnington, deceased.

On the motion of Mr. Thomas—4. A bill to extend the corporate limits of the town of Newport, so as to include the Bellevue addition to said town.

On the motion of same—5. A bill to amend the charter and laws of the town of Newport.

On the motion of Mr. Triplett—6. A bill to amend an act, entitled, an act to equalize the compensation for the collection of the revenue tax.

On the motion of Mr. Bruce—7. A bill to authorize Coroners to make conveyances of land sold by their predecessors in office, and for other purposes.
The committee on Finance was directed to prepare and bring in the 1st and 6th; the committee on Agriculture and Manufactures the 2d; the committee on the Judiciary the 4th, 5th and 7th; and Messrs Draffin, English and Brien were appointed a committee to prepare and bring in the third.

On the motion of Mr. Williams,

Resolved; That the committee on Finance be instructed to enquire into the expediency of changing the present mode of listing property for taxation, and that, in this enquiry, they ascertain the inequalities of tax on the different species of property in the several counties; and that they report by bill or otherwise.

The following bills were reported from select committees, to-wit:

By Mr. Thomas—1. A bill to amend the charter of the Campbell Turnpike Road Company.

By Mr. Linthicum—2. A bill for the benefit of the heirs of Nancy Strother and Margaret B. Carpenter.

By Mr. Draffin—3. A bill to amend an act for the benefit of the children and heirs at law of Louisa Dunnington, approved March 1, 1848.

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

The constitutional rule as to the second and third readings of said bills being dispensed with, and the same being engrossed,

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

Mr. Wall, from the committee on the Judiciary, reported a bill to provide for the sale of a certain house of public worship in Hardin county, which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second and third readings of said bill being 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.

SÁTURDAY, JANUARY 27, 1849.

A message was received from the House of Representatives, announcing that they had passed bills from the Senate, of the following titles, to-wit:
An act to divorce Nancy Landy.
An act to divorce Sarah A. Stevens.
An act to divorce David E. and Lucinda Baker.

That they had passed bills of the following titles, to-wit:
1. An act to incorporate the Cumberland Presbyterian Church, in Henderson.
2. An act to incorporate the Bethlehem Baptist Church, of Hart county.
3. An act to divorce E. V. Scruggs.
5. An act to divorce George Boulton.
6. An act to divorce Sarah Calvert.
7. An act to divorce John Adair, of Monroe county.
9. An act to divorce Sarah Lorispaugh, and for other purposes.
10. An act to divorce John and Nancy S. Cox.
11. An act to divorce George W. McKinney.
12. An act to divorce Willis Hammon.

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

The constitutional rule as to the second reading of said bills being dispensed with, they were referred; the 1st and 2d to the committee on the Judiciary, and the 3d, 4th, 5th, 6th, 7th, 8th, 9th, 10th, 11th, 12th and 13th to the committee on Religion.

1. Mr. Speed presented the petition of William Compton and Sarah his wife, praying for the passage of a law authorizing the trustee of said Sarah to purchase, for her use, a negro girl out of the trust funds now in his hands.

2. Mr. Chiles presented the petition of sundry citizens of Winchester, in Clarke county, praying for the passage of a law to authorize the Trustees of said town to make sale of certain alleys, and to extend Highland street in said town.

Which petitions were severally received and referred; the 1st to the committee on the Judiciary, and the 2d to the committee on Propositions and Grievances.

Bills from the House of Representatives, of the following titles, were severally reported from the committee on Internal Improvement, to whom they had been referred, without amendment, to-wit:

By Mr. J. Speed Smith:
An act to incorporate the Warsaw Turnpike Company.
An act to change a part of the State road in Todd county, leading from Hopkinsville to Morgantown.

An act to incorporate the Mount Sterling and Red River Railroad Company.

By Mr. Bruce:

An act to amend the law in relation private passways in Pike county.  
Ordered, That said bills be read a third time.

The constitutional rule as to the third reading being dispensed with,  
Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. J. Speed Smith, from the same committee, reported the following bills, viz:

A bill to incorporate the Green and Large County Turnpike Road Company.
A bill for the benefit of the Owingsville and Big Sandy Turnpike Road.
A bill legalizing the organization and first election of officers by the Dry Creek and Covington Turnpike Road Company.
A bill to incorporate the Burlington and Dry Creek Turnpike Road Company;
Which bills were severally read the first time, and ordered to be read a second time.

The constitutional rule as to the second and third readings of said bills being dispensed with, and the same being engrossed,
Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Evans, from the same committee, reported a bill to regulate the toll gates in Anderson county; which was read the first time and ordered to be read a second time.

The constitutional rule as to the second reading being dispensed with,  
The question was taken on engrossing and reading said bill a third time, and it was decided in the negative, and so the said bill was rejected.

After a short time, Mr. Bradley moved to re-consider the vote by which said bill was rejected, and it was decided in the affirmative.

Ordered, That said bill be recommitted to the committee on Internal Improvement.

On the motion of Mr. Bruce,

Ordered, That the committee on Internal Improvement be discharged from the further consideration of the leave to them referred, to bring in a bill for the benefit of Thomas B. Scott.

Mr. Todd, from the committee on Finance, to whom was referred bills from the House of Representatives, of the following titles, to-wit:

An act for the benefit of the Sheriff of Meade county.
An act authorizing the Bracken County Court to lay the levy at their January, February or March Term.

An act for the benefit of William Blair.

Reported the same without amendment.

Ordered, That said bills be read a third time.

The constitutional rule as to the third reading being dispensed with,

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

Mr. Todd, from the same committee, reported a bill for the benefit of Thomas Rankin, Jailer of Harrison county, which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second and third readings of said bill being dispensed with, and the same being engrossed,

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

Mr. Todd, from the same committee, reported the following bills, viz:

A bill concerning the Treasurer and Auditors, and prescribing further duties to each.

A bill to authorize the arranging and transcribing of certain books in the Auditors' and Treasurer's offices.

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

The constitutional rule as to the second reading of said bills being dispensed with, they were committed to the committee of the Whole House on the state of the Commonwealth, and made the special order of the day for Thursday, the 1st day of February.

Ordered, That the Public Printer print 150 copies of each of said bills for the use of the General Assembly.

Mr. Eaker, from the same committee, reported a bill for the benefit of Ervin Anderson, of Graves county, which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second and third readings of said bill being dispensed with, and the same being engrossed,

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

Mr. Evans, from the committee on Education, to whom was referred a bill from the House of Representatives, entitled, an act for the benefit of the School Commissioners of Casey county, reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional rule as to the third reading being dispensed with,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.
Mr. Heagy, from the committee on Military Affairs, made the following report, to wit:

The committee on Military Affairs, to whom was referred the nomination of Major J. H. Humphrey to be Lieutenant Colonel of the 2d Regiment and 1st Brigade, in the place of Col. Wm. H. Abel, cashiered, together with the proceedings of the Court Martial that sentenced Col. Abel to be cashiered, and which sentence was set aside by Major Gen. Martin, upon an appeal taken to him in the case, have had the same under consideration, and respectfully report: that, after mature deliberation, they have come to the conclusion that there was, in fact, no vacancy in the office of Lieutenant Colonel.

They have also had under consideration the nomination of Henry A. Miles to be Major, in the place of J. H. Humphrey, promoted, and have come to the conclusion, from the proceedings of the Court Martial above referred to, and the subsequent disapproval of the sentence of said Court by Major Gen. Martin, that there was, in fact, no vacancy in the office of Major in said regiment.

They therefore recommend the adoption of the following resolution:

Resolved, That there being no vacancy in either of said offices, the Senate do not advise and consent to said appointments.

The said resolution was twice read and concurred in.

A message was received from the House of Representatives, by Mr. Pope, announcing that they had appointed a committee on their part, to wait on the Governor and ask to withdraw from before him the enrolled bill, entitled, an act limiting the jurisdiction of the General Court in certain cases, and soliciting the appointment of a similar committee on the part of the Senate.

Messrs. McMillan and Eaker were appointed a committee on the part of the Senate.

The committee on the part of the Senate retired, and after a short time returned, when Mr. McMillan reported that the joint committee had performed the duty assigned them, and had obtained possession of said bill.

After a short time, a message was received from the House of Representatives, by Mr. Pope, asking leave to withdraw the report of the passage of said bill by the House of Representatives; which leave was granted, and the bill withdrawn.

Mr. Wall, from the committee on the Judiciary, reported the following bills, to wit:

A bill for the benefit of Rolla Blue.
A bill to amend the charter and laws of the town of Newport.
A bill to amend the laws relating to the town of Frankfort.
A bill for the benefit of James Finley, of Floyd county.

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

The constitutional rule as to the second and third readings of said bills being dispensed with, and the same being engrossed,
JAN. 27.]

JOURNAL OF THE SENATE.

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

A message, in writing, was received from the Governor, by Mr. Harlan, Assistant Secretary of State.

The rule of the Senate being dispensed with, the said message was taken up, and read as follows, to-wit:

Gentlemen of the Senate:

I nominate for your advice and consent, John Horine to be Brigadier General of the 5th Brigade, 5th Division, in the Militia of this State, in place of Thomas Hart, resigned.


January 27th, 1849.

J. J. CRITTENDEN.

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

A message was received from the Governor, by Mr. Harlan, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled resolutions which originated in the Senate, of the following titles, to-wit:

Resolution fixing a day for the election of a Senator in Congress.

A resolution concerning the committee on Banks.

Approved January 26, 1849.

A message, in writing, was received from the Governor, by Mr. Harlan, Assistant Secretary of State.

The preamble and resolution read and laid on the table by Mr. Evans, on the 22d instant, were taken up, twice read, and adopted.

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

On the motion of Mr. Hogan—1. A bill to incorporate a Turnpike Road Company from Rossville, on Eagle Creek, to Owenton, and for other purposes.

On the motion of Mr. Waite—2. A bill for the benefit of the Hustonville Uniform Infantry, of Lincoln county.

On the motion of Mr. Williams—3. A bill for the benefit of J. Jay Anderson, of Bourbon county.

On the motion of Mr. Thornton—4. A bill concerning the widow and heirs of ———— Armstrong, deceased.

On the motion of Mr. Thomas—5. A bill for the benefit of the town of Taylorsville.

Messrs. Hogan, Hawkins and Heady were appointed a committee to prepare and bring in the 1st; Messrs. Thomas, Hawkins and Evans the 5th; the committee on Military Affairs was directed to prepare and bring in the 2d; and the committee on the Judiciary the 3d and 4th.

Mr. Chiles moved the following resolution, to-wit:
Resolved, That so much of the Governor's Message as relates to the supposed defalcation of James Davidson, late Treasurer of Kentucky, be referred to the Select Committee, to whom reference has been made of the memorial of said Davidson; and that said committee be instructed to ascertain and report, at the earliest convenient time, the full amount of said defalcation, (if any be found to exist,) together with the causes that have operated to produce the same, so far as ascertained; as also, the period when said defalcation commenced, and the amount thereof each year, from thence to the present time; the reasons why no such bonds were executed by said Treasurer, from time to time, as required by law, and the persons or officers in default for such failure or omission; how often, and at what time or times, the said Treasurer tendered security for the discharge of the duties of his said office; whether said securities, or any of them, rely upon the non-execution of such bond or bonds, to screen themselves from responsibility; and the name or names of said securities, so relying on said omission; and whether he or they are officers or holders of this Commonwealth, or otherwise in the employ of the State of Kentucky.

On the motion of Mr. Wall,

Ordered, That the further consideration of said resolution be postponed and made the special order of the day for Wednesday next, the 31st inst., and that the Public Printer print 150 copies thereof for the use of the Senate.

Mr. Evans moved to take up from the table the resolution from the House of Representatives, fixing a day for the final adjournment of the General Assembly.

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

The yeas and nays being required thereon, by Messrs. Evans and Young, were as follows, to-wit:

Those who voted in the affirmative, were—

Messrs. Barnett, Hambleton, Tripplet, Walker,
Bradley, Heady, White,
Chiles, McClure, Williams,
Eaker, Munford,  
Evans, Speed, Young—15.

Those who voted in the negative, were—

Messrs. Brien, McNary, Thornton,
Bruce, Rice, Thurman,
Cofe, Russell, Todd,
Hogan, Speed Smith, Waite,
Linthicium, Thomas, Wall—16.

McMillan,

On the motion of Mr. Bradley, leave was given to bring in a bill declaring the Hopkins Delta, published at Madisonville, an authorized newspaper; and Messrs. Bradley, Evans and Daffin were appointed a committee to prepare and bring in said bill.
After a short time, Mr. Bradley reported said bill, which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second and third readings of said bill being 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.

MONDAY, JANUARY 29, 1849.

A message was received from the House of Representatives, announcing that they had received official information that the Governor had approved and signed enrolled bills which originated in that House, of the following titles, to-wit:

1. An act concerning the election of certain municipal officers in the city of Lexington.
2. An act for the benefit of Reuben Brison.
3. An act to allow an additional Justice of the Peace to the county of Adair.
4. An act for the benefit of John Goodin.
5. An act to establish an additional election precinct in Allen county.
6. An act for the benefit of the Bath Seminary.
7. An act for the benefit of Jesse F. Atchison, and others.
8. An act to establish a new Constable's district in the county of Boyle.
9. An act supplemental to an act incorporating the Lexington and Frankfort Turnpike Company.
10. An act supplemental to an act incorporating the Newtown and Lexington Turnpike Company.
11. An act providing for running and marking a part of the county lines between Pike, Floyd and Lawrence.
13. An act to revive an act to incorporate a Company to construct a Turnpike from Lancaster to Crab Orchard.
13. An act to incorporate Barker Lodge, and for other purposes.
14. An act to change the names of Wm. Preston Smith and others, of Henderson county.
15. An act to amend an act, entitled, an act for the benefit of the Mechanics of the towns of Covington and Newport; approved Feb. 22, 1834.
16. An act to incorporate the Maysville Linen Company.
18. An act for the benefit of Harrison L. Board, guardian of Elizabeth E. Clark.
21. An act to incorporate the Bardstown Cemetery Company.
22. An act for the benefit of George W. Finnie.
23. An act to amend the charter of the Louisville and Taylorsville Turnpike Company.
24. An act to enlarge the Hadensville Constable’s district, in the county of Todd.
25. An act to incorporate the Bowlinggreen Thespian Society.

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

The constitutional rule as to the second reading of said bills being dispensed with, they were referred; the 1st, 6th, 9th, 14th, 19th and 24th to the committee on Propositions and Grievances; the 2d to the committee on Finance; the 3d to the committee on Privileges and Elections; the 4th to the committee on Education; the 5th, 7th, 8th, 11th and 23d to the committee on Internal Improvement; the 10th, 12th, 13th, 17th, 18th, 21st, 22d and 25th to the committee on the Judiciary; the 15th and 16th to the committee on Agriculture and Manufactures; and the 20th to the committee on Military Affairs.

The Speaker laid before the Senate a report from the 2d Auditor, in answer to a resolution of the Senate of the 5th instant, which is as follows, to-wit:
RESPONSE OF THE SECOND AUDITOR.

Hon. John L. Helm,
Lieutenant Governor and Speaker of the Senate.

Sirs: In accordance with a resolution of the Senate of the 5th instant, I herewith submit "a comparative statement of the expenses of the Sessions of the Legislature since the time of the meeting was changed, to the last day of December; and, also, a like number of Sessions, commencing on the first Monday in December, omitting in said report, appropriations not connected with the annual expenses of each Session, but giving such as are incident to a "long or short Session; also, the number of days of each Session," as follows, viz:

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Total,                      | $22,842 30       | $23,755 55       | $41,375 89       | $39,291 79       | $43,232 33       | $49,305 15       | $38,528 36       | $251,321 37  |
Statement—Continued.

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Statement—Continued.

*Note.—In the years 1834 and 1835, the pay of Members was $2 per day—Speakers $4 per day; balance of the years, the Members' pay was $3 per day for the first sixty days—Speaker $6 per day.

<table>
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<th>Year</th>
<th>Pay of Members at $2 per day</th>
<th>Add $1 per day, making</th>
<th>Add Speaker of Senate, $2 per day</th>
<th>Add Speaker of House, $2 per day</th>
<th>Total Deduct for 1834 and 1835, as above stated</th>
<th>Makes an increase of</th>
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<td>$260 00</td>
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Decrease of expenses as above.

The Sessions of 1834 and 1835, the pay of Members was $2 per day, and Speakers $4 per day—the balance of the years, the Members' pay was $3 per day for the first sixty days, and Speakers $5 per day, as by statement per note, making the addition of expense, $23,591 21

Which makes the whole saving in the seven years, since the change, $38,535 21

LENGTH OF SESSIONS

When the Legislature convened on the 1st Monday in December each year:

<table>
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<th>Year</th>
<th>Days</th>
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<tr>
<td>1835</td>
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</table>

When the Legislature set on the last day in December each year:

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<thead>
<tr>
<th>Year</th>
<th>Days</th>
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<tr>
<td>1841</td>
<td>63</td>
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<td>1842</td>
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<td>1847</td>
<td>62</td>
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<td>Total</td>
<td>419</td>
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<td>Difference</td>
<td>100</td>
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All of which is respectfully submitted,

THO. S. PAGE, 2nd Auditor.
Ordered, That the Public Printer print 150 copies of said report for the use of the General Assembly.

1. Mr. Draffin presented the petition of John Walker, of Anderson county, praying for the passage of a law to divorce him from his wife, Jane Walker.

2. Mr. Evans presented the petition of Radford J. Maxey, of Monroe county, praying for the passage of a law authorizing the conveyance of certain lots of ground in the town of Tompkinsville, in said county.

3. Mr. Barnett presented the petition of Elizabeth Mardis and John B. Cobb, the last the Administrator of Roley Mardis, deceased, praying for the passage of a law confirming the sale of a certain tract of land sold by the said Roley in his lifetime.

4. Mr. McClure presented the petition of William S. Patterson, Clerk of the Russell County Court, praying for the passage of a law to release him from the amount of a Pedler’s license which was illegally issued from his office.

5. Mr. McClure presented the petition of the Trustees of Common School District, No. 9, in Russell county, praying for the passage of a law to authorize said Trustees to draw the amount of the Common School Fund which is due to the said district.

6. Mr. Thurman presented the petition of Warrenton S. Bland, of Washington county, who stands indicted in the Madison Circuit Court for arson, praying for the passage of a law granting him a change of venue.

7. Mr. Munford presented the petition of J. C. Lesher, of Barren county, praying for the passage of a law to change the county line so as to include his dwelling house in the county of Hart.

8. Mr. Thurman presented the petition of sundry citizens of Washington county, praying for the passage of a law to restore the August Common Law Term of said Court.

9. Mr. Bruce presented the petition of Catharine Cox, widow of Solomon Cox, deceased, of Whitley county, praying for the passage of a law authorizing the sale of certain lands belonging to the estate of her deceased husband.

Which petitions were severally received and referred; the 1st to the committee on Religion; the 2d, 3d, 6th, 8th and 9th to the committee on the Judiciary; the 4th to the committee on Finance; the 5th to the committee on Education; and the 7th to the committee on Propositions and Grievances.

The message received from the Governor on Saturday, the 27th inst., was taken up and read as follows:
EXECUTIVE OFFICE, January 27th, 1849.

Gentlemen of the Senate and House of Representatives:
I herewith transmit to you the report of the Commissioners in relation to the erection and location of the Second Lunatic Asylum, together with the papers accompanying the same. J. J. CRITTENDEN.

[For Report—see Legislative Documents.]

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

Mr. Wall, from the committee on the Judiciary, to whom was referred bills from the House of Representatives, of the following titles, viz:
An act to amend the law for the appointment of Commissioners to take acknowledgment of deeds, &c.
An act authorizing the Campbell County Court to appoint an additional Justice of the Peace to grant injunctions, &c.
An act granting a change of venue to Wm. P. Hart,
An act to extend the terms of the Morgan Circuit Court.
An act allowing Carter county an additional Justice of the Peace, and for other purposes,
Reported the same without amendment.
Ordered, That said bills be read a third time.
The constitutional rule as to the third reading being dispensed with,
Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Wall, from the same committee, reported a bill to incorporate Owen Lodge, No. 128, and Owen Chapter, No. 23, which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second and third readings of said bill being dispensed with, and the same being engrossed,
Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Draffin, from the committee on Religion, to whom was referred bills from the House of Representatives, of the following titles, to-wit:
An act to divorce James C. Gourley, John Carroll, Sr., and John Cowen.
An act to divorce Richard C. Guy.
Reported the same without amendment.
Ordered, That said bills be read a third time.
The constitutional rule as to the third reading being dispensed with,
Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

Mr. Draffin, from the same committee, reported a bill to divorce Mary Catharine Duncan, which was read the first time, and ordered to be read a second time.
The constitutional rule as to the second reading being dispensed with, said bill was amended.

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

The yeas and nays being required thereon, by Messrs. Linthicum and Chiles, were as follows, to-wit:

Those who voted in the affirmative, were—


Those who voted in the negative, were—


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

Resolved, That said bill do pass, and that the title thereof be amended by adding “and Owen C. Turner.”

Mr. Chiles, from the committee on Agriculture and Manufactures, to whom was referred preamble and resolutions from the House of Representatives, in relation to water rotted hemp, reported the same without amendment.

The said preamble and resolutions were twice read and concurred in.

The following bills were reported from select committees, to-wit:

By Mr. Boyd—A bill to provide for the purchase, distribution and preservation of Derby & Co.’s edition of the Decisions of the Court of Appeals.

By Mr. Hogan—A bill to incorporate the town of Owenton, in Owen county.

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

The constitutional rule as to the second reading of said bills being dispensed with, they were referred to the committee on the Judiciary.

On the motion of Mr. Rice, the resolution moved by Mr. J. Speed Smith, on the 10th instant, requiring the committee on the Judiciary to bring in a bill abolishing punishment by death for any crime, was taken up.
On the motion of Mr. Wall, the said resolution was committed to the committee of the Whole House on the state of the Commonwealth; and made the special order of the day for Monday, the 5th day of February.

A message, in writing, was received from the Governor, by Mr. Harlan, Assistant Secretary of State.

The rule of the Senate being dispensed with, the said message was taken up and read as follows, to-wit:

EXECUTIVE OFFICE, January 29th, 1849.

Gentlemen of the Senate:

I nominate for your advice and consent, Alexander A. Harvey, for the office of Sheriff of Allen county, in the room of Samuel Mickware, resigned.

I also nominate for your advice and consent, George W. Smith to be Commissioner of Deeds for the State of Texas.

J. J. CRITTENDEN.

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

Messrs. Rice and Eaker were added to the committee on the part of the Senate, appointed under a joint resolution inviting Gen. Zachary Taylor to visit the Capital 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. Linthicum in the Chair; after some time spent in committee, the Speaker resumed the Chair, when Mr. Linthicum reported that the committee had, according to order, had under consideration a bill to authorize the survey of the route for a Railroad from Louisville to the terminus of the Mobile and Ohio Railroad at Columbus, and from Lexington to the Eastern boundary of Kentucky, and having gone through the same, had directed him to report it to the Senate without amendment.

The said bill reads as follows, to-wit:

**Be it enacted by the General Assembly of the Commonwealth of Kentucky, That it shall be the duty of the Board of Internal Improvement of this State, to employ and procure the services of a Civil Engineer, to make a survey of the route for a Railroad from Louisville to the terminus of the "Mobile and Ohio" Railroad at Columbus, near the mouth of the Ohio River; also, from Lexington, as far as the eastern boundary of this State, in such a direction as will most advantageously intersect with the "Richmond and Kanawha" and "Baltimore and Ohio" Railroads at their western termini.**

**Sec. 2. That it shall be the duty of said Civil Engineer to report as to the utility, practicability and probable cost, per mile, of a Railroad upon said route; also, to report fully as to the character of the intervening country, its population, soil, mineral and agricultural wealth; the advantages of said road, in both a State and National point of view; and its connections with other Railroads, Turnpikes, Canals, Slackwater Navigation, &c., now completed; in progress, or in contemplation;**
and that he report, specially, to the Board of Internal Improvement of this State, by the 1st day of December next.

Sec. 3. Be it further enacted, That said Engineer shall also make a survey of a route for a Railroad from the City of Louisville, to some point on the line between the States of Tennessee and Kentucky, in the direction to the City of Nashville, in said State of Tennessee, with a view of extending the Nashville and Chattanooga Railroad from Nashville to the City of Louisville, whenever said State of Tennessee shall deem it her pleasure to permit the same to be done; and that said Engineer make his report as aforesaid.

Sec. 4. That the Board of Internal Improvement be empowered, with the approbation of the Governor, to issue their requisition on the Second Auditor, for warrant on the Treasury, for any sum of money they may deem right and proper to cover the expenses of said surveys.

Mr. Hogan 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. Walker and Evans, were as follows, to-wit:

Those who voted in the affirmative, were—


Those who voted in the negative, were—


The Speaker laid before the Senate a report from the President and Treasurer of the Louisville Turnpike Company, which is as follows, to-wit:

Louisville, January 15th, 1849.

Sir: Annexed is a communication to the honorable, the General Assembly of the Commonwealth of Kentucky, as required by the charter of the Louisville Turnpike Company, which, you will please lay before that honorable body, over one branch of which you preside.

Yours respectfully,

LEVI TYLER, President and Treasurer.

To the Hon. JOHN L. HELM,
Lieut. Governor and Speaker of the Senate.

An abstract of the receipts and expenditures of the Louisville Turnpike Company, from the 1st of July, 1846, to the 31st of December, 1848, for each six months, including the receipts for the new or additional
stock of $16,000, allowed by the Legislature, and the expenditure thereof, for the erection of bridges, &c., on said Turnpike Road, agreeably to said act of Assembly, to wit:

**DEBITS.**

- To amount of tolls, &c., for the six months ending 31st December, 1846, including the balance on hand for previous six months, of $43 35 cents, $5,722.35
- To amount of tolls, &c., and new stock for the six months ending 30th June, 1847, 8,165.50
- To amount of tolls, &c., and new stock for the six months ending 31st December, 1847, 10,650.50
- To amount of tolls, &c., and new stock for the six months ending 30th June, 1848, 8,275.50
- To amount of tolls, &c., and new stock for the six months ending 31st December, 1848, 9,400.50
- To balance due the Treasurer, 401.45

$42,885.80

**CREDITS.**

- By amount paid out for expenses, &c., and for new toll house, for the six months ending 31st December, 1846, including 3 per cent. dividend, $4,870.93
- By amount paid for expenses, &c., for repairs, new toll house, bridge, &c., and 3 per cent. dividend for six months ending 30th June, 1847, 9,019.62
- By amount paid for expenses of repairs, &c., bridge, &c., and 3 per cent. dividend for six months ending 31st December, 1847, 10,650.50
- By same, for six months ending 30th June, 1848, 8,275.50
- By same, for six months ending 31st December, 1848, 9,400.50

$42,885.80

LEVY TYLER, President.

JEFFERSON COUNTY, Ky.

January 15, 1849.

This day the above named Levi Tyler came in his proper person before the undersigned, a Justice of the Peace, in and for said county, and made oath that he is the President and Treasurer of the Louisville Turnpike Company, and that the foregoing is a just and true statement of the receipts and disbursements and dividends made by said Company, for the periods above stated, as he verily believes.

Witness my hand and seal this 15th January, 1849.

R. TYLER, Esq. [Seal.]

LOUISVILLE, January 15th, 1849.

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

The within is a correct statement of the receipts and disbursements of the Louisville Turnpike Company for the periods therein stated, including new and additional stock for building bridges, &c., as therein stated; and is now forwarded to your honorable body, by order of the President and Managers of said Turnpike Company.

Very respectfully, yours, &c.,

LEVY TYLER, President and Treasurer.

Mr. J. Speed Smith read and laid on the table the following resolution, to wit:

Resolved by the General Assembly of the Commonwealth of Kentucky, That a joint committee of three of the Senate, and five from the House of Representatives, be appointed to make suitable arrangements for the reception of General Zachary Taylor, should he visit the Capital of the State, under the invitation given by the General Assembly.

The rule of the Senate being dispensed with, the said resolution was aken up, twice read; and adopted.
Messrs. J. Speed Smith, Cofer and Heady were appointed a committee on the part of the Senate, pursuant to said resolution.

Mr. Triplett was added to the committee on Agriculture and Manufactures.

Leave was given to bring in the following bills, to-wit:
On the motion of Mr. Hogan—1. A bill for the benefit of the Sheriff of Grant county.
On the motion of same—2. A bill for the benefit of the Sheriff of Owen county.
On the motion of Mr. Thomas—3. A bill to incorporate the Covington Gas Company.
On the motion of Mr. Williams—4. A bill to regulate the amount of toll to be paid by individuals who travel on the several Turnpike Roads to and from the houses of persons who reside contiguous to said roads.
On the motion of Mr. Chiles—5. A bill prescribing the duties of Circuit Court Ulers in certain cases.
On the motion of Mr. Bradley—6. A bill to change the time of holding the Hopkins Circuit and County Courts.
On the motion of Mr. Bruce—7. A bill to establish two additional election precincts in Rockcastle county.
On the motion of Mr. Barbour—8. A bill for the benefit of Lodge No. 188, of Ancient York Masons, in the town of Smithland.

The committee on Finance was directed to prepare and bring in the 1st and 2d; the committee on the Judiciary the 3d, 6th and 8th; the committee on Internal Improvement the 4th; the committee on Privileges and Elections the 7th; and Messrs. Chiles, Boyd and Triplett were appointed a committee to prepare and bring in the 5th.

On the motion of Mr. Evans,

Resolved, That the Public Printer report to the Senate, what it will cost the State to print sixty thousand copies of the Constitution of Kentucky.
And then the Senate adjourned.

TUESDAY, JANUARY 30, 1849.

A message was received from the House of Representatives, announcing that they had passed bills from the Senate, of the following titles, to-wit:
An act to release the Louisville Savings Institution from certain taxes.
An act for the benefit of Peter Conway, of Fleming county.
An act to amend the law relating to Pedlers.
An act to extend the time for surveying and returning Kentucky Land Office Warrants to the Register's Office.
An act for the benefit of Zilla Goldsberry.
An act for the benefit of George Conlon and Amanda Biletter.
An act to divorce Hannah Dolan.
That they had concurred in the adoption of a resolution from the Senate, providing for the appointment of Reporters to report the proceedings of the Convention.
That they had passed bills of the following titles, to wit:
An act to divorce Edward Pelouze.
An act to divorce Elizabeth Lewis.
An act to divorce John R. Pates.
An act to divorce Mary Ann Carpenter.
An act to divorce David C. Spencer.
An act to divorce John M. Crane.
An act to repeal an act, entitled, an act for the benefit of John Judy, of Clarke county.
An act for the benefit of Mary Simpson and others, of Calloway county.

On the motion of Mr. Eaker, the vote was reconsidered by which a bill to authorize the survey of the route for a Railroad from Louisville to the terminus of the Mobile and Ohio Railroad at Columbus; and from Lexington to the Eastern boundary of Kentucky, was laid on the table till the 1st day of June next.

Ordered, That said bill be re-committed to the committee on Internal Improvement.

1. Mr. Heady presented the petition of Brazilla Payton, praying for the passage of a law to divorce her from her husband, John Payton.
2. Mr. Todd presented the petition of the President, Directors and Company of the Lexington, Harrodsburg and Perryville Turnpike Road Company, praying for the passage of a law to authorize them to remove the toll gate on said road, next to Lexington, one hundred yards nearer to said city.
3. Mr. Boyd presented the petition of sundry citizens of Lewis county, praying for an amendment to the charter of the Maysville and Esculapi-an Turnpike Road Company.
4. Mr. Munford presented the petition of Allie Emberton, praying for the passage of a law to divorce her from her husband, Richard Emberton.
5. Mr. Munford also presented the petition of Jane McDonald, of Monroe county, praying for the passage of a law to divorce her from her husband, Darling McDonald.
6. Mr. Triplett presented the petition of Ezekiel Arterberry, praying for the passage of a law to divorce him from his wife, Tabitha Arterberry.

7. Mr. Russell presented the petition of Annie E. Fairbairn, praying for the passage of a law to divorce her from her husband, Francis Fairbairn.

8. Mr. Waite presented the petition of sundry citizens of Stanford and Lincoln county, praying for the passage of a law to amend the charter of the Stanford Seminary.

9. Mr. Hobbs presented the petition of sundry citizens of Jefferson county, praying for the passage of a law to construct a Turnpike Road from Louisville to Floydsburg.

Which petitions were severally received and referred; the 1st, 4th, 5th, 6th and 7th to the committee on Religion; the 2d, 3d and 9th to the committee on Internal Improvement; and the 8th to the committee on Education.

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. Bradley in the Chair; after some time spent in committee, the Speaker resumed the Chair, when Mr. Bradley reported that the committee had, according to order, had under consideration a bill to modify and amend an act, entitled, an act to amend the law prohibiting the importation of slaves into this State, and having made some further progress therein, but not having time to go through the same, had directed him to ask for leave to sit again, which leave was granted.

The Speaker laid before the Senate a report from the Public Printers, in answer to a resolution from the Senate, adopted on yesterday, which is as follows, to-wit:

FRANKFORT, January 30, 1849.

To Hon. John L. Helm,
Lieut. Governor and Speaker of the Senate.

Sir: We are directed by a resolution of the Senate, adopted yesterday, to report to that body the cost of printing 60,000 copies of the Constitution of the State of Kentucky.

We are now executing an order of the House of Representatives, for 60,000 copies of the Constitution of the State, and the cost for printing will be, (charged under the bill of prices fixed by law,) $390 77

The Binder's bill for folding the same—the form having been so arranged by us as to save the cost of stitching—will be $1 50 per 1,000 copies, or for the whole number, 90 00

Total cost of printing and folding, $480 77

The paper for all the public printing is furnished by the State. If that be taken into the estimate, the cost of the necessary quantity of paper to
execute the whole job, will be $437.50, which, when added to the cost of printing and folding, will make the total sum of $918.27.

Respectfully submitted,

The Speaker laid before the Senate a message, in writing, from the Governor, which was read as follows, to-wit:

EXECUTIVE OFFICE, January 30, 1849.

Gentlemen of the Senate:

Therewith transmit to you, for your consent, the bond of Richard C. Wintersmith, as Treasurer, with John Lane, Chas. G. Wintersmith, Weiden S. English, Wm. Y. Knight, Samuel B. Young, Hayden E. English, H. G. Wintersmith, C. G. Wintersmith, Sr., N. Lane, Thos. M. Swan and W. H. McDowell as his securities, which bond has been approved by me.

J. J. CRITTENDEN.

Ordered, That said bond be referred to the committee on Finance.

Mr. Wall, from the committee on the Judiciary, to whom was referred a bill from the House of Representatives, entitled, an act to restore the right of licensing taverns in the town of Danville, to the County Court of Boyle, reported the same with the opinion of the committee that it ought not to pass.

Ordered, That said bill be made the special order of the day for tomorrow.

And then the Senate adjourned.

WEDNESDAY, JANUARY 31, 1849.

A message was received from the House of Representatives, announcing that they had passed a bill from the Senate, entitled, an act to amend the charter and laws of the town of Newport.

That they had passed a bill, entitled, an act for the benefit of George Dunn, Jailer of McCracken county.

1. Mr. English presented the petition of sundry citizens of the counties of Henry and Trimble, praying for the establishment of a ferry across the Ohio river, opposite the town of Milton, in Trimble county.

2. Mr. Grey presented the petition of Robert J. Terry, praying the passage of a law to permit him to peddle goods in this Commonwealth, without obtaining a license.

3. Mr. Rice presented the petition of Elizabeth Canterbury, and others, heirs of Reuben Canterbury, deceased, praying for the passage of a law to authorize the sale of certain land belonging to said estate.
Mr. Munford presented the petition of Uriah Boulton, of Barren county, praying for the passage of a law to divorce him from his wife, Lucinda Boulton.

5. Mr. Evans presented the petition of Joseph A. Vance, praying for the passage of a law allowing him compensation for the loss of goods attached by the Commonwealth.

6. Mr. Draffin presented the petition of Elizabeth E. Rucker, praying for the passage of a law to appoint her husband, James W. Rucker, her Trustee, under the will of her father, David Jones, deceased.

7. Mr. Hogan presented the petition of Nancy P. Hook, of Grant county, praying for the passage of a law to divorce her from her husband, Israel Hook.

Which petitions were severally received and referred—the 1st to the committee on Propositions and Grievances; the 2d to a select committee of Messrs. Grey, Cofer and Walker; the 3d and 6th to the committee on the Judiciary; the 4th and 7th to the committee on Religion; and the 5th to the committee on Finance.

Mr. Todd, from the committee on Finance, to whom was referred the bond executed by Richard C. Wintersmit, the Treasurer elect, made a report thereon; which was recommitted to the said committee with instructions to report the same back to the Senate, on the 10th day of February next.

The Senate resumed the consideration of the special order of the day, being a bill from the House of Representatives, entitled, an act to restore the right of licensing taverns, in the town of Danville, to the County Court of Boyle.

The said bill reads as follows, to-wit:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That so much of the 23d section of the present charter of the town of Danville, as gives to the Trustees of said town the right to tax and license all taverns within the limits of said town, be and the same is hereby repealed; and the power to tax and license all taverns in said town is hereby restored to the County Court of Boyle county, with the same power and authority in the premises, as exists in the court over taverns and public houses by the general laws of the Commonwealth.

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. Brien and Draffin, were as follows, to-wit:

Those who voted in the affirmative, were—

Messrs. Barnett, English, Thomas,
Bradley, Heady, Thurman,
Brien, Hogan, Waite.
Those who voted in the negative, were—

Messrs. Barbour, Speed, Hobbs,
Boyd, McMillan, Thornton,
Chiles, McNary, Todd,
Draffin, Munford, Triplett,
Evans, Rice, Walker,
Humbleton, Speed Smith,

Mr. Wall, from the committee on the Judiciary, to whom was referred bills from the House of Representatives, of the following titles, viz: An act to incorporate the Master and Wardens of Alexandria Lodge, No. 152, at Alexandria, in Campbell county.
An act to incorporate the Cumberland Presbyterian Church, in Henderson.
An act to incorporate the Bethlehem Baptist Church, of Hart county.
An act to incorporate Barker Lodge, and for other purposes.
An act to incorporate the Boone Monumental Association.
An act to incorporate the Bardstown Cemetery Company.
An act for the benefit of Julius A. Labarthe.
An act for the benefit of Benjamin All.
Reported the same without amendment.
Ordered, That said bills be read a third time.
The constitutional rule as to the third reading being dispensed with,
Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Wall, from the same committee, reported the following, bills to-wit:
A bill for the benefit of John J. Anderson.
A bill allowing the Judge of the 16th Judicial District further time to move into his District.
A bill for the benefit of Sarah S. Fowler.
A bill to extend the corporate limits of Newport.
A bill for the benefit of Radford J. Maxey, of Monroe county.
A bill for the benefit of the heirs of Roley Mardis, deceased.
A bill to amend an act concerning mill dams, and other obstructions in water courses, approved 22d February, 1797.
A bill for the benefit of William and Sarah Compton.
A bill for the benefit of James Huan, guardian of John James Huan.
Which, bills were severally read the first time, and ordered to be read a second time.
The constitutional rule as to the second and third readings of said bills being dispensed with, and the same being engrossed;
Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Wall, from the same committee, to whom was referred a bill to incorporate the town of Owenton, in Owen county, reported the same without amendment.

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

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

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

Mr. Wall, from the same committee, reported a bill for the benefit of Warrenton S. Bland, which was read the first time, and ordered to be read a second time.

The constitutional rule, as to the second and third readings of said bill being dispensed with, and the same being engrossed,

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

The yeas and nays being required thereon, by Messrs. Chiles and Thurman, were as follows, to-wit:

Those who voted in the affirmative, were—

Messrs. Barbour, Boyd, Bradley, Brien, Bruce, Cofer, Drablin, Eaker, English, Evans,

Grey, Heady, Hobbs, Hogan, Linthicum, McMillan, McNary, Munford,


Those who voted in the negative, were—

Messrs. Chiles, Speed Smith,

Todd, Triplett,

Walker, Young—6.

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

A message, in writing, was received from the Governor, by Mr. Harlan, Assistant Secretary of State.

The rule of the Senate being dispensed with, the said message was taken up; and read as follows, to-wit:

Gentlemen of the Senate:

I nominate for your advice and consent, Nathan Oliver to be Sheriff of Caldwell county, in the place of Wm. D. Tinsley, whose time is about to expire, the County Court having failed to recommend during the time prescribed by the Constitution.

January 31, 1849.

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

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. Bradley in the Chair; after some time spent in committee, the Speaker resumed the Chair, when Mr. Bradley reported that the committee had, according to order, again had under consideration a bill to modify and amend an act, entitled, an act to amend the law prohibiting the importation of slaves into this State, and had made further progress therein, but not having time to complete the same, had directed him to ask for leave to sit again to-morrow at half past 10 o'clock, which leave was granted.

Mr. Todd, from the committee on Finance, reported a bill for the benefit of the Sheriffs of Grant and Owen counties, which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second and third readings of said bill being dispensed with, and the same being engrossed,

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

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

On the motion of Mr. Russell—1. A bill to extend the powers of the Trustees of the town of South Frankfort.

On the motion of Mr. White—2. A bill for the benefit of George Stoners, late Deputy Sheriff of Clay county.

On the motion of Mr. Waite—3. A bill to amend the law in relation to Somerset Seminary.

Messrs. Russell, J. Speed Smith and Hobbs were appointed a committee to prepare and bring in the 1st; Messrs. White, Bruce and J. Speed Smith the 2d; and the committee on Education was directed to prepare and bring in the 3d.

Mr. J. Speed Smith, from the committee on Internal Improvement, reported a bill in aid of Internal Improvement, which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second reading being dispensed with, said bill was committed to the committee of the Whole House on the state of the Commonwealth, and made the special order of the day for Monday next, the 5th day of February.

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

And then the Senate adjourned.
THURSDAY, FEBRUARY 1, 1849.

A message was received from the House of Representatives, announcing that they had passed bills of the following titles, to wit:

An act to authorize the payment of the amount due to the Commissioners of the road from Bowling Green to the mouth of Salt River.

An act to incorporate the Russellville and Nashville Turnpike Road Company.

An act to authorize the County Courts of Boyle and Lincoln to take stock in certain Turnpike Roads.

An act declaring certain streams in Floyd and other counties navigable.

An act to authorize the County Court of Lewis to apply the proceeds of the vacant lands of said county, to the improvement of the navigation of Kinnicanick, and for other purposes.

An act for the benefit of James Cowan's heirs.

An act to incorporate the Grayson and Catlettsburg Railroad Company.

An act to authorize J. L. Jones and John Adams to erect a mill dam on Licking river.

An act to regulate the public roads in Bullitt county.

An act to change a State road in Christian county.

The Speaker laid before the Senate a report from the President of the Board of Internal Improvement, in obedience to an act for the benefit of Spottswood Wills, which is as follows, to wit:

OFFICE OF BOARD OF INTERNAL IMPROVEMENT,
January 31st, 1849.

To the General Assembly of Kentucky:

In obedience to an act for the benefit of Spottswood Wills, approved March 1st, 1848, I have carefully examined the claims of said Wills against the Bardstown and Green River Turnpike Road Company, and report, to wit:

1. From the settlement of accounts of said Wills, as Treasurer of said Company, made by D. S. Howell and Samuel Carpenter, together with the statement of those gentlemen under oath, I am clearly of the opinion there is now due said Wills, as late Treasurer, the sum of two thousand eight hundred and eighteen dollars and forty cents. The supposed sum heretofore reported as due him, was $2,000, of which the State paid $1,333 33.

2. The State of Kentucky, as stockholder in said road, is bound for two thirds of the debts, and by an act of 1848, agreed to pay her portion thereof when ascertained. Therefore, her portion of the said sum of $2,818 40, will be one thousand four hundred and thirty four dollars and...
forty-nine cents—consequently, this sum of $1,434 49 cents, is justly due said Spottswood Wills from the State of Kentucky.

Which is respectfully reported, O. G. CATES, P. B. I. I.

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

Mr. Hobbs presented the petition of Jacob Lewis, a manufacturer of fine or Queensware, praying for the passage of a law for his benefit.

The hour of 12 o'clock having arrived,

On the motion of Mr. Bruce,

Ordered, That a message be sent to the House of Representatives, to inform them that the Senate is now ready, pursuant to the joint order of the day, to proceed to the election of a Senator in the Congress of the United States, to serve for six years from and after the 4th day of March next; and Messrs. Bruce, Barnett and Brien were directed to carry said message.

A message was received from the House of Representatives, by Messrs. Hughes, W. Davis and Ewing, announcing that they are now ready to proceed to said election.

Mr. Wall nominated Henry Clay as a proper person to fill the office of Senator in Congress.

Mr. Rice nominated Richard M. Johnson.

After interchanging nominations, the Senate proceeded to vote for Senator, and it stood thus:

Those who voted for Henry Clay, were—


Those who voted for Richard M. Johnson, were—


Messrs. Wall and Rice were appointed a committee, on the part of the Senate, to compare the joint vote and report the result.

After a short time, Mr. Wall reported that the joint vote stood thus:

For Henry Clay, 93
For Richard M. Johnson, 45

Whereupon, Henry Clay having received a majority of all the votes given, was declared duly elected a Senator in the Congress of the United States.
States, from the State of Kentucky, for six years from and after the 4th day of March next.

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. Bradley in the Chair; after some time spent in committee, the Speaker resumed the Chair, when Mr. Bradley reported that the committee had, according to order, again had under consideration a bill to modify and amend an act, entitled, an act to amend the law prohibiting the importation of slaves into this State, and had made further progress therein, but not having time to go through the same, had directed him to ask for leave to sit again.

The question being taken on granting leave to the committee of the whole to sit again, it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. Draffin and Grey, were as follows, to-wit:

Those who voted in the affirmative, were—

Messrs. Boyd, McMillan, Todd,
Brien, Manford, Trippett,
Chiles, Russell, Waite,
Cofer, Speed Smith, Walker,
Hambleton, Speed, Wall,
Hawkins, Thomas, White,
Hobbs, Thornton, Williams—23.
Linthicum, Thurman,

Those who voted in the negative, were—

Messrs. Barbour, Eaker, Hogan,
Barnett, English, McClure,
Bradley, Evans, McNary,
Bruce, Grey, Rice,
Draffin, Heady, Young—15.

On motion of Mr. Walker, the vote granting leave to the committee of the whole to sit again on said bill, was reconsidered.

And then the Senate adjourned.

FRIDAY, FEBRUARY 2, 1849.

A message was received from the House of Representatives, announcing that they had passed bills from the Senate, of the following titles, to-wit:

...
An act, to amend an act, entitled, an act to incorporate the Rough and Ready Turnpike Road Company.

An act for the benefit of certain School Districts in this State.

With an amendment to the last named bill.

That they had passed bills of the following titles, to-wit:

An act authorizing a re-conveyance of ten acres of land on Barren river, to T. L. Stephens and James Ford.

An act to amend the road law in the county of Campbell.

An act to authorize the President and Directors of the Turnpike Road between Bowlinggreen and Franklin to locate a toll gate within one mile of Bowlinggreen.

An act giving the County Courts of Laurel and Clay the power of appointing Commissioners and Overseers of the Goose Creek Turnpike Road.

An act to repeal, in part, an act declaring Pond river a navigable stream.

An act to incorporate the Paris and North Middletown Turnpike Road Company.

An act for the benefit of Nathan Wallis, of Hickman county, and Robert Taylor, of Monroe county.

An act to prevent the destruction of fish in the Little Kentucky river.

Mr. Thornton presented the petition of sundry citizens of the town of Mortonsville, praying for the repeal of the law incorporating said town.

Mr. Wall presented the petition of sundry citizens of Cynthiana, praying for the passage of a law authorizing the Trustees of said town to levy and collect an additional town tax for the present year.

Which petitions were received and referred to the committee on the Judiciary.

Mr. Wall, from the committee on the Judiciary, to whom was referred a bill from the House of Representatives, entitled, an act for the benefit of John C. Walker, guardian of Henry A. Ditto, reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional rule as to the third reading being dispensed with,

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

Mr. Wall, 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 Hiram Beazley, deceased.

An act for the benefit of George W. Finnie.

Reported the same with the opinion of the committee that they ought not to pass.
The question being taken on reading said bills a third time, it was decided in the negative, and so the said bills were disagreed to.

Mr. Wall, from the same committee, to whom was referred a bill from the House of Representatives, entitled, an act for the benefit of Henry D. Gilmore and Keziah Gilmore, infant heirs of Winston Gilmore, deceased, reported the same with the opinion of the committee that it ought not to pass.

Ordered, That said bill be read a third time.

The constitutional rule as to the third reading being dispensed with,

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

Mr. Wall, from the same committee, to whom was referred the petition of Stephen Jarboe, reported the following resolution thereon, to-wit:

Resolved, That said petition be rejected.

Which was concurred in.

Mr. Wall, from the same committee, to whom was referred the petition of Catharine Cox, reported the following resolution thereon, to-wit:

Resolved, That said petition be rejected.

Which was concurred in.

Mr. Wall, from the same committee, to whom was referred the petition of C. C. Freeman, reported the following resolution thereon, to-wit:

Resolved, That said petition be rejected.

Which was concurred in.

Mr. Wall, from the same committee, to whom was referred the petition of Andrew J. James, reported the following resolution thereon, viz:

Resolved, That said petition be rejected.

Which was concurred in.

Mr. Wall, from the same committee, to whom was referred the petition of Elizabeth E. Rucker, reported the following resolution thereon, to-wit:

Resolved, That said petition be rejected.

Which was concurred in.

On the motion of Mr. Draffin, leave was given to withdraw said petition.

Mr. Walker, from the committee on Propositions and Grievances, to whom was referred the petition of Jos. C. Lesher, reported the following resolution thereon, to-wit:

Resolved, That said petition be rejected.

Which was concurred in.

Mr. Walker, from the same committee, to whom was referred bills from the House of Representatives, of the following titles, to-wit:

An act to allow an additional Justice of the Peace to the county of Adair.
An act to declare legitimate, Walter Winston Anderson.

An act providing for running and marking a part of the county lines between Pike, Floyd and Lawrence.

An act to enlarge the Hadensville Constable's district, in the county of Todd.

An act to change the names of Wm. Preston Smith and others, of Henderson county.

An act to establish a new Constable's district in the county of Boyle. Reported the same without amendment.

Ordered, That said bills be read a third time.

The constitutional rule as to the third reading being dispensed with,

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

Mr. Eaker, from the committee on Privileges and Elections, to whom was referred a bill from the House of Representatives, entitled, an act to establish an additional election precinct in Allen county, reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional rule as to the third reading being dispensed with,

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

Mr. McClure, from the committee on Religion, to whom was referred bills from the House of Representatives, of the following titles, to-wit:

An act to divorce George W. McKinney.

An act to divorce William H. Jackson.

An act to divorce Willis Hammon.

Reported the same without amendment.

Ordered, That said bills be read a third time.

The constitutional rule as to the third reading being dispensed with,

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

Mr. Wall, from the committee on the Judiciary, to whom was referred a bill to provide for the purchase, distribution and preservation of Derby & Co.'s Edition of the Decisions of the Court of Appeals, reported the same with an amendment, as a substitute for said bill.

The said bill and amendment were made the special order of the day for Monday, the 5th instant.

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

The following bills were reported, to-wit:

By Mr. Wall, from the committee on the Judiciary:

A bill for the benefit of the administrator and heirs of Polly Armstrong, deceased.
A bill to amend an act, entitled, an act to incorporate the town of Greensburg.

A bill for the benefit of Lodge, No. 138, of Ancient York Masons.

By Mr. Walker, from the committee on Propositions and Grievances:
A bill authorizing the sale of certain alleys in Winchester.

By Mr. Eaker, from the committee on Privileges and Elections:
A bill allowing additional election precincts in Rockcastle and Knox counties.

A bill to change the place of voting at an election precinct in Hardin county.

By Mr. Draffin, from the committee on Religion:
A bill to divorce Annie E. Fairbairn.

A bill to divorce John Richmond.

A bill to divorce Brazilla Peyton and William Rankin.

By Mr. Bruce, from the same committee:
A bill to divorce Robert Langford.

By the same, from the committee on Internal Improvement:
A bill in relation to the Madison and Wilderness Turnpike Road.

By Mr. J. Speed Smith, from the same committee:
A bill to amend the charter of the Lexington and Frankfort Railroad Company.

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

The constitutional rule as to the second and third readings of said bills being dispensed with, and the same being engrossed,

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

Mr. J. Speed Smith moved to reconsider the vote by which the Senate disagreed to a bill from the House of Representatives, entitled, an act to restore the right of licensing taverns in the town of Danville to the County Court of Boyle.

The hour of 12 o'clock having arrived, the Senate resumed the consideration of the bill to modify and amend an act, entitled, an act to amend the law prohibiting the importation of slaves into this State.

Mr. Wall moved that the committee of the whole have leave to sit again on said bill on Friday next, the 9th instant.

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

The yeas and nays being required thereon, by Messrs. Grey and Boyd, were as follows, to-wit:

Those who voted in the affirmative, were—

Messrs. Boyd, McMillan, Thurman,
Chiles, Munford, Todd,
Those who voted in the negative, were—

Messrs. Bruce, McClure, Speed Smith,
Cofer, McMillan, Thornton,
Eaker, McNary, Todd,

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

Mr. J. Speed Smith, from the same committee, reported a bill to improve the downward navigation of the Kentucky river above slackwater, and the three forks thereof, which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second reading being dispensed with, Mr. Boyd moved an amendment to said bill, and said bill and amendment were postponed, and made the special order of the day for Monday, the 5th inst.

A message was received from the House of Representatives, announcing that they had passed a bill, entitled, an act to incorporate a Literary Association in the county of Garrard.

Mr. J. Speed Smith, from the committee on Internal Improvement, reported the following bills, to-wit:

A bill concerning the road from Birch Lick creek, in Madison county, to Brashear's Salt Works, in Perry county.
A bill for the benefit of Alonzo Livermore and Jacob Yost.
A bill for the benefit of the estate of J. T. Thomasson, deceased.
A bill to amend the act to incorporate the Great Crossings and Stamping Ground Turnpike Road Company, approved Feb. 25, 1848.
A bill to establish a just principle in the rates of toll on Turnpike roads.

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

The constitutional rule as to the second and third readings of said bills being dispensed with, and the same being engrossed,

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

Mr. J. Speed Smith, from the same committee, to whom was referred a bill authorizing toll gate keepers to administer oaths in certain cases, and for other purposes, reported the same with an amendment, which was concurred in:

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

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

The question was taken on the passage of said bill, and it was decided in the affirmative.
The yeas and nays being required thereon, by Messrs. Hogan and J. Speed Smith, were as follows, to-wit:

Those who voted in the affirmative, were—


Those who voted in the negative, were—


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

Mr. J. Speed Smith, from the same committee, reported a bill to amend the act to incorporate the Georgetown and Paris Turnpike Road Company, approved March 1, 1847, which was read the first time, and ordered to be read a second time.

The said bill reads as follows, to-wit:

Sec. 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That so much of the sixth section of an act to incorporate the Georgetown and Paris Turnpike Road Company, approved March 1, 1847, as requires a summer or grade road to be made by the side of the McAdaminized road, be, and the same is hereby repealed.

Sec. 2. That all dividends accruing to the State, from and after the passage of this act, declared by the Boards of Internal Improvement for the counties of Scott and Franklin on the Turnpike Road from Frankfort to Georgetown, shall be paid over by the Treasurer of the aforesaid Boards, to the Treasurer of the Board of Internal Improvement for the county of Bourbon, and the same, when paid over, shall be used by the Board of Internal Improvement for the county of Bourbon, in constructing the Turnpike Road from Georgetown to Paris, and shall be converted into stock in the said Georgetown and Paris Turnpike Road Company, to be held and owned by the State therein.

Sec. 3. That the Board of Internal Improvement for Bourbon county, may borrow, at a rate of interest not exceeding eight per cent. per annum, any sum of money not exceeding eight thousand dollars, to be applied to the construction of that part of the road from Georgetown to Paris, which lies within the said county of Bourbon, and the said Board may direct all the tolls received at any gate or gates on said road in said county, to be applied to the payment of the principal and interest of any money thus borrowed, until the same shall be fully paid off and discharged; and to secure the payment thereof, said Board may mortgage, by deed in writing, the tolls on said road, to any person or persons with whom they may effect a loan as aforesaid, reserving enough of said tolls to keep the road in good repair.
The constitutional rule as to the second and third readings of said bill being dispensed with, and the same being engrossed,

The question was taken on the passage of said bill, and it was decided in the negative, so the said bill was rejected.

The yeas and nays being required thereon by Messrs. Eaker and Williams, were as follows, to-wit:

Those who voted in the affirmative, were—


Those who voted in the negative, were—


On the motion of Mr. Hobbs, the vote rejecting said bill was re-considered.

The vote ordering said bill to be engrossed and read a third time, was then re-considered, and the said bill was amended by striking out the second section.

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

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

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

Mr. Todd, from the committee on Finance, made the following report, to-wit:

The committee on Finance, to which was referred a resolution of the Senate directing said committee to inquire into the expediency of altering the mode of appointing the Commissioners of Revenue Tax in the several counties; and also directing said committee to prepare a table, which will exhibit the inequalities in the assessment, or valuation of the same description of property required by law to be listed for taxation, in the several counties, have had the same under consideration, and beg leave to report:

That, in relation to the first branch of the enquiry, the committee presumes the object intended by the resolution, was designed to call their attention to the fact, alleged by many to exist, of great inequality of valuation, and of under-valuation in different counties, and by different Commissioners of Tax in the same county, of the subjects of taxation, and to ascertain whether, in their opinion, Commissioners other-
wise appointed, might not insure a more uniform, and, at the same time, correct assessment, as regards the real value of the property subject to taxation. Under the several systems and modes of taking in lists of taxable property in this Commonwealth, the appointment of Commissioners has been uniformly confided to the County Courts of the several counties; and although attempts have been made, by legislative enactment, to effect the appointment of Commissioners in a different mode, they have always failed, because of the belief, (as they are informed,) that the provisions of the constitution conferred, at least by strong implication, if not in direct terms, the appointment of all county officers, (for whose appointment the constitution did not otherwise provide,) on the several County Courts. The article of the constitution relied upon to sustain this opinion, is article 3d, section 9th, and is in the following words:

"He, (the Governor,) shall nominate, and by and with the advice and consent of the Senate, appoint all officers, whose offices are established by this constitution, or shall be established by law, and whose appointments are not herein otherwise provided for: Provided, That no person shall be so appointed to an office within any county, who shall not have been a citizen and inhabitant therein one year next before his appointment, if the county shall have been so long erected, but if it shall not have been so long erected, then within the limits of the county or counties from which it shall have been taken: Provided, also, That the County Courts shall be authorized by law to appoint inspectors, collectors, and their deputies, surveyors of the highways, constables, jailers, and such other inferior officers, whose jurisdiction may be confined within the limits of a county."

The committee concur in the opinion, that the authority given by law to the County Courts, to appoint Commissioners of Tax in their several counties, (being strictly speaking "county officers,") is in accordance with the section above quoted; and renders it unnecessary to give an opinion, whether a change in the mode of appointment would probably secure a selection of Commissioners better qualified, or a more uniform and correct assessment of taxable property, than is now obtained under the existing mode.

By the same resolution, the committee are also directed to ascertain "the inequalities of tax on the different species of property in the several counties." In compliance with which direction, the committee herewith present a tabular statement, exhibiting the average valuation, per head, in each county, of slaves, horses and mares, mules, jennies, and cattle, from which each one can, for himself, perceive at once, the inequalities which exist, as exhibited by the returns to the Auditor's office for the year 1848. The committee, however, will not undertake to say, whether the inequalities in taxation, exhibited by this table, are in consequence of difference in intrinsic value in the various opinions of Commissioners, in regard to the value of the same articles taxed, or in the different mode of giving in the same description of articles to the Commissioners of Tax; but are of opinion, from the best evidence and information they have received, that all the objects of taxation, not excluding lands, and town lots, and merchandize, the main articles, are generally assessed at a value below which they would command in a fair market, if offered for
sale. The committee have not extended their calculations to lands or town lots, or articles subject to specific taxation, for the very obvious reason that lands and town lots, though they might be of the same value in an unimproved state, may be and are of very different value, in an improved one, in the same neighborhood or county, depending, in a great degree, on the improvements and buildings on them, for the enhanced value, and cannot present any thing like uniformity in that particular; and that, in regard to articles subjected to a specific tax, it could not be expected or designed that they should, at the same time, be subject to the ad valorem system of taxation. The committee, in compiling the table herewith presented, do not offer it as containing the most minute calculation that might be made, but consider it sufficiently minute and accurate to answer all the objects designed by the mover of the resolution.

All which is respectfully submitted,

R. S. TODD, Ch'mn.
A Table exhibiting the inequality of taxation in slaves, horses and mares, mules, jennies and cattle, in the several counties, compiled from the returns made to the Auditor’s Office for 1848.

<table>
<thead>
<tr>
<th>COUNTIES</th>
<th>No. of Slaves</th>
<th>Average value per head</th>
<th>No. of Horses and Mares</th>
<th>Average value per head</th>
<th>Average value per mule</th>
<th>No. of Jennies</th>
<th>Average value per head</th>
<th>No. of Cattle</th>
<th>Average value per head</th>
<th>No. of oxen</th>
<th>Average value per head</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adair</td>
<td>1,616</td>
<td>289.11</td>
<td>3,586</td>
<td>30.05</td>
<td>184</td>
<td>22.15</td>
<td>25</td>
<td>4,744</td>
<td>98</td>
<td>1,597</td>
<td>7,069</td>
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<td>Allen</td>
<td>1,337</td>
<td>300.88</td>
<td>2,479</td>
<td>30.18</td>
<td>267</td>
<td>28.62</td>
<td>12</td>
<td>56.66</td>
<td>1,535</td>
<td>476</td>
<td>1,068</td>
</tr>
<tr>
<td>Anderson</td>
<td>1,159</td>
<td>302.09</td>
<td>2,893</td>
<td>30.77</td>
<td>255</td>
<td>37.00</td>
<td>10</td>
<td>62.80</td>
<td>1,580</td>
<td>476</td>
<td>1,136</td>
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<tr>
<td>Boyle</td>
<td>3,378</td>
<td>300.93</td>
<td>3,755</td>
<td>33.20</td>
<td>1,556</td>
<td>41.80</td>
<td>25</td>
<td>60.18</td>
<td>4,044</td>
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<td>Bracken</td>
<td>768</td>
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<td>35.60</td>
<td>10</td>
<td>30.00</td>
<td>33</td>
<td>60.18</td>
<td>1,377</td>
<td>89</td>
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<td>Bullitt</td>
<td>1,907</td>
<td>334.54</td>
<td>2,004</td>
<td>32.62</td>
<td>123</td>
<td>33.07</td>
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<td>37.50</td>
<td>4,593</td>
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<td>5,550</td>
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<td>530</td>
<td>30.07</td>
<td>80</td>
<td>42.25</td>
<td>3,737</td>
<td>274</td>
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<tr>
<td>Breckinridge</td>
<td>1,878</td>
<td>338.33</td>
<td>4,090</td>
<td>35.08</td>
<td>320</td>
<td>31.87</td>
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<td>284.04</td>
<td>4,671</td>
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<td>43.59</td>
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<td>73.55</td>
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<td>33.79</td>
<td>9</td>
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<td>3,686</td>
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<td>Buller</td>
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<td>1,778</td>
<td>27.66</td>
<td>93</td>
<td>33.79</td>
<td>9</td>
<td>31.66</td>
<td>3,686</td>
<td>282</td>
<td>688</td>
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<tr>
<td>Bath</td>
<td>2,126</td>
<td>313.79</td>
<td>5,167</td>
<td>33.62</td>
<td>689</td>
<td>35.84</td>
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<td>61.32</td>
<td>8,565</td>
<td>124</td>
<td>1,823</td>
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<tr>
<td>Butler</td>
<td>620</td>
<td>315.25</td>
<td>2,147</td>
<td>27.43</td>
<td>26</td>
<td>25.92</td>
<td>9</td>
<td>23.50</td>
<td>5,382</td>
<td>229</td>
<td>670</td>
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<tr>
<td>Campbell</td>
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Ordered, That the Public Printer print 1,000 copies of said report, and accompanying tables, for the use of the Senate.

Mr. Todd, from the same committee, to whom was referred a bill from the House of Representatives, entitled, an act for the benefit of John Goodin, reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional rule as to the third reading being dispensed with,

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

Mr. Todd, from the same committee, reported a bill to amend an act, entitled, an act to incorporate the Lexington Cemetery Company, which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second and third readings of said bill being dispensed with, and the same being engrossed,

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

On the motion of Mr. Todd, the committee on Finance was discharged from the further consideration of the petition of Joseph A. Vance; and leave was given Mr. Evans to withdraw said petition.

Mr. Walker, from the committee on Propositions and Grievances, reported a bill to repeal, in part, an act to enlarge the powers of the Trustees of Princeton; which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second and third readings of said bill being dispensed with, and the same being engrossed,

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

Mr. J. Speed Smith read and laid on the table the following resolution, to-wit:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the officers and soldiers of Kentucky, who served in the last war against Great Britain, as also, all officers and soldiers who have served in the Indian wars, and in the war of the Revolution, be, and they are hereby, invited to meet General Taylor upon his visit to the Capital of the State.

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

Mr. Evans, from the committee on Education, to whom was referred a bill from the House of Representatives, entitled, an act for the benefit of the Bath Seminary, reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional rule as to the third reading being dispensed with,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.
Mr. Evans, from the same committee, reported the following bills, viz:

1. A bill to amend an act authorizing a settlement with the Trustees of the Stanford Seminary, approved March 1, 1847.
2. A bill to incorporate the Male and Female Institute of Calloway County.

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

The constitutional rule as to the second reading being dispensed with, the second bill was amended.

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

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

Resolved, That said bills do pass, and that the title of the first be as aforesaid, and the title of the second be amended by adding, "and Shelbyville Female College."

Mr. Boyd, from the committee on Banks, to whom was referred a bill to establish the Farmers' Bank of Kentucky, and the amendments proposed thereto, reported the same with amendments.

Ordered, That said bill and amendments be committed to the committee of the Whole House, on the State of the Commonwealth, and made the special order of the day for Monday the 5th instant.

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

Whereas, The State of Kentucky has a deep interest in sustaining her present Banking Institutions, not only for their solvent condition and prudent management, but because they constitute the chief resource of our present Sinking Fund. The fact that there does not exist, at this time, pecuniary embarrassment, would seem to imply that the circulating medium was equal to the wants of the community; but as there are numerous applications to the present General Assembly for the creation of more Banking Institutions, we are led to believe that the increased commerce of the State demands an increase of the circulation; and whilst good policy might dictate that increase, yet, warned by the past, there is much reason to apprehend, by an increase of the number of Banking Institutions, a redundancy of paper circulation will follow, and a consequent inflation of prices, extravagant speculation, succeeded by a revolution and depreciated bank paper. Wherefore,

Resolved by the General Assembly of the Commonwealth of Kentucky, That the Joint Committee on Banks be instructed to inquire into the causes of the demand for more banking capital; and if, in their opinion, there exists well-founded reasons for such demand, they shall then inquire of the Bank of Kentucky what amount, and when the funds expected to be received from the Schuykill Bank, will be realized, and what portion of that fund could be employed in the branches where there exists a demand for more capital? That they inquire of the Northern Bank whether they will receive, on the part of the State, an increase of their cap-
ital, and consent to an extension of their charter, and locate a branch south of Green River, and increase their capital in the branch at Covington? That in the event the Bank of Kentucky cannot realize funds from the Schuylkill Bank in time to supply the demand, they inquire into, and report, upon the expediency of the State at once, making provision for completing its right to subscription in the Bank of Kentucky, and to make arrangements with said Bank for the employment of such increase in the branches.

The rule of the Senate being dispensed with, the said preamble and resolution were taken up.

Mr. Hogan moved to lay the said preamble and resolution on the table for the present.

The question being taken thereon, it was decided in the negative, the Senate being equally divided, the Speaker voted in the negative.

The yeas and nays being required thereon, by Messrs. Hobbs and Hawkins, were as follows, to-wit:

Those who voted in the affirmative, were—


Those who voted in the negative, were—


Ordered, That said preamble and resolution be committed to the committee of the Whole House, on the State of the Commonwealth, and made the special order of the day for Monday next, the 5th instant.

Mr. Wall, from the committee on the Judiciary, to whom was referred a bill from the House of Representatives, entitled, an act to change the August Chancery Term of the Christian Circuit Court, reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional rule as to the third reading being dispensed with,

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

Mr. Wall, from the same committee, reported a bill to authorize the Trustees of Cynthiana to levy and collect an additional tax; which was read the first time, and ordered to be read a second.
The constitutional rule as to the second and third readings of said bill being dispensed with, and the same being engrossed, 

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

The following bills were reported from select committees, to-wit:

By Mr. Russell—A bill to extend the powers of the Trustees of the town of South Frankfort.

By Mr. Thomas—A bill to change the name of Taylorsville, in Boone county.

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

The constitutional rule as to the second and third readings of said bills being dispensed with, and the same being engrossed,

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

On the motion of Mr. Wall,

Ordered, That a message be sent to the House of Representatives to ask leave to withdraw the report of the disagreement of the Senate to a bill from that House, entitled, an act for the benefit of George W. Finnie; and Mr. Wall was directed to carry the said message.

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

On the motion of Mr. Linthicum—1. A bill for the benefit of Rufus Lane.

On the motion of Mr. White—2. A bill to permit William and John Chiles to erect a ten pin alley at the Estill springs.

On the motion of Mr. Chiles—3. A bill to amend the charter of the Winchester and Mount Sterling Turnpike Road Company.


On the motion of Mr. Triplett—5. A bill to amend an act, entitled, an act to amend the several laws establishing and regulating towns in this Commonwealth, approved February 22, 1834.

On the motion of Mr. Hogan—6. A bill for the benefit of Thomas Garrard, of Pendleton county.

On the motion of same—7. A bill to incorporate the Owenton and Clay Lick Turnpike Road Company.

On the motion of Mr. Young—8. A bill to amend the law on the subject of corner trees and marked lines, defining the boundary of land in this State.

The committee on Internal Improvement was directed to prepare and bring in the 1st, 4th and 7th; the committee on the Judiciary the 5th and 8th; the committee on Finance the 6th; Messrs. White, J. Speed Smith
and Chiles were appointed a committee to prepare and bring in the 2d, and Messrs. Chiles, Young and J. Speed Smith the 3d.

Mr. Russell presented the petition of John D. Rake, praying for the passage of a law to compensate him for work and labor done on the Capitol; which was received and referred to the committee on Propositions and Grievances.

Resolved, That the Senate concur in the amendment proposed by the House of Representatives, to a bill from the Senate, entitled, an act for the benefit of certain school districts in this State.

Mr. Bradley, from the joint committee on Enrollments, reported that the committee had examined enrolled bills and resolutions which originated in the Senate, of the following titles, to-wit:

- An act to release the Louisville Savings Institution from certain taxes.
- An act to divorce Nancy Landy.
- An act to divorce Sarah A. Stephens.
- An act for the benefit of Peter Conway, of Fleming county.
- An act to amend the law relating to Pedlers.
- An act to extend the time for surveying and returning Kentucky Land Office Warrants to the Register's Office.
- An act for the benefit of Zilla Goldsberry.
- An act for the benefit of George Coulon and Amanda Biletter.
- An act to divorce Hannah Dolan.
- An act to divorce David E. and Lucinda Baker.
- An act to amend the charter and laws of the town of Newport.

Resolution providing for the appointment of Reporters to report the proceedings of the Convention.

A resolution to unite in the funeral obsequies of the late Capt. W. S. Harris.

And enrolled bills and enrolled preamble and resolutions which originated in the House of Representatives, of the following titles, to-wit:

- An act to divorce Maria Chapman.
- An act to divorce James C. Gourley, John Carroll, Sr., and John Cowen.
- An act to repeal the law repealing an act giving the county of Greenup one Road Commissioner.
- An act to divorce John and Nancy Eversole.
- An act to divorce William Grissom.
- An act to divorce Lucinda Hayden.
- An act to divorce William Young.
- An act to divorce Louisa Green.
- An act to divorce Nancy Murphy.
- An act for the benefit of John Caudle, of Letcher county.
- An act for the benefit of Samuel Dews, of Spencer county.
An act authorizing a change of the State road in Lewis county.
An act concerning the town of Lancaster.
An act for the benefit of William Giles.
An act authorizing the Bracken County Court to lay the levy at their January, February or March Term.
An act for the benefit of the School Commissioners of Casey county.
An act to amend an act, entitled, an act for the benefit of William Calmes, approved March 1st, 1847.
An act to amend the law in relation to private passways in Pike county.
An act to authorize Larue county to use the jail of Hardin county.
An act to change the place of voting in an election precinct in Butler county.
An act allowing an additional Justice of the Peace to the county of Muhlenburg.
An act for the benefit of William Blair.
An act to incorporate the Kinnieamick Bridge Company.
An act to incorporate the Mount Sterling and Red River Railroad Company.
An act for the benefit of Elizabeth and Asa Hiatt.
An act to change an election precinct in Pulaski county.
An act to change a part of the State road in Todd county, leading from Hopkinsville to Morgantown.
An act for the benefit of the Trustees of Morganfield.
An act to amend an act, approved 26th of February, 1848, incorporating the town of Monticello.
An act to amend the law for the appointment of Commissioners to take acknowledgments of deeds, &c.
An act authorizing the Campbell County Court to appoint an additional Justice of the Peace to grant injunctions, &c.
An act allowing Carter county an additional Justice of the Peace, and for other purposes.
An act for the benefit of Julius A. Labarthe.
An act for the benefit of the Sheriff of Meade county.
An act to extend the terms of the Morgan Circuit Court.
An act granting a change of venue to Wm. P. Hart.
An act to divorce Richard C. Guy.
Preamble and resolutions in relation to water rotted hemp.
Resolutions requesting the Convention to submit the new Constitution to the people for ratification or rejection.
And had found the same truly enrolled.
The said bills and resolutions having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approbation and signature.
After a short time, Mr. Bradley reported that the committee had performed that duty.

Bills from the House of Representatives, of the following titles, were severally read the first time, to-wit:

1. An act to authorize the payment of the amount due to the Commissioners of the road from Bowlinggreen to the mouth of Salt River.
2. An act to incorporate the Russellville and Nashville Turnpike Road Company.
3. An act to authorize the County Courts of Boyle and Lincoln to take stock in certain Turnpike Roads.
4. An act declaring certain streams in Floyd and other counties navigable.
5. An act to allow the County Court of Lewis to apply the proceeds of the vacant lands of said county, to the improvement of the navigation of Kinnicannick, and for other purposes.
6. An act for the benefit of James Cowan's heirs.
7. An act to allow J. L. Jones and John Adams to erect a mill dam on Licking river.
8. An act to regulate the public roads in Bullitt county.
9. An act to change a State road in Christian county.
10. An act to incorporate the Grayson and Catlettsburg Railroad Company.
11. An act to divorce David C. Spencer.
12. An act authorizing a re-conveyance of ten acres of land on Barren river, to T. L. Stephens and James Ford.
13. An act to amend the road law in the county of Campbell.
14. An act to authorize the President and Directors of the Turnpike Road between Bowlinggreen and Franklin to locate a toll gate within one mile of Bowlinggreen.
15. An act giving the County Courts of Laurel and Clay the power of appointing Commissioners and Overseers of the Goose Creek Turnpike Road.
17. An act to incorporate the Paris and North Middletown Turnpike Road Company.
19. An act to prevent the destruction of fish in the Little Kentucky river.
20. An act to divorce Edward Pelouze.
21. An act to divorce Elizabeth Lewis.
MONDAY, FEBRUARY 5, 1849.

A message was received from the House of Representatives, announcing that they had passed a bill from the Senate, entitled, an act for the benefit of the Sheriffs of Grant and Owen counties, with an amendment, which was concurred in.

That they had passed bills of the following titles, to-wit:

An act for the benefit of Ralph F. Wood, of Barren county.
An act to incorporate the Owingsville and Sharpsburg Turnpike Road Company.
An act divorcing Benjamin R. Gaines and wife, and for other purposes.
An act to extend the limits of the town of Ghent.
An act for the benefit of the widow and heirs of Henry Durrett, deceased.
An act to legalize the proceedings of a special term of the Estill County Court.
An act for the benefit of the mechanics of Estill and Owsley counties.
An act for the benefit of Rebecca Royse, of Fleming county.
An act to incorporate the Odd Fellows Hall Association in Henderson.

An act to authorize the appointment of a Police Judge in the town of Portland.

That they had adopted a resolution inviting the officers and soldiers of the war of 1812, to visit the Capital of Kentucky.

On the motion of Mr. Grey, the vote by which the resolution rejecting the petition of N. H. Tandy was adopted, was reconsidered; and said petition was referred to a select committee of Messrs. Grey, Walker and McNary.

1. Mr. Eaker presented the petition of sundry citizens of Graves county, praying for the passage of a law to allow Elisha Crutchfield of said county to import a slave into this State.

2. Mr. Chiles presented the petition of William Wallace Blackwell and others, of Clarke county, praying for the passage of a law to change their names to that of Combs.

3. Mr. Chiles also presented the petition of Susan Fry, for herself and children, praying for the passage of a law authorizing the sale of certain lands in Clarke county, and an investment of the proceeds in other lands.

4. Mr. Bruce presented the petition of John Y. Henson and Mary Jane Henson, praying for the passage of a law to divorce them from each other.

5. Mr. Eaker presented the petition of F. S. Taylor, of Hickman county, praying for the passage of a law allowing him to import a slave into this State.

6. Mr. Munford presented the petition of F. G. Everett, praying for the passage of a law to compensate him for work and labor done as Contractor on the Louisville and Nashville Turnpike Road.

7. Mr. Eaker presented the petition of M. V. Tomlinson, of Hickman county, praying for the passage of a law to allow him to import a slave into this State.

8. Mr. Bruce presented the petition of John A. Westerfield, of Laurel county, praying for the passage of a law divorcing him from his wife, Mahala Westerfield.

9. Mr. Bruce also presented the petition of James T. Goshen, praying for the passage of a law authorizing the sale of certain real estate.

10. Mr. McMillan presented the petition of the Directors of the Turnpike Road leading from Maysville, through Germantown to Brookville, in Bracken county, praying to be compensated for work and labor done on said road.

Which petitions were severally received and referred; the first, fifth and seventh, to the committee on Propositions and Grievances; the se-
cond to a select committee of Messrs. Chiles, Linthicum and Russell; the third to a committee of Messrs. Chiles, Speed and Thurman; the fourth and eighth to the committee on Religion; the sixth to the committee on Internal Improvement; the ninth to the committee on the Judiciary; and the tenth to a select committee of Messrs. McMillan, Boyd and Wall.

On the motion of Mr. Bruce, the vote rejecting the petition of Andrew J. Janes, was reconsidered, and said petition was referred to a select committee of Messrs. Waite, McClure and White.

A bill from the House of Representatives, entitled, an act for the benefit of George W. Finnie, having been returned to the Senate, the vote disagreeing to it was reconsidered, and said bill was referred to the committee on the Judiciary.

On the motion of Mr. Walker, the committee on Propositions and Grievances was discharged from the further consideration of the petition of sundry citizens of Trimble county, for the establishment of a ferry at Milton, in said county, and said petition and papers were withdrawn.

Mr. J. Speed Smith, from the committee on Internal Improvement, to whom was referred a bill for the benefit of the Lexington and Covington Turnpike Road, reported the same, with the opinion of the committee that it ought not to pass.

Ordered, That said bill be committed to the committee of the Whole House, on the state of the Commonwealth, and made the special order for to-day, at 12 o'clock.

Mr. J. Speed Smith, from the same committee, to whom was referred bills from the House of Representatives, of the following titles, to-wit:

An act for the benefit of Jesse F. Atchison, and others.
An act to revive an act to incorporate a Company to construct a Turnpike from Lancaster to Orab Orchard.
An act supplemental to an act incorporating the Lexington and Frankfort Turnpike Company.
An act supplemental to an act incorporating the Newtown and Lexington Turnpike Company.

Reported the same without amendment.

Ordered, That said bills be read a third time.

The constitutional rule as to the third reading being dispensed with, Resolved, That said bills do pass, and that the titles thereof be as afore-said.

Mr. J. Speed Smith, from the committee on Internal Improvement, reported the following bills, to-wit:

A bill to incorporate the Elizaville and Helena Turnpike Road Company.
A bill to incorporate the Newtown and Leesburg Turnpike Road Company.

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

The constitutional rule as to the second and third readings of said bills being dispensed with, and the same being engrossed,

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

Mr. Grey, from the same committee, reported a bill authorizing the Marshall County Court to change a part of the State road leading from Hopkinsville to Columbus, which was read the first time, and ordered to be read a second time.

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

The constitutional rule as to the second reading being dispensed with,

Mr. English, from the committee on the Penitentiary, made the following report, to-wit:

The committees on the Penitentiary, having made their examination of that Institution, jointly, have deemed it best to submit a joint report, as follows:

The committees have made repeated personal examinations of the general arrangement and discipline of the prison, together with the treatment and condition of its inmates, and find the various workshops well arranged, both to facilitate business and to promote the health and comfort of the prisoners. The machinery and tools seem to be well adapted to the wants of the different trades. The workmen, in every shop, are actively and systematically employed, and the steady, constant hum of business, shows the orderly and well regulated system by which they are governed.

The committees have, with care, examined into the general condition of the prison, and believe the inmates are well fed, well clothed, and as comfortably lodged as practicable.

The discipline of the prison is mild and humane, yet sufficiently firm and coercive, to enforce implicit obedience in refractory cases.

Your committees believe the Keeper relies principally upon the laws of kindness to produce a willing and cheerful conformity to his rules; and in carrying out this commendable principle he has succeeded beyond his most sanguine expectations.

The committees are well satisfied that the business of the Institution, under the management of the Keeper, has been conducted, so far as they are able to judge, with energy and ability, not only in the management of the financial interest of the Institution, but particularly in the improved and commendable discipline which he has introduced.

A portion of the members of the committees personally examined the books and accounts kept by Mr. Charles S. Waller, Clerk of the Penitentiary, and found them neat and systematical, evidencing the most minute accuracy and skill of a superior accountant. He explained to us his system of checks and guards to protect the financial interest of the Institution—that no items of expenditure or credit to the Keeper were permitted to pass upon his books without a proper voucher to justify the entry.
FEB. 5.]

We turned promiscuously through the books to several entries of this nature, and desired to see the vouchers, which were instantly produced. With such a system, and so long as the books are kept in this manner, your committees believe that no difficulty will ever occur in settling the accounts of the Institution with perfect equity to all concerned.

All of which is respectfully submitted.

S. S. ENGLISH, Ch'm. S. Com.
THOS. I. YOUNG,
CHARLES HAMBLETON,
O. P. HOGAN,
G. C. THURMAN.

D. H. HARRISON, Ch'm. H. R. Com.
W. B. McCONNELL,
W. L. CONKLIN,
W. B. MURPHY,
WALLER CHENAULT,
NELSON HARRELD,
SQUIRE LUCAS.

At quarter past 11 o'clock, Mr. J. Speed Smith moved that the Senate adjourn.

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

The yeas and nays being required thereon by Messrs. Evans and J. Speed Smith, were as follows, to-wit:

Those who voted in the affirmative, were—

Messrs. Barbour, Hawkins, Thomas,
Bradley, Heady, Thurman,
Brien, Hogan, Waite,
Bruce, Linthicum, Wall,
English, McMillan, White,
Grey, Speed Smith, Young—18.

Those who voted in the negative, were—

Messrs. Boyd, Hambleton, Rice,
Chiles, Hobbs, Speed,
Eaker, McClure, Walker—11,
Evans, Munford,

The Senate accordingly adjourned.

TUESDAY, FEBRUARY 6, 1849.

A message was received from the House of Representatives, announcing that they had passed bills of the following titles, viz:
An act allowing an additional Constable to Larue county.

An act to establish the Louisville Commercial College.

An act authorizing the confinement of offenders against the ordinances of the city of Maysville, in the county jail and jail yard of said city.

An act authorizing the Trustees of Germantown to appoint an Assessor for special purposes.

An act to authorize the Clerk of the Breckinridge County Court to transcribe certain records.

An act to amend an act regulating the town of Salvisa, in Mercer county, approved February 9, 1829.

An act to extend the limits of the town of Mount Washington.

An act to incorporate the Trustees of the Parsonage of the Methodist Episcopal Church South, in Floydsburgh, in Oldham county.

An act to reduce into one the several acts concerning the town of Lagrange.

An act to change an election precinct in the county of Pulaski.

An act to amend the law establishing the town of Creelsboro', approved 9th February, 1819.

An act for the benefit of the Trustees of the First Presbyterian Church in Shelbyville.

An act to allow an additional Constable to Shelby county.

An act to amend an act, entitled, an act to establish the town of Milton, approved February 4, 1848.

An act to allow an additional Constable to Green county.

1. Mr. Barbour presented the petition of sundry citizens of the town of Paducah, praying for an amendment to the charter of said town, authorizing the Trustees thereof to borrow money for the purpose of making improvements in said town.

2. Mr. Barbour also presented the remonstrance of sundry citizens of said town, against the proposed amendment to the town charter.

3. Mr. Barbour also presented the petition of sundry citizens of McCracken county, praying for the passage of a law to incorporate the Clark's River Bridge Company.

4. Mr. Evans presented the petition of James R. Skiles, asking a final adjustment of his accounts with the State, as Commissioner of the public works on Green and Barren rivers.

Which petitions and remonstrance were received and referred—the 1st, 2d and 3d to the committee on Propositions and Grievances, and the 4th to the committee on Internal Improvement.

Mr. Bradley, from the joint committee on Enrollments, reported that the committee had examined an enrolled bill which originated in the Senate, entitled, an act for the benefit of the Sheriffs of Grant, Cumberland and Owen counties; and had found the same truly enrolled.
The said bill having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereof, and it was delivered to the committee to be presented to the Governor, for his approbation and signature. After a short time, Mr. Bradley reported that the committee had performed that duty.

Mr. J. Speed Smith, from the committee on Internal Improvement, to whom was referred a bill from the House of Representatives, entitled, an act to amend the charter of the Louisville and Taylorsville Turnpike Company, reported the same with an amendment, which was concurred in.

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

The constitutional rule as to the third reading being dispensed with, Resolved, That said bill, as amended, do pass, and that the title thereof be amended by adding, "and to incorporate the Jefferson and Brownsboro' Turnpike Road Company."

Mr. Todd, from the committee on Finance, to whom was referred bills from the House of Representatives, of the following titles, to wit:

- An act for the benefit of George Dunn, Jailer of McCracken county.
- An act to repeal an act, entitled, an act for the benefit of John Judy, of Clarke County.
- An act for the benefit of Mary Simpson and others, of Calloway county.

Reported the same without amendment.

Ordered, That said bills be read a third time.

The constitutional rule as to the third reading being dispensed with, Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

Mr. Heady, from the committee on Military Affairs, to whom was referred a bill from the House of Representatives, entitled, an act for the relief of John Pitman and John C. Brown, reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional rule as to the third reading being dispensed with, Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Mr. Evans, from the committee on Education, to whom was referred a bill from the House of Representatives, entitled, an act to incorporate a Literary Association in the county of Garrard, reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional rule as to the third reading being dispensed with, Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Mr. Chiles, from the committee on Agriculture and Manufactures, to whom was referred a bill from the House of Representatives, entitled,
an act to amend an act, entitled, an act for the benefit of the mechanics of the towns of Covington and Newport, approved February 22, 1834, reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional rule as to the third reading being dispensed with, Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The following bills were reported, to-wit:

By Mr. Eaker, from the committee on Finance—A bill in relation to the city of Covington.

By Mr. Heady, from the committee on Military Affairs—A bill for the benefit of the Leesburg Light Artillery Company.

By same—A bill for the benefit of the Hustonville Uniform Infantry Company.

By Mr. Evans, from the committee on Education—A bill for the benefit of School District No. 9, in Russell county.

By same—A bill for the benefit of Somerset Seminary.

By Mr. Hobbs, from the committee on the Sinking Fund—A bill to amend an act prescribing the duties of the Board of Commissioners of the Sinking Fund.

By Mr. Chiles, from the committee on Agriculture and Manufactures—A bill to regulate the sale and measurement of stone coal.

By Mr. White, from a select committee—A bill for the benefit of Geo. Stivers, Sr., of Clay county.

By Mr. Grey, from a select committee—A bill for the benefit of the heirs of Edward Haley, deceased.

By Mr. Chiles, from a select committee—A bill for the benefit of the widow and heirs of George Fry, deceased.

By same—A bill for the benefit of William Wallace Blackwell and others, of Clarke county.

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

The constitutional rule as to the second and third readings of said bills being dispensed with, and the same being engrossed,

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

Mr. Chiles, from the committee on Agriculture and Manufactures, reported a bill to promote the growth and manufacture of silk.

Mr. Chiles, from a select committee, reported a bill prescribing the duties of Circuit Court Clerks in certain cases.

Which bills were each read the first time, and ordered to be read a second time.
The constitutional rule as to the second reading being dispensed with, the 2d bill was referred to the committee on the Judiciary, and the 1st was ordered to be engrossed and read a third time.

Ordered, That the Public Printer print 150 copies of the 2d bill, for the use of the General Assembly.

Mr. Walker, from a select committee, reported a bill for the benefit of Robert J. Terry, of Todd county, which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second reading being dispensed with, said bill was amended and ordered to be engrossed and read a third time.

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

Resolved, That said bill do pass, and that the title thereof be amended by adding, “and William Hart, of Jefferson county.”

Mr. Hobbs, from the committee on the Sinking Fund, to whom was referred a bill for the benefit of the Lexington and Frankfort Railroad, reported the same, with the opinion of the committee that it ought not to pass.

The question was taken on engrossing and reading said bill a third time, and it was decided in the negative, and so the said bill was rejected.

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

On motion of Mr. Thomas—1. A bill for the benefit of the Sheriff of Campbell county.

On motion of same—2. A bill for the benefit of Benjamin D. Beall, Clerk of the Campbell Circuit and County Courts.

On motion of same—3. A bill for the benefit of the town of Newport, changing the name to the City of Newport.

On motion of Mr. Waite—4. A bill for the benefit of the County Court of Pulaski, and for other purposes.

On motion of Mr. J. Speed Smith—5. A bill to incorporate Turnpike Road Companies in Madison county.

On motion of Mr. Waite—6. A bill for the benefit of certain School Districts in Pulaski county.

On motion of Mr. Hawkins—7. A bill for the benefit of Jas. A. Wilson, of Boone county.

On motion of Mr. McNary—8. A bill to incorporate the town of South Carrollton, in Muhlenburg county.


On motion of Mr. Thornton—10. A bill to amend an act, entitled, an act to incorporate a Turnpike Road Company from Versailles to Midway, approved February 26, 1848.
On motion of Mr. Hobbs—11. A bill to authorize limited partnerships in this Commonwealth.


On motion of Mr. Boyd—13. A bill in relation to the several Banks of this State.

The committee on Finance was directed to prepare and bring in the 1st and 7th; the committee on the Judiciary the 2d, 3d, 9th, 11th and 12th; the committee on Internal Improvement the 4th, 5th and 10th; the committee on Education the 6th; the committee on Banks the 13th; and Messrs. McNary, Hambleton and McClure were appointed a committee to prepare and bring in the 8th.

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. McMillan in the Chair; after some time spent in committee, the Speaker resumed the Chair, when Mr. McMillan reported that the committee had, according to order, had under consideration a bill further to provide for the erection of the Second Kentucky Lunatic Asylum, and having gone through the same, had directed him to report it to the Senate with an amendment.

The said amendment was concurred in.

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

Resolved, That the bill to appropriate $20,000 to the erection of the Second Kentucky Lunatic Asylum, be referred to the committee on Finance, with instructions to report a bill providing for the appointment of Commissioners, whose duty it shall be to adopt a plan of buildings, which will not cost the State more than $50,000; and that said bill provide for annual appropriations, such as can be made without embarrassment to the Treasury in its disbursements.

The said resolution was adopted, and the bill referred, pursuant there-to, to the committee on Finance.

Mr. Hobbs presented to the Senate the annual report of the Board of Visitors of the Kentucky Institution for the Education of the Blind, which is as follows, to-wit:

[For Report—see Legislative Documents.]

Ordered, That said report be referred to the committee on Education, and that the Public Printer print 150 thereof for the use of the Senate, and also 500 additional copies thereof for the use of said School.

And then the Senate adjourned.
WEDNESDAY, FEBRUARY 7, 1849.

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, to-wit:

- An act for the benefit of Stilwell H. Wakefield.
- An act establishing election precincts in the counties of Larue, Mercer, Greenup, Garrard, Taylor and Livingston.
- An act to divorce Henry R. Bishop.
- An act for the benefit of Minerva O'Reily and Mary Hudnall.
- An act to divorce Harriet J. Wheeler.
- An act for the benefit of Julia E. Crowdus.
- An act to establish election precincts in the counties of Fleming and Campbell, and to change certain election precincts in the counties of Clay and Perry.
- An act to incorporate the Henderson Cemetery Company.
- An act to incorporate the Maysville Linen Company.
- That they had passed bills from the Senate of the following titles, to-wit:
  - An act to run and mark the line between the counties of Crittenden and Caldwell.
  - An act for the benefit of the town of Greenville, in Muhlenberg county.
  - An act for the benefit of the heirs of Roley Mardis, deceased.
  - An act to amend the act to incorporate the Great Crossings and Stamping Ground Turnpike Road Company, approved February 25, 1848.
  - An act to amend an act, entitled, an act to incorporate the Lexington Cemetery Company.
  - An act to repeal in part, an act to enlarge the powers of the Trustees of Princeton.
  - An act to amend an act authorizing a settlement with the Trustees of the Stanford Seminary, approved March 1, 1847.
  - An act to change the name of Taylorville, in Boone county.
  - An act for the benefit of R. M. Davis.
  - That they had passed bills of the following titles, viz:
    - An act to establish the Covington Commercial College.
    - An act to amend the militia law.

Mr. Grey presented the petition of Mary C. Bell, of Todd county, praying for the passage of a law to refund to her certain moneys wrongfully paid into the Treasury; which was received and referred to the committee on Finance.

On motion of Mr. Evans,
Ordered, That the Public Printer print 150 copies of the petition of James R. Skiles.

On motion of Mr. Chiles, the votes by which a bill to regulate the sale and measurement of coal was passed and ordered to be engrossed and read a third time, were reconsidered.

Ordered, That said bill be re-committed to the committee on Agriculture and Manufactures.

On motion of Mr. Wall, the committee on the Judiciary was discharged from the further consideration of a bill from the House of Representatives, to them referred, entitled, an act authorizing a re-conveyance of ten acres of land, on Barren river, to T. L. Stephens and James Ford; and said bill was referred to the committee on Internal Improvement.

Mr. Wall, from the same committee, to whom was referred the petition of Elizabeth Canterbury and others, heirs of Reuben Canterbury, reported the same, with the following resolution thereon, to-wit:

Resolved, That said petition be rejected.

Which was concurred in.

Mr. Wall, from the same committee, to whom was referred a bill from the House of Representatives, entitled, an act for the benefit of James Cowan’s heirs, reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional rule as to the third reading being dispensed with,

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

Mr. Wall, from the same committee, to whom was referred a bill from the House of Representatives, entitled, an act to amend the charter of the Kentucky and Louisville Mutual Insurance Company, reported the same with an amendment, which was concurred in.

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

The constitutional rule as to the third reading being dispensed with,

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

Mr. Wall, from the same committee, to whom was referred an engrossed bill, entitled, an act to amend the penal laws in relation to gambling, reported the same with an amendment, which was concurred in.

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

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

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

The yeas and nays being required thereon, by Messrs. Hogan and Evans, were as follows, to-wit:
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Those who voted in the affirmative, were—

Messrs. Barbour, Head, Todd,
Barnett, Hobbs, Triplett,
Boyd, Linthicum, Waite,
Chiles, McMillan, Walker,
Cofers, Munford, Wall,
English, Rice, Williams,
Evans, Speed, Young—22.
Hawkins,

Those who voted in the negative, were—

Messrs. Bradley, Hambleton, Thomas,
Brien, Hogan, Thurman,
Bruce, McClure, White—11,
Grey, McNary,

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

On motion of Mr. Walker, the committee on Propositions and Grievances was discharged from the further consideration of the petition of John D. Rake, to them referred, and said petition was referred to the committee on Finance.

The following bills were reported, to-wit:

By Mr. Wall, from the committee on the Judiciary:
A bill to incorporate the Covington Gas Light Company.
A bill authorizing Coroner's to convey lands in certain cases.
A bill to amend an act to incorporate the Trustees and Stockholders of the Doan and Gracy Fund.
A bill to repeal the law allowing retailers of dry goods and groceries to sell whisky, &c.

By Mr. Walker, from the committee on Propositions and Grievances:
A bill for the benefit of Elisha Crutchfield, of Graves county.
A bill for the benefit of F. T. Taylor, of Hickman county.
A bill for the benefit of M. V. Tomlinson, of Hickman county.

By Mr. Bruce, from the committee on Religion:
A bill to divorce Nathan A. Williams and others.

By Mr. J. Speed Smith, from the committee on Internal Improvement:
A bill to incorporate the Owenton and Kentucky River Turnpike Company.

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

The constitutional rule as to the second and third readings of said bills being dispensed with, and the same being engrossed,

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

Mr. J. Speed Smith, from the committee on Internal Improvement, moved the following resolution, to-wit:
Resolved, That the claim of Robert Williams be and it is hereby referred to the Board of Internal Improvement, with instructions to examine said claim, and report, forthwith, the opinion of said Board, together with the evidence upon which said opinion is based.

The question being taken on the adoption of said resolution, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Bruce and J. Speed Smith, were as follows, to-wit:

Those who voted in the affirmative, were—


Those who voted in the negative, were—


Mr. McNary, from the joint committee on Enrollments, reported that the committee had examined enrolled bills which originated in the Senate, of the following titles, to-wit:

An act for the benefit of R. M. Davis.
An act for the benefit of the heirs of Roly Mardis, deceased.
And had found the same truly enrolled.

The said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor, for his approbation and signature. After a short time, Mr. McNary reported that the committee had performed that duty.

A message was received from the Governor, by Mr. Harlan, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills and resolutions which originated in the Senate, of the following titles, to-wit:

An act to release the Louisville Savings Institution from certain taxes.
An act to extend the time for surveying and returning Kentucky Land Office Warrants to the Register's Office.
An act for the benefit of Peter Conway, of Fleming county.
An act to amend the law relating to Pedlers.
An act to amend the charter and laws of the town of Newport.  
Approved February 5, 1849.

An act for the benefit of the Sheriffs of Grant, Cumberland and Owen counties.  
Approved February 6, 1849.

A resolution to unite in the funeral obsequies of the late Capt. W. S. Harris.

Resolution providing for the appointment of Reporters to report the proceedings of the Convention.  
Approved February 5, 1849.

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. Barbour in the Chair; after some time spent in committee the Speaker resumed the Chair, when Mr. Barbour reported that the committee had, according to order, had under consideration a bill to provide for a Geological and Mineralogical Survey of the State, and having gone through with the same, had directed him to report it to the Senate, with an amendment as a substitute for said bill.

The said amendment was concurred in.

Mr. Hobbs moved an amendment to said bill.

Mr. Rice moved to lay said bill and amendment on the table.

The question being taken thereon; it was decided in the negative.

The yeas and nays being required thereon, by Messrs. Heady and Rice, were as follows, to-wit:

Those who voted in the affirmative, were—


Those who voted in the negative, were—


The amendment proposed by Mr. Hobbs was concurred in.

The said bill was further amended.

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

The Senate being equally divided, the Speaker voted in the affirmative.
The yeas and nays being required thereon, by Messrs. Hogan and Bruce, were as follows, to-wit:

Those who voted in the affirmative, were—

Messrs. Barbour, Hawkins, Todd,
Boyd, Hobbs, Triplett,
Bruce, McMillan, Waite,
Cofer, McNary, Wall,
Evans, Russell, White,
Grey, Thornton, Williams—18.

Those who voted in the negative, were—

Messrs. Barnett, Hambleton, Rice,
Bradley, Head, Speed,
Brien, Hogan, Thomas,
Chiles, Linthicum, Thurman,
Eaker, McClure, Walker,
English, Munford, Young—18.

A message, in writing, was received from the Governor, by Mr. Harlan, Assistant Secretary of State.

The rule of the Senate being dispensed with, the said message was taken up, and read as follows, to-wit:

Gentlemen of the Senate: I nominate for your advice and consent, the following named persons to be “Commissioners,” under an act of Assembly, approved 23d January, 1843, for the several named States which are attached to their respective names:

T. Carey Callieot, for the State of New York.
Wm. W. Fosdick, for the State of Ohio.
Wm. H. Lytle, for the State of Ohio.
Richard Goodman, for the State of Ohio.

February 7th, 1849.

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

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. Linthicum in the Chair; after some time spent in committee the Speaker resumed the Chair, when Mr. Linthicum reported that the committee had, according to order, had under consideration a bill to amend an act, entitled, an act to establish the Southern Bank of Kentucky, together with the amendment proposed thereto by Mr. Boyd, and having made some progress therein, but not having time to go through with the same, had directed him to ask for leave to sit again, which was granted.

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

On motion of Mr. Walker—1. A bill to authorize the Clerk of the Logan Circuit and County Courts to transcribe certain books, and for other purposes.

On motion of same—2. A bill to amend the stray laws of Kentucky.
On motion of Mr. Boyd—3. A bill to facilitate proceedings in actions at law.

On motion of Mr. Hawkins—4. A bill regulating Clerk's fees.

On motion of Mr. Hogan—5. A bill for the benefit of George Gravitt, late Sheriff of Grant county.

The committee on Propositions and Grievances was directed to prepare and bring in the 1st and 2d; the committee on the Judiciary the 3d and 4th; and the committee on Finance the 5th.

On the motion of Mr. Grey,

Ordered, That the Public Printer print 200 copies of the report of the committee on the Penitentiary, for the use of the Senate.

Mr. Eaker, from the committee on Privileges and Elections, reported a bill to establish an election precinct at the house of Jacob Yost, in Logan county, which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second reading being dispensed with, the said bill was amended and ordered to be engrossed and read a third time.

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

Resolved, That said bill do pass, and that the title thereof be amended by adding, "and for other purposes."

Mr. J. Speed Smith presented to the Senate the responses of the President and Secretary of the Board of Internal Improvement, in answer to interrogatories from the committee on Internal Improvement, who were acting under a resolution of the Senate, adopted the 25th day of January, in relation to the expenditures of the Board of Internal Improvement, which is as follows, to-wit:

Office of Board of Internal Improvement,

February 5, 1849.

Sir: If I understand the resolution of the Senate, and request of the honorable committee on Internal Improvement, it embraces four matters of inquiry, to-wit:

1. In what manner has money been paid into, and drawn from, the Treasury, by the Board of Internal Improvement for repairs, &c., on slackwater navigation, since the year 1846?

2. Has there been any violation of the act prescribing the duties of said Board, approved February 23, 1846; and if any violation, in what particular?

3. Whether, at any time since that period, (1846,) the proceeds of said navigation, or the funds drawn from the Treasury for repairs, &c., have been appropriated to uses other than said repairs?

4. If said committee should come to the conclusion that any violation or abuse has been committed by said Board, in the receipt or disbursement of money, suggest any remedy or change in the present organization of said Board to prevent the same?
I would remark, that I became a member of said Board on the 23d day of last June, therefore my answers in regard to the action of said Board, anterior to that time, will be based on information derived from the Auditor's office, and the cash account of the Board in the Branch Bank of Kentucky, at Frankfort, as there seems to have been no regular record kept of the proceedings of the Board. Since the 23d of June, I answer from personal knowledge. I respond to the resolution in the order above proposed, as follows:

1. The Collector on the Kentucky river, since 1846, has regularly received, and paid into the Treasury, all money due for tolls on said river, according to law and the rules of the said Board. During the same period, up to the time I came into office, money for repairs, &c., on said river, was drawn from the Treasury on the requisition or order of A. P. Cox, Secretary of Board of Internal Improvement, and warrant of Auditor, in such sums, and at such times as he deemed needful. Since the 23d of June, 1848, the money for repairs, &c., on same river has been drawn, quarterly, upon the requisition of the Board. Since 1846, up to the 1st of June, 1848, the money received for tolls, &c., on the Green and Barren rivers was deposited in Branch Bank of Kentucky, at Bowling green, to the credit of the Board, and thence into the Treasury. The money for repairs, &c., on said rivers, during same period, was drawn out on the requisition of the Board, at the instance of D. Dyer, Superintendent, and by him disbursed. But, during the past year, there has been collected, on said rivers, large sums of money which have not been deposited in said Bank, or paid into the Treasury. I have, by letter and otherwise, used all reasonable efforts to obtain quarterly settlements, and an account of the money thus received, and except, as manifested in report of said Superintendent, which came to hand during the present session, and correspondence, &c., (here referred to, marked A, as a part of my answer,) I have failed. The report of said Superintendent shows that the sum of $11,454.30 was received. The greater part of which must have been received before much, if any, was expended for repairs—and the only part thereof paid into the Treasury over and above what was drawn, was $1,250. The remainder, except as reported by the said Superintendent, remains in his hands unaccounted for. The only evidence of justification of the conduct of said Superintendent in my possession, are his letters here referred to, marked B.

2. The act of 1846, referred to in second question, requires, "that the gross amount of tolls, &c., collected on both lines of navigation, should be paid into the Treasury, by said Board, at the end of each quarter, or oftener if necessary; and the Board are authorized, at the commencement of each quarter, to draw on the Auditor for such sum as they shall think necessary to pay laborers for the quarter ensuing; and the Board, at the end of each quarter, are required to render to said Auditor a full, true, and correct account of their disbursements." The 5th section of said act, above recited, has not been obeyed on either line of navigation, from the time of its passage up to the time I became a member. It has been violated, (intentionally I do not say,) in the following particulars, to wit:

1. Money has been drawn from the Treasury for repairs on Kentucky river, without an order of the Board, and upon the mere requisition of A. P. Cox, Secretary, and likewise on the Green and Barren rivers, in same way, at the instance of D. Dyer, Esq., Superintendent of said rivers.
2. The money was drawn without regard to the end of quarters, or settlement of accounts for previous expenditure; but as it was needed, weekly or monthly. The accounts for expenditure, &c., on the Green and Barren line, seems to have been made at the end of the year, and there has been only two settlements of the accounts of that line since the passage of the act—one on the 17th February, 1847, and the other on the 21st February, 1848. The sum of $11,454 30 seems to have been collected on that line; the greater portion of which was received before the 1st of July; and, except the sum of $1,250, not much of it has been deposited in the Bank of Bowlinggreen, or been paid into the Treasury, as required by the act, as will appear by the statement of the Auditor, hereafter referred to. Since I came into the Board, quarterly settlements have been made, and the said act complied with as near as could be done under the circumstances, as relates to the expenditures on the Kentucky river. And I regret to say, my efforts to effect the same thing on the Green and Barren line, failed.

3. If the statements of the accounts of the Board with the Auditor, and that of the cash account in the Branch Bank of Kentucky, at Frankfort, be correct, I am of the opinion the funds drawn from the Treasury, for repairs on the Kentucky river have not been used as they should be. See statements of Auditor and Cashier, marked C, made part of my answer. Because, if a settlement did take place on the 5th of September, 1847, the balance then struck was $2,344 91 cents, which should have been in Bank to credit of the Board; which was not the fact. If a settlement did, in fact take place on the 6th of November, 1847, the balance then struck was $2,917 26 cents, and on that day only the sum of $790 03 cents was in Bank, leaving $2,127 23 cents unaccounted for. And if no settlement had, in fact, been made from the 1st day of the year, 1847, to the 21st of July, 1848, (the one made at my instance and reported to the Legislature during the present session, by First Auditor,) shows a balance in the hands of the Board of $2,943 98 cents—which last sum, (except $19 96,) was not in Bank, or within the control of the Board. The Board then drew $3,000 for the ensuing quarter, and, at the settlement in October, the above balance was reduced to $1,723 80. And afterwards, in January of the present year, at the settlement then had by the Board, that balance was reduced to $1,285 78 cents. Since which, the entire balance has been paid to the Board by Mr. Cox. How far the funds on the Green and Barren river line have been appropriated to uses other than repairs, &c., of those rivers, I am unable to answer, but I do know that I have faithfully endeavored to procure a compliance with the act of 1846, and settlement of the disbursements on those rivers, and have failed thus far. $11,454 30 was received for tolls, &c., during past year, and only $1,250 thereof has been accounted for, except as stated by D. Dyer, late Superintendent, in his report before referred to.

4. The act of 1846, prescribing the duties of the Board, is plain and simple, and well suited to the object intended; and, if hereafter complied with, needs no amendment, except, that some one member of the Board should disburse the funds for repairs, &c., on the Kentucky river, and he should be held responsible, by bond and surety, faithfully to account for money drawn for repairs, &c., on said river, at the end of each quarter. The funds for this purpose, were, heretofore, in the hands of the Secretary. But, some short time after I became a member, they have been kept
in Bank, to the credit of the President of the Board, and by him disbursed. Therefore, under all the circumstances above referred to, I respectfully desire to be excused from making any suggestion in regard to change in the present organization of the Board.

With great respect,


To Hon. J. Speed Smith, Chrm. of Committee Int. Imp't. in Senate.

I would here remark, that Mr. Cox has been a member of the Board for several years, and Secretary thereof since its establishment, and I sincerely desire his explanations of matters herein referred to by me, and with which he knows more than myself, may invite the particular attention of the committee. For my sincere wish is, and has been in this matter, to do justice to all parties concerned. O. G. CATES.

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[A.]

Office of Board of Int. Imp't.,
Frankfort, Dec. 6th, 1848.

Sir: Herewith you will find a copy of the proceedings of the Board of Internal Improvement in relation to yourself, as late Superintendent of the Green and Barren River Lines of Navigation. In making known this matter to you, I am truly gratified to bear witness, that not the slightest personal feeling of unkindness towards you has influenced the action of the Board. Nothing could have given them more pleasure than your continuance in office, provided it had been consistent with their high and impecunious duty to the best interests of the Commonwealth. The Board may have erred in this matter; and if so, should be held to a strict and severe accountability. You will please, at your earliest convenience, come forward and settle your accounts as late Superintendent, and pay over any funds that may be in your hands.

With my great respect, yours, &c.,

O. G. CATES, P. B. I. I.

To Dillis Dyer, Esq., Rumsey, Ky.

[The original copy sent to Dillis Dyer, Esq., with a copy of orders of the Board made in his case, as Superintendent, on the 5th Dec., 1848.]

O. G. CATES.

RUMSEY, Dec. 24th, 1848.

DEAR SIR:

Enclosed you will find my Report; it has been unavoidably delayed longer than I wished. I received, on this day, your letter enclosing the Order of the Board, appointing Mr. Wm. Brown, Jr., Superintendent on the line.

I regret that my management has not met the approbation of the Board. The appointment of Mr. Brown, I think a judicious one, and meets my approbation, and am in no wise grieved by being superseded by him, as I did not design or wish a continuance of the office after I made my Report. I expect to be in Frankfort in the early part of Session of the Legislature, as soon as I can conveniently arrange to leave home, and hope to be able to settle my account satisfactorily.

Yours respectfully,

D. DYER.

O. G. CATES, Esq.,
P. B. I. Improvement.

RUMSEY, Dec. 23rd, 1848.

To the President of the Board of Internal Improvement:
Sir: I most respectfully, as Superintendent of the line of Green and Barren River Navigation, make the following Report of the business and operations therein, for the year preceding the 1st instant.

At Lock No. 1, Green River, the Lock walls have been raised, with timbers, twenty-seven inches, to enable Boats to pass the Lock at certain stages of water, when it was difficult; if not impracticable to pass over the Dam. The Gates have been suspended upon the late patent plan, and work well; the Dam repaired, except a few pieces of Sheet-iron, which were prevented from being put on by a rise in the river; a large quantity of gravel has been put on the Dam.

At Lock No. 2, the Dam has been repaired; the Cribbing all rebuilt above the pool water, in a substantial manner, and the deposits of mud removed in the channels above and below the Lock.

At Lock No. 3, the Dam has been repaired and refilled with rock; it being nearly empty; the Lock walls have been raised, with timbers, twenty-four inches, for the same purpose as at No. 1.
the canal or channel above the Lock excavated to a depth of five feet below the comb of the Dam, and the balance of the water race excavated, being a rock excavation of one hundred feet in length, four deep, and twenty feet wide; a small crib-works filled with rock placed at the lower end of the water race, to level the water to the comb of the Dam, has, from the buoyancy of the timber, in the late rise of the river, removed, and will have to be replaced before the water can be used for machinery.

At Lock No. 4, the channel has been deepened and much improved; the Dam, Gates, and most of the Cribbing, repaired.

At Lock No. 1, Barren River, some work has been done on the Cribbing. This line of navigation is now in good order, all of the Gates work well, and pass Boats through the Locks speedily.

The sheriff of the line for the year, are as follows:

| Received Tolls of Charles D. Ward, Collector | $10,478.38 |
| Received Tolls of Lock Keepers | $607.82 |
| Received Water Rents | $368.10 |

Out of this sum I have paid the expenditures on the line this year, $3,306 84; paid William Brown an old Debt, for repairing Lock No. 1, Barren River, $1,448 14, and deposited in the Treasury over the amount drawn, $1,250, making the sum of $11,004 78. There are some few accounts unpaid, and some water rents uncollected.

The accompanying paper, A, will show the Collector's account of Tolls; B, the trips of Steam Boats; C, the Flat Boats and loading; D, the ascending and descending freights. All of which is respectfully submitted.

D. DYER, Superintendent, &c.

GREEN AND BARREN RIVER NAVIGATION.

COLLECTOR'S OFFICE,

Romey, Ky., December 1st, 1845.

<table>
<thead>
<tr>
<th>Months</th>
<th>No. of Boats and other Crafts</th>
<th>Steamboats paid.</th>
<th>Flatboats paid.</th>
<th>Total.</th>
</tr>
</thead>
<tbody>
<tr>
<td>December</td>
<td>7 Steamboats, 1 Flatboat,</td>
<td>$758.89</td>
<td>$14.04</td>
<td>$772.93</td>
</tr>
<tr>
<td>January</td>
<td>8 Steamboats, 5 Flatboats,</td>
<td>768.85</td>
<td>36.04</td>
<td>794.89</td>
</tr>
<tr>
<td>February</td>
<td>9 Steamboats, 20 Flatboats,</td>
<td>816.97</td>
<td>395.69</td>
<td>1,212.66</td>
</tr>
<tr>
<td>March</td>
<td>9 Steamboats, 29 Flatboats,</td>
<td>970.26</td>
<td>299.25</td>
<td>1,269.51</td>
</tr>
<tr>
<td>April</td>
<td>18 Steamboats, 39 Flatboats,</td>
<td>1,573.92</td>
<td>321.00</td>
<td>1,894.92</td>
</tr>
<tr>
<td>May</td>
<td>17 Steamboats, 16 Flatboats,</td>
<td>1,305.62</td>
<td>135.18</td>
<td>1,440.80</td>
</tr>
<tr>
<td>June</td>
<td>14 Steamboats, 16 Flatboats,</td>
<td>1,104.03</td>
<td>205.50</td>
<td>1,309.53</td>
</tr>
<tr>
<td>July</td>
<td>8 Steamboats, 4 Flatboats,</td>
<td>539.76</td>
<td>74.85</td>
<td>614.61</td>
</tr>
<tr>
<td>August</td>
<td>2 Steamboats, 2 Flatboats,</td>
<td>60.86</td>
<td>14.70</td>
<td>75.56</td>
</tr>
<tr>
<td>September</td>
<td>2 Steamboats, 2 Flatboats,</td>
<td></td>
<td>11.36</td>
<td>11.36</td>
</tr>
<tr>
<td>October</td>
<td>1 Raft, 4 Flatboats,</td>
<td></td>
<td>2.09</td>
<td>2.09</td>
</tr>
<tr>
<td>November</td>
<td>17 Steamboats, 18 Flatboats, 2 Rafts,</td>
<td></td>
<td>1,006.28</td>
<td>297.60</td>
</tr>
</tbody>
</table>

Deduct for errors on abstracts refunded, $10,502.81

Total amount tolls paid, $10,478.38

C. D. WARD, Collector.
Statement of Trips and Tolls paid by Steamboats, on Green and Barren River Navigation, from the 1st of December, 1847, to the 30th of November, 1848:

<table>
<thead>
<tr>
<th>Steamboat</th>
<th>Ascending Trips</th>
<th>Average</th>
<th>Descending Trips</th>
<th>Average</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>The Gen. Worth</td>
<td>31</td>
<td>$107.59</td>
<td>31</td>
<td>73.89</td>
<td>$3,335.46</td>
</tr>
<tr>
<td></td>
<td>Average</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Add error on abstract paid</td>
<td></td>
<td></td>
<td></td>
<td>$5,657.74</td>
</tr>
<tr>
<td>The Maj. Barbour</td>
<td>23</td>
<td>$84.15</td>
<td>22</td>
<td>55.41</td>
<td>$1,317.91</td>
</tr>
<tr>
<td></td>
<td>Average</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Deduct errors on abstracts refunded</td>
<td></td>
<td></td>
<td></td>
<td>$3,117.91</td>
</tr>
<tr>
<td>The Brazos</td>
<td>1</td>
<td>$91.06</td>
<td>1</td>
<td>14.30</td>
<td>$105.36</td>
</tr>
<tr>
<td></td>
<td>Average</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Tolls received from Flatboats and Rafts</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>$1,397.37</td>
</tr>
</tbody>
</table>

RECAPITULATION:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>The Gen. Worth paid</td>
<td>$5,657.74</td>
</tr>
<tr>
<td>The Maj. Barbour paid</td>
<td>3,117.91</td>
</tr>
<tr>
<td>The Brazos paid</td>
<td>105.36</td>
</tr>
<tr>
<td>The Flats and Rafts paid</td>
<td>1,397.37</td>
</tr>
<tr>
<td>Amount</td>
<td>$10,478.38</td>
</tr>
</tbody>
</table>

C. D. WARD, Collector.
Statement of Flatboats paying Tolls at the Collector’s Office, on the Green and Barren River Navigation, during the year ending November 30th, 1848:

87 boats loaded in slackwater. Of which—
11 were loaded with tobacco.
21 were loaded with lumber.
16 were loaded with stock.
9 were loaded with corn.
8 were loaded with poles.
5 were loaded with coal.
4 were empty.
11 were mixed loads
1 was loaded with salt—(ascending.)
1 was loaded with groceries—(ascending.)

87
4 rafts, logs.

Also flatboats loaded above the influence of slackwater, paying tolls at 2 cents per lineal foot. Of which—
46 were loaded with tobacco.
12 were loaded with lumber.
5 were loaded with corn.
4 were loaded with poles.
2 were mixed loads.
1 was loaded with pork.

70

In addition to the above list, there has passed Lock No. 1, Green River, and paid tolls there—
14 lumber boats.
6 pork boats.
3 stock boats.
6 hooq-pole boats.
3 tobacco boats.
5 boats with mixed loads.
1 corn boat.
16 empty boats.
3 rafts, logs.
2 rafts, lumber.

C. D. WARD, Collector.
During the past year, there has been freighted up the Green and Barren River Navigation—
1,531 tons pound freight.  
1,257 cabin passengers.  
403 deck passengers.  
22 horses.  
3 cattle.  

For furniture, &c., boats have received $419 89.  
1 keg lard.  
1 hog's head tobacco.  
360 sacks grain.  
1,464 barrels liquor.  
151 dry barrels.  
5,920 barrels salt.  

Freights, &c., descending this line of navigation—
1,138 cabin passengers.  
235 deck passengers.  
61 horses.  
320 hogs and sheep.  
412 hogs and sheep under six months old.  
199 cattle.  
684 cattle under two years old.  

For furniture, &c., boats have received $1,008 85.  
112 kegs lard.  
4,302 hog's heads tobacco.  
10,647 sacks grain.  
1,831 barrels beef, pork and lard.  
598 barrels liquor.  
2,168 dry barrels.  
42 barrels salt.  

The loading of flatboats loaded above the influence of slackwater, is not included in the above list.  

C. D. WARD, Collector.
DEAR SIR:

I have been on our line of navigation for the last three weeks, and just returned from above. I have given notice that the navigation will be re-opened on the 15th inst. The Gates at No. 3, and the Pool will be closed this week; the repairs on the Dam are nearly completed; the Dam was in a worse situation even than I expected; I think it is quite thoroughly repaired and well filled in the cribbing; the channel, above the Locks, is completed. The channel below No. 4, is well done, straightened, widened, and deepened, and I believe will remain so, without interruption to the navigation; the repairs on the Dam mostly done. At No. 3, the Dam repaired, and channel further improved. Our great difficulty now is, to get water to fill Pool No. 3, without a rise in the river, of which there is no prospect at present; the waters are now lower than they have been for two years. I shall go to No. 1, to-morrow, to make arrangements for graveling that Dam. I request that you ship to this place, as soon as practicable, 2 or 3 barrels of the longest spikes—we want them in repairing the Cribbing. I would ask for more, but I fear there would be difficulty in getting them freighted, until a rise in the Ohio River.

I would ask that you draw $2,000 for expenses on this line, and then deposit it to our credit—this course has been pursued by Mr. Cox and myself, and found most-convenient.

I will write soon, again.

I am respectfully, your obt. serv't.

O. G. CATES, Esg.

P. B. I. Improvement.

[Answered 20th October, 1848, requesting information as to funds, &c.; demanding report of money before the requisition of $2,000 could be made]

O. G. CATES.

DEAR SIR:

On my return home a few days since, I found your letter of the 29th ult. The blank Manifests, sent by mail, have been received. The Spikes, I learn, are on the way. I am much gratified to learn that a Dredge and Slang Boat is being built; it is much needed, and particularly on this line. One of our largest items of expense, this year, on this line, has been in removing deposits, and clearing out channels; this has been well done, and no place, from Lock No. 1 to Bowling Green, has less than 41 feet water in the channel; at this stage of water—just even with the combs of the Dam.

Everything on this line is in good order, both Locks and Dams, except at No. 1. When I left, there was a few pieces of sheeting to put on, which had been delayed by a rise in the river of a foot and upwards, but had again fallen; and I left a few hands there, a few days since, procuring the work, although to some disadvantage, from a swell in the river, yet I think by this time it is finished. The main part of the work on the Dam was done before I left. There are a few swags in which I design removing with a flat boat, before I close this work or wait for the Slang Boat.

Then I can, with confidence, say, this line of navigation will be in better order than it has ever been, since it was first opened. The only work now to do, is to finish some cribbing, and small matters. The main works at Nos. 2, 3, and 4, are all thoroughly done. I will give you a more detailed account of the work done on this line, in my Annual Report, to be made on the 1st Dec.; at which time all accounts will be closed, and a report thereafter made.

You seem to improve me, and say you do not officially know what has become of the proceeds on this line, for this year, “except the funds heretofore drawn out by you (me), say $4,200.” This sum was received from the Collector, by me, in the two first quarters of the year, and deposited; since that, the main expenditures have accrued, and I have anticipated the drafts of expenses and deposits. This course I have pursued for the last two years, while I have had charge of the line, and at the end of each year have settled my accounts honestly and faithfully, and I hope, satisfactorily; at least, the settlement is filed in the proper office, and open to inspection and scrutiny. It is true, from the great distance I am placed from the proper accounting officers, and the many inconveniences of attending to a line of navigation 728 miles in length, and making my deposits and reports, as required by the letter of the law, I have failed; but virtually, at the end of the year, I trust I have complied, perhaps as fully as other State officers, not laboring under as many inconveniences. It is my desire to comply with the law, and if I have failed to fulfil its letter, I will not fail to comply with its requisitions, virtuously.

The navigation was opened on or about the 15th October, as I informed you; but owing to the low stage of water in the Ohio, no Steam Boats could get in, or Flat Boats got out, until this week. The Gen. Worth and Maj. Barbour, each, have gone up and returned one trip, and will now run regularly, if the Ohio will permit.

The amount of tolls received at the Collector’s office, from 1st December last to 1st August, the close of navigation, is $3,035 84. Out of this sum I have deposited $4,350; paid an old debt to William Brown, $1,488 14; and paid out on expenditures, about $5,000, and there are some debts for timber, and other accounts, to be paid, officers’ salary, &c. I have drawn from

28
the Treasury, on account of expenditure, $3,000. I will bring all of the accounts up to list of December, and make you a detailed report by the 20th December, that you will be able to make your Annual Report to the Legislature, so far as this line is concerned.

You ask if the Lock-keepers at No. 4 and No. 1, in Barren, have been removed. I answer, I have made inquiry to find proper persons to fill their places. I have found some who desire their places, who may do; but, I think, the changes ought not to be made until the end of our financial year, 1st December, and a settlement with the incumbents to that time, and then by order of the Board. I doubt my power, as Superintendent, to make these changes, unless in case of emergency.

I am respectfully, your obt's serv't,

D. DYER, Superintendent, &c.

My dear Sir:

From an examination of the books of the Collector on Green River Navigation, I find that upwards of $10,000 have been received for Tolls, &c., and that but a comparatively small amount thereof has been deposited in the Branch Bank of Kentucky, at Bowling Green, to the credit of the Board of Internal Improvement, or to the credit of the Treasury. I am President of Said Board, have, this day, requested of you an account or statement, in writing, of the receipts and expenditure of said money; and that you forthwith pay over to said Board any resources in your hands, received as Superintendent. Will you please state, in writing, the substance of the reason why you decline said request, thus made?

With great respect, yours, &c.,

O. G. CATES, P. B. I. I.

To Major D. DYER, Superintendent G. & B. R. N.

In the months of August, September, and October, the expenditure on the line was great, and the repairs mostly made; and the greater part of the money not deposited in bank, was expended in repairs. Settlements will soon be made, closing up all accounts to the 1st of next month, and I will then report, minutely, the amount received on the line, and the expenses, and be prepared to settle with the Board.

Yours, &c.,

D. DYER, Supt.

[Office of Board of Internal Improvement, Frankfort, 5th February, 1849.]

The Cashier of the Branch Bank of Kentucky, at Frankfort, will please examine the account of the Board of Internal Improvement, in the name of A. P. Cox, Secretary, and answer, to wit: 1. What amount of cash was in Bank to the credit of said Cox, at the following dates: the 5th September, 1847; the 6th November, 1847; the 1st January, 1848, and what on the 21st July, 1848?

Respectfully,

O. G. CATES.

Frankfort, 5th February, 1849.

O. G. CATES, Esq.:

At your request, I have turned to the account of A. P. Cox, Secretary, &c., with this office, and find, that on the 5th of September, 1847, there was nothing to his credit—

On the 6th November, 1847, to his credit, $790.29

On the 1st January, 1848, to his credit, $346.03

On the 21st July, 1848, to his credit, 19.96

Respectfully yours,

EMD. H. TAYLOR, Cashier.
List of Warrants drawn on the requisitions of the Board of Internal Improvement, for the expenses and repairs of Green and Barren River Navigation, and of payments into the Treasury, of Tolls collected on said rivers, since the month of February, 1846:

1846.
May 15. Warrant,
Aug. 22. Warrant,
Dec. 1. Warrant,

1847.
Jan. 29. Warrant,
Feb. 17. Warrant,
April 24. Warrant,
July 5. Warrant,
Sept. 4. Warrant,

Feb. 21. Warrant,
June 13. Warrant,

Total warrants for expense and repair:

1846.
Jan. 9. Payment of tolls into the Treasury,
May 8. Payment of tolls into the Treasury,
May 15. Payment of tolls into the Treasury,
June 22. Payment of tolls into the Treasury,
July 5. Payment of tolls into the Treasury,
July 21. Payment of tolls into the Treasury,
Dec. 1. Payment of tolls into the Treasury,

1847.
Feb. 17. Payment of tolls into the Treasury,
April 24. Payment of tolls into the Treasury,
July 5. Payment of tolls into the Treasury,
Aug. 16. Payment of tolls into the Treasury,
Sept. 4. Payment of tolls into the Treasury,
Nov. 27. Payment of tolls into the Treasury,

1848.
Feb. 21. Payment of tolls into the Treasury,
May 1. Payment of tolls into the Treasury,
June 16. Payment of tolls into the Treasury,

Excess of receipts over repairs, &c.:

$ 21,964 84

The accounts for the expense and repairs of Green and Barren River Navigation, have been settled twice; on the 17th of February, 1847, and on the 21st of February, 1848, when nothing remained in the hands of the Board, as shown by that settlement. Afterward, on same day, a warrant issued for $1,000; and on June 16, warrant issued for $2,000. All of which is certified to be correctly stated from the books and papers on file in my office.

J. B. TEMPLE, Auditor Public Accounts.

Statement of Warrants drawn on the requisitions of the Board of Internal Improvement, and of settlements with the Auditor of Public Accounts, for the expenses and repairs of Kentucky River Navigation, since the year 1846:

1847.
Jan. 29. Warrant,
April 14. Warrant,
June 3. Warrant,
July 5. Warrant,
Sept. 4. Warrant,

Amount carried forward,

$13,946 55
<table>
<thead>
<tr>
<th>Date</th>
<th>Amount Brought Forward</th>
<th>Warrant</th>
<th>Total Warrants</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nov. 6</td>
<td></td>
<td>$3,000 00</td>
<td>$13,946.55</td>
</tr>
<tr>
<td>Dec. 21</td>
<td></td>
<td>$1,000 00</td>
<td></td>
</tr>
<tr>
<td>1848.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Jan. 5</td>
<td></td>
<td>$1,000 00</td>
<td></td>
</tr>
<tr>
<td>Jan. 26</td>
<td></td>
<td>$2,000 00</td>
<td></td>
</tr>
<tr>
<td>Feb. 8</td>
<td></td>
<td>$2,000 00</td>
<td></td>
</tr>
<tr>
<td>May 1</td>
<td></td>
<td>$1,500 00</td>
<td></td>
</tr>
<tr>
<td>June 16</td>
<td></td>
<td>$2,000 00</td>
<td></td>
</tr>
<tr>
<td>July 20</td>
<td></td>
<td>$7,600 00</td>
<td></td>
</tr>
<tr>
<td>Oct. 15</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1849.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Jan. 13</td>
<td></td>
<td>$4,000 00</td>
<td></td>
</tr>
</tbody>
</table>

Total warrants, fifty thousand five hundred and forty six dollars, 55 cents, $50,546.55

### SETTLEMENTS

<table>
<thead>
<tr>
<th>Date</th>
<th>Debits</th>
<th>Credits</th>
<th>Balance Due from Board of Internal Improvement</th>
</tr>
</thead>
<tbody>
<tr>
<td>1847.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Jan. 1st</td>
<td>$5,999 83</td>
<td>$5,999 83</td>
<td></td>
</tr>
<tr>
<td>Sept. 5</td>
<td>$11,000 00</td>
<td>$2,655 09</td>
<td>$9,341 91</td>
</tr>
<tr>
<td>Nov. 6</td>
<td>$5,544 91</td>
<td>$2,427 65</td>
<td>$2,017 26</td>
</tr>
<tr>
<td>1848.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>July 21</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Oct. 17</td>
<td>$12,643 08</td>
<td>$3,013 28</td>
<td></td>
</tr>
<tr>
<td>Deduct Warrant of 15th Oct., on requisition of O. G. Cates, Pres., for repairs to accrue after that time,</td>
<td></td>
<td>$9,323 80</td>
<td>$7,600 00</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>$1,723 80</td>
</tr>
<tr>
<td>1849.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Jan. 12</td>
<td>$9,335 80</td>
<td>$8,059 02</td>
<td>$1,276 78</td>
</tr>
</tbody>
</table>

I do hereby certify, that the foregoing statement of Warrants, drawn on requisitions of the Board of Internal Improvement, and of Settlements, for the expenses and repairs of Kentucky River Navigation, is correctly transcribed from the books and papers on file in my office, February 5th, 1849.

J. B. Temple,
Auditor of Public Accounts.
SECRETARY’S RESPONSE.

Office of Board of Internal Improvement,  
February 5, 1849.

Col. J. Speed Smith:

Sir: I have just been informed that you, as organ of the committee of Internal Improvement of the Senate, wish me to answer certain interrogatories contained in resolutions of the Senate of the 25th ultimo. I beg leave to reply as follows:

The money paid as tollage for navigating the Kentucky river is received by the Collector, and by him paid into the Treasury.

From the commencement of 1846, to June, 1848, the funds necessary to defray the expense of repairs on said river, have been drawn from the Treasury, from time to time, in such sums as were needed, upon requisition of the Board, and not at the beginning of each quarter, as contemplated by the strict letter of the law. In order to determine the proper course to pursue in this matter, the Board and First Auditor had a consultation with the Governor, the result of which was, the pursuance of the course here indicated, as being a sufficient compliance with the law, in preference to drawing much larger sums at the commencement of each quarter, which would have been necessary.

Since June last, the Board have endeavored to pursue the letter of the law more strictly. That is to say—as soon after the commencement of each quarter as they can, they settle up the expenditures of the previous quarter, and then estimate, and draw for the sum they suppose necessary to defray the expenses of repairs for the current quarter. This necessarily requires several days, and sometimes weeks, and to this extent is a failure to comply with the strict letter of the law.

In order to give the fullest and most satisfactory answers to the interrogatories contained in said resolution, I will, in as few words as possible, state further the course pursued by the Board in transacting the business alluded to—showing when they drew money from the Treasury, and when they returned vouchers showing its expenditure:

1846. October 8—They drew this sum, $7,506 70
And returned vouchers, $7,506 70

On same day they drew, $1,493 30
October 30—They drew, $1,500 00

1847. January 28—They drew, $2,946 55
And returned vouchers, $2,939 65
This contains an account of all the moneys drawn, and payments made, under the law of February 23, 1846, as shown by my papers.

When the First Auditor's report to the present General Assembly was printed, I discovered that the sum of the vouchers returned 8th February, 1848, did not agree with my recollection, and upon a full examination of the bundle on file in that office, I found that the sum returned on that day amounted only to $6,029.93, instead of $6,664.01 as I have here stated it. The difference between these two sums is $634.08, which must be added to the balance due from the Board at that date. I will here correct it, that the state of the case, as it now stands, may be seen:

<table>
<thead>
<tr>
<th>Date</th>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1847</td>
<td></td>
<td></td>
</tr>
<tr>
<td>January 25</td>
<td>They drew</td>
<td>$1,500.00</td>
</tr>
<tr>
<td>April 14</td>
<td>They drew</td>
<td>$2,500.00</td>
</tr>
<tr>
<td>June 2</td>
<td>They drew</td>
<td>$2,000.00</td>
</tr>
<tr>
<td>July 5</td>
<td>They drew</td>
<td>$2,500.00</td>
</tr>
<tr>
<td>September 5</td>
<td>They returned vouchers</td>
<td>$8,500.00</td>
</tr>
<tr>
<td></td>
<td>September 5 - They drew this sum</td>
<td>$155.09</td>
</tr>
<tr>
<td>November 6</td>
<td>They returned vouchers</td>
<td>$2,344.91</td>
</tr>
<tr>
<td></td>
<td>Same day they drew</td>
<td>$82.74</td>
</tr>
<tr>
<td></td>
<td>December 17 - They drew</td>
<td>$2,817.26</td>
</tr>
<tr>
<td>1848</td>
<td>January 5 - They drew</td>
<td>$1,000.00</td>
</tr>
<tr>
<td>January 30</td>
<td>They drew</td>
<td>$1,000.00</td>
</tr>
<tr>
<td>February 1</td>
<td>They returned vouchers</td>
<td>$5,317.26</td>
</tr>
<tr>
<td></td>
<td>February 8 - They drew for this sum</td>
<td>$748.75</td>
</tr>
<tr>
<td>May 1</td>
<td>They drew this sum</td>
<td>$1,033.25</td>
</tr>
<tr>
<td></td>
<td>Same date they returned vouchers</td>
<td>$3,333.25</td>
</tr>
<tr>
<td>June 16</td>
<td>They drew this sum</td>
<td>$79.00</td>
</tr>
<tr>
<td>July 21</td>
<td>They drew this sum</td>
<td>$1,491.00</td>
</tr>
<tr>
<td>October 17</td>
<td>They returned vouchers</td>
<td>$4,491.00</td>
</tr>
<tr>
<td>October 17</td>
<td>They drew this sum</td>
<td>$1,101.72</td>
</tr>
<tr>
<td>January 1</td>
<td>They returned vouchers</td>
<td>$8,701.72</td>
</tr>
<tr>
<td>January 1</td>
<td>They drew this sum</td>
<td>$651.70</td>
</tr>
</tbody>
</table>

Total: $4,651.70
I will further remark, that on the first of July, there ought to have been in the hands of the Board, as shown above, this sum, $2,055.08. This, however, consisted of the foregoing error of $834.08—of some twelve or fourteen hundred dollars of accounts; a portion of which the Auditor thought he could not allow under any circumstances—others were rejected then for want of proper receipts or authentication.

Upon the Green and Barren river line of navigation, the Superintendent receives from the Collector, and Lock Keepers, the money paid for tollage, and deposits it in the Bowlinggreen Branch Bank to the credit of the Board of Internal Improvement, and they transfer it to the Treasury, through the Frankfort Branch Bank of Kentucky.

The sums necessary for the expenses of repairs on that line of navigation, have been drawn by the Board, at the instance of the Superintendent, and placed in his hands, by check from Frankfort Branch Bank, or Treasurer, on the Bowlinggreen Branch Bank.

His account of moneys drawn from the Treasury for expenses of repairs of the Green and Barren river line of navigation, under the act of 23d February, 1846, is as follows:

<table>
<thead>
<tr>
<th>Date</th>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1846. May 15</td>
<td>Drawn from Treasury</td>
<td>$50.00</td>
</tr>
<tr>
<td>1846. Aug. 9</td>
<td>Drawn from Treasury</td>
<td>2,000.00</td>
</tr>
<tr>
<td>1846. Dec. 1</td>
<td>Drawn from Treasury</td>
<td>1,000.00</td>
</tr>
<tr>
<td>1847. Jan. 28</td>
<td>Drawn from Treasury</td>
<td>555.56</td>
</tr>
<tr>
<td>1847. Feb. 17</td>
<td>Drawn from Treasury</td>
<td>4,880.88</td>
</tr>
<tr>
<td>1847. Feb. 17</td>
<td>Drawn from Treasury</td>
<td>1,703.28</td>
</tr>
<tr>
<td></td>
<td></td>
<td><strong>$10,459.67</strong></td>
</tr>
</tbody>
</table>

Vouchers then returned, $9,884.11
Balance due, $555.56

<table>
<thead>
<tr>
<th>Date</th>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1847. April 25</td>
<td>Drawn from Treasury</td>
<td>1,000.00</td>
</tr>
<tr>
<td>1847. July 5</td>
<td>Drawn from Treasury</td>
<td>2,000.00</td>
</tr>
<tr>
<td>1847. Sept. 4</td>
<td>Drawn from Treasury</td>
<td>2,000.00</td>
</tr>
<tr>
<td>1848. Feb. 21</td>
<td>Drawn from Treasury</td>
<td>3,555.17</td>
</tr>
</tbody>
</table>

Vouchers then returned, $9,080.73
The accounts of the Superintendent, for the year 1848, have not been received.
I have endeavored to answer fully the interrogatories of the resolution; if I have not, will you be kind enough to suggest in what particular, and I will endeavor to do so, or go before your committee, should it be deemed necessary.

AUSTIN P. COX, Sec'y. B'd. In't. Imp't.

Ordered, That the Public Printer print 150 copies of said responses and documents, for the use of the General Assembly.

Leave was given to Mr. Speed to withdraw the petition of Robert Ger and W. G. Lobban, executors of Thomas Gilneer, deceased.
And then the Senate adjourned.

THURSDAY, FEBRUARY 8, 1849.

A message was received from the House of Representatives, announcing that they had received official information that the Governor had approved and signed enrolled bills and resolutions which originated in that House, of the following titles, to-wit:

An act allowing Carter county an additional Justice of the Peace, and for other purposes.

An act to extend the terms of the Morgan Circuit Court.

An act to amend an act, approved 26th of February, 1848, incorporating the town of Monticello.

An act for the benefit of William Giles.

An act to amend an act, entitled, an act for the benefit of William Calmes, approved March 1st, 1847.

An act for the benefit of the Trustees of Morganfield.

An act for the benefit of Samuel Dews, of Spencer county.

An act concerning the town of Lancaster.

An act for the benefit of William Blair.

An act authorizing the Bracken County Court to lay the levy at their January, February or March Term.

An act authorizing a change of the State road in Lewis county.

An act for the benefit of John Caudle, of Letcher county.

An act to change an election precinct in Pulaski county.

An act to change the place of voting in an election precinct in Butler county.
An act for the benefit of the School Commissioners of Casey county.
An act to amend the law in relation to private passways in Pike county.
An act for the benefit of Elizabeth and Asa Hiatt.
An act allowing an additional Justice of the Peace to the county of Muhlenburg.
An act granting a change of venue to Wm. P. Hart.
An act to incorporate the Mount Sterling and Red River Railroad Company.
An act for the benefit of the Sheriff of Meade county.
An act to change a part of the State road in Todd county, leading from Hopkinsville to Morgantown.
An act to repeal the law repealing an act giving the county of Greenup one Road Commissioner.
An act authorizing the Campbell County Court to appoint an additional Justice of the Peace to grant injunctions, &c.
An act to authorize Larue county to use the jail of Hardin county.
An act to incorporate the Kinnicancick Bridge Company.
An act for the benefit of Julius A. Labarthe.
An act to amend the law for the appointment of Commissioners to take acknowledgments of deeds, &c.

Approved Feb. 5th, 1849.

Preamble and resolutions in relation to water rotted hemp.
Resolutions requesting the Convention to submit the new Constitution to the people for ratification or rejection.

Approved February 5, 1849.

That they had passed bills from the Senate, of the following titles, to-wit:
An act for the benefit of the Bourbon County Agricultural Society.
An act for the benefit of the Sheriff of Hopkins county.
An act for the benefit of the former and present Sheriffs of Crittenden county.
An act for the benefit of the Sheriff of Lincoln county.
That they had concurred in the adoption of a resolution from the Senate, to appoint a Committee of Arrangements for the reception of Gen. Zachary Taylor.
That they had passed bills of the following titles, viz:
An act supplemental to an act to erect a monument to those who have fallen in defence of their country, approved February 25, 1848.
An act for the benefit of the Leesburg Light Artillery.
An act to incorporate the Eagle Manufacturing Company.
That they had adopted preamble and resolutions in relation to the publication of a map of the State by Boner & Klyng.
1. Mr. Speed presented the petition of the widow and heirs of James Murrell, deceased, praying for the passage of a law authorizing the conveyance of a certain tract of land.

2. Mr. Eaker presented the petition of William Gibson and Jane Gibson, praying for the passage of a law divorcing them from each other.

3. Mr. Bruce presented the petition of sundry citizens of Knox county and the town of Barbourville, praying for the passage of a law authorizing the opening of streets and alleys of said town.

4. Mr. Evans presented the petition of Thomas T. Tindal, of Anderson county, praying for the passage of a law to divorce him from his wife, Mary Ann Tindal.

5. Mr. Triplett presented the petition of sundry citizens of Hancock and Daviess counties, praying for the passage of a law declaring Blackford creek a navigable stream from the mouth of Bear branch to the Ohio river.

6. Mr. Triplett also presented the petition of Susan Burden, praying for the passage of a law to divorce her from her husband, Isaac Burden.

7. Mr. Wall presented the petition of sundry citizens of Harrison, Pendleton and Kenton counties, praying for the passage of a law to incorporate the Licking River Steamboat Company.

8. Mr. Wall also presented the petition of the widow and heirs of Mathew Logan, deceased, praying for the passage of a law authorizing the conveyance of the interest of certain infant heirs in a tract of land in Marion county.

9. Mr. Wall also presented the petition of James Bolin and wife, and others, heirs of Thomas Hughes, deceased, praying for the passage of a law authorizing the sale of certain town lots in the town of Columbia.

10. Mr. Bruce presented the petition of Jane Gatliif, praying for the passage of a law to divorce her from her husband, Moses Gatliif.

Which petitions were severally received and referred—the 1st, 8th and 9th to the committee on the Judiciary; the 2d, 4th, 6th and 10th to the committee on Religion; the 3d to the committee on Propositions and Grievances; and the 5th and 7th to the committee on Internal Improvement.

Mr. J. Speed Smith, from the committee on Internal Improvement, to whom was referred bills from the House of Representatives, of the following titles, to wit:

1. An act to prevent the destruction of fish in the Little Kentucky river.

2. An act declaring certain streams in Floyd and other counties navigable.

Reported the same with amendments to each, which were concurred in.

Ordered, That said bills be read a third time, as amended.
The constitutional rule as to the third reading being dispensed with, 
Resolved, That said bills, as amended, do pass, and that the titles there- 
of be as aforesaid.

Mr. J. Speed Smith, from the same committee, to whom was referred 
bills from the House of Representatives, of the following titles, viz: 
An act to allow J. L. Jones and John Adams to erect a mill dam on 
Licking river.
An act to incorporate the Grayson and Catlettsburg Railroad Com- 
pany.
An act to authorize the President and Directors of the Turnpike 
Road between Bowlinggreen and Franklin to locate a toll gate within 
one mile of Bowlinggreen.
An act to repeal, in part, an act declaring Pond river a navigable 
stream.
An act to authorize the County Courts of Boyle and Lincoln to take 
stock in certain Turnpike Roads.
An act to incorporate the Russellville and Nashville Turnpike Road 
Company.
An act to incorporate the Paris and North Middletown Turnpike 
Road Company.
An act for the benefit of Nathan Wallis, of Hickman county, and 
Robert Taylor, of Monroe county.
An act to regulate the public roads in Bullitt county.
Reported the same without amendment.
Ordered, That said bills be read a third time.
The constitutional rule as to the third reading being dispensed with, 
Resolved, That the said bills do pass, and that the titles thereof be as 
aforesaid.

The following bills were reported, to-wit:
By Mr. J. Speed Smith, from the committee on Internal Improvement: 
1. A bill for the benefit of F. G. Everett, of Hart county.
By Mr. Barbour, from a select committee:
2. A bill to charter the town of Princeton, and for other purposes.
By Mr. Boyd, from a select committee:
3. A bill to change the mode and compensation for publishing the de-
cisions of the Court of Appeals.
Which bills were severally read the first time, and ordered to be read a 
second time.

The constitutional rule as to the second reading of said bills being 
dispensed with, the 2d was referred to the committee on the Judiciary; 
the 3d to the committee on Finance; and the 1st was ordered to be en- 
grossed and read a third time.
The constitutional rule as to the third reading of the 1st bill being dispensed with, and the same being engrossed,

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

Mr. Wall, from the select committee to whom was referred the memorial of James Davidson, late Treasurer, read and laid on the table the following resolutions, to-wit:

Resolved by the General Assembly of the Commonwealth of Kentucky, That James Harlan, David Meriwether, Samuel Todd and William S. Waller be, and they are hereby appointed Commissioners, with power and authority to examine the accounts and books and vouchers of James Davidson, late Treasurer of this State, from the period of his first appointment to office until the 7th August, 1848, and in connexion therewith, the books, accounts and vouchers in the First and Second Auditor's offices; and, also, the books, accounts and vouchers in the office of the Board of Internal Improvement, and in the Board of Education, since their establishment in connexion with the Treasury; and said Commissioners are hereby directed to proceed with all practicable dispatch, and report to the Governor the result of their examination, showing, as near as may be, separately, the Treasurer's accounts with each of said departments, and the general result; also, if any defalcation has taken place, to report in what year or years the same has occurred.

Resolved further, That if, upon the return to the Governor of said report, it shall appear that said late Treasurer is in arrears to the Commonwealth, that it is hereby made the duty of the Governor to cause immediate proceedings to be instituted against said Treasurer and his securities, (if any,) for the recovery of any balance so reported against him.

Resolved further, That in case either one or more of said Commissioners shall fail or refuse to act, or a vacancy may occur, that the Governor shall appoint to fill any such vacancy or vacancies.

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. Linthicum in the Chair; after some time spent in committee, the Speaker resumed the Chair, when Mr. Linthicum reported that the committee had, according to order, had under consideration a bill to amend an act, entitled, an act to establish the Southern Bank of Kentucky, together with the amendment proposed thereto by Mr. Boyd, and having gone through with the same, had directed him to report said bill to the Senate, with an amendment.

The said amendment was concurred in.

The said bill reads as follows, to-wit:

Sec. 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That so much of the act, entitled, an act to establish the “Southern Bank of Kentucky,” as limits the number of shares which any individual, company or corporation may hold in said Bank, be and the same is hereby repealed: and that John B. Knight, William C. Tolbert, Benja-
S. Campbell, Levi D. Irvin, Jourdan S. Solomon and Ninean E. Grey, be and they are hereby appointed Commissioners, in addition to those named in the 29th section of said act; and that the above named Commissioners shall have and possess all, and the same powers, privileges and authority, as is conferred by said act upon the Commissioners named in said 29th section.

Sec. 2. That the whole of the 48th section of said act be, and the same is hereby repealed; and that so much of the 47th section thereof, as prohibits the location of either the Principal Bank, or a Branch of said "Southern Bank," "at either of the places where a Branch of the Bank of Kentucky is established," be and the same is hereby repealed: Provided, That it shall not be lawful for the President and Directors of the "Southern Bank" to locate the Principal Bank and Branch both in the same county.

Sec. 3. That so much of the 15th section of said act as makes it the duty of the Cashier of the Principal Bank to pay to the Treasury of this Commonwealth the tax on the stock, the first day of July, 1839, and the first day of July, in each succeeding year, be so amended as to require said Cashier to pay said tax the first Monday in July, 1840, and on the first Monday in July, in each succeeding year.

Sec. 4. That the first section of said act be, and the same is hereby so amended as to continue the corporate powers of the President, Directors and Company of the "Southern Bank of Kentucky" a body politic and corporate, until the 1st day of May, in the year eighteen hundred and seventy nine.

Sec. 5. That the 47th section of said act be so amended as to embrace the counties of Fulton, Ballard and Marshall in second district of counties therein named, in which a Branch is to be located.

Sec. 6. The following shall constitute an additional proviso to the 35th section of said original charter, to-wit: Provided further, That under no circumstances shall said Bank have a right to demand or receive of the State any portion of the interest accruing upon the bond or scrip of the State, so long as said Bank may hold the same. And in the event of the sale of such bond or bonds, the Bank shall, out of the proceeds of said Bank, pay the interest on the bonds sold without charge for transmission or exchange; and said Bank shall, for that purpose, set apart a contingent fund; and should said Bank fail at any time to pay such interest, and demand shall be made upon the State for the interest due on said bonds, it shall be the duty of the Governor, for the time being, to cause the Attorney General to sue out a scire facias in the General Court, to be served on the President of the Principal Bank, or, in his absence, a majority of the Directors, and if the interest due on said bonds up to the time of trial be not paid, the charter of said Bank shall be declared forfeited. Whereupon, the said Attorney General shall take further proceedings, by attachment or otherwise, levy upon the assets of said Bank, upon which a lien is hereby created, to indemnify the State against loss in the payment of the principal of the bonds sold.

The question being taken on engrossing and reading said bill 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. Wall and Grey, were as follows, to-wit:
Those who voted in the affirmative, were—

Messrs. Barbour, Heady, Thomas,
Bruce, McClure, Triplett,
Chiles, McNary, Waite,
Cofer, Munford, Williams—14.
Grey, Russell,

Those who voted in the negative, were—

Messrs. Barnett, Hawkins, Thornton,
Boyd, Hobbs, Thurman,
Bradley, Hogan, Todd,
Brien, Linthicum, Walker,
Eaker, McMillan, Wall,
English, Rice, White,
Hambleton, Speed, Young—21.

On the motion of Mr. Grey, the committee of the whole was discharged from the further consideration of a bill to establish the Bank of Hopkinsville, and said bill was laid on the table.

Mr. Boyd, from the committee on Banks, reported a bill in relation to the several Banks of this State, which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second reading being dispensed with, said bill was amended, and ordered to be engrossed and read a third time.

On motion of Mr. Barbour, the further consideration of a bill to modify and amend an act, entitled, an act to amend the law prohibiting the importation of slaves into this State, was postponed, and said bill made the special order of the day, in committee of the whole, for Thursday, the 15th inst.

The Senate resumed the consideration of a bill to protect the estates of deceased persons.

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

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

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

The yeas and nays being required thereon, by Messrs. Evans and Hobbs, were as follows, to-wit:

Those who voted in the affirmative, were—

Messrs. Barbour, Heady, Speed,
Boyd, Hobbs, Thomas,
Bradley, Hogan, Thornton,
Bruce, Linthicum, Todd,
Chiles, McMillan, Triplett,
Cofer, McNary, Waite,
Eaker, Munford, Wall,
Resolved, That the title of said bill be as aforesaid.

The resolution in relation to the defalcation in the Treasury, moved by Mr. Chiles on the 27th day of January, came up in the orders of the day.

Mr. Todd moved to lay the said resolution on the table for the present.

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

The yeas and nays being required thereon, by Messrs. Chiles and Todd, were as follows, to wit:

Those who voted in the affirmative, were—


Those who voted in the negative, were—


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. Evans in the Chair; after some time spent in committee, the Speaker resumed the Chair, when Mr. Evans reported that the committee had, according to order, had under consideration a bill concerning the Treasurer and Auditors, and prescribing further duties to each, and having gone through the same, had directed him to report it to the Senate without amendment.

The 4th section of said bill reads as follows, to wit:

Sec 4. It is hereby directed and made the duty of the Governor and Secretary of State, to take bond from the Treasurer, with good and sufficient security, and in the penalty as now required by law, said securities to be nominated to, and confirmed by the Senate; and when said bond has been executed, the fact shall be reported to the Senate, and then filed in the office of Secretary of State, for safe keeping.
Mr. Cofer moved to amend the said section by striking out the words “as now required by law,” printed in italics, and inserting in lieu thereof, “$150,000.”

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

The yeas and nays being required thereon by Messrs. McNary and Cofer, were as follows, to-wit:

Those who voted in the affirmative, were—

Messrs. Boyd, Linthicum, Todd,  
Chiles, Russell, Triplett,  
Cofer, Speed, Walker,  
Grey, Thornton, White,  
Heady, Thurman, Williams—15.

Those who voted in the negative, were—

Messrs. Barbour, Hambleton, Munford,  
Barnett, Hawkins, Rice,  
Bradley, Hobbs, Thomas,  
Brien, Hogan, Waite,  
Bruce, McClure, Wall,  
Eaker, McMillan, Young—20.  
Evans, McNary,  

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

The constitutional rule as to the third reading of said bill being 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. Barbour,

Ordered, That a bill to establish the Farmers’ Bank of Kentucky, be postponed and made the special order of the day, in committee of the whole, for Thursday, the 15th inst.

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

On the motion of Mr. Thornton—1. A bill to incorporate a Turnpike Road Company from Versailles to the Kentucky river, at or near McCuon’s ferry, and from Versailles to Munday’s or Singleton’s landing.

On the motion of Mr. Williams—2. A bill to suppress pistol galleries.

On the motion of Mr. Wall—3. A bill to incorporate a Turnpike Road Company from Cynthiana, to intersect the Covington and Lexington Turnpike Road at or near Williamstown.

On the motion of Mr. Hawkins—4. A bill to incorporate the Petersburg and Burlington Turnpike Road Company.

On the motion of Mr. Chiles—5. A bill to amend the Charter of the Paris, Winchester and Kentucky River Turnpike Company.

The committee on Internal Improvement was directed to prepare and bring in the 1st, 3d and 4th; the committee on the Judiciary the 2d; and
Messrs. Chiles, Williams and J. Speed Smith were appointed a committee to prepare and bring in the 5th.

On the motion of Mr. Chiles,

Resolved, That the committee on the Public Buildings be requested to make a strict examination of the various rooms, passages and apartments of the Capitol, and ascertain and report whether any of said rooms, passages or apartments are appropriated to any uses or purposes not originally designed and intended in the construction thereof, or which detracts from the comfort and convenience of the same, or in any manner tends to render the occupation thereof less healthy or commodious. And whether, in their opinion, any action on the part of the Legislature is necessary to prevent such improper use or appropriation, if any be found to exist.

And then the Senate adjourned.

FRIDAY, FEBRUARY 9, 1849.

A message was received from the House of Representatives, announcing that they had passed bills of the following titles, viz:

An act for the benefit of Andrew J. Banton.
An act for the benefit of Aaron Hostetter.
An act for the benefit of Charles Talbot.

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

The constitutional rule as to the second and third readings being dispensed with,

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

1. Mr. Thomas presented the petition of sundry citizens of Kenton county, praying for the passage of a law to remove the county seat of said county to the city of Covington.

2. Mr. Williams presented the petition of Mary A. Hammond, praying for the passage of a law to divorce her from her husband, Morton Green Hammond.

3. Mr. McMillan presented the remonstrance of Morton Green Hammond, against the passage of a law granting his wife a divorce.

4. Mr. Bruce presented the petition of Lidia Liffien, praying for the passage of a law granting her a divorce from her husband, Samuel Liffien.
Which petitions and remonstrance were severally received and referred; the 1st to the committee on Propositions and Grievances, and the 2d, 3d and 4th to the committee on Religion.

Mr. Todd, from the committee on Finance, to whom was referred a bill further to provide for the erection of the Second Kentucky Lunatic Asylum, reported the same with amendments.

The first amendment was amended, and said amendments were concurred in.

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

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

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

The yeas and nays being required thereon, by Messrs. Williams and McMillan, were as follows, to-wit:

Those who voted in the affirmative, were—

Messrs. Barnett, Grey, Thomas,
Baird, Hawkins, Thornton,
Bradley, Hobbs, Todd,
Brien, McMillan, Triplett,
Bruce, McNary, Walker,
Coffen, Munford, White,
Eaker, Speed Smith, Young—23.
Evans, Speed,

Those who voted in the negative, were—

Messrs. Drafmin, Linthicum, Waite,
English, McClure, Wall,
Hambleton, Rice, Williams—11.
Hogan, Thurman,

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

Mr. McMillan, from the same committee, reported a bill to change the method of collecting the public revenue, which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second reading being dispensed with, said bill was made the special order of the day for Friday next, 16th inst., and the Public Printer was directed to print 150 copies thereof for the use of the General Assembly.

Mr. J. Speed Smith, from the committee on Internal Improvement, reported a bill to incorporate the Petersburg and Burlington Turnpike Road Company, which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second reading being dispensed with, the said bill was amended and ordered to be engrossed and read a third time.
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The constitutional rule as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be amended by adding, "and Owenton and Ross's Mill Turnpike Road Company."

Mr. J. Speed Smith, from the same committee to whom was referred a bill from the House of Representatives, entitled, an act to allow the County Court of Lewis to apply the proceeds of the vacant lands of said county, to the improvement of the navigation of Kinnicancit, and for other purposes, reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional rule as to the third reading being dispensed with, Resolved, That said bill do pass, and that the title thereof be as aforesaid.

On the motion of Mr. Eaker, the resolution in relation to the defalcation of James Davidson, late Treasurer, moved by Mr. Chiles on the 27th of January, and laid on the table on yesterday, was taken up and amended to read as follows, to-wit:

Resolved, That so much of the Governor's Message as relates to the supposed defalcation of James Davidson, late Treasurer of Kentucky, be referred to a Select Committee, and that said committee be instructed to ascertain and report, at the earliest convenient time, the full amount of said defalcation, (if any be found to exist,) together with the causes that have operated to produce the same, so far as ascertained; as, also, the period when said defalcation commenced, and the amount thereof each year, from thence to the present time; the reasons why no such bonds were executed by said Treasurer, from time to time, as required by law, and the persons or officers in default for such failure or omission; how often, and at what time or times, the said Treasurer tendered security for the discharge of the duties of his said office; whether said sureties, or any of them, rely upon the non-execution of such bond or bonds, to screen themselves from responsibility; and the name or names of said securities, so relying on said omission; and whether he or they are office holders of this Commonwealth, or otherwise in the employ of the State of Kentucky.

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

The yeas and nays being required thereon, by Messrs. Hogan and Hawkins, were as follows, to-wit:

Those who voted in the affirmative, were—

Messrs. Barnett, Hobbs, Thornton,
Bradley, Hogan, Thurman,
Brien, Linthicum, Todd,
Bruce, McClure, Tripplett,
Chiles, McMillan, Waite,
Cofere, McNary, Walker,
English, Munford, Wall,
JOURNAL OF THE SENATE.

Evans, Rice, White,
Hambleton, Speed, Williams,
Hawkins, Thomas, Young—30.

In the negative—None.

Messrs. Chiles, English and Barnett, were appointed a committee pursuant to said resolution, with leave to sit during the sessions of the Senate.

On the motion of Mr. Williams, the resolution from the House of Representatives, fixing a day for a final adjournment of the General Assembly, was taken up.

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On motion of Mr. Williams, the resolution from the House of Representatives, fixing a day for a final adjournment of the General Assembly, was taken up.

Ordered, That the further consideration of said resolution be postponed until Thursday, the 15th instant.

The following bills were reported from select committees, to-wit:
By Mr. Hawkins—A bill to amend the road law of Boone county.
By Mr. Chiles—A bill amendatory of an act, entitled, an act to incorporate the Paris, Winchester and Kentucky River Turnpike Road Company, approved Feb. 25, 1848.

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

The constitutional rule as to the second and third readings of said bills being dispensed with, and the same being engrossed,

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

A message was received from the Governor, by Mr. Harlan, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills which originated in the Senate, of the following titles, to-wit:

An act for the benefit of R. M. Davis.
An act for the benefit of the heirs of Roly Mardis, deceased.

Approved February 7, 1849.

The Speaker laid before the Senate a report from the Board of Internal Improvement, in response to a resolution adopted by the Senate on the 7th instant, in relation to the claim of Robert Williams, which is as follows, to-wit:

Office of Board of Internal Improvement,

February 8, 1849.

In obedience to a resolution of the Senate, of the 7th inst., the Board of Internal Improvement have had under consideration the claim of Robert Williams, late contractor in the construction of Lock and Dam No. 3, on Licking river, and respectfully report their opinion of the same:

1. The claim, as rendered in 1847, was based on loss and injury sustained by the temporary suspension of the work by the State, against the wish and consent of the claimant, and is divided into five parts, viz:
First. In order to retain the service of choice clerks, superintendents, mechanics, &c., he was forced to pay them their regular wages during the first suspension, which was from the 1st of December, 1839, to 1st April, 1840, amounting to the sum of $2,778.

Second. In order to retain same, for like purpose, he paid like wages during second suspension, which was from 1st of November, 1840, to the 15th of April, 1841, amounting to the sum of $2,438 55.

Third. In order to retain same, for like purpose, he paid like wages during third suspension, which was from 14th Nov., 1841, to 1st April, 1842, amounting to the sum of $1,556 89.

Fourth. For extra expenses incurred on face-stone, owing to the low state of water, whereby the same was re-shipped, re-hauled, &c., in all, 1,336 perch, at $3 per perch, worth $4,008.

Fifth. For expense of maintaining himself and family, during the three suspensions, $782. Total claim, $11,558 44.

To support this claim the depositions of four persons, (Grider, Williams, Haslett and Bush,) are made, at the instance of the claimant. This claim, for causes unknown to the present Board, was, during the last session of the Legislature, rejected, or passed over in the unfinished business. It is now presented in a somewhat modified aspect, to-wit:

"Robert Williams claims consequential damages, for the suspension of his work on Lock and Dam No. 3, on Licking River Navigation, by authority of the State, during its progress, and previous to the final suspension of the same, by State authority.

"February 7, 1849.

R. C. McKee,
Attorney for Robert Williams."

From verbal statements made by the claimant and his attorney, the Board understand that the items included in the account for the first suspension, and the item for the expense, &c., of maintaining claimant and his family, during the three suspensions, are now abandoned, and hence need no further consideration. Thus, it will be seen, the original account, as now modified, embraces the second and third suspension and the $3 per perch for the supposed extra expense on the face-stone, amounting in all to the sum of $8,003 44.

The Board, with great care, have examined each and every item of the account upon which the claim is based, aided by all the evidence furnished by the claimant, and such books and estimates as are found in this office, relating thereto, and respectfully report their opinion, with the evidence upon which it is formed, to-wit:

1. There is nothing in fact due or claimed for the first suspension; but in order to find an approximate data, for an estimate of the second and third suspensions, we refer to the first. By reference to the Check Book furnished by the claimant, it will be seen that there was 3,057 days work done by laborers, and 194 days by teams, &c., during the first suspension, which clearly shows that, although the claimant was ordered to suspend, yet he continued to work as before, risking the chance of remuneration; hence the claim for extra pay or wages of clerks, mechanics, &c., will not apply. But by the same Book it appears, that during the second suspension there was only 903 days work done by men, and 168 days by teams, &c., thereby showing a very great decrease in men and teams, &c., and consequently less need in keeping clerks, superinten-
dents, &c., at high wages. And during the third suspension, with slight increase in the day's work, the same result is manifested by the Check Book; the like decrease is evident from the estimates made of the work as it progressed. From this Check Book it appears the sum of $621.75 was paid by the claimant, during the second suspension, to the retained clerk, superintendents, choice mechanics, &c.; and during the third suspension, $869.69 was paid for like purpose, in all, thus paid, $991.44. These persons were, during the time, in the employment of the claimant, but not actively engaged, so as to yield a profit, as they would have done provided the work had not been suspended, and the common laborers discharged. Therefore the Board are of the opinion, if any sum is appropriated for pay of clerks, superintendents, &c., it would be reasonable to divide the sum thus paid, during the two suspensions, which would be $495.72.

2. The claim for expense, &c., of freighting the face stone from the Ohio river to the Lock, at seasons of low water, rests upon the evidence of Bush, (acting superintendent for the State,) and Haslett: they both agree that the stone thus freighted was worth at least $3 per perch, over and above the contract price, but neither of them are able to speak definitely as to the quantity, and both refer to the monthly estimates made thereof then, and now on file in this office. The Board have carefully examined those estimates, and find they differ much from the quantity claimed and supposed by Haslett and Thos. K. Williams, as stated in their depostions. The estimates referred to show the following result: That the number of perches of stone in the walls, as estimated on final settlement, was 4,011, the fifth part thereof being face stone, equal to 802 perch, and at the same time there was 133 perch of face stone delivered in the yard and dressed, and 403 perch of face stone delivered in the yard undressed, and 70 perch of face stone on the bank of the Ohio river, opposite New Richmond, in all face stone thus estimated, 1,408 perch. On the 23d November, 1840, there was laid in the walls, 1,970 perch of stone, the one-fifth of which was face stone, equal to 393 perch; at the same time there was in the yard and at the quarries, 304 perch, intended for face stone, and so estimated; making in all, at that time, 755 perch of face stone. And on the 9th of November, 1841, there was laid in the walls 3,106 perch of stone of all kind, one-fifth thereof face stone, equal to 621 perch; at the same time there was in the yard and at the quarries, 310 perch, intended for face stone, and so estimated, making in all 831 perch; thus it appears there could not have been more than 75 perch of face stone delivered between the 23d of November, 1840, and the 9th November, 1841. Again, on the 29th of March; 1842, there was laid in the walls 3,106 perch of stone—one-fifth thereof was face stone, equal to 621 perch, and at the same time there was in the yard and at the quarries, and estimated as face stone, 750 perch, making in all 1,371 perch of face stone, and when the work was finally suspended, in June, 1842, there was, as before stated, in the walls, 802 perch of face stone, at the same time 606 perch in the yard and on the Ohio river, estimated as face stone, thus clearly showing, from the estimates referred to, that there could not have been delivered, between the 29th of March, 1842, and the final suspension of the work, (in June, 1842,) over 37 perch of face stone. Therefore the Board have come to the conclusion the 75 perch delivered between November, 1840, and November, 1841, and the
37 perch delivered between March and June, 1842, in all 112 perch of face stone, must be the face stone referred to in the depositions in support of the claim, as having been brought to the Lock under very disadvantageous circumstances, and for which Mr. Bush, Superintendent of the Licking river, thinks the claimant entitled to $3 per perch, in addition to the sum heretofore received by him; this, according to that rate, would be worth $336. And the Board are of opinion if any allowance be made for face stone, it should be for that sum.

In conclusion, the Board remark: that from the history of this claim, evidence in support thereof, and vouchers on file in this office, in relation thereto, they are clearly of opinion that the claimant could have finished his contract before the final suspension of his work, had it not been for temporary suspensions thereof on the part of the State; and that during the progress of his work he seems to have acted in good faith and with proper energy. That on the 4th day of November, 1842, on final settlement of his accounts, he received to the State for the sum of $63,274,06, the value of the work estimated to have been done by him, as contractor of Lock and Dam No. 3, on the Licking river. Afterward, on the 22d of June, 1843, he received from the State the further sum of $2,591,38, in State bonds, bearing six per cent. interest, payable in thirty years—which last sum was “in full of all claims against the State of Kentucky, for work and labor done, and materials procured and furnished, or partly procured and furnished, as ascertained by settlement, concluded,” &c. If Robert Williams, late contractor, is not precluded by this last settlement and receipt, the Board are of the opinion, under all the circumstances of the claim, that he is entitled to the sum of $495,72, being one half of the sum paid clerks, superintendents, &c., during second and third suspension, and the further sum of $336 for the 112 perch of face stone freighted in low water, as before stated—in all, $831,72. The evidence upon which the opinion is based, will be seen in session reports of 1847—48, page 549 to 553. The Check Book, extracts therefrom, marked A; the receipt of Williams, marked B; extracts of estimates from this office, marked C, and history of legislation in regard to the Licking navigation, session Acts passed since 1835. All of which is respectfully submitted.

O. G. CATES,  
AUSTIN P. COX.

To the Hon. JOHN L. HELM,  
Lieut. Governor and Speaker of the Senate.

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Extract from Check Book marked A, No. 1.

**FIRST SUSPENSION.**

H. Grider, 104 days, at $54 per month.
D. H. Hill, 72 days, at $59 per month.
W. Tomb, 5 days, at $49 per month.
J. Hasset, — days, at $84 per month.
J. S. Mos, 98 days, at $72 per month.
D. H. Kirkpatrick, 334 days, at $51 per month.
J. Rodman, — days, at $49 per month.
J. Morin, 80½ days, at $19 per month.
J. C. Hodges, 39½ days, at $35 per month.
D. Nyer, 72¼ days, at $21 per month.
W. Vincent, 42½ days, at $24 per month.
L. McCall, 42 days, at $34 per month.
J. Lemm, 94½ days, at $31 per month.
D. Conaway, 90¾ days, at $21 per month.

### SECOND SUSPENSION

<table>
<thead>
<tr>
<th>Name</th>
<th>Days</th>
<th>Rate per Month</th>
</tr>
</thead>
<tbody>
<tr>
<td>H. Grider</td>
<td>48 days</td>
<td>$64 per month</td>
</tr>
<tr>
<td>J. Haslett</td>
<td>— days</td>
<td>$— per month</td>
</tr>
<tr>
<td>J. Morin</td>
<td>19 days</td>
<td>$19 per month</td>
</tr>
<tr>
<td>G. Bencroft</td>
<td>7½ days</td>
<td>$35 per month</td>
</tr>
<tr>
<td>J. W. Reed</td>
<td>73½ days</td>
<td>$35 per month</td>
</tr>
<tr>
<td>J. Jenner</td>
<td>34 days</td>
<td>$1.50 per day</td>
</tr>
<tr>
<td>D. Nyer</td>
<td>— days</td>
<td>$1.17 per month</td>
</tr>
<tr>
<td>J. McCur</td>
<td>114½ days</td>
<td>$23 per month</td>
</tr>
<tr>
<td>M. McGarvey</td>
<td>62½ days</td>
<td>$27 per month</td>
</tr>
<tr>
<td>J. Kyle</td>
<td>48½ days</td>
<td>$31 per month</td>
</tr>
<tr>
<td>J. C. Hodges</td>
<td>— days</td>
<td>$37 per month</td>
</tr>
</tbody>
</table>

$118.15

### THIRD SUSPENSION

<table>
<thead>
<tr>
<th>Name</th>
<th>Days</th>
<th>Rate per Month</th>
</tr>
</thead>
<tbody>
<tr>
<td>T. H. Williams</td>
<td>— days</td>
<td>$34 per month</td>
</tr>
<tr>
<td>H. Hill</td>
<td>14 days</td>
<td>$39 per month</td>
</tr>
<tr>
<td>H. Hunt</td>
<td>75½ days</td>
<td>$39 per month</td>
</tr>
<tr>
<td>J. Morin</td>
<td>— days</td>
<td>$19 per month</td>
</tr>
<tr>
<td>F. Gibson</td>
<td>89½ days</td>
<td>75 cents per day</td>
</tr>
<tr>
<td>R. Watson</td>
<td>123 days</td>
<td>$33 per month</td>
</tr>
<tr>
<td>J. Martin</td>
<td>65½ days</td>
<td>$22 per month</td>
</tr>
<tr>
<td>D. Strain</td>
<td>83¾ days</td>
<td>$22 per month</td>
</tr>
<tr>
<td>D. Nyer</td>
<td>134 days</td>
<td>$21 per month</td>
</tr>
</tbody>
</table>

$369.69

---

**Extract from Check Book marked A, No. 2,**

**FIRST SUSPENSION**

<table>
<thead>
<tr>
<th>Month</th>
<th>Men Days</th>
<th>Teams Days</th>
</tr>
</thead>
<tbody>
<tr>
<td>December, 1839</td>
<td>828 days</td>
<td>684 days</td>
</tr>
<tr>
<td>January, 1840</td>
<td>795 days</td>
<td>554 days</td>
</tr>
<tr>
<td>February, 1840</td>
<td>554 days</td>
<td>414 days</td>
</tr>
<tr>
<td>March, 1840</td>
<td>538½ days</td>
<td>254 days</td>
</tr>
</tbody>
</table>

Men 8037 days.
Teams 194 days.

**SECOND SUSPENSION**

<table>
<thead>
<tr>
<th>Month</th>
<th>Men Days</th>
<th>Teams Days</th>
</tr>
</thead>
<tbody>
<tr>
<td>November 14, 1840</td>
<td>295 days</td>
<td>36 days</td>
</tr>
<tr>
<td>December, 1840</td>
<td>325 days</td>
<td>63 days</td>
</tr>
<tr>
<td>January, 1841</td>
<td>62 days</td>
<td>72 days</td>
</tr>
<tr>
<td>February, 1841</td>
<td>99 days</td>
<td>72 days</td>
</tr>
<tr>
<td>March, 1841</td>
<td>903 days</td>
<td>163 days</td>
</tr>
</tbody>
</table>
November 14, 1841. Men 188 days. Teams — days.
December, 1841. Men 172 days. Teams — days.
January, 1842. Men 236 days. Teams — days.
February, 1842. Men 160 days. Teams — days.
March, 1842. Men 315 days. Teams — days.

April and May, of 1842, Men 928 days.
April and May, of 1843, Teams —

Receipt of Williams, marked B.

FRANKFORT, June 22d, 1843.

The undersigned, contractor on Lock and Dam No. 3, of the Licking River Navigation, agree to receive from the State of Kentucky, her bonds or scrip, payable in thirty years, bearing an interest of six per centum, at par, for the sum of twenty five hundred and ninety one dollars and eighty-eight cents, which, in addition to sixty three thousand two hundred and seventy four dollars six cents herebefore received, makes the aggregate of sixty five thousand eight hundred and sixty five dollars ninety four cents, ($65,865.94) as is shown by estimate No. 33, of work and labor done upon said Lock, &c.; which sum of $3,591.88 is in full of all claims against the State of Kentucky, "for work and labor done, and materials procured and furnished, or partly procured and furnished," as ascertained by settlement this day concluded, and shown by the estimate alluded to above; which settlement and estimate are made under the several provisions of an act of the General Assembly of Kentucky, entitled, "an act for the benefit of the contractors on the public works," approved March 11, 1843.

ROBERT WILLIAMS.

A correct copy from the original.

A. P. COX, Sec. Board Int. Imp.
Extracts of estimates marked C.

The following table shows the dates of the various estimates made for Robert Williams, contractor on Lock and Dam No. 3, Licking River Navigation, from the 21st Sept., 1839, to the final suspension of the work; it shows, also, the quantity of stone laid in the Lock walls, at the dates of the several estimates; also, the quantity of stone in the yard, cut and uncut, and at the quarry, intended for face of wall, and estimated:

<table>
<thead>
<tr>
<th>Date of estimate</th>
<th>Perch of stone laid in the wall</th>
<th>Perch of face and cut stone, quarried and estimated, and partly delivered in the yard, but not laid</th>
<th>Total perch in the walls, in the yard and quarries, and estimated</th>
</tr>
</thead>
<tbody>
<tr>
<td>1839. September 21.</td>
<td>-</td>
<td>50</td>
<td>50</td>
</tr>
<tr>
<td>October 21.</td>
<td>83</td>
<td>79</td>
<td>162</td>
</tr>
<tr>
<td>November 4.</td>
<td>160</td>
<td>70</td>
<td>230</td>
</tr>
<tr>
<td>November 29.</td>
<td>60</td>
<td>60</td>
<td>120</td>
</tr>
<tr>
<td>January 4.</td>
<td>262</td>
<td>166</td>
<td>428</td>
</tr>
<tr>
<td>February 4.</td>
<td>362</td>
<td>183</td>
<td>545</td>
</tr>
<tr>
<td>April 4.</td>
<td>262</td>
<td>656</td>
<td>918</td>
</tr>
<tr>
<td>May 28.</td>
<td>500</td>
<td>992</td>
<td>1,494</td>
</tr>
<tr>
<td>August 7.</td>
<td>510</td>
<td>980</td>
<td>1,490</td>
</tr>
<tr>
<td>August 29.</td>
<td>1,150</td>
<td>614</td>
<td>1,764</td>
</tr>
<tr>
<td>September 20.</td>
<td>1,750</td>
<td>520</td>
<td>2,270</td>
</tr>
<tr>
<td>October 30.</td>
<td>1,870</td>
<td>364</td>
<td>2,234</td>
</tr>
<tr>
<td>November 23.</td>
<td>2,002</td>
<td>360</td>
<td>2,362</td>
</tr>
<tr>
<td>1840. January 4.</td>
<td>2,002</td>
<td>360</td>
<td>2,362</td>
</tr>
<tr>
<td>February 4.</td>
<td>2,002</td>
<td>360</td>
<td>2,362</td>
</tr>
<tr>
<td>April 4.</td>
<td>2,163</td>
<td>346</td>
<td>2,509</td>
</tr>
<tr>
<td>May 28.</td>
<td>2,305</td>
<td>366</td>
<td>2,671</td>
</tr>
<tr>
<td>August 7.</td>
<td>3,106</td>
<td>310</td>
<td>3,416</td>
</tr>
<tr>
<td>August 29.</td>
<td>3,106</td>
<td>210</td>
<td>3,316</td>
</tr>
<tr>
<td>September 20.</td>
<td>3,106</td>
<td>300</td>
<td>3,406</td>
</tr>
<tr>
<td>October 30.</td>
<td>3,106</td>
<td>400</td>
<td>3,506</td>
</tr>
<tr>
<td>November 23.</td>
<td>3,106</td>
<td>750</td>
<td>3,856</td>
</tr>
<tr>
<td>January 4.</td>
<td>4,011</td>
<td>906</td>
<td>4,917</td>
</tr>
</tbody>
</table>

The 1st column shows the entire amount of perch of stone laid in the Lock walls, as estimated at the several dates mentioned.

The 2nd column shows an additional quantity of stone, cut and uncut, in the yard and at the quarry, estimated, though not laid in the walls.

The 3rd column shows the total of the other two.

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

A message, in writing, was received from the Governor, by Mr. Harlan, Assistant Secretary of State.

The rule of the Senate being dispensed with, the said message was taken up and read as follows, to-wit:

_Gentlemen of the Senate:_

I nominate for your advice and consent, the following persons for the offices in the militia of this State, which are attached to their respective names:

Daniel B. Pribble to be Colonel of the 21st Regiment, 26th Brigade, in place of D. B. Ellis, resigned.

J. J. Telton to be Lieutenant Colonel of same, in place of Pribble, promoted.
Resolved, That the Senate advise and consent to the said appointments.

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

On the motion of Mr. McMillan—1. A bill to charter the Nicholas Savings Institution.

On the motion of Mr. Thomas—2. A bill for the benefit of Wm. Griffy.

On the motion of Mr. Bruce—3. A bill to incorporate a Seminary of learning at the Flat Lick, in Knox county.


Messrs. McMillan, Boyd and Williams were appointed a committee to prepare and bring in the 1st: the committee on Finance was directed to prepare and bring in the 2d; the committee on Education the 3d; and the committee on the Judiciary the 4th.

A resolution from the House of Representatives, inviting the officers and soldiers of the war of 1812 to visit the Capital of Kentucky, was taken up, twice read, and concurred in.

Preamble and resolutions from the House of Representatives, in relation to the publication of a map of the State by Boner and Klyng, were taken up and referred to the committee on Finance.

Bills from the House of Representatives, of the following titles, were severally read the first time, to-wit:

1. An act supplemental to an act to erect a monument to those who have fallen in defence of their country, approved February 25, 1848.


3. An act to incorporate the Owingsville and Sharpsburg Turnpike Road Company.

4. An act divorcing Benj. R. Gaines and wife, and for other purposes.

5. An act to extend the limits of the town of Ghent.

6. An act for the benefit of the widow and heirs of Henry Durrett, deceased.
7. An act to legalize the proceedings of a special term of the Estill County Court.
8. An act for the benefit of the mechanics of Estill and Owsley.
9. An act for the benefit of Rebecca Royse, of Fleming county.
10. An act to incorporate the Odd Fellows Hall Association in Henderson.
11. An act to authorize the appointment of a Police Judge in the town of Portland.
12. An act allowing an additional Constable to Larue county.
13. An act to establish the Louisville Commercial College.
14. An act authorizing the confinement of offenders against the ordinances of the city of Maysville, in the county jail and jail yard of said city.
15. An act authorizing the Trustees of Germantown to appoint an Assessor for special purposes.
16. An act to authorize the Clerk of the Breckinridge County Court to transcribe certain records.
17. An act to amend an act regulating the town of Salvisa, in Mercer county, approved February 9, 1828.
19. An act to incorporate the Trustees of the Parsonage of the Methodist Episcopal Church South, in Floydsburg, in Oldham county.
20. An act to reduce into one the several acts concerning the town of Lagrange.
21. An act to change an election precinct in the county of Pulaski.
22. An act to amend the law establishing the town of Creelsboro', approved 9th February, 1819.
23. An act for the benefit of the Trustees of the First Presbyterian Church in Shelbyville.
24. An act to allow an additional Constable to Shelby county.
25. An act to amend an act, entitled, an act to establish the town of Milton, approved February 4, 1846.
26. An act to allow an additional Constable to Green county.
27. An act to establish the Covington Commercial College.
28. An act to amend the militia law.
30. An act to incorporate the Eagle Manufacturing Company.

Ordered, That said bills be read a second time.

The constitutional rule as to the second reading being dispensed with, they were referred; the 1st, 28th and 29th to the committee on Military Affairs; the 2d, 12th, 14th, 22d, 24th and 26th to the committee on Propositions and Grievances; the 3d to the committee on Internal Improvement; the 4th, 19th and 23d to the committee on Religion; the 5th, 6th, 7th, 8th, 10th, 11th, 16th, 17th, 18th, 20th and 25th to the committee on
the Judiciary; the 9th and 15th to the committee on Finance; the 13th and 27th to the committee on Education; the 21st to the committee on Privileges and Elections; and the 30th to the committee on Agriculture and Manufactures.

And then the Senate adjourned.

SATURDAY, FEBRUARY 10, 1849.

A message was received from the House of Representatives, announcing that they had disagreed to a bill from the Senate, entitled, An act for the benefit of William Hare.

That they had passed bills from the Senate, of the following titles, to-wit:

An act for the benefit of James Bartram.
An act to repeal an act, entitled, an act to prevent the sale of spirituous liquors within the town of Lagrange, and one mile therefrom, approved January 29, 1846.
An act for the benefit of Gilson P. Snelling.
An act for the benefit of James Byles.
An act to authorize Hugh W. McNary to sell a slave in this State, and for other purposes.
An act to extend the corporate limits of Newport.
An act to authorize the sale of certain alleys in Winchester.
An act to authorize the Trustees of Cynthiana to levy and collect an additional tax.
An act for the benefit of John M. Fream, of Monroe county.
An act for the benefit of James L. Turman and John L. Price.
With amendments to the two last named bills.
Which amendments were concurred in.

That they had passed bills of the following titles, to-wit:

An act to amend an act, entitled, an act to amend the law to prohibit the importation of slaves into this State.

An act for the benefit of A. M. Vanarsdale, of Mercer county.
An act for the benefit of George T. Anderson, of Logan county.
An act for the benefit of E. S. Steed, of Graves county.
An act to change the State road leading from Canton to Waidsboro.
An act to change the line between the counties of Clay and Laurel.
An act for the benefit of A. J. Gatewood, of Barren county.
An act for the benefit of Nathan Butler and Addison Carneal, of Todd county.
An act for the benefit of R. P. Dodds, of Fulton county.
An act for the benefit of J. S. Colladay, of Logan county.
An act to change the county line of Taylor and Green counties.
An act to amend in part the charter of the city of Louisville.
An act for the benefit of the Washington Female Seminary.
An act for the benefit of Frederick Mayberry.
An act for the benefit of S. G. Rogers.

Mr. Rice presented the petition of sundry citizens of Greenupsburg, praying a change of the town charter; and, also, the remonstrance of sundry citizens of said town against changing the charter of said town.

Which petition and remonstrance were received and referred to the committee on Propositions and Grievances.

Mr. Todd, from the committee on Finance, to whom was referred bills from the House of Representatives, of the following titles, to-wit:
An act for the benefit of Rebecca Royse, of Fleming county.
An act authorizing the Trustees of Germantown to appoint an Assessor for special purposes.

Reported the same without amendment.

Ordered, That said bills be read a third time.

The constitutional rule as to the third reading being dispensed with,

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

Mr. Todd, from the same committee, to whom was referred preamble and resolutions from the House of Representatives, in relation to the publication of a map of the State by Boner and Klyng, reported the same without amendment; and said preamble and resolutions were twice read and concurred in.

On the motion of Mr. Todd, the committee on Finance was discharged from the further consideration of the petition of Jacob Lewis.

Mr. Todd, from the same committee, to whom was referred a bill to change the mode and compensation for publishing the decisions of the Court of Appeals, reported the same without amendment, and said bill was placed in the orders of the day.

Mr. Todd moved that the committee on Finance be discharged from the duty of preparing and bringing in a bill for the benefit of Thomas L. Garrard, pursuant to leave referred to said committee.

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

Thereupon, Mr. Todd reported said bill, which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second and third readings of said bill being dispensed with, and the same being engrossed,
Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Todd, from the committee on Finance, to whom was referred the official bond of Richard C. Wintersmith, the Treasurer elect, reported the same to the Senate, with the following names attached thereto, and proposed by the said Treasurer as his securities, to-wit:


Resolved, That the Senate consent to, and approve of, the said securities.

Mr. Bradley, from the joint committee on Enrollments, reported that the committee had examined enrolled bills which originated in the Senate, of the following titles, viz:

An act for the benefit of certain School Districts in this State.
An act for the benefit of the Bourbon County Agricultural Society.
An act for the benefit of the former and present Sheriffs of Crittenden county.
An act, to amend an act, entitled, an act to incorporate the Rough and Ready Turnpike Road Company.
An act for the benefit of the Sheriff of Lincoln county.
An act for the benefit of the Sheriff of Hopkins county.
An act to run and mark the line between the counties of Crittenden and Caldwell.
An act for the benefit of the town of Greenville, in Muhlenburg county.
An act to amend the act to incorporate the Great Crossings and Stamping Ground Turnpike Road Company, approved February 25, 1848.
An act to amend an act, entitled, an act to incorporate the Lexington Cemetery Company.
An act to repeal, in part, an act to enlarge the powers of the Trustees of Princeton.
An act to amend an act authorizing a settlement with the Trustees of the Stanford Seminary, approved March 1, 1847.
An act to change the name of Taylorville, in Boone county.
And enrolled bills and an enrolled resolution which originated in the House of Representatives, of the following titles, to-wit:

An act for the benefit of Andrew J. Banton.
An act for the benefit of Stilwell H. Wakefield.
An act to incorporate the Warsaw Turnpike Company.
An act establishing election precincts in the counties of Larue, Mercer, Greenup, Garrard, Taylor, Hopkins and Livingston.
An act to divorce Henry R. Bishop.
An act for the benefit of Minerva O'Reily and Mary Hudnall.
An act to change the August Chancery term of the Christian Circuit Court.
An act to divorce Harriet J. Wheeler.
An act for the benefit of Julia E. Crowdus.
An act to establish election precincts in the counties of Fleming, Madison and Campbell, and to change certain election precincts in the counties of Clay and Perry.
An act to incorporate the Henderson Cemetery Company.
An act for the benefit of Benjamin All.
An act to incorporate the Cumberland Presbyterian Church, in Henderson.
An act to incorporate the Bethlehem Baptist Church, of Hart county.
An act to divorce George W. McKinney.
An act to divorce Willis Hammon.
An act to divorce William H. Jackson.
An act to allow an additional Justice of the Peace to the county of Adair.
An act for the benefit of John Goodin.
An act to establish an additional election precinct in Allen county.
An act for the benefit of the Bath Seminary.
An act for the benefit of Jesse F. Atchison, and others.
An act to establish a new Constable's district in the county of Boyle.
An act supplemental to an act incorporating the Lexington and Frankfort Turnpike Company.
An act supplemental to an act incorporating the Newtown and Lexington Turnpike Company.
An act providing for running and marking a part of the county lines between Pike, Floyd and Lawrence.
An act to incorporate the Boone Monumental Association.
An act to revive an act to incorporate a Company to construct a Turnpike from Lancaster to Crab Orchard.
An act to incorporate the Master and Wardens of Alexandria Lodge, No. 152, at Alexandria, in Campbell county.
An act to incorporate Barker Lodge, and for other purposes.
An act to change the names of Wm. Preston Smith and others, of Henderson county.
An act to amend an act, entitled, an act for the benefit of the Mechanics of the towns of Covington and Newport, approved Feb. 22, 1834.
An act to incorporate the Maysville Linen Company.
An act to declare legitimate, Walter Winston Anderson.
An act for the benefit of John C. Walker, guardian of Henry A. Ditto.
An act for the relief of John Pitman and John C. Brown.
An act to incorporate the Bardstown Cemetery Company.
An act to enlarge the Hadensville Constable's district, in the county of Todd.
An act to repeal an act, entitled, an act for the benefit of John Judy, of Clarke County.
An act for the benefit of Mary Simpson and others, of Calloway county.
An act for the benefit of George Dunn, Jailer of McCracken county.
An act for the benefit of James Cowan's heirs.
An act to incorporate a Literary Association in the county of Garrard.
An act for the benefit of Aaron Hostetter.
An act for the benefit of Charles Talbot.
Resolution inviting the officers and soldiers of the war of 1812 to visit the capital of Kentucky.
And had found the same truly enrolled.
The said bills and resolution having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approbation and signature.
After a short time, Mr. Bradley reported that the committee had performed that duty.
Mr. Evans, from the committee on Education, to whom was referred bills from the House of Representatives, of the following titles, to-wit:
An act to establish the Louisville Commercial College.
An act to establish the Covington Commercial College.
Reported the same without amendment.
Ordered, That said bills be read a third time.
The constitutional rule as to the third reading being dispensed with,
Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.
Mr. J. Speed Smith, from the committee on Internal Improvement, to whom was referred a bill from the House of Representatives, entitled, an act to authorize the payment of the amount due to the Commissioners of the road from Bowlinggreen to the mouth of Salt river, reported the same without amendment.
The said bill was amended, and ordered to be read a third time.
The constitutional rule as to the third reading being dispensed with,
The question was taken on the passage of said bill, and it was decided in the affirmative.
The yeas and nays being required thereon by Messrs. Bradley and
Hambleton, were as follows, to-wit:

Those who voted in the affirmative, were—

Messrs. Cofer, Evans, Hambleton, Hawkins, Hobbs, Hogan,
Linthicum, McNary, Munford, Speed, Thornton,

Those who voted in the negative, were—

Messrs. Barnett, Bradley, Brien, English,
McClure, McMillan, Rice, Thomas,
Waite, Wall, Young—11.

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

Mr. Brien, from the committee on Military Affairs, to whom was re-
ferred a bill from the House of Representatives, entitled, an act supple-
mental to an act to erect a monument to those who have fallen in defence
of their country, approved February 25, 1848, reported the same without
amendment.

Ordered, That said bill be read a third time.

The constitutional rule as to the third reading being dispensed with,
Resolved, That said bill do pass, and that the title thereof be as afo-
said.

Mr. Wall, from the committee on the Judiciary, to whom was referred
a bill from the House of Representatives, entitled, an act for the benefit
of John Carr, a lunatic, reported the same with an amendment, which was
concurred in.

The said bill was further amended.

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

The constitutional rule as to the third reading being dispensed with,
Resolved, That said bill, as amended, do pass, and that the title thereof
be amended by adding, “and Peggy Hawthorn.”

The following bills were reported, to-wit:

By Mr. Todd, from the committee on Finance:
A bill for the benefit of the Sheriff of Campbell county.
A bill for the benefit of James A. Wilson.
A bill for the benefit of Henry S. Bussey, Jailer of Lawrence county.
A bill to amend the act, entitled, an act to amend the several laws es-

tablishing a permanent revenue, approved January 31, 1814.
A bill for the benefit of the late Sheriff of Grant county.
A bill for the benefit of William Griffey.
A bill for the benefit of John D. Rake.

By Mr. Evans, from the committee on Education:
A bill to incorporate the Flat Lick Seminary, in Knox county.
A bill for the benefit of certain school districts in Pulaski county.
By Mr. J. Speed Smith, from the committee on Internal Improvement:
A bill for the improvement of Cumberland river, and the roads in Pulaski county.
A bill to construct a turnpike road from Versailles to the Kentucky river, at or near McCoun's ferry; and from Versailles to Munday's or Singleton's landing.
By Wall, from the committee on the Judiciary:
A bill to change the time of holding the Anderson and Franklin Circuit Courts.
A bill for the benefit of the President, Directors and Company of the Bon Harbour Mining and Manufacturing Company.
A bill for the benefit of the town of Newport.
A bill to amend the law in relation to writs of *ad quod damnum*.
A bill to suppress pistol gallaries.
A bill for the benefit of Louisa Williams.
A bill for the benefit of the heirs of Mathew Logan, deceased.
Which bills were severally read the first time, and ordered to be read a second time.

The constitutional rule as to the second and third readings being dispensed with,

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

Mr. Wall, from the committee on Judiciary, reported the following bills, to-wit:

1. A bill for the benefit of George B. Kinkead.
2. A bill to amend an act to amend the penal laws of this Commonwealth, approved February 11, 1809.
3. A bill to amend the law concerning unlawful gaming.

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

The constitutional rule as to the second reading of said bills being dispensed with, the 1st was placed in the orders of the day; the 2d was referred to the committee on the Judiciary; and the 3d was laid on the table until the first day of June next.

Mr. Wall, from the same committee, reported a bill in relation to limited partnerships, which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second reading being dispensed with, said bill was made the special order of the day for Wednesday, the 14th inst., and the Public Printer was directed to print 150 copies thereof for the use of the General Assembly.
Mr. English, from the committee on the Penitentiary, read and laid on the table the following preamble and resolutions, to-wit:

WHEREAS, Some doubt now exists as to the power and right being conferred by the acts of 1844–5, 1845–6 and 1846–7, upon the Commissioners of the Sinking Fund, to allow interest in their settlement to the present Keeper of the Penitentiary—therefore,

Resolved by the General Assembly of the Commonwealth of Kentucky, That the Commissioners of the Sinking Fund, in making their final settlement with the present Keeper of the Penitentiary, under the several laws passed during the sessions of 1844–5, 1845–6, and 1846–7, authorizing the erection of certain improvements, additions, &c., to said prison, shall, if to them it may seem just and equitable, in said settlement, allow said Keeper interest on such amount as such improvements, contracted for under said laws, have cost, over and above the sums advanced by the State, and the State's share of the annual profits therein, as may have been advanced by said Keeper out of his own money. Provided however, That nothing herein contained shall, in any way, change the contract now existing between said Keeper and the State; nor to change the provision in said laws which provides, that the sums advanced by the State on said improvements, shall be returned to the Treasury out of the first profits coming to the State from said Penitentiary. And further provided, That the said Commissioners are hereby authorized, if to them it may seem necessary, to allow a sufficient time to the present Keeper, during his next term, to make the money to pay for said improvements, so that, in no event, shall any more money be drawn from the Treasury.

The rule of the Senate being dispensed with, the said preamble and resolutions were taken up, twice read, and adopted.

Mr. Wall, from the committee on the Judiciary, to whom was referred a bill from the House of Representatives, entitled, an act for the benefit of George W. Finnie, reported the same with the opinion of the committee that it ought not to pass.

Ordered, That said bill be read a third time.

The constitutional rule as to the third reading being dispensed with,

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

Mr. Walker, from the committee on Propositions and Grievances, to whom was referred a bill from the House of Representatives, entitled, an act to allow an additional Constable to Green county, reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional rule as to the third reading being dispensed with,

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

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

On the motion of Mr. Chiles—1. A bill authorizing the Trustees of the Parsonage of the Methodist Episcopal Church South, in Mountsterling, to sell a part of the Parsonage lot, and for other purposes.
On the motion of Mr. Thurman—2. A bill to incorporate a Company to build a Turnpike Road from Springfield to Harrodsburg.

The committee on Religion was directed to prepare and bring in the 1st; and the committee on the Judiciary the 2d.

A bill from the House of Representatives, entitled, an act to amend an act, entitled, an act to amend the law to prohibit the importation of slaves into this State, was read the first time.

And then the Senate adjourned.

MONDAY, FEBRUARY 12, 1849.

A message was received from the House of Representatives, announcing that they had passed bills of the following titles, viz:

An act to incorporate the Trustees of the Dripping Spring Regular Baptist Church, in Barren county.

An act for the benefit of James Penny.

An act for the benefit of Isham Jones.

An act declaring Big Mud creek, in Butler county, a navigable stream.

An act to establish election precincts in Calloway and Bullitt.

An act to incorporate the South Kentucky Institute.

An act to establish election precincts in Clarke, Henderson and Hart counties.

An act to incorporate the town of Irvine, in the county of Estill, and for other purposes.

An act to incorporate the Irvine Seminary, in the county of Estill.

An act for the benefit of Milly Walker, of Fleming county.

An act to authorize the Johnson County Court to sell a part of the public square, in Paintsville.

An act for the benefit of Charles H. Stutteville, late Sheriff of Grayson county.

An act for the benefit of Milly Ann Skaggs and Warren H. Jones.

An act for the benefit of Bethania Bennett.

An act to permit certain persons to build a mill dam across Kinnicankick.

An act to authorize the Hart County Court to establish a road.

An act to repeal an act to change an election precinct in the county of Henry from the house of James Ethington to the house of N. L. Oliver, approved March 1, 1847, and for other purposes.
An act to amend an act to establish a bridge at Falmouth, approved January 30, 1834.
An act to authorize the executor or administrator of W. N. Miller, deceased, to sell a slave.
An act for the benefit of Jordan Middleton and William Ratliff.
An act authorizing the County Court of Butler to change the State road from Bowlinggreen to Greenville.
An act to incorporate "the Louisville Orphans' Home Society."
An act to amend an act to incorporate the Merchants Louisville Insurance Company.
An act to amend an act to incorporate a turnpike road from Washington to Murphysville, in Mason county.
An act to amend an act incorporating the town of East Maysville, in Mason county.
An act for the benefit of James Tucker and his wife.
An act for the benefit of the mechanics of Nicholas county.
An act for the benefit of Philip F. Craycraft and wife.
An act for the benefit of the town of Hawesville, in Hancock county.
An act to incorporate the Georgetown and South Elkhorn Turnpike Road Company.
An act to amend the laws in relation to the Trustees of the town of Burlington.
An act to amend the charter of the Turnpike Road Company from Bowlinggreen to the Tennessee line.
An act concerning the vacant lands in Whitley county.
That they had adopted a resolution for inviting General Shields to accompany General Taylor on his visit to the capital of Kentucky.
Which resolution was taken up, twice read, and concurred in unanimously.
1. Mr. Williams presented the petition of S. M. Berry, of Scott county, praying compensation for land used and appropriated in the construction of the Lexington and Covington Turnpike Road.
2. Mr. Bruce presented the petition of sundry wagoners and traders on the turnpike road leading from Crab Orchard to Tazwell, in Tennessee, praying for the passage of a law to have certain obstructions removed from the Rockcastle river.
3. Mr. Bruce also presented the petition of Lucinda Fish, praying to be divorced from her husband, William Fish.
4. Mr. Bruce also presented the petition of Mary Duck, praying for the passage of a law to divorce her from her husband, Nathan Duck.
Which petitions were severally received and referred—the 1st to the committee on Internal Improvement; the 2d to the committee on the Judiciary; and the 3d and 4th to the committee on Religion.
On motion of Mr. Wall, the votes were reconsidered by which a bill to change the time of holding the Anderson and Franklin Circuit Courts was passed and ordered to be engrossed and read a third time.

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

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

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

Mr. Walker, from the committee on Proposals and Grievances, to whom was referred bills from the House of Representatives, of the following titles, to wit:

1. An act to amend the law establishing the town of Creelsboro', approved 9th February, 1819.

2. An act to allow an additional Constable to Shelby county.

Reported the same with amendments to each, which amendments were concurred in.

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

The constitutional rule as to the third reading being dispensed with,

Resolved, That said bills, as amended, do pass, and that the title of the first be as aforesaid, and the title of the second be amended by adding, "and Calloway county."

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

An act allowing an additional Constable to Larue county.

An act authorizing the confinement of offenders against the ordinances of the city of Maysville, in the county jail and jail yard of said city.

An act for the benefit of Ralph F. Wood, of Barren county.

Reported the same without amendment.

Ordered, That said bills be read a third time.

The constitutional rule as to the third reading being dispensed with,

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

Mr. Bruce, from the committee on Religion, to whom was referred bills from the House of Representatives, of the following titles, to wit:

An act to incorporate the Trustees of the Parsonage of the Methodist Episcopal Church South, in Floydsburg, in Oldham county.

An act for the benefit of the Trustees of the First Presbyterian Church in Shelbyville.

An act to divorce David C. Spencer.

An act to divorce Mary Ann Carpenter.

An act divorcing Benj. R. Gaines and wife, and for other purposes.

An act to divorce Edward Pelouze.
An act to divorce John M. Crane.
An act to divorce Tilman H. and Julia Ann Steele.
Reported the same without amendment.
Ordered, That said bills be read a third time.
The constitutional rule as to the third reading being dispensed with,
Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Bruce from the same committee, to whom was referred a bill from the House of Representatives, entitled, an act to divorce John R. Pates, reported the same without amendment.
The said bill was amended and ordered to be read a third time.
The constitutional rule as to the third reading being dispensed with,
Resolved, That said bill, as amended, do pass, and that the title thereof be amended by adding "and Ann Booker."

Mr. McClure, from the same committee, to whom was referred bills from the House of Representatives, of the following titles, to-wit:
An act to divorce E. V. Scruggs.
An act to divorce Sarah Lorispaugh, and for other purposes.
An act to divorce George Boulton.
An act to divorce John G. Brown.
Reported the same without amendment.
Ordered, That said bills be read a third time.
The constitutional rule as to the third reading being dispensed with,
Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. McClure, from the same committee, to whom was referred a bill from the House of Representatives, entitled, an act to divorce John Adair of Monroe county, reported the same without amendment.
The said bill was amended, and ordered to be read a third time.
The constitutional rule as to the third reading being dispensed with,
Resolved, That said bill, as amended, do pass, and that the title thereof be amended by adding "and others."

Mr. J. Speed Smith, from the committee on Internal Improvement, to whom was referred bills from the House of Representatives, of the following titles, to-wit:
An act to amend the road law in the county of Campbell.
An act authorizing a re-conveyance of ten acres of land on Barren river, to T. L. Stephens and James Ford.
An act to incorporate the St. Louis and New Orleans Telegraph Company.
Reported the same without amendment.
Ordered, That said bills be read a third time.
The constitutional rule as to the third reading being dispensed with,
Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. J. Speed Smith, from the same committee, to whom was referred a bill from the House of Representatives, entitled, an act to incorporate the Owingsville and Sharpsburg Turnpike Road Company, reported the same with an amendment, which was concurred in.

The said bill was further amended, and ordered to be read a third time. The constitutional rule as to the third reading being dispensed with,

Resolved, That said bill, as amended, do pass, and that the title thereof be amended by adding "and for other purposes."

On the motion of Mr. Walker, the committee on Propositions and Grievances was discharged from the further consideration of the petition of sundry citizens of Kenton county, praying the removal of the county seat.

Mr. Bruce, from the committee on Internal Improvement, to whom was referred a bill from the House of Representatives, entitled, an act giving the County Courts of Laurel and Clay the power of appointing commissioners and overseers of the Goose Creek Turnpike Road, reported the same with an amendment, which was concurred in.

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

The constitutional rule as to the third reading being dispensed with,

Resolved, That said bill, as amended, do pass, and that the title thereof be amended to read, "An act to amend the law in relation to the Goose Creek Turnpike Road passing through Clay and Laurel counties."

The following bills were reported, to-wit:

By Mr. Walker, from the committee on Propositions and Grievances:
1. A bill to repeal an act, entitled, an act to amend an act to reduce into one the several acts concerning strays, approved March 1, 1847.
2. A bill to repair certain books in the Logan County and Circuit Court Clerk's office.
3. A bill to incorporate the Clark's River Bridge Company, in McCracken county.

By Mr. Bruce, from the committee on Religion:

By Mr. McClare, from the same committee:
5. A bill divorcing Henrietta Dupuy.

By Mr. J. Speed Smith, from the committee on Internal Improvement:
6. A bill declaring Blackford creek, between Daviess and Hancock counties, a navigable stream.

By Mr. White, from a select committee:
7. A bill for the benefit of William and John Chiles, of Estill Springs.

By Mr. McMillan, from a select committee:
8. A bill to charter the Nicholas Saving Institution.
Which bills were severally read the first time, and ordered to be read a second time.

The constitutional rule as to the second reading being dispensed with, the 7th was referred to the committee on Religion; the 8th to the committee on the Judiciary; and the 1st, 2d, 3d, 4th, 5th and 6th were ordered to be engrossed and read a third time.

The constitutional rule as to the third reading of the 1st, 2d, 3d, 5th, and 6th bills being dispensed with, and the same being engrossed,

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

Mr. Cofer, from the committee on Internal Improvement, reported a bill to authorize a subscription of stock, on the part of the State, to aid in the construction of bridges across Salt and Green rivers, which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second reading being dispensed with, said bill was made the special order of the day for Thursday next, and the Public Printer was directed to print 150 copies thereof, for the use of the General Assembly.

On motion of Mr. Evans, leave was given to bring in a bill for the benefit of the Barren River Navigation and Manufacturing Company; and Messrs. Evans, Hawkins and Hambleton were appointed a committee to prepare and bring in said bill.

After a short time Mr. Evans reported said bill, which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second and third readings of said bill being dispensed with, and the same being engrossed,

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

Mr. Walker moved to reconsider the vote rejecting the bill to amend an act, entitled, an act to establish the Southern Bank of Kentucky.

A message was received from the Governor, by Mr. Harlan, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills which originated in the Senate, of the following titles, to-wit:

An act for the benefit of the Sheriff of Lincoln county.
An act for the benefit of the Sheriff of Hopkins county.
An act for the benefit of certain School Districts in this State.

Approved February 12, 1849.

Mr. Bradley, from the joint committee on Enrollments, reported that the committee had examined an enrolled bill, which originated in the House of Representatives, entitled, an act to allow an additional Constable to Green county.

And had found the same truly enrolled.
The said bill having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and it was delivered to the committee to be presented to the Governor, for his approbation and signature. After a short time, Mr. Bradley 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. Hawkins in the Chair; after some time spent in committee, the Speaker resumed the Chair, when Mr. Hawkins reported that the committee had, according to order, had under consideration a bill authorizing the arranging and transcribing of certain books in the Auditors' and Treasurer's offices, and having gone through the same, had directed him to report it to the Senate, with amendments.

The first amendment was concurred in; the second, proposing to strike out the third section of said bill, was disagreed to.

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

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

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

The yeas and nays being required thereon, by Messrs. Evans and Todd, were as follows, to-wit:

Those who voted in the affirmative, were—


Those who voted in the negative, were—


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

A message, in writing, was received from the Governor, by Mr. Harlan, Assistant Secretary of State.

The rule of the Senate being dispensed with, the said message was taken up, and read as follows, to-wit:

EXECUTIVE OFFICE, February 12th, 1849.

Gentlemen of the Senate:

Since your resolution of the 10th inst., Mr. R. C. Wintersmith has obtained the signature of additional securities to his official bond, as it
was at first tendered and laid before you. Doubting the legal validity of the bond, as thus altered by the addition of new parties as sureties, whose names did not appear in the body of the instrument, I referred the question to the Attorney General, and have received his opinion in writing, which I herewith communicate to you—and I now again submit the bond, with its additional signatures, for your decision, whether you will "consent" to receive it as the official bond, required by law, of the Treasurer.

J. J. CRITTENDEN.

Richard C. Wintersmith, Esq., the Treasurer elect, has handed me his official bond, and detailed to me the circumstances of its execution. He informs me the bond was left blank for the names of the sureties, and was signed by them without the blank being filled up until it was presented to the Governor for his approval, when Mr. Wintersmith wrote the names of the sureties signing it, in the body of the bond—that afterwards, at the suggestion of the committee of the Senate, he obtained other names to the same bond, and put into the body of the instrument, "&c.," to indicate the other sureties. The facts above mentioned, very clearly indicate that when the different sureties signed the bond, there was no limit to the number of sureties that might be necessary, and I presume that the Courts would decide that the additional sureties were placed there with their assent, and in pursuance of the implied power given to the principal obligor to add other sureties. I therefore believe it to be a good bond, and binding on all the parties.

By the old principles of the Common Law, no alteration could be made in a sealed instrument after its execution, without the consent of the obligor, no matter in how trivial a matter, and my habit has been not to permit the least addition in any respect to be made to a deed after it has been sealed, unless in the presence of the parties. It would, therefore, have been best to have let the bond remain blank, as it was when it was signed. Still, I do not think, under the late decisions, such filling up of a blank would avoid the deed. It is proper that I should add that the Court of Appeals, at its late session, decided in accordance with the old rules of the Common Law, that the addition of another surety to a bond signed and delivered, avoided the bond unless the addition was made with his assent. This case is distinguished from that, by the bond not having been delivered, and the presumption arising from the facts as detailed, of the assent of the first sureties to the addition of others.

M. C. JOHNSON, Attorney General.

Resolved, That the Senate consent to, and approve of, said bond and securities.

A message, in writing, was received from the Governor, by Mr. Harlan, Assistant Secretary of State.

The rule of the Senate being dispensed with, the said message was taken up and read as follows, to-wit:

EXECUTIVE OFFICE, February 12th, 1849.

Gentlemen of the Senate:

I nominate for your advice and consent, the following persons for the offices in the militia of this State, which are attached to their respective names:

[List of nominees]

Feb. 11, 1849.
Elisha Beazley to be Brigadier General of the 6th Brigade, in place of S. M. Berry, resigned.

J. W. Harrington to be Colonel of the 24th Regiment, 19th Brigade, in place of B. F. McKesson, resigned.

Thomas W. Davis to be Lieut. Colonel of the same, in place of Harrington, promoted.

Thos. W. Duvall to be Major of the same, in place of Davis, promoted.

Edward M. Leavell to be Colonel of the 26th Regiment, 9th Brigade, in place of J. Patterson, promoted.

John Conn to be Major of the same, in place of Wm. Conn, promoted.

I also nominate for your advice and consent, Richard A. Maupin to be Commissioner of Deeds, &c., for the Territory of California and New Mexico.

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

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

On the motion of Mr. Linthicum — 1. A bill for the benefit of the Bardstown and Green River Turnpike Road Company.

On the motion of Mr. Hawkins — 2. A bill for the benefit of the Sheriffs of this Commonwealth.

On the motion of same — 3. A bill for the benefit of the Tax Commissioners of this Commonwealth.

On the motion of Mr. Munford — 4. A bill for the benefit of the Glasgow and Scottsville Turnpike Road Company.

On the motion of Mr. Young — 5. A bill for the benefit of Nancy Ann Dawson, infant heir of Wm. Dawson, deceased, of Bath county.

The committee on Internal Improvement was directed to prepare and bring in the 1st and 4th; the committee on Finance the 2d and 3d; and the committee on the Judiciary the 5th.

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. Hawkins in the Chair; after some time spent in committee, the Speaker resumed the Chair, when Mr. Hawkins reported that the committee had, according to order, had under consideration a bill in aid of Internal Improvement, and had adopted an amendment thereto as a substitute, and had directed him to ask for leave to sit again, which was granted.

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

And then the Senate adjourned.
TUESDAY, FEBRUARY 13, 1849.

A message was received from the House of Representatives, announcing that they had passed bills from the Senate, of the following titles, to-wit:

An act to amend proceedings before Justices of the Peace.

An act for the benefit of Miraim E. Carter.

An act for the benefit of the administrator and heirs of James G. Hazlerigg, deceased.

An act for the benefit of Green V. Goble.

An act granting a change of venue to Wm. Burns.

An act in relation to the Clerks of the Marshall Circuit and County Courts.

An act to extend to the county of Fayette the provisions of an act further to provide for the appointment of Patrols in this Commonwealth, approved February 18, 1841, and for other purposes.

An act for the benefit of John Fible, of Oldham county.

An act for the benefit of David I. Caldwell, his wife and children.

An act to amend an act for condemning lands for public purposes, approved February 26, 1842, and for other purposes.

An act to amend an act concerning strays, approved March 1, 1847.

An act for the benefit of John J. Greenwade and Mary, his wife.

An act for the benefit of Garvin Morrison, Constable of Harrison county.

An act for the benefit of the heirs of Wm. R. Griffith, deceased.

An act for the benefit of the heirs of Nancy Strother and Margaret B. Carpenter.

An act to amend an act for the benefit of the children and heirs at law of Louisa Dunnington, approved March 1, 1848.

An act to provide for the sale of a certain house for public worship, in Hardin county.

An act for the benefit of Thomas Rankin, jailer of Harrison county.

An act for the benefit of Ervin Anderson, of Graves county.

An act for the benefit of the devisees of Rolla Blue.

An act declaring the “Hopkins Delta” a public authorized newspaper.

An act to incorporate Owen Lodge, No. 128, and Owen Chapter, No. 23.

An act to incorporate the town of Owenton, in Owen county.

An act allowing the Judge of the 16th Judicial District further time to move into his District.

An act for the benefit of Radford J. Maxey, of Monroe county.

An act for the benefit of William and Sarah Compton.

An act for the benefit of Warrenton S. Bland.
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An act for the benefit of James Haun, guardian of John James Haun.
An act for the benefit of the administrator and heirs of Polly Armstrong, deceased.
An act to amend an act, entitled, an act to incorporate the town of Greensburg.
An act for the benefit of Lodge, No. 138, of Ancient York Masons.
An act allowing additional election precincts in Rockcastle and Knox counties.
An act for the benefit of Alonzo Livermore and Jacob Yost.
An act for the benefit of Jack Hardin and B. Mills Crenshaw.
An act to enlarge the powers of the Trustees of the town of Hamilton, in Boone county.
An act for the benefit of Edwin Trimble.
An act for the benefit of Wm. Cecil.
An act for the benefit of Ira H. and Wm. George.
An act in relation to the Executive offices.
An act for the benefit of Washington Kennedy's children.

With amendments to the seven last named bills.

That they had passed bills of the following titles, to-wit:
An act to authorize the surrender of State bonds, and to provide for the cancelment and burning of State bonds, and for other purposes.
An act to establish election precincts in Taylor and Laurel counties, and for other purposes.
An act for the benefit of Lydia Hindman, of Barren county.
An act for the benefit of Elisha Jones, of Larue county.
An act for the benefit of Wm. Harman, George W. Riddle and Clement M. Buckman.

1. Mr. McMillan presented the petition of sundry citizens of East Maysville, praying for the passage of a law exempting from taxation certain property in said town, used by Wm. Stilwell for manufacturing purposes.

2. Mr. Chiles presented the petition of Eliza Fry, of Clarke county, praying for the passage of a law authorizing the sale of a certain tract of land lying in said county.

3. Mr. Walker presented the petition of Sherwood W. Atkinson and wife, praying for the passage of a law to change the names of three children of his wife, by a former husband.

Which petitions were received and referred; the first to a select committee of Messrs. McMillan, English and Williams; the 2d to the committee on the Judiciary; and the 3d to a select committee of Messrs. Walker, Thornton and Bruce.

Mr. McNary; from the committee on Public Buildings, made the following report, to-wit:
The committee on Public Buildings would report: That they have, in obedience to a resolution of the Senate, examined the rooms, passages, and apartments of the Capitol, and that they find some of the passages, &c., in the Capitol, are used for purposes which render them less comfortable and less healthy, and for which they were never intended; and they recommend steps to be taken by the Legislature to remove all nuisances out of the Capitol, and for the better prevention of the same. All of which is respectfully submitted.

The said report was adopted.

Mr. Wall, from the committee on the Judiciary, to whom was referred bills from the House of Representatives, of the following titles, to-wit:

An act to extend the limits of the town of Ghent.

An act for the benefit of the widow and heirs of Henry Durrett, deceased.

An act to legalize the proceedings of a special term of the Estill County Court.

An act for the benefit of the mechanics of Estill and Owsley.

An act to incorporate the Odd Fellows Hall Association in Henderson.

An act to authorize the Clerk of the Breckinridge County Court to transcribe certain records.

An act to amend an act regulating the town of Salvisa, in Mercer county, approved February 9, 1828.

An act to amend an act entitled, an act to establish the town of Milton, approved February 4, 1846.

Reported the same without amendment.

Ordered, That said bills be read a third time.

The constitutional rule as to the third reading being dispensed with, Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

Mr. Wall, from the same committee, to whom was referred a bill from the House of Representatives, entitled, an act to reduce into one the several acts concerning the town of Lagrange, reported the same with an amendment, which was concurred in.

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

The constitutional rule as to the third reading being dispensed with, Resolved, That said bill, as amended, do pass, and that the title thereof be as aforesaid.

The following bills were reported, to-wit:

By Mr. Walker, from a select committee:

A bill to change the names of Samuel W. Grant and others, to that of Atkinson.

By Mr. J. Speed Smith, from the committee on Internal Improvement:
A bill authorizing the Board of Internal Improvement to settle the accounts of James R. Skiles.

A bill for the benefit of Rufus Lane.

By Mr. Todd, from the committee on Finance:

A bill concerning the granting of tavern licenses in the different cities and towns.

A bill for the benefit of William S. Patterson.

By Mr. Wall, from the committee on the Judiciary:

A bill to incorporate the Springfield, Maxville and Harrodsburg Turnpike Road Company.

A bill for the benefit of Abel Sullivan.

A bill for the benefit of Isaac Munson and wife.

A bill to restore the middle term of the Campbell Circuit Court.

By Mr. McClure, from the committee on Religion:

A bill to authorize the Trustees of the Parsonage of the Methodist Episcopal Church South, in Mount Sterling, to sell a part of the Parsonage lot, and for other purposes.

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

The constitutional rule as to the second and third readings of said bills being dispensed with, and the same being engrossed,

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

Mr. Wall, from the committee on the Judiciary, to whom was referred a bill to charter the town of Princeton, and for other purposes, reported the same without amendment.

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

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

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

A message was received from the Governor, by Mr. Harlan, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, to-wit:

An act to amend an act, entitled, an act to incorporate the Lexington Cemetery Company.

An act to amend an act authorizing a settlement with the Trustees of the Stanford Seminary, approved March 1, 1847.

An act to amend the act to incorporate the Great Crossings and Stamping Ground Turnpike Road Company.

An act to run and mark the line between the counties of Crittenden and Caldwell.
An act, to amend an act, entitled, an act to incorporate the Rough and Ready Turnpike Road Company.

An act to divorce Nancy Landy.

An act to divorce David E. and Lucinda Baker.

An act for the benefit of George Coulon and Amanda Bileter.

An act for the benefit of Zilla Goldsberry.

An act to divorce Sarah A. Stephens.

An act to divorce Hannah Dolan.

Approved February 12, 1849.

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. Hawkins in the Chair; after some time spent in committee, the Speaker resumed the Chair, when Mr. Hawkins reported that the committee had, according to order, again had under consideration a bill in aid of Internal Improvements, and had adopted some further amendments thereto, and not having time to complete the same, had directed him to ask for leave to sit again.

The question being taken on granting leave to the committee to sit again, it was decided in the negative.

Thereupon the committee of the whole was discharged from the further consideration of said bill.

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

Resolved, That the bill and amendments be referred to a select committee, with instructions to report a bill authorizing the issue of State bonds to an amount not exceeding $250,000; and also, providing that the proceeds of the sale of the bonds be appropriated to the completion of such turnpike roads as will so increase the amount of the proceeds of the Sinking Fund, as that the public debt be not more burdensome than it now is, and to no others.

The question being taken on the adoption of said resolution, it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. Bradley and Cofer, were as follows, to-wit:

Those who voted in the affirmative, were—

Messrs. Bruce, Linthicum,
Cofer, McMillan,
Evans, McNary,
Hawkins, Munford,
Hobbs, Thomas,
Hogan, Thurman,

Those who voted in the negative, were—

Messrs. Barnett, Hambleton,
Bradley, McClure,
Brien, Rice,
Chiles, Speed Smith,
Speed, Thornton,
Waite—11.
The said bill and amendments, pursuant to said resolution, were committed to a select committee of Messrs. Bruce, Thurman, Wall, Williams, Walker, Munford and Chiles.

And then the Senate adjourned.

WEDNESDAY, FEBRUARY 14, 1849.

Mr. Williams presented the petition of John Roots Thornton and Richard Keiningham, of Bourbon county, praying for the passage of a law authorizing the sale of a negro woman and child, the property of the infant heirs of Benjamin Keiningham, deceased, which was received and referred to the committee on the Judiciary.

On motion of Mr. McMillan,
Resolved, That for this day, during the reception of General Taylor, the lobby of the Senate be appropriated exclusively to the ladies.

A message was received from the House of Representatives, announcing that they had concurred in the amendment proposed by the Senate, to a bill from that House, entitled, an act to reduce into one the several acts concerning the town of Lagrange.

That they had passed bills from the Senate of the following titles, to-wit:
An act for the benefit of Louisa Williams.
An act for the benefit of Middletown, in Jefferson county, and for other purposes.
An act to amend the laws relating to the town of Frankfort.
With amendments to the two last named bills.
That they had passed bills of the following titles, to-wit:
An act for the benefit of North Benson Baptist Church, in Franklin county.
An act establishing an additional term of the Greenup Circuit Court.
An act for the benefit of Mrs. Leavy and her children.
An act establishing a July term of the Cumberland Circuit Court.
An act for the benefit of Hiram Begley.
An act for the benefit of Eden Shotwell.
An act for the benefit of the Marshal of Paducah.
An act to authorize the taking of the depositions of Physicians in certain cases.
An act to repeal an act incorporating the town of Elizabethtown.
An act for the benefit of Reuben McCarty, Clerk of the Pendleton County and Circuit Courts.
An act to extend the powers of the Marshal of the city of Louisville.
An act for the benefit of J. M. Martin, administrator of Ephraim Ball, deceased.
An act to create the office of Police Judge in the town of Hartford, and defining his duties and powers.
An act to allow an additional Constable to Hardin county.
An act to regulate the holding of the Kenton Circuit Court, and for other purposes.
An act to repeal the charter of Augusta College.
That they had received official information that the Governor had approved and signed enrolled bills which originated in that House, of the following titles, to wit:
An act for the benefit of Charles Talbot.
An act for the benefit of Aaron Hostetter.
An act for the benefit of Andrew J. Banton.
An act establishing election precincts in the counties of Larn, Mercer, Greenup, Garrard, Taylor, Hopkins and Livingston.
An act to establish election precincts in the counties of Fleming, Madison and Campbell, and to change certain election precincts in the counties of Clay and Perry.
An act to repeal an act, entitled, an act for the benefit of John Judy, of Clarke County.
An act for the relief of John Pitman and John C. Brown.
An act to change the names of Wm. Preston Smith and others, of Henderson county.
An act supplemental to an act incorporating the Lexington and Frankfort Turnpike Company.
An act to incorporate the Maysville Linen Company.
An act to incorporate the Warsaw Turnpike Company.
An act to allow an additional Constable to Green county.
An act to amend an act, entitled, an act for the benefit of the Mechanics of the towns of Covington and Newport, approved Feb. 22, 1834.
An act for the benefit of Mary Simpson and others, of Calloway county.
An act to declare legitimate, Walter Winston Anderson.
An act for the benefit of John Goodin.
An act for the benefit of the Bath Seminary.
An act to establish a new Constable's District in the county of Boyle.
An act for the benefit of Benjamin All.
An act to incorporate the Cumberland Presbyterian Church, in Henderson.
An act to incorporate the Bardstown Cemetery Company.
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An act to divorce William Young.
An act to divorce Maria Chapman.
An act to divorce Nancy Murphy.
An act to divorce Louisa Green.
An act to divorce Richard C. Guy.
An act to divorce John and Nancy Eversole.
An act to divorce James C. Gourley, John Carroll, Sr., and John Cowen.
An act to divorce Lucinda Hayden.
An act to divorce William Grissom.

Approved February 12, 1849.

Also, a resolution which originated in the House of Representatives, entitled,
Resolution inviting the officers and soldiers of the war of 1812 to visit the capital of Kentucky.
Approved Feb. 12, 1849.

And then the Senate adjourned.

THURSDAY, FEBRUARY 15, 1849.

Mr. Heady presented the remonstrance of sundry citizens of the town of Mt. Washington, against the passage of a law to extend the limits of said town.

Mr. Williams presented the petition of sundry citizens of the town of Marion, in Scott county, praying for the passage of a law to change the name of said town to Oxford.

Mr. Grey presented the petition of Vincent Brooks, a free man of color, praying for the passage of a law legitimizing and declaring him the heir at law of William Brooks, deceased.

Mr. Hobbs presented the remonstrance of sundry citizens of the town of Portland, against the passage of a law to appoint a Police Judge for said town.

Which petitions and remonstrances were severally received and referred to the committee on the Judiciary.

Resolved, That the Senate concur in the amendment proposed by the House of Representatives, to a bill from the Senate, entitled, an act for the benefit of Ira H. and William George.

Messrs. Barbour and Barnett were added to the select committee to whom was referred the bill in aid of Internal Improvements.
The following bills were reported, to-wit:

By Mr. McNary, from a select committee:
A bill to incorporate the town of South Carrollton, in Muhlenburg county.

By Mr. McClure, from the committee on Religion:
A bill to divorce Jane McDonald, of Monroe county.
A bill to divorce Allie Emberton, of Monroe county.
A bill to divorce Elbridge G. Sibley and Ellen, his wife.

By Mr. Wall, from the committee on the Judiciary:
A bill to change the name of the town of Marion, in Scott county, to that of Oxford.
A bill to change the time of holding the Hopkins Circuit Court, and for other purposes.

By Mr. McMillan, from a select committee:
A bill for the benefit of Wm. Stilwell and others, of East Maysville.

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

The constitutional rule as to the second and third readings of said bills being dispensed with, and the same being engrossed,

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

Mr. Evans, from the committee on Internal Improvement, reported a bill to amend an act, entitled, an act to amend the charter of the Glasgow and Scottsville Turnpike Road Company, approved February 29, 1848, which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second reading being dispensed with, said bill was placed in the orders of the day.

Mr. Eaker, from the committee on Privileges and Elections, to whom was referred a bill from the House of Representatives, entitled, an act to change an election precinct in the county of Pulaski, reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional rule as to the third reading being dispensed with,

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

Mr. Chiles, from a select committee, reported a bill to amend the charter of the Winchester and Mountsterling Turnpike Road Company, which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second reading being dispensed with, said bill was referred to the committee on Internal Improvement.

Mr. Grey, from the committee on Internal Improvement, to whom was referred a bill from the House of Representatives, entitled, an act to
change a State road in Christian county, reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional rule as to the third reading being dispensed with, Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Wall, from the committee on the Judiciary, to whom was referred a bill to charter the Nicholas Saving Institution, reported the same without amendment.

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

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

Resolved, That said bill do pass, and that the title thereof be amended by adding "and amend the charter of the Versailles Savings Institution."

Mr. Chiles, from the committee on Agriculture and Manufactures, to whom was referred a bill from the House of Representatives, entitled, an act to incorporate the Eagle Manufacturing Company, reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional rule as to the third reading being dispensed with, Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. McMillan, from a select committee, reported a bill for the benefit of the Maysville and Bracken Turnpike Road Company, which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second reading being dispensed with, said bill was referred to the select committee to whom was referred the bill in aid of Internal Improvements.

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

On the motion of Mr. Grey—1. A bill for the benefit of the town of Hopkinsville.

On the motion of same—2. A bill to amend an act to establish the Cumberland River, Fairview and Green River Road.

On the motion of Mr. Waite—3. A bill for the benefit of the Board of Internal Improvement of Lincoln county.

Messrs. Grey, Barbour and McNary were appointed a committee to prepare and bring in the 1st; Messrs. Grey, McNary and Hawkins the 2d; and the committee on Internal Improvement was directed to prepare and bring in the 3d.

A message was received from the House of Representatives, by Mr. Underwood, announcing that the House desired that the Senate should unite with them in taking an appropriate leave of Gen. Taylor.
Ordered, That Mr. J. Speed Smith inform the House of Representatives that the Senate is now ready to unite with them in said ceremony.

The Senate resumed the consideration of the motion made by Mr. Walker, on the 12th inst., to reconsider the vote rejecting the bill to amend an act, entitled, an act to establish the Southern Bank of Kentucky.

The question being taken on reconsidering said vote, it was decided in the negative, there not being, as required by the rules, three fourths in the affirmative.

The yeas and nays being required thereon, by Messrs. Grey and Eaker, were as follows, to-wit:

Those who voted in the affirmative, were—

Messrs. Barbour, Hawkins, Russell,
Brien, Heady, Thomas,
Chiles, Hogan, Thurman,
Cofer, Linthicum, Waite,
Evans, McClure, Williams—17.
Grey, McNary, 

Those who voted in the negative, were—

Messrs. Barnett, Eaker, Thornton,
Boyd, English, Todd,
Bradley, McMillan, Wall,
Draffin, Rice, Young—12.

Mr. Barbour moved to dispense with the regular orders of the day, to take up a bill to modify and amend an act, entitled, an act to amend the law prohibiting the importation of slaves into this State.

The question being taken thereon, it was decided in the negative, the rules requiring two thirds in the affirmative.

The yeas and nays being required thereon by Messrs. Boyd and Hawkins, were as follows, to-wit:

Those who voted in the affirmative, were—

Messrs. Barbour, English, McNary,
Barnett, Evans, Rice,
Bradley, Grey, Russell,
Brien, Heady, Thurman,
Bruce, Hogan, Waite,
Draffin, McClure, Young—19.
Eaker, 

Those who voted in the negative, were—

Messrs. Boyd, Linthicum,
Chiles, McMillan,
Cofer, Speed,
Hawkins, Thomas,
A bill to provide for the purchase, distribution and preservation of Derby & Co.'s edition of the decisions of the Court of Appeals, came up in the orders of the day.

The said bill was laid on the table.

The committee of the whole was discharged from the further consideration of the preamble and resolution in relation to the Banks, read and laid on the table by Mr. Cofer on the 3d instant.

The question being taken on the adoption of said preamble and resolution, it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. Cofer and Barbour, were as follows, to-wit:

Those who voted in the affirmative, were—


Those who voted in the negative, were—


The committee of the whole was discharged from the further consideration of a bill for the benefit of the Lexington and Covington Turnpike Road; and said bill was laid on the table.

A bill in relation to limited partnerships, came up in the orders of the day.

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

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

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

The yeas and nays being required thereon, by Messrs. Eaker and Hawkins, were as follows, to-wit:

Those who voted in the affirmative, were—

Messrs. Barbour, Boyd, Cofer, Evans, Hobbs, Linthicum, McNary, McMillan, Speed Smith, Speed, Thornton, Triplett,
Resolved, That the title of said bill be as aforesaid.

On the motion of Mr. Barbour, the committee of the whole was discharged from the further consideration of a bill to modify and amend an act, entitled, an act to amend the law prohibiting the importation of slaves into this State.

The Senate proceeded to consider said bill.

At half past 3 o'clock, Mr. Wall moved that the Senate adjourn.

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

The yeas and nays being required thereon, by Messrs. Rice and Boyd, were as follows, to-wit:

Those who voted in the affirmative, were—

Messrs. Boyd, Chiles, Eaker, Hawkins,
McMillan, Speed Smith, Thomas, Todd, THOMAS, THURMAN, WAITE, WALL—11.

Those who voted in the negative, were—

Messrs. Barbour, Bradley, Brien, Bruce, Eaker, English, Evans, Grey,
Hambleton, Headly, Hogan, Linthicum, McClure, McNary, Mumford, Rice, Speed, Thurman, Triplett, White, Williams, Young—25.

The said bill reads as follows, to-wit:

WHEREAS, The General Assembly of the Commonwealth of Kentucky are now, and have at every session for several years past, been petitioned by numerous applicants for permission to bring slaves into this State, in violation of the provisions of the law “prohibiting the importation of slaves,” and the action of the Legislature, year after year, and session after session, upon those petitions, has been such as to set aside and render inoperative the said prohibitory law, thus consuming greatly the time of the Legislature, by generating much special legislation, often resulting in partiality, inequality and injustice: In order therefore, to remedy those evils, and that all the citizens of this Commonwealth, wishing to bring slaves into this State for their own use alone, may have equal and like advantages and privileges,
Sec. 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the citizens of this Commonwealth are hereby not prohibited from purchasing and bringing into this State, any slave or slaves from any other State in the United States, for his, her or their own use: Provided, That the person or persons so purchasing and bringing into this State, any such slave or slaves, shall, within sixty days after so purchasing and bringing the same into this State, make oath or affirmation before the Clerk of the county in which such slave or slaves are brought, that the said slave or slaves were purchased and brought into this State for his, her or their own private use alone, and that the said slave or slaves were not bought for speculation, to be sold again for profit, or as merchandise; and, also, make out a true and correct list and description of each and all of such slave or slaves, in which he, she or they shall give the name, age, color and sex, of each of such slaves, and make affidavit before the said Clerk that the same contains a true and correct list and description of each of such slaves; which list and description, together with the affidavit thereof, shall be recorded by the said Clerk, who shall receive, for recording the same, fifty cents for each slave.

Sec. 2. Be it further enacted, That if any person or persons, so purchasing and bringing any slaves into this State, as aforesaid, shall sell, within the State, any such slave or slaves, within eighteen months after he, she or they shall have so brought the said slave or slaves into this State, or shall make any contract, during the said time, for the sale of such slave or slaves, or shall hire out such slave or slaves for a term of years, or shall use any device whatsoever to evade this act, by sale, hiring, or otherwise, he, she or they, so offending, and for each and every such offence, shall be subject to all the pains and penalties in like manner denounced by the act approved February 2, 1833, prohibiting the importation of slaves into this State.

Sec. 3. Be it further enacted, That if any person or persons shall buy any such slave or slaves, knowing them to have been so brought into this State, within the term of eighteen months, as aforesaid, he, she or they, for each such slave, shall forfeit and pay the sum of $200, to be recovered in like manner, according to the provisions of the act aforesaid.

Sec. 4. Be it further enacted, That any slave or slaves, purchased and brought into this State, as aforesaid, shall not be subject to be sold, by virtue of an execution, within the said term of eighteen months, until all the other property of the defendant in the execution, real and personal, subject to execution, shall have first been sold; and if the defendant in any execution shall suffer any such slave or slaves to be sold, when he has other property subject to execution, he shall be liable and subject to pay the sum of $200, recoverable as aforesaid; or if any Sheriff or other officer, by virtue of any execution, shall sell any such slave or slaves, knowing them to have been brought into this State, as aforesaid, while the defendant has other property in the county, subject to execution, that might be levied on by reasonable diligence, he shall be liable, and fined the sum of $200, recoverable in the same manner prescribed by the said act, approved February 2, 1833.

Sec. 5. Be it further enacted, That if any person or persons shall swear falsely, in taking the oath in this act prescribed, he, she or they shall be held to be guilty of perjury, and upon conviction thereof, shall undergo confinement in the Jail and Penitentiary of this Commonwealth, for the term of two years.
Sec. 6. Be it further enacted, That so much of the said act, approved February 2, 1833, as comes within the purview of this act, be and the same is hereby repealed.

Mr. Barbour moved the following amendment as a substitute for said bill, to-wit:

Sec. 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the citizens of this Commonwealth are hereby not prohibited from purchasing and bringing into this State, any slave or slaves from any other State in the United States, for his, her or their own use: Provided, That the person or persons so purchasing and bringing into this State, any such slave or slaves, shall, within forty days after so purchasing and bringing the same into this State, make oath or affirmation before the Clerk of the county in which such slave or slaves are brought, that the said slave or slaves were purchased and brought into this State for his, her or their own private use alone, and that the said slave or slaves were not bought for speculation, to be sold again for profit, or as merchandise; and, also, make out a true and correct list and description of each and all of such slave or slaves, in which he, she or they shall give the name, age, color and sex, of each of such slaves, and make affidavit before the said Clerk that the same contains a true and correct list and description of each of such slaves; which list and description, together with the affidavit thereof, shall be recorded by the said Clerk, who shall receive, for recording the same, fifty cents for each slave.

Sec. 2. Be it further enacted, That if any person or persons, so purchasing and bringing any slaves into this State, as aforesaid, shall sell, within the State, any such slave or slaves, within five years after he, she or they shall have so brought the said slave or slaves into this State, or shall make any contract, during the said time, for the sale of such slave or slaves, or shall hire out such slave or slaves for a term of years, or shall use any device whatsoever, to evade this act, by sale; hiring, or otherwise, he, she or they, so offending, and for each such offence, shall be subject to all the pains and penalties in like manner denounced by the act approved February 2, 1833, prohibiting the importation of slaves into this State.

Sec. 3. Be it further enacted, That if any person or persons shall buy any such slave or slaves, knowing them to have been so brought into this State within the term of eighteen months, as aforesaid, he, she or they, for each such slave, shall forfeit and pay the sum of $200, to be recovered in like manner, according to the provisions of the act aforesaid.

Sec. 4. Be it further enacted, That any slave or slaves, purchased and brought into this State, as aforesaid, shall not be subject to be sold, by virtue of an execution, within the said term of eighteen months, until all the other property of the defendant in the execution, real and personal, subject to execution, shall have first been sold; and if the defendant in any execution shall suffer any such slave or slaves to be sold, when he has other property subject to execution, he shall be liable and subject to pay the sum of $200, recoverable as aforesaid; or if any Sheriff or other officer, by virtue of any execution, shall sell any such slave or slaves, knowing them to have been brought into this State, as aforesaid, while the defendant has other property in the county, subject to execution, that might be levied on by reasonable diligence, he shall be liable and fined.
the sum of $200, recoverable in the same manner prescribed by the said act, approved February 2, 1833.

Sec. 5. Be it further enacted, That if any person or persons shall swear falsely, in taking the oath in this act prescribed, he, she or they shall be held to be guilty of perjury, and upon conviction thereof, shall undergo confinement in the Jail and Penitentiary of this Commonwealth for the term of two years.

Sec. 6. Be it further enacted, That so much of the said act, approved February 2, 1833, as comes within the purview of this act, be and the same is hereby repealed.

Mr. Bruce 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. Bruce and Rice, were as follows, to-wit:

<table>
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<tr>
<th>Those who voted in the affirmative, were</th>
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<tbody>
<tr>
<td>Brien, Bruce, Draffin, Eaker, English,</td>
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<tr>
<th>Those who voted in the negative, were</th>
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<tbody>
<tr>
<td>Hobbs, Linthicum,</td>
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The main question was then put, Shall the bill be engrossed and read a third time? and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Rice and Thomas, were as follows, to-wit:

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<th>Those who voted in the affirmative, were</th>
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<tbody>
<tr>
<td>Barnett, Bradley, Brien, Bruce, Draffin,</td>
<td></td>
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<tr>
<td>Eaker,</td>
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<table>
<thead>
<tr>
<th>Those who voted in the negative, were</th>
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<tbody>
<tr>
<td>Messrs. Boyd, Chiles, Cofer,</td>
<td>McMillan, Munford, Speed Smith, Todd, Triplet, Walker,</td>
</tr>
</tbody>
</table>
Hawkins, Speed, Wall,
Hobbs, Thomas, Williams—17.
Linthicum, Thornton,

Mr. Hobbs moved that said bill have its third reading on the 22d inst., at 11 o'clock.

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

The yeas and nays being required thereon, by Messrs. Barnett and Hobbs, were as follows, to-wit:

Those who voted in the affirmative, were—

Messrs. Boyd, McMillan, Todd,
Chiles, Munford, Triplett,
Cofer, Speed Smith, Walker,
Hawkins, Speed, Wall,
Hobbs, Thomas, Williams—17.
Linthicum, Thornton,

Those who voted in the negative, were—

Messrs. Barbour, English, McNary,
Barnett, Evans, Rice,
Bradley, Grey, Russell,
Brien, Hambleton, Thurman,
Bruce, Heady, Waite,
Draffin, Hogan, White,
Eaker, McClure, Young—21.

Ordered, That said bill have its third reading to-morrow, at 11 o'clock.

The resolution from the House of Representatives fixing a day for the final adjournment of the General Assembly, was taken up and amended by striking out the 19th inst., it being the day fixed, in said resolution, for the final adjournment, and inserting in lieu thereof the 26th inst.

The said resolution, as amended, 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. Hawkins in the Chair; after some time spent in committee, the Speaker resumed the Chair, when Mr. Hawkins reported that the committee had, according to order, had under consideration a bill to establish the Farmer's Bank of Kentucky, together with the amendments proposed thereto, and had made some progress therein, but not having time to go through with the same, had directed him to ask for leave to sit again, which leave was granted.

The Speaker laid before the Senate a communication from the President of the Board of Internal Improvement, which is as follows, to-wit:

Office of the Board of Internal Improvement,
February 15th, 1849.

Since the response of the Board of Internal Improvement in relation to the claim of Robert Williams, they have received from John S. Bush,
late Superintendent of Licking river, an additional statement, in writing, the object of which is to explain his former deposition, taken in support of said claim. The effect of this explanation is to increase the number of perch of face stone, for which extra pay is demanded by Williams. Therefore, at the instance of Mr. Williams, and in accordance with a principle of justice, the Board herewith report the said statement to the Senate, by way of supplement to their former report, marked A. All of which is respectfully submitted, O. G. CATES, P. B. I. I.

To Hon. John L. Helm,

Lieut. Governor and Speaker of the Senate.

To O. G. CATES, Esq., Pres't. Board Int. Imp. of Kentucky.

Sir: At the request of Mr. Robert Williams, former contractor upon Lock and Dam, No 3, on the Licking river, I respectfully submit to you the following statement in relation to a question propounded to me by Gov. Metcalfe, at an investigation held in Covington, on the 23d September, 1847, the question being in the following words, to-wit: "What portion of the number of perches, in and out of the lock walls, was there delivered prior to the first suspension, and at intervals between the several suspensions, and upon which the $3 per perch extra, should be allowed?"

The answer at the time, referred to the monthly estimates, which were not then at hand for the information. I find, upon examination, they do not contain all that is required. I have, therefore, made up from them a statement showing the number of perches of face stone delivered at the lock and other points, including those laid in the walls, and not including those obtained for, and of which the outer face of the river wall was constructed, they being all of limestone, quarried near the lock.

The following is the statement, to-wit:

November 23, 1840, 698 perches.
August, 1841, 698 perches.
November 9, 1841, 811 perches. Delivered after August, 1841, 113 perches.
February 15, 1842, 871 perches. Delivered after November 9, 1841, 60 perches.
March 16, 1842, 1,271 perches. Delivered after February 15, 1842, 400 perches.
April 30, 1842, 1,508 perches. Delivered after March 29, 1842, 237 perches.

From the foregoing statement, you will perceive that the number of perches of face stone estimated November 23, 1840, and August, 1841, was the same. There was, however, it appears, about 70 perches delivered at the lock, and the estimate remains the same, because 70 perches were removed from New Richmond, which were in the former estimate.

In the spring of 1840, as Mr. Williams can show, he had quarried in Ohio a quantity of face stone, which were ready for delivery during the winter and spring of 1840 and 1841; but you will see, by referring to Mr. Buford's report, dated November 16, 1841, that from November 1st, 1840, to April 15, 1841, he, together with the other contractor, on account of suspension, were compelled to let the finest season that had
ever occurred, since the work had been under contract, pass unimproved, to procure the face stone for the locks." This applies more particularly to Mr. Williams than any of the other contractors, from the fact that it required from 30 to 35 feet of water in the Ohio river, to enable him to get his boats up—a rise in the Licking, sufficient to bring stone to the upper locks, being of more frequent occurrence, was rather a disadvantage to him. You will perceive, from these facts, the cause, in a great measure, of there being no stone of consequence delivered between 23d November, 1840, and August, 1841, as before stated. There was, however, during this time, (and I think after the resumption in April, and this corresponds with Mr. Buford's report,) a number of stone boiled by Mr. Williams, which, for want of sufficient water, he was compelled to leave at points from one to twelve miles below the lock. These stone, and probably others left in the same way during the winter of 1841 and 1842, are the stone referred to in my deposition, given on the 23d September, 1847. These stone do not all appear in the estimates, because Mr. Buford did not feel disposed to estimate them at points from which he considered it so difficult to get them to the lock.

By referring again to the statement made from the estimates, you will perceive that there were delivered at the lock, from August, 1841, to April 30th, 1842, 113, 60, 400, 237, making 810 perches in all, of which it is impossible to say exactly what amount was left below the lock; but I remember distinctly two boats at Visalia, and one near Culbertson's, contained about 50 perches each. One large barge sunk below Visalia, containing about 100 perches, and, also, that some were left at Key's landing, which I did not see, (Mr Williams says two loads,) but say one boat of 50 perches, making 300 perches. There was, also, 327 perches left two miles below the lock, as may be seen by referring to the estimate of 30th April, 1842.

In my opinion, the whole 627 perches, had the means been provided, could have been delivered directly at the lock in the fine season of 1840 and 1841.

In my answer to a question by Mr. Williams, (in the deposition before referred to,) "How many face stone are there at the lock, laid and not laid," I had reference entirely to the inner face, they being the only stone which were obtained from the Ohio river, and did not include the outer face of the river wall, which may be seen from the last estimate. I mention 586 perches as being in the yard, but in addition to that, there were 288 perch for outer face of river wall. Upon making a calculation, I find there is about 1,000 perches of face stone laid on the inner face of the lock walls. In the answer, I state over 800 perches—that was said without regard to exactness, not deeming it necessary to be very exact. The whole of which is respectfully submitted by

Your obedient servant,

JOHN S. BUSH.

Frankfort, Feb. 15, 1849.

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

And then the Senate adjourned.
FRIDAY, FEBRUARY 16, 1849.

A message was received from the House of Representatives, announcing that they had passed a bill, entitled, an act for the benefit of S. Renfro and others.

1. Mr. Hobbs presented the petition of sundry citizens of Portland, praying the establishment of a Police Court in said town.

2. Mr. Hambleton presented the petition of sundry citizens of Flat Island precinct, in Breckinridge county, praying a change in the place of voting in said precinct.

Which petitions were severally received and referred—the 1st to the committee on the Judiciary; and the 2d to the committee on Privileges and Elections.

Resolved, That the Senate concur in the amendments proposed by the House of Representatives, to bills from the Senate, of the following titles, to-wit:

An act to enlarge the powers of the Trustees of the town of Hamilton, in Boone county.
An act for the benefit of Wm. Cecil.
An act for the benefit of Jack Hardin and B. Mills Crenshaw.
An act in relation to the Executive offices.
An act for the benefit of Middletown, in Jefferson county, and for other purposes.
An act for the benefit of Washington Kennedy's children.
An act to amend the laws relating to the town of Frankfort.

Resolved, That the Senate concur in the amendments proposed by the House of Representatives, to a bill from the Senate, entitled, an act for the benefit of Edwin Trimble, with an amendment to said amendment.

Bills from the House of Representatives, of the following titles, were severally read the first time, to-wit:

1. An act for the benefit of A. M. Vanarsdale, of Mercer county.
2. An act for the benefit of George T. Anderson, of Logan county.
3. An act for the benefit of E. S. Steed, of Graves county.
4. An act to change the State road leading from Canton to Waidsboro.'
5. An act to change the line between the counties of Clay and Laurel.
6. An act for the benefit of A. J. Gatewood, of Barren county.
7. An act for the benefit of Nathan Butler and Addison Carneal, of Todd county.
8. An act for the benefit of R. P. Dodds, of Fulton county.
10. An act to change the county line of Taylor and Green counties.
11. An act to amend in part the charter of the city of Louisville.
12. An act for the benefit of the Washington Female Seminary.
13. An act for the benefit of Frederick Mayberry.
15. An act to incorporate the Trustees of the Dripping Spring Regular Baptist Church, in Barren county.
17. An act for the benefit of Isham Jones.
18. An act declaring Big Mud creek, in Butler county, a navigable stream.
19. An act to establish election precincts in Calloway and Bullitt.
20. An act to incorporate the South Kentucky Institute.
22. An act to incorporate the town of Irvine, in the county of Estill, and for other purposes.
23. An act to incorporate the Irvine Seminary, in the county of Estill.
25. An act to authorize the Johnson County Court to sell a part of the public square, in Paintsville.
28. An act for the benefit of Bethania Bennett.
29. An act to permit certain persons to build a mill dam across Kinnicancick.
30. An act to authorize the Hart County Court to establish a road.
31. An act to repeal an act to change an election precinct in the county of Henry from the house of James Ethington to the house of N. L. Oliver, approved March 1, 1847, and for other purposes.
32. An act to amend an act to establish a bridge at Falmouth, approved January 30, 1834.
33. An act to authorize the executor or administrator of W. N. Miller, deceased, to sell a slave.
34. An act for the benefit of Jordan Middleton and William Ratliff.
35. An act authorizing the County Court of Butler to change the State road from Bowlinggreen to Greenville.
36. An act to incorporate "the Louisville Orphans' Home Society."
37. An act to amend an act to incorporate the Merchants Louisville Insurance Company.
38. An act to amend an act to incorporate a turnpike road from Washington to Murphysville, in Mason county.
39. An act to amend an act incorporating the town of East Maysville, in Mason county.
40. An act for the benefit of James Tucker and his wife.
41. An act for the benefit of the mechanics of Nicholas county.
42. An act for the benefit of Philip F. Craycraft and wife.
43. An act for the benefit of the town of Hawesville, in Hancock county.
44. An act to incorporate the Georgetown and South Elkhorn Turnpike Road Company.
45. An act to amend the laws in relation to the Trustees of the town of Burlington.
46. An act to amend the charter of the Turnpike Road Company from Bowling Green to the Tennessee line.
47. An act concerning the vacant lands in Whitley county.
48. An act to establish election precincts in Taylor and Laurel counties, and for other purposes.
49. An act to authorize the surrender of State bonds, and to provide for the cancellation and burning of State bonds, and for other purposes.
50. An act for the benefit of Lydia Hindman, of Barren county.
51. An act for the benefit of Elisha Jones, of Larue county.
52. An act for the benefit of Wm. Harman, George W. Riddle and Clement M. Buckman.
53. An act for the benefit of North Benson Baptist Church, in Franklin county.
54. An act establishing an additional term of the Greenup Circuit Court.
55. An act for the benefit of Mrs. Leavy and her children.
56. An act establishing a July term of the Cumberland Circuit Court.
57. An act for the benefit of Hiram Begley.
58. An act for the benefit of Eden Shotwell.
59. An act for the benefit of the Marshal of Paducah.
60. An act to authorize the taking of the depositions of Physicians in certain cases.
61. An act to repeal an act incorporating the town of Elizabethtown.
62. An act for the benefit of Reuben McCarty, Clerk of the Pendleton County and Circuit Courts.
63. An act to extend the powers of the Marshal of the city of Louisville.
64. An act for the benefit of J. M. Martin, administrator of Ephraim Ball, deceased.
65. An act to create the office of Police Judge in the town of Hartford, and defining his duties and powers.
66. An act to allow an additional Constable to Hardin county.
67. An act to regulate the holding of the Kenton Circuit Court, and for other purposes.

68. An act to repeal the charter of Augusta College.

Ordered, That said bills be read a second time.

The constitutional rule as to the second reading of said bills being dispensed with, they were referred—the 1st, 2d, 3d, 5th, 7th, 8th, 9th, 10th, 13th, 14th, 16th, 17th, 25th, 27th, 34th, 43d, 45th and 66th to the committee on Propositions and Grievances; the 4th, 6th, 15th, 29th, 30th, 32d, 35th, 38th, 44th and 46th to the committee on Internal Improvement; the 11th, 22d, 28th, 33d, 36th, 37th, 39th, 40th, 41st, 42d, 47th, 54th, 55th, 56th, 58th, 59th, 60th, 61st, 63d, 64th, 65th and 67th to the committee on Judiciary; the 12th, 20th, 23d and 68th to the committee on Education; the 15th and 53d to the committee on Religion; the 19th, 21st, 31st and 48th to the committee on Privileges and Elections; the 24th, 26th, 50th, 51st, 52d, 57th and 62d to the committee on Finance; and the 49th to the committee on the Sinking Fund.

A bill from the House of Representatives, entitled, an act to amend an act, entitled, an act to amend the law to prohibit the importation of slaves into this State, came up in the orders of the day.

Mr. Hobbs objected to the second reading of said bill.

And the question was taken, Shall the bill be rejected? and it was decided in the negative.

The yeas and nays being required thereon, by Messrs. Rice and Barbour, were as follows, to-wit:

Those who voted in the affirmative, were—


Those who voted in the negative, were—


On motion of Mr. Hogan,

Ordered, That said bill be read a second time on to-morrow at 11 o’clock.

Mr. Williams presented the petition of George McFarland Hall, who is under the age of twenty one, praying for the passage of a law author-
izing him to make sale and conveyance of his estate; which was received and referred to the committee on the Judiciary.

An engrossed bill, entitled, an act to modify and amend an act, entitled, an act to amend the law prohibiting the importation of slaves into this State, was read the third time.

Mr. Bradley 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. Eaker and Barbour, were as follows, to-wit:

Those who voted in the affirmative, were—

Messrs. Barbour, English, McNary,
Barnett, Evans, Rice,
Bradley, Grey, Russell,
Brien, Hambleton, Thurman,
Bruce, Heady, Waite,
Draffin, Hogan, White,
Eaker, McClure, Young—21.

Those who voted in the negative, were—

Messrs. Boyd, McMillan, Todd,
Chiles, Munford, Tripplett,
Cofer, Speed Smith, Walker,
Hawkins, Speed, Wall,
Hobbs, Thomas, Williams—17.
Linthicum, Thornton.

The main question was then put, Shall the bill pass? and it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. Hogan and Barnett, were as follows, to-wit:

Those who voted in the affirmative, were—

Messrs. Barbour, English, McNary,
Barnett, Evans, Rice,
Bradley, Grey, Russell,
Brien, Hambleton, Thurman,
Bruce, Heady, Waite,
Draffin, Hogan, White,
Eaker, McClure, Young—21.

Those who voted in the negative, were—

Messrs. Boyd, McMillan, Todd,
Chiles, Munford, Tripplett,
Cofer, Speed Smith, Walker,
Hawkins, Speed, Wall,
Hobbs, Thomas, Williams—17.
Linthicum, Thornton.

Resolved, That the title of said bill be as aforesaid.
Mr. Todd read and laid on the table the following resolution, to-wit:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the joint committee on Public Offices be directed to examine the accounts of Peter Dudley, late Treasurer, receive from him the balance of money on hand in the Treasury, and his books, and hand the same over to the present Treasurer, taking his receipt therefor; and report to the General Assembly.

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

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

Resolved by the General Assembly of the Commonwealth of Kentucky, That the Senate and House of Representatives will, by a joint vote of both houses, proceed, on to-morrow, the 17th inst., at 12 o'clock, to the election of a Commissioner of the Lunatic Asylum, at Lexington, to fill the vacancy occasioned by the death of Nathaniel Shaw.

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

Mr. Draffin, from the committee on Religion, reported a bill to divorce Thomas T. Tindal, which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second reading being dispensed with, said bill was amended and ordered to be engrossed and read a third time.

The constitutional rule as to the third reading being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be amended by adding "and Nancy Bell."

Mr. Draffin, from the same committee, reported a bill for the benefit of George Riley and Matilda, his wife, which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second and third readings of said bill being dispensed with, and the same being engrossed,

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

Mr. McClure, from the same committee, to whom was referred bills from the House of Representatives, of the following titles, to-wit:

An act to divorce Elizabeth Lewis.
An act to divorce John and Nancy S. Cox.

Reported the same without amendment.

Ordered, That said bills be read a third time.

The constitutional rule as to the third reading being dispensed with,

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

On motion of Mr. Barnett, leave was given to bring in a bill to amend the charter of the Springfield and Perryville Turnpike Road Company,
and Messrs. Barnett, Hogan and McClure were appointed a committee to prepare and bring in said bill.

After a short time Mr. Barnett reported said bill, which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second reading being dispensed with, said bill was referred to the committee on Internal Improvement.

Mr. J. Speed Smith, from the committee on Internal Improvement, reported a bill for the benefit of Spottwood Wills, which was read the first time, and the hour of 12 o'clock having arrived, the Senate proceeded to the consideration of the orders of the day.

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. Hawkins in the Chair; after some time spent in committee, the Speaker resumed the Chair, when Mr. Hawkins reported that the committee had, according to order, again had under consideration a bill to establish the Farmer's Bank of Kentucky; together with the amendments proposed thereto, and had adopted said amendments, and directed him to report the bill and amendments to the Senate.

The said amendments were concurred in.

The said bill was further amended, and reads as follows, to-wit:

Sec. 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky. That there shall be, and is hereby established, a Bank, by the name of "The Farmers' Bank of Kentucky," with a capital of one million three hundred thousand dollars, to be divided into shares of one hundred dollars each, and to be subscribed and paid for by individuals, companies and corporations, in the manner hereinafter specified; which subscribers and shareholders, their successors and assigns, are hereby created a body politic and corporate, by the name and style of "The Farmers' Bank of Kentucky," and shall so continue a body politic and corporate, until the first day of May, 1860; and by that name, under the restrictions hereinafter named, shall be competent to contract and be contracted with, to sue and be sued, plead and be impleaded, answer and be answered, defend and be defended, in all courts or places, in all matters whatsoever, as natural persons, with full power to acquire, hold, possess, use, occupy and enjoy; and the same to sell, convey and dispose of, all such real estate, goods, effects and chattels, as shall be convenient for the transaction of its business, or which may be conveyed to said Bank, as security for any debt, or purchased in satisfaction of any judgment or decree in favor of the Bank, or in the purchase of any property on which said Bank may have a lien; and said Bank may have, and use, a common seal, change, alter and renew the same at pleasure; and it may ordain and put in execution, such by-laws, rules and regulations, for the good government of said Bank, and the prudent and efficient management of its affairs, as may be thought most proper: Provided, That they be not contrary to the constitution and laws of this State or the United States.

Sec. 2. The said Bank shall have and keep its principal office of discount and deposit in the town of Frankfort; and it shall have five off-
cess of discount and deposit in other parts of the State, to-wit: at Covington, Princeton, Henderson, Maysville and Mountsterling. The business shall be, to loan money, discount promissory notes and bills, and deal in exchange; and it may issue bills and bank notes, payable to bearer, on demand, at any of its offices of discount and deposit, but not of less denomination than one dollar; and it shall not issue any notes, bills, checks or orders, payable to bearer, other than such as are made payable on demand. The promissory notes, made payable to any person or persons, and payable and negotiable at the principal office of discount and deposit, or any of the branches, and endorsed to, and discounted by said Bank, shall be, and they are hereby put on the same footing as foreign bills of exchange, and remedy may be had jointly or severally against the drawers and endorsers, and with like effect, except as to damages, and except that, in a regular course of administration, they shall have no other or greater dignity or priority of payment, than other notes: and the said Bank shall not, directly or indirectly, deal or trade in any thing except loaning money and exchange, and in gold or silver bullion, or in the sale of goods, chattels, rights and credits, really and truly pledged for money lent, and not redeemed in time, or goods which shall be the proceeds of its lands.

Sec. 3. The bank notes to be issued by said Bank, shall be signed by the President of the Principal Bank, and countersigned by the Cashier thereof; and said Bank shall be restrained from issuing checks or orders, payable at any of its offices, or elsewhere, to any person or order, or to any person or bearer, with the intent that the said checks or orders shall circulate as bank notes.

Sec. 4. Said Bank shall not, at any time owe, whether by bond, bill, note, or other contract, an amount exceeding twice the amount of the capital stock actually paid in, exclusive of sums due on deposits; and in cases of excess the President and Directors, under whose administration it shall have taken place, shall be liable for any or all of the debts of said Bank; in their individual capacities, by a joint or several actions of debt against them, or any of them, their heirs, executors or administrators, in any court having jurisdiction thereof, by any creditor or creditors of said Bank, and shall be prosecuted to judgment and execution, any condition or agreement to the contrary notwithstanding: Provided, That if the President or any of the Directors may be absent when the excess may be contracted or created, or being present shall dissent from the act by which the excess is about to be contracted or created, he or they shall not be liable, under this section, if he or they shall, within ten days from the creation of such excess, or discovery thereof, make affidavit of their absence or dissent, and file the same for record, with the recording officer of the city or county; and shall, moreover, within ten days, give notice thereof in one of the public newspapers printed in this State, and transmit a copy thereof to the Governor of this State, for the time being: and shall, in said notice, call a meeting of the shareholders, which they are hereby authorized to do.

Sec. 5. Said Bank shall not, at any time, suspend, fail, or refuse payment, in gold or silver, of any of its notes, bills, or other obligations, due and payable, or any moneys on deposit: and in case the officers, in the usual banking house at the office of discount and deposit where the same shall be payable, shall refuse or unreasonably delay payment.
in gold or silver, of the amount of any note there demandable, and presented for payment, or the payment of any money previously deposited at such office, and then due and demandable by any person or persons entitled to receive payment of the same, said Bank shall be liable to pay damages at the rate of six per cent. per annum, on the amount thereof, from the time of such failure, refusal or delay, until payment thereof; and for such failure or refusal, or for any violation of this charter, the same may be forfeited; and a scire facias may be sued out in the name of the Commonwealth, by the Attorney General, by order of the Governor, for the time being; and such proceedings may be had as to declare such forfeiture by the judgment of a court; and from and after the judgment of forfeiture, said corporation shall cease to exercise any of the powers and privileges hereby granted: Provided, Said forfeiture shall not be construed to prevent said Bank from suing and being sued, and continuing its operations, for the purpose of closing its concerns, nor from making any contracts that may be convenient and proper for that purpose.

Sec. 6. The real and personal estate, business, property, funds and prudential concerns of said Bank, and the administration of its affairs, shall be under the direction, management and control of seven Directors, chosen as hereinafter directed. They shall be stockholders, and, after the first election, shall have been stockholders at least three months previous to their election: they shall be residents of the State, and citizens of the United States: and, after the first election, they shall be elected annually, on the first Monday in May. Each Director shall be a stockholder in his own right: they shall hold their offices for one year, and until their successors shall be chosen. The Directors shall be chosen by the shareholders, who shall meet at the annual elections in the town of Frankfort, at such time and place as the Directory, for the time being, shall direct; and notice of the time and place of holding the annual elections shall be published in at least two authorized newspapers, thirty days next preceding the election. The election shall be by plurality of votes, to be counted and read in public, after all the votes are taken: the election shall be conducted, under the direction of three shareholders, acting under oath, and previously chosen by the Directory, and not of their own body. No person, who is a Director or officer of another Bank, shall be eligible as a Director of this Bank; and any Director becoming a Director or officer of another Bank, or while under protest in this Bank, for the non-payment of debt, shall be held to have vacated the office of Director of this Bank; nor shall two partners in trade be eligible as Directors in this Bank, at one and the same time; and if the President, Cashier, or any Director, shall fail, or become insolvent after his election or appointment, he shall become incapable to serve as an officer in this Bank, and shall be held to have vacated his office or place; nor shall he be appointed to serve in this Bank until his debts are paid, or until he obtains a full discharge from the same. If, from any cause, an election shall not take place on the day fixed by this charter, the corporation, for that cause shall not be dissolved, but the stockholders may hold an election on any other day by the by-laws shall direct.

Sec. 7 At all meetings of the shareholders, and at all elections under this charter, each and every shareholder, whether individuals, companies or corporations, shall be entitled to one vote for each share held in
their own right, up to fifty shares; and for every five shares over fifty, up to one hundred, one vote; and for every twenty shares over one hundred, one vote. After the first election, no share shall entitle the holder to a vote, unless the same has been held by the person claiming to vote on the same, at least three months prior to that time, and so appear on the books of the Bank. Any stockholder, entitled to vote, may do so in person or by proxy, such proxy being granted to a stockholder who is not the President or a Director, the Clerk, Cashier or Teller of the Bank; and any stockholder, who is not a citizen of the United States, shall not be entitled to vote on his stock.

Sec. 8. The Directors chosen for the Principal Bank, under the provisions of this charter, shall, as soon as may be, after the first, and every annual election or other election of Directors, elect a President from their own body, who shall preside at the board until the next election; and in case of the death, absence, or resignation, or vacation of the office of President, the residue of the Directors shall choose a President pro tempore; they shall fill all vacancies which may occur in their own body, during the time for which they were chosen, and appoint a Cashier, Clerks, agents or servants, of the Principal Bank, fix their compensation, define their powers, and prescribe their duties: and shall require of them such bonds, and in such penalties, as they may deem right; which bonds shall be laid monthly before the Directory, and entry made thereof on record; and the Directory may, from time to time, require such additional bonds and securities, with such penalties and conditions, as, in their opinion, will secure the Bank from loss or damage; and all such officers shall hold their places during the pleasure of the President and Directors.

Sec. 9. The President and Directors of the Principal Bank, (any four of whom shall form a quorum for the transaction of business,) may, from time to time, make such by-laws, rules and regulations, for their own government, and for the management and disposition of the property, estate, funds, and business of the Bank, and all matters appertaining thereto, which they may deem expedient, not contrary to the provisions of this charter, or the by-laws, rules and regulations which the stockholders, at their annual or other meetings, may, from time to time, prescribe: Provided, however, That a concurrence of a majority of all the Directors shall be necessary in the adoption of any of the by-laws of the institution.

Sec. 10. The President and Directors shall hold stated meetings at least once a week, on such days, and at such hour of the day, as they may, from time to time, appoint, and at such other times as they may agree on; and they shall attend called meetings at any time the President shall direct; and all questions before the board shall be decided viva voce; and, on the request of any two members, the yeas and nays on any proposition submitted, shall be entered or recorded on the journal of their proceedings; and no vote shall be reconsidered when a less number are present than when the vote was given.

Sec. 11. The President and Directors of the Principal Bank shall establish five Branches, to-wit: one at Covington, in the county of Kenton; one at Maysville, in the county of Mason; one at Princeton, in the county of Caldwell; one at Henderson, in the county of Henderson; and one at Mountsterling, in the county of Montgomery. The amount of capital which shall be employed at the Principal Bank, shall be three
hundred thousand dollars; at Covington, three hundred thousand dollars; at Maysville, two hundred thousand dollars; at Princeton, two hundred thousand dollars; at Henderson, two hundred and fifty thousand dollars; and at Mountsterling, one hundred and fifty thousand dollars: Provided, That when the Bank goes into operation, if with less than the whole stock taken, or whole amount paid in, the capital stock at any one of the points where such Principal Bank or Branch may be located, shall be applied to said Bank or Branch at such point: And, provided further, That stock taken at other points than Frankfort, Covington, Maysville, Princeton, Henderson, and Mountsterling, shall be ratably divided amongst them.

Sec. 12. There shall be five Directors for each of the Branches, to be chosen at the same time and manner of the Directors of the Principal Bank, and to possess the same qualifications, one of whom shall be appointed President by the Directors of the Principal Bank. The Directors of the Principal Bank, shall prescribe such rules and regulations for the government of the Branches, as they may deem right, and shall have power to enforce the same. The President and Directors of the Principal Bank, shall have power to fill any vacancy in the Directory of the Branches.

Sec. 13. The Directors of the Principal Bank, shall appoint a Cashier of the Principal Bank, and a Cashier for each of the Branches. The President and Directors of each of the Branches, shall appoint a Clerk, and such other officers, as the President and Directors of the Principal Bank shall direct; not less than a majority of the Directors of the Branches, including the President, shall form a quorum for the transaction of business.

Sec. 14. No dividend of the profits of said Bank shall be declared until there shall be a surplus of ten thousand dollars; and the surplus, or contingent fund, so raised, shall never be reduced below that sum; and it shall be the duty of the President and Directors of the Principal Bank, on the first Monday in January and July, of each year, to declare a dividend of the profits over and above the contingent fund aforesaid, among the stockholders, payable to them on demand; of which dividend, and the time and place of payment, notice shall be given. And if, at any time, said President and Directors shall declare a dividend lessening the capital stock, or lessening the contingent fund aforesaid, or by any mismanagement or neglect of duty, shall cause any loss or deficiency of, or in the capital stock of said Bank, the Directors consenting thereto, or guilty of such mismanagement or neglect of duty, shall be jointly and severally liable to the stockholders, or any creditor of said Bank, who may be injured thereby; and the President and each Director shall be deemed guilty of such mismanagement or neglect, or to have consented to such dividend, unless he forthwith give notice of his dissent thereto, or his absence from the institution, in like manner as provided in the fourth section of this charter, and call a meeting of the stockholders as herein provided.

Sec. 15. It shall be the duty of the Cashier of the Principal Bank, on the first day of July, 1850, and on the first day of July, in each succeeding year, during the continuance of this charter, to pay to the Treasury of this Commonwealth, fifty cents on each one hundred dollars of stock held and paid for in said Bank, which shall be in full of all tax or bonus:
on the stock sold at the re-opening of books, as they shall deem right; and such premium shall be the property of the Bank.

Sec. 32. When not less than four thousand shares of the capital stock shall have been taken, and the Commissioners shall have closed the books, it shall be their duty to give notice, in some public newspapers printed in this State, and appoint a day and place, in the town of Frankfort, for the election of the first Board of Directors for said Bank, who shall hold their office until the next succeeding annual election: and not less than thirty nor more than sixty days' notice shall be given of the time and place of electing the said Board of Directors; and some of the Commissioners shall act as inspectors of the election, and shall take the proper oaths, and perform all the duties of inspectors of elections in like cases.

Sec. 33. The payment of the shares of the Capital stock held by individuals, companies, and corporations, shall be in gold and silver, and at the times, and in the manner following, to-wit: five dollars on each share, to the Commissioners, at the time of subscribing; and five dollars on each share within ten days after the election of the first Board of Directors, and twenty dollars on each share within sixty days thereafter; and the residue shall be paid in such instalments as the President and Directors of the Principal Bank shall require: Provided, That not more than twenty dollars shall be called at any one time on each share, nor shall the time between the calls be less than ninety days.

Sec. 34. Should any of the subscribers to the capital stock of said Bank fail or refuse to pay for their stock, as herein provided, the President and Directors, first giving public notice in at least two public authorized newspapers printed in this State, for the space of thirty days, by a resolution entered on the records, may forfeit such stock, and proceed, at such time as they may deem expedient, to re-sell the same; and all partial payments made on any stock which shall be forfeited, shall be held for the benefit of the Bank.

Sec. 35. So soon as one hundred and thirty thousand dollars of capital stock shall have been paid in by individuals, corporations, and companies, in gold or silver, the President and Directors shall cause the Governor of this Commonwealth to be notified thereof, who is hereby authorized to appoint some suitable person to count the money so paid in as capital stock, and to take the oath of the President, and not less than six of the Directors, that the same has been paid in as stock, bona fide, and make due return thereof to him; and on such appearing to be the fact, the Governor is authorized to issue his proclamation, that the amount hereby required to be paid in, and in the funds required, has been done, and the said Bank is authorized to commence operations as a banking institution; and from and after the first proclamation, it shall be lawful for said Bank to commence business.

Sec. 36. If any stockholder or stockholders in said Bank, who shall not be a citizen or citizens of the United States, shall vote or authorize any person to vote at the election for Directors of said Bank, upon the stock held by such person or persons, not a citizen or citizens of the United States, or which may be held by others for his or their use and benefit, such stock so held, and may have been voted upon, or authorized to be voted upon at any of the elections for Directors of said Bank, shall
be forfeited by such stockholder or stockholders, to and for the use of said Bank.

Sec. 37. The bills or notes of said corporation, originally made payable to bearer, shall be receivable in all payments to the State, and on account of county levies, so long as it shall redeem its notes in gold or silver, on demand, unless otherwise directed by law.

Sec. 38. No person shall be eligible to the office of Director in the Principal Bank, or any Branch, who is not the owner of stock in his own right at the time of his election or appointment.

Sec. 39. It shall not be lawful for the President or any of the Directors of the Principal Bank, or Branches, to become bound as security or accommodation endorser, on any note or bill discounted in said Bank, and a violation of any of the provisions of this section, shall subject the person, violating the same, to a penalty of five thousand dollars, to be recovered by action of debt in the name of the corporation, and for their use and benefit.

Sec. 40. Said Bank shall not make any loan of money, or discount any note or bill, on the pledge of the stock of said Bank whatever; and no stockholder shall be allowed to pay any debt he may owe the Bank by the surrender of the stock of the Bank, until all the notes of the Bank shall have been redeemed, and all the debts of the Bank paid; and stockholders who shall become indebted to the Bank, shall be compelled to pay their debts, in all respects, as other persons dealing with the Bank; nor shall any stockholder be allowed to make payment of the shares of stock held by him, by means of a loan or loans obtained from said Bank.

Sec. 41. The President and Directors of the Principal Bank shall cause their Cashier to make quarterly reports, on the first day of January, April, July, and October, in alphabetical order, of all the debts due said Bank, setting out the amount due by each individual, with the names of the endorsers or securities, and a note of the other securities, the date of the notes or bills, and when payable; and they shall cause the Cashier of the Branches to make a like complete memorandum, in alphabetical order, of all the debts due at the several Branches, by each individual, with the names of the endorsers or other security, and the date of the notes and bills, and when payable; one copy of which shall be returned at the Branch, another copy shall be transmitted to the Principal Bank; and these memorandums shall, at all times, be open to the examination of the President and Directors of the Principal Bank and Branches.

Sec. 42. The President and Directors of the Principal Bank shall have power and authority to purchase and to transfer, any scrip or bonds which may be issued by the State: Provided, Not more than one half the capital of said Bank paid in, be held in such scrip or bonds at the same time.

Sec. 43. Notes to be issued by said Bank, of a denomination less than five dollars, may be signed by the President or Cashier of said Bank, without being countersigned by any other officer.

Sec. 44. The President and Directors of the Principal Bank may, under the direction of such agent or agents, as they may think proper to appoint, keep open books for the transfer of the stock of said Bank, at such places, and under such rules and regulations, as they may deem proper.
Mr. Grey moved further to amend said bill, by adding thereto the following, as an additional section, to-wit:

Be it further enacted, That the President and Directors of said Bank, shall locate a branch of said Bank at some point in the 4th Congressional District, or in Glasgow, Russellville, Elkton, Greenville, Hopkinsville, Cadiz, Hickman or Columbus: Provided, That any, or all of said towns, shall subscribe, or cause to be subscribed, as stock in said Bank, the sum of three hundred thousand dollars; which sum shall constitute a part of the capital of said Bank, in addition to the capital authorized by the first section of this act; and that the said sum of three hundred thousand dollars, when subscribed as stock as aforesaid, shall be used and employed in said branch, and not elsewhere: Provided, That the President and Directors shall, in the location of said branch in any of the towns or places aforesaid, be governed in the selection, by the wishes of a majority, in amount, of those who shall subscribe as stock the sum of three hundred thousand dollars as aforesaid.

Mr. Williams moved to amend the amendment proposed by Mr. Grey, by striking out all after the enacting clause, and inserting in lieu thereof, the following:

That the President and Directors shall locate one other branch, with a capital of not less than one hundred thousand dollars, nor more than two hundred thousand dollars, at such place as they, in their discretion, shall deem advisable, taking into consideration the wants of the community in which the same shall be located, their ability to subscribe for stock, and the profits to arise from such location; said branch to be located within twelve months from the time the principal Bank commences business.

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

The yeas and nays being required thereon, by Messrs. Grey and Hawkins, were as follows, to-wit:

Those who voted in the affirmative, were—

Messrs. Barbour, Bruce, Chiles, Draffin, Hogan, McMillan, Rice, Russell.

Those who voted in the negative, were—


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

The yeas and nays being required thereon, by Messrs. Grey and Walker, were as follows, to-wit:

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Those who voted in the affirmative, were—

Messrs. Barnett, McClure, Thornton,
Brien, McNary, Thurman,
Cofer, Munford, Waite,
Evans, Rice, Walker,
Grey, Russell, White,
Hambleton, Speed, Young—18.

Those who voted in the negative, were—

Messrs. Barbour, Hawkins, Speed Smith,
Boyd, Heady, Thomas,
Bradley, Hobbs, Todd,
Bruce, Hogan, Triplett,
Chiles, Linthicum, Wall,
Draffin, McMillan, Williams—19.

Mr. Grey then moved to amend said bill, by adding thereto the following, as additional sections, to-wit:

Be it further enacted, That so much of the thirty-seventh section of an act approved Feb. 20, 1839, entitled, "an act to establish the Southern Bank of Kentucky," and all other parts of said act limiting the number of shares of the capital stock of said Bank, which individuals, companies, or corporations may hold, be, and the same is hereby repealed; and that the forty-seventh section of said act be amended by striking out of said section the words "but neither the mother Bank nor the said branch, shall be located at either of the places where a branch of the Bank of Kentucky is established."

SEC. 47. That the said act establishing the "Southern Bank of Kentucky," be, and the same is hereby so amended, as to continue the corporate powers of the President, Directors and Company of said Bank, a body politic and corporate, until the 1st day of May, in the year 1880; and so much of said act as conflicts with this amendment, is hereby repealed.

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

The yeas and nays being required thereon by Messrs. Grey and Hawkins, were as follows, to-wit:

Those who voted in the affirmative, were—

Messrs. Barnett, Hambleton, Thurman,
Brien, McClure, Waite,
Cofer, Speed, Walker—10.

Those who voted in the negative, were—

Messrs. Barbour, Hawkins, Russell,
Boyd, Heady, Speed Smith,
Bradley, Hobbs, Thomas,
Bruce, Hogan, Thornton,
Chiles, Linthicum, Todd,
Cofer, McMillan, Triplett,
Mr. Cofer moved the following amendments to said bill, to-wit:

First section, strike out "one," printed in italics, and insert in lieu thereof, "two;" and insert, after the word "corporations," printed in italics, the words, "and the State of Kentucky." Sixth section, strike out "seven," printed in italics, and insert the words "nine, two of whom shall be appointed by the Governor, and approved by the Senate." Add to the bill:

The Governor, for the time being, shall be, and he is hereby authorized to subscribe for, and on behalf of the State of Kentucky, seven hundred thousand dollars in stock, which shall be paid in the bond of the State of Kentucky, made out in the usual form of an Internal Improvement bond, bearing interest at the rate of 5 per cent. per annum, to be paid out of the profits of said Bank; which bond may be sold by the President and Directors of said Bank, when the same will bring its nominal amount in money.

That the Bank of Kentucky, the Northern Bank, and Bank of Louisville, shall have the right, and they are hereby authorized to withdraw any of their branches located within any county or town where the Bank hereby created may locate a branch within the same county or town, and wind up the concerns of said branch or branches. This section, for that purpose, by the consent of the President and Directors of said Banks, respectively, this shall be deemed and held as part of the charters of said Banks, severally. If any one of said Banks shall withdraw any branch, it shall be in the power of said Bank to locate said branch in any other part of the State.

Mr. Draffin 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. Draffin and Boyd, were as follows, to-wit:

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<th>Those who voted in the affirmative, were:</th>
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<td>Draffin, Draft, McNary, McNary, Wall, Wall, English, McNary, Munford, Williams, Rice, Williams, Young—27.</td>
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<th>Those who voted in the negative, were:</th>
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The main question was then put, Shall the bill be engrossed and read a third time, and it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. Rice and Hawkins, were as follows, to-wit:

Those who voted in the affirmative, were—


Those who voted in the negative, were—


Mr. Rice moved to dispense with the third reading of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. Williams and Rice, were as follows, to-wit:

Those who voted in the affirmative, were—


Those who voted in the negative, were—


And then the Senate adjourned.
A message was received from the House of Representatives, announcing their disagreement to a bill from the Senate, entitled, an act for the benefit of John D. Locke's children.

That they had passed a bill from the Senate, entitled, an act to incorporate the Springfield, Maxville and Harrodsburg Turnpike Road Company.

That they had passed bills of the following titles, to-wit:

- An act to incorporate the Harrodsburg Springs Company.
- An act to amend an act establishing an election precinct in Mason county.
- An act to incorporate the New Liberty and Marion Turnpike Road Company.
- An act to regulate the duties of the Police Judge of the town of New Liberty, and for other purposes.
- An act to change the names of Louisa Turner, and others.
- An act to incorporate the Franklin Fire Company, No. 2, of Covington.

That they had concurred in the adoption of a resolution from the Senate, fixing a day for the election of a Commissioner of the Lunatic Asylum, at Lexington.

1. Mr. Thurman presented the petition of James May, who stands indicted in the Washington Circuit Court, for passing counterfeit money, praying for the passage of a law granting him a change of venue.

2. Mr. Rice presented the petition of J. P. Meek, praying for the passage of a law authorizing the sale and conveyance of the interest of his idiot brother, in a tract of land in Johnson county.

3. Mr. Rice also presented the petition of Nathaniel Davis, praying for the passage of a law allowing him to import a slave into this State, from the State of Virginia.

4. Mr. Linthicum presented the petition of Lucretia Gwyn, of Larue county, praying for the passage of a law authorizing the County Court of said county to provide for her support, by an increase of their county levy.

5. Mr. Bruce presented the petition of James Price and Hannah, his wife, praying for the passage of a law divorcing them from each other.

6. Mr. Russell presented the petition of sundry citizens of Shelby county, praying for the passage of a law establishing an election precinct at Jacksonville, in said county.
Which petitions were severally received and referred; the 1st and 2d to the committee on the Judiciary; the 3d and 4th to the committee on Propositions and Grievances; the 5th to the committee on Religion; and the 6th to the committee on Privileges and Elections.

The Senate resumed the consideration of a bill for the benefit of Spottswood Wills.

Ordered, That said bill be read a second time.

The constitutional rule as to the second and third readings of said bill being dispensed with, and the same being engrossed,

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

Mr. J. Speed Smith, from the committee on Internal Improvement, to whom was referred the petition of S. M. Berry, reported the same with the following resolution thereon, to-wit:

Resolved, That said petition be rejected.

Which was concurred in.

Mr. J. Speed Smith, from the committee on Internal Improvement, reported a bill to incorporate the Campbell and Pendleton Turnpike Road Company, which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second reading being dispensed with, said bill was amended and ordered to be engrossed and read a third time.

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

Resolved, That said bill do pass, and that the title thereof be amended by adding "and amend the charter of the Versailles and Midway Turnpike Road Company."

A bill from the House of Representatives, entitled, an act to amend an act, entitled, an act to amend the law to prohibit the importation of slaves into this State, was taken up and read the second time, as follows, to-wit:

Sec. 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the citizens of this Commonwealth are hereby not prohibited from purchasing and bringing into this State, any slave or slaves from any other State in the United States, for his, her or their own use: Provided, That the person or persons so purchasing and bringing into this State, any such slave or slaves, shall, within forty days after so purchasing and bringing the same into this State, make oath or affirmation before the Clerk of the county in which such slave or slaves are brought, that the said slave or slaves were purchased and brought into this State for his, her or their own private use alone, and that the said slave or slaves were not bought for speculation, to be sold again for profit, or as merchandise; and, also, make out a true and correct list and description of each and all of such slave or slaves, in which he, she or they shall
give the name, age, color and sex, of each of such slaves, and make affidavit before the said Clerk that the same contains a true and correct list and description of each of such slaves; which list and description, together with the affidavit thereof, shall be recorded by the said Clerk, who shall receive, for recording the same, fifty cents for each slave.

Sec. 2. Be it further enacted, That if any person or persons, so purchasing and bringing any slaves into this State, as aforesaid, shall sell, within the State, any such slave or slaves within five years after he, she or they shall have so brought the said slave or slaves into this State, or shall make any contract, during the said time, for the sale of such slave or slaves, or shall hire out such slave or slaves for a term of years, or shall use any device whatsoever, to evade this act, by sale, hiring, or otherwise, he, she or they, so offending, and for each and every such offence, shall be subject to all the pains and penalties in like manner denounced by the act approved February 2d, 1833, prohibiting the importation of slaves into this State.

Sec. 3. Be it further enacted, That if any person or persons shall buy any such slave or slaves, knowing them to have been so brought into this State within the term of eighteen months, as aforesaid, he, she or they, for each such slave, shall forfeit and pay the sum of $200, to be recovered in like manner, according to the provisions of the act aforesaid.

Sec. 4. Be it further enacted, That any slave or slaves, purchased and brought into this State, as aforesaid, shall not be subject to be sold, by virtue of an execution, within the said term of eighteen months, until all the other property of the defendant in the execution, real and personal, subject to execution, shall have first been sold; and if the defendant in any execution shall suffer any such slave or slaves to be sold, when he has other property subject to execution, he shall be liable and subject to pay the sum of $200, recoverable as aforesaid; or if any Sheriff or other officer, by virtue of any execution, shall sell any such slave or slaves, knowing them to have been brought into this State, as aforesaid, while the defendant has other property in the county, subject to execution, that might be levied on by reasonable diligence, he shall be liable and fined the sum of $200, recoverable in the same manner prescribed by the said act, approved February 2, 1833.

Sec. 5. Be it further enacted, That if any person or persons shall swear falsely, in taking the oath in this act prescribed, he, she or they shall be held to be guilty of perjury, and upon conviction thereof, shall undergo confinement in the Jail and Penitentiary of this Commonwealth for the term of two years.

Sec. 6. Be it further enacted, That so much of the said act, approved February 2, 1833, as comes within the purview of this act, be and the same is hereby repealed.

Mr. Williams moved to amend said bill, by striking out all after the enacting clause, and inserting in lieu thereof, the following:

Sec. 1. That the several Judges of the Circuit Courts shall, upon petition filed, setting forth therein that the petitioner is desirous to import into this State a slave or slaves, from another State, with the name and sex of such slave or slaves, from considerations of humanity, and not for merchandise; which petition must be sworn to, and upon parol proof in support of the allegations thereof, to enter a decree authorizing the peti-
tioner to import any such slave or slaves, as shall be described in such petition, without incurring the penalties of the law of 1833, prohibiting the importation of slaves into this State; and in all cases, when any Court shall make such decree, it shall be so rendered as to be operative only upon the condition that the petitioners, at the first or second term of the Court after the importation of such slave or slaves, makes in open Court the following oath or affirmation, viz: "I, A B, do swear (or affirm, as the case may be,) that I have imported the slaves C D into this State not for merchandise, and that I will not sell or dispose of the same, or cause it to be done, within five years from this day."

Sec. 2. That if the petitioner shall, within five years from the day on which the aforesaid oath is taken, sell or dispose of the slave or slaves imported, or either of them, or cause it to be done, or shall fail to take the oath, as required by the first section of this act, he shall be liable to the penalties of the said law of 1833, as fully as if no decree had been rendered in his favor.

Sec. 3. That upon the filing of any petition, under the provisions of this act, the petitioner shall pay to the Clerk of the Court, before whom such petition is filed, a tax of dollars, which the Clerk shall account for in the same manner as he accounts for other tax upon law process.

Mr. Hogan moved the previous question, and the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. Hogan and Williams, were as follows, to-wit:

Those who voted in the affirmative, were—

Mesres. Barbour, English, McNary, Rice,
Barnett, Evans, Rice,
Bradley, Grey, Russell,
Brien, Hambleton, Thurman,
Bruce, Heady, Waite,
Draffin, Hogan, White,
Eaker, McClure, Young—21.

Those who voted in the negative, were—

Mesres. Boyd, McMillan, Todd,
Chiles, Munford, Triplett,
Cofer, Speed Smith, Walker,
Hawkins, Speed, Wall,
Hobbs, Thomas, Williams—17,
Linthicum, Thornton,

The main question was then put, "shall the bill be read a third time," and it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. Wall and Hogan, were as follows, to-wit:

Those who voted in the affirmative, were—

Mesres. Barbom, Mr. Hogan, White,
English, Eaker,
Evans, McClure,
Grey, Young—21.
Hambleton,
Heady,
Hogan,
McClure,

Those who voted in the negative, were—

Mesres. Boyd, Todd,
Chiles, Triplett,
Cofer, Walker,
Hawkins, Wall,
Hobbs, Williams—17,
Linthicum, Wall,

The main question was then put, "shall the bill be read a third time," and it was decided in the affirmative.
Those who voted in the affirmative, were—

Messrs. Barbour, English, McNary,
Barnett, Evans, Rice,
Bradley, Grey, Russell,
Breen, Hambleton, Thurman,
Bruce, Headly, Waite,
Draffin, Hogan, White,
Eaker, McClure, Young—21.

Those who voted in the negative, were—

Messrs. Boyd, McMillan, Todd,
Chiles, Munford, Triplett,
Cofer, Speed Smith, Walker,
Hawkins, Speed, Wall,
Hobbs, Thomas, Williams—17.

On motion of Mr. Barbour,

Ordered, That said bill have its third reading on Monday next, at 11 o'clock.

Mr. J. Speed Smith, from the committee on Internal Improvement, moved the following resolution, to-wit:

Resolved, That the committee on Internal Improvement report a bill making the allowance reported by the Board of Internal Improvement, in favor of Robert Williams.

And the hour of 12 o'clock having arrived, the Senate proceeded to the consideration of the orders of the day.

On the motion of Mr. Todd,

Ordered, That a message be sent to the House of Representatives, to inform them that the Senate is now ready to proceed to the election of a Director to the Lunatic Asylum at Lexington, to supply the vacancy occasioned by the death of Nathaniel Shaw; and Mr. Todd was directed to carry said message.

A message was received from the House of Representatives, by Mr. Towles, announcing that they are now ready to proceed to said election.

Mr. Todd nominated Richard A. Buckner as a proper person to fill said vacancy.

After interchanging nominations, the two Houses proceeded to vote for Director.

Mr. Richard A. Buckner having received the unanimous vote of both Houses, was declared duly elected a Director to the Lunatic Asylum, to fill the vacancy occasioned by the death of Nathaniel Shaw, who was elected to serve for five years.

1. Mr. Bradley presented the petition of sundry citizens, praying for the passage of a law incorporating the town of Gordensville, in Hopkins county.
2. Mr. Bradley also presented the petition of the Justices of Hopkins county, praying for the passage of a law allowing an additional Justice to said county.

Which petitions were received and referred; the 1st to the committee the Judiciary; and the 2d to the committee on Propositions and Grievances.

A message was received from the Governor, by Mr. Harlan, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, to-wit:

An act for the benefit of the town of Greenville, in Muhlenburg county.

An act for the benefit of the Bourbon County Agricultural Society.

An act for the benefit of the former and present Sheriffs of Crittenden county.

An act to repeal, in part, an act to enlarge the powers of the Trustees of Princeton.

An act to change the name of Taylorville, in Boone county.

Approved February 12, 1849.

A message, in writing, was received from the Governor, by Mr. Harlan, Assistant Secretary of State.

The rule of the Senate being dispensed with, the said message was taken up, and read as follows, to-wit:

_Gentlemen of the Senate:_

I nominate for your advice and consent, the following named persons to be Commissioners for the States attached to their respective names, under an act of Assembly, approved Jan. 23, 1843.

Ivers J. Austin, for the State of Massachusetts.

John C. Bullitt for the State of Pennsylmania.

Jeremiah Bonsell for the State of Pennsylmania.

F. Gibson Irwin for the State of Tennessee.

J. J. CRITTENDEN.

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

The Senate resumed the consideration of the bill to establish the Farmers' Bank of Kentucky.

Mr. Todd moved to amend said bill, by adding thereto the following engrossed clause, by way of rider, to-wit:

_Be it further enacted, That in the event the stockholders of the Northern Bank of Kentucky, at their annual meeting in May next, shall consent, by resolution, to an increase of capital to the branch of said Bank located at Covington, to be subscribed for, and paid in, on the terms prescribed for in this charter, to the amount of three hundred thousand dollars; and shall, also, at the same time, consent to, and agree to locate a branch of said Bank at Mountsterling, with a capital of one hundred and_
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fifty thousand dollars, to be also subscribed for, and paid in, on the terms herein authorized and prescribed. That if the Bank of Kentucky, at Louisville, shall, in like manner, at their annual meeting of stockholders in May next, by a resolution of said stockholders, consent and agree to an increase of capital in the branches of said Bank, to be subscribed for, and paid in, on the terms and conditions prescribed in this act, at Maysville, for the sum of three hundred thousand dollars, and at Frankfort for the sum of two hundred thousand dollars; and if the stockholders of the Bank of Louisville shall, in like manner, by a resolution of the stockholders of said Bank, at their annual meeting in May next, also consent to, and agree to locate a branch of the said Bank at the town of Henderson, with a capital of one hundred and fifty thousand dollars; and, also, a branch of the said Bank at the town of Princeton, with a capital of two hundred thousand dollars, to be subscribed for, and paid in, on the terms and in the time required by this act; that then, and in that case, the respective capitals of said Northern Bank of Kentucky, the Bank of Kentucky, and the Bank of Louisville, shall be, and the same shall be considered and held to be enlarged and increased, respectively, to the extent hereby authorized to be subscribed to the branches authorized by this act, to be enlarged and increased, or located as above.

Be it further enacted, That if the said Banks shall each consent and agree as aforesaid, to the increase of their capitals in the branches, and the location of additional branches as above provided for, that they shall, on or before the 15th day of May next, by publication of said resolution, officially signed, in one or more newspapers published in the towns or cities where said Branch Banks are now situated, or where said additional branches are proposed to be located, and shall, at the same time, appoint Commissioners (each principal Bank acting for the branches hereby put under their control and direction,) to receive subscriptions for additional stock in the branches now established, and for the stock in the new branches proposed by this act to be established; and thereupon, the powers granted and conferred herein, to establish the Farmers’ Bank of Kentucky and branches, shall cease and determine when said stock shall be subscribed and paid in, as herein directed, then said Northern Bank of Kentucky, Bank of Kentucky, and Bank of Louisville, shall cause said additional stock to be exclusively used and loaned in the branch at the town where said additional capital may be subscribed, or at the town or city in which such new branch may be located, or in such of said branches as may make such subscriptions and payments; and shall have the same power and control, respectively, as they now have over the other branches of their respective institutions.

Be it further enacted, That in case said Northern Bank, Bank of Kentucky, and Bank of Louisville, shall fail or refuse to consent, by resolution of their respective stockholders, to the increase of capital in the branches, and location of new branches, by failing to make the publication above directed, then this act, with all and singular the provisions, requirements and powers therein granted, shall be, and the same are declared unconditional and in full force, with the exception of the — section; and the Commissioners appointed in the — section of this act, shall forthwith proceed to execute all the duties therein enjoined and directed.
Be it further enacted, That if said Northern Bank of Kentucky, Bank of Kentucky, and Bank of Louisville, shall each accept the terms proposed by the three last sections of this act, and shall establish said additional branches, and increase the capital of those now proposed to be located, or such of them as may make the subscriptions for the stock hereby authorized, and pay the same as directed in this act, then the charters of each of said Banks, with all amendments made to them, respectively, shall be, and the same, with all the powers, immunities and privileges therein conferred, are, and the same are hereby extended to the last day of May, 1880, if they, or either of said Banks, may so elect.

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

The yeas and nays being required thereon by Messrs. Wall and Draffin, were as follows, to-wit:

Those who voted in the affirmative, were—


Those who voted in the negative, were—


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

The yeas and nays being required thereon, by Messrs. McMillan and Draffin, were as follows, to-wit:

Those who voted in the affirmative, were—


Those who voted in the negative, were—

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

Mr. Bradley, from the joint committee on Enrollments, reported that the committee had examined enrolled bills which originated in the Senate, of the following titles, viz:

- An act to amend proceedings before Justices of the Peace.
- An act for the benefit of Miriam E. Carter.
- An act for the benefit of John M. Fraim, of Monroe county.
- An act for the benefit of James L. Turman, Samuel Hogan, and John L. Price.
- An act for the benefit of James Bartrum.
- An act for the benefit of Green V. Goble.
- An act granting a change of venue to Wm. Burns.
- An act for the benefit of Jack Hardin and B. Mills Crenshaw.
- An act to repeal an act, entitled, an act to prevent the sale of spirituous liquors within the town of Lagrange, and one mile therefrom, approved January 29, 1846.
- An act to extend to the county of Fayette the provisions of an act further to provide for the appointment of Patrols in this Commonwealth, approved February 18, 1841, and for other purposes.
- An act for the benefit of Wm. Cecil.
- An act for the benefit of John Fible, of Oldham county.
- An act for the benefit of Ira H. and Wm. George.
- An act for the benefit of David I. Caldwell, his wife and children.
- An act for the benefit of Gilson P. Snelling.
- An act in relation to the Executive offices.
- An act to amend an act concerning strays, approved March 1, 1847.
- An act for the benefit of Middletown, in Jefferson county, and for other purposes.
- An act for the benefit of Garvin Morrison, Constable of Harrison county.
- An act for the benefit of the heirs of Wm. R. Griffith, deceased.
- An act for the benefit of Washington Kennedy's children.
- An act for the benefit of James Byles.
- An act to authorize Hugh W. McNary to sell a slave in this State, and for other purposes.
- An act to amend an act for the benefit of the children and heirs at law of Louisa Dunnington, approved March 1, 1848.
- An act to provide for the sale of a certain house for public worship, in Hardin county.
- An act for the benefit of Thomas Rankin, jailer of Harrison county.
- An act for the benefit of Ervin Anderson, of Graves county.
- An act for the benefit of the devisees of Rolla Blue.
- An act declaring the "Hopkins Delta" a public authorized newspaper.
- An act to incorporate the town of Owenton, in Owen county.
An act allowing the Judge of the 16th Judicial District further time to move into his District.

An act to extend the corporate limits of Newport.

An act for the benefit of William and Sarah Compton.

An act for the benefit of Warrenton S. Bland.

An act for the benefit of James Haun, guardian of John James Haun.

An act to authorize the sale of certain alleys in Winchester.

An act allowing additional election precincts in Rockcastle and Knox counties.

An act for the benefit of Alonzo Livermore and Jacob Yost.

An act to authorize the Trustees of Cynthiana to levy and collect an additional tax.

An act for the benefit of Louisa Williams.

And enrolled bills and enrolled preamble and resolutions, which originated in the House of Representatives, of the following titles, to-wit:

An act to incorporate the Russellville and Nashville Turnpike Road Company.

An act to authorize the County Courts of Boyle and Lincoln to take stock in certain Turnpike Roads.

An act to divorce Tilman H. and Julia Ann Steele.

An act to incorporate the St. Louis and New Orleans Telegraph Company.

An act to divorce E. V. Scruggs.

An act to divorce George Boulton.

An act to divorce John G. Brown.

An act to divorce Sarah Lorispough, and for other purposes.

An act to allow the County Court of Lewis to apply the proceeds of the vacant lands of said county to the improvement of the navigation of Kinnicanick, and for other purposes.

An act for the benefit of George W. Finnie.

An act to divorce Edward Pelonze.

An act to divorce Mary Ann Carpenter.

An act to divorce David C. Spencer.

An act to divorce John M. Crane.

An act supplemental to an act to erect a monument to those who have fallen in defence of their country, approved February 25, 1848.

An act to incorporate the Grayson and Catlettsburg Railroad Company.

An act to allow J. L. Jones and John Adams to erect a mill dam on Licking river.

An act to regulate the public roads in Bullitt county.

An act to change a State road in Christian county.

An act to amend the road law in the county of Campbell.
An act authorizing a re-conveyance of ten acres of land on Barren river, to T. L. Stephens and James Ford.

An act to authorize the President and Directors of the Turnpike Road between Bowlinggreen and Franklin to locate a toll gate within one mile of Bowlinggreen.

An act to incorporate the Paris and North Middletown Turnpike Road Company.

An act for the benefit of Nathan Wallis, of Hickman county, and Robert Taylor, of Monroe county.

An act for the benefit of Ralph F. Wood, of Barren county.

An act divorcing Benj. R. Gaines and wife, and for other purposes.

An act to extend the limits of the town of Ghent.

An act for the benefit of the widow and heirs of Henry Durrett, deceased.

An act to legalize the proceedings of a special term of the Estill County Court.

An act for the benefit of the mechanics of Estill and Owsley.

An act for the benefit of Rebecca Royse, of Fleming county.

An act to incorporate the Odd Fellows Hall Association in Henderson.

An act allowing an additional Constable to Larue county.

An act to establish the Louisville Commercial College.

An act authorizing the confinement of offenders against the ordinances of the city of Maysville, in the county jail and jail yard in said city.

An act authorizing the Trustees of Germantown to appoint an Assessor for special purposes.

An act to authorize the Clerk of the Breckinridge County Court to transcribe certain records.

An act to amend an act regulating the town of Salvisa, in Mercer county, approved February 9, 1828.

An act to incorporate the Trustees of the Parsonage of the Methodist Episcopal Church South, in Floydsburg, in Oldham county.

An act to reduce into one the several acts concerning the town of Lagrange.

An act to change an election precinct in the county of Pulaski.

An act for the benefit of the Trustees of the First Presbyterian Church in Shelbyville.

An act to amend an act, entitled, an act to establish the town of Milton, approved February 4, 1846.

An act to establish the Covington Commercial College.

Preamble and resolutions in relation to the publication of a map of the State, by Boner & Klyng.

And had found the same truly enrolled.
The said bills and resolutions having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approbation and signature.

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

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

On motion of Mr. Russell—1. A bill for the benefit of Edward H. Watson.

On motion of Mr. J. Speed Smith—2. A bill to amend an act, entitled, an act to incorporate the Kentucky Military Institute.

On motion of Mr. Thurman—3. A bill to incorporate a Turnpike Company to build a road from Springfield to Perryville, to pass by Bethel Church, near Haysville, in Marion county.

On motion of same—4. A bill to incorporate a Turnpike Company to build a road from Springfield to Perryville, by the way of Maxville.

On motion of Mr. Grey—5. A bill for the benefit of Columbus.

The committee on Internal Improvement was directed to prepare and bring in the 1st, 3d, 4th and 5th; and Messrs. J. Speed Smith, Russell and Hobbs were appointed a committee to prepare and bring in the 2d.

Mr. Bruce, from the select committee to whom was referred a bill for the benefit of the Maysville and Bracken Turnpike Road Company, reported the same without amendment, and said bill was made the special order of the day for Monday next, at half past 10 o'clock.

And then the Senate adjourned.

MONDAY, FEBRUARY 19, 1849.

A message was received from the House of Representatives, announcing that they had concurred in the amendment proposed by the Senate, to the amendment proposed by the House of Representatives, to a bill from the Senate, entitled, an act for the benefit of Edwin Trimble.

That they concurred in the amendments proposed by the Senate, to bills from that House, of the following titles, to-wit:

An act to authorize the payment of the amount due to the Commissioners of the road from Bowling-green to the mouth of Salt River.

An act for the benefit of John Carr, a lunatic.
An act declaring certain streams in Floyd and other counties navigable.

An act to amend the charter of the Kentucky and Louisville Mutual Insurance Company.

An act to divorce John Adair, of Monroe county.

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

An act to divorce John R. Pates.

An act giving the County Courts of Laurel and Clay the power of appointing commissioners and overseers of the Goose Creek Turnpike Road.

An act to incorporate the Owingsville and Sharpsburg Turnpike Road Company.

An act to amend the law establishing the town of Creelsboro', approved 9th February, 1819.

An act to allow an additional Constable to Shelby county.

That they had passed bills from the Senate of the following titles, to-wit:

An act to amend the charter of the Louisville and Frankfort Railroad Company.

An act for the benefit of the Leesburg Light Artillery Company.

An act for the benefit of the Hustonville Uniform Infantry Company.

An act for the benefit of School District No. 9, in Russell county.

An act for the benefit of the Somerset Seminary.

An act for the benefit of George Stivers, Sr., of Clay county.

An act for the benefit of the heirs of Edward Haley, deceased.

An act for the benefit of the widow and heirs of George Fry, deceased.

An act for the benefit of William Wallace Blackwell and others, of Clarke county.

An act to amend an act to incorporate the Trustees and Stockholders of the Dean and Gracy Fund.

An act to charter the town of Princeton, and for other purposes.

An act to amend the road law of Boone county.

An act amendatory of an act, entitled, an act to incorporate the Paris, Winchester and Kentucky River Turnpike Road Company, approved February 25, 1848.

An act for the benefit of the late Sheriff of Grant county.

An act to incorporate the Flat Lick Seminary, in Knox county.

An act to construct a Turnpike Road from Versailles to the Kentucky river, at or near McConn's ferry, and from Versailles to Munday's or Singleton's landing.

An act for the benefit of the President, Directors and Company of the Bon Harbour Mining and Manufacturing Company.

An act for the benefit of the town of Newport.
An act to incorporate the Clark's River Bridge Company, in McCracken county.

An act for the benefit of the Barren River Navigation and Manufacturing Company.

An act to charter the Nicholas Savings Institution, and amend the charter of the Versailles Savings Institution.

An act to change the names of Samuel W. Grant and others, to that of Atkinson.

An act authorizing the Board of Internal Improvement to settle the accounts of James R. Skiles.

An act for the benefit of Abel Sullivan.

An act to restore the Middle term of the Campbell Circuit Court.

An act to authorize the Trustees of the Parsonage of the Methodist Episcopal Church South, in Mountsterling, to sell a part of the parsonage lot, and for other purposes.

An act to incorporate the town of South Carrollton, in Muhlenburg county.

An act to change the name of the town of Marion, in Scott county, to that of Oxford.

An act for the benefit of Wm. Stillwell and others, of East Maysville.

An act for the benefit of the Sheriff of Campbell county.

An act to change the time of holding the Anderson and Franklin Circuit Courts.

An act to change the time of holding the Hopkins Circuit Court, and for other purposes.

With amendments to the three last named bills.

That they had passed bills of the following titles, to-wit:

1. An act to establish the Kentucky College of Medicine and Surgery.

2. An act to revive an act, entitled, an act to incorporate a Company to construct a Turnpike Road from Shelbyville to the contemplated Railroad near Christiansburg, in Shelby county, approved Feb. 29, 1836.

3. An act to allow Greenup county an additional Justice of the Peace, and additional constables to Henry and Cumberland counties.

4. An act to amend the charter of the Danville and Perryville Turnpike Road Company.

5. An act granting a change of venue to James H. Arnold.

6. An act to authorize the Register of the Land Office to extend a line of survey in the name of J. Eubank, in Monroe county.

7. An act for the benefit of the Board of Internal Improvement, of Lincoln county.

8. An act to change the name of Martha Frisler, and for other purposes.

10. An act to improve the navigation of Middle and Beaver creeks, in Floyd county.
11. An act for the benefit of the Sheriffs of Henry and Union counties.
12. An act to amend the charter of the Licking and Lexington Railroad Company.
13. An act for the benefit of Sophia Scott.
14. An act for the benefit of George W. King.
15. An act to amend the charter of the Lancaster and Crab Orchard Turnpike Road Company.
16. An act to extend the limits of Campbellsville.
17. An act to allow an additional Justice of the Peace to Spencer county.
19. An act to amend the charter of the town of Lower Cloverport.

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

The constitutional rule as to the second reading being dispensed with, they were referred; the 1st to the committee on Education; the 2d, 4th, 7th, 9th, 10th, 12th, 14th, 15th and 18th to the committee on Internal Improvement; the 3d, 8th and 17th to the committee on Propositions and Grievances; the 5th, 6th, 16th and 19th to the committee on the Judiciary; and the 11th and 13th to the committee on Finance.

On the motion of Mr. McMillan,
Resolved, That all that portion of the annual report of the Board of Internal Improvement, that refers to the comparative expenditures of said Board, for repairs on the Kentucky river navigation, for the years 1847 and 1848, and the “amount of permanent improvement in the way of repairs” for said years, be referred to a select committee to “be looked to,” “for the purpose of ascertaining the fact whether the expenditures are now, and heretofore have been, what they should be,” and that said committee report the facts to the Senate.

Messrs. McMillan, Williams and Boyd, were appointed a committee pursuant to said resolution.

The Senate resumed the consideration of a bill for the benefit of the Maysville and Bracken Turnpike Road Company.

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

The yeas and nays being required thereon, by Messrs. Barnett and McMillan, were as follows, to-wit:

Messrs. Barbour, Grey, Thurman,
Boyd, Hawkins, Todd,
Brien, Hobbs, Tripplett.
On the motion of Mr. Barbour, leave was given to bring in a bill authorizing the Clerk of the Caldwell Circuit Court to have a deputy sworn in during vacation; and Messrs. Barbour, Linthicum and Bradley were appointed a committee to prepare and bring in said bill.

After a short time, Mr. Barbour reported said bill, which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second and third readings of said bill being dispensed with, and the same being engrossed,

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

A bill from the House of Representatives, entitled, an act to amend an act, entitled, an act to amend the law to prohibit the importation of slaves into this State, came up as the special order of the day.

The said bill was read the third time.

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

The yeas and nays being required thereon, by Messrs. Hogan and Barbour, were as follows, to-wit:

Those who voted in the affirmative were—

Messrs. Barbour, Evans, Rice,
Barnett, Grey, Russell,
Bradley, Hambleton, Thurman,
Brien, Heady, Waite,
Bruce, Hogan, Wall,
Draffin, McClure, White,
Eaker, McNary, Young—22.

Those who voted in the negative were—

Messrs. Boyd, McMillan, Thornton,
Chiles, Munford, Todd,
Coffer, Speed Smith, Triplett,
Hawkins, Speed, Walker,
Hobbs, Thomas, Williams—16.
Linthicum, Young—21.

Resolved, That the title of said bill be as aforesaid.
Mr. Wall moved to reconsider the vote by which said bill was passed.
The question being taken thereon, it was decided in the negative.
The yeas and nays being required thereon, by Messrs. Hogan and
Barbour, were as follows, to-wit:

Those who voted in the affirmative, were—

Messrs. Boyd, McMillan, Todd,
Chiles, Munford, Triplett,
Cofer, Speed, Walker,
Hawkins, Thomas, Wall,
Hobbs, Thornton, Williams—16.
Linthicum,

Those who voted in the negative, were—

Messrs. Barbour, Evans, Rice,
Barnett, Grey, Russell,
Bradley, Hambleton, Speed Smith,
Brien, Heady, Thurman,
Bruce, Hogan, Waite,
Eaker, McClure, White,
English, McNary, Young—21.

The Senate resumed the consideration of the resolution moved by
Mr. J. Speed Smith, from the committee on Internal Improvement, on
the 17th instant, in relation to the claim of Robert Williams.
The said resolution was twice read and adopted.
Mr. J. Speed Smith, from the committee on Internal Improvement, re-
ported the following bills, to-wit:

A bill to incorporate the Licking Steamboat Navigation Company.
A bill to charter sundry Turnpike Road Companies in Madison county.
Which bills were each read the first time, and ordered to be read a
second time.

The constitutional rule as to the second and third readings of said bills
being dispensed with, and the same being engrossed,

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

Mr. J. Speed Smith, from the same committee, to whom was referred
a bill to amend the charter of the Winchester and Mountsterling Turn-
pike Road Company, reported the same without amendment.

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

The constitutional rule as to the third reading of said bill being dis-
pensed with, and the same being engrossed,

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

Mr. J. Speed Smith, from the same committee, to whom was referred
bills from the House of Representatives, of the following titles, to-wit:

An act declaring Big Mud creek, in Butler county, a navigable
stream.
An act for the benefit of A. J. Gatewood, of Barren county. 
Reported the same without amendment.
Ordered, That said bills be read a third time.
The constitutional rule as to the third reading being dispensed with, 
Resolved, That 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. 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 to authorize a subscription of stock on the part of the State to aid in the construction of bridges across Green and Salt rivers, and having gone through the same, had directed him to report the bill to the Senate, without amendment.

Mr. Hogan moved an amendment to said bill.
Mr. Evans moved to lay said bill and amendment on the table till the 25th inst.
The question being taken thereon, it was decided in the negative.
The yeas and nays being required thereon, by Messrs. Cofer and Evans, were as follows, to-wit:

Those who voted in the affirmative, were—

Messrs. Barnett, English, Rice, 
Bradley, Hambleton, Thornton, 
Brien, McClure, Wall, 
Eaker, McNary, Young—12.

Those who voted in the negative, were—

Messrs. Barbour, English, Speed, 
Boyd, Hobbs, Thomas, 
Bruce, Hogan, Todd, 
Chiles, Linthicum, Triplett, 
Cofer, McMillan, Waite, 
Draffin, Mumford, Walker, 
Evans, Russell, White, 
Grey, Speed Smith, Williams—25.

Ordered, That said bill and amendment be committed to the committee on Internal Improvement.

Engrossed bills of the following titles were severally read the third time, to-wit:

An act authorizing the Marshall County Court to change a part of the State road leading from Hopkinsville to Columbus.
An act to promote the growth and manufacture of silk.
An act to divorce Jane Gatliif.
Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

An engrossed bill, entitled, an act to provide for a geological and mineralogical survey of the State, was read the third time.

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

The yeas and nays being required thereon by Messrs. Hogan and Heady, were as follows, to-wit:

Those who voted in the affirmative, were—


Those who voted in the negative, were—


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

An engrossed bill, entitled, an act in relation to the several Banks of this State, was read the the third time, and laid on the table.

A message, in writing, was received from the Governor, by Mr. Harlan, Assistant Secretary of State.

The rule of the Senate being dispensed with, the said message was taken up, and read as follows, to-wit:

Executive Office, February 19th, 1849.

Gentlemen of the Senate and House of Representatives:

I would respectfully invite the attention of the General Assembly to the enclosed printed report, on the subject of International Exchanges, by Alexandre Vattemare. It will be seen, by an examination of the report, that the Congress of the United States, and the Legislature of many of the States, have given a prompt and favorable answer to the propositions of Monsieur Vattemare, and it is obvious that the proposed exchanges will be a very valuable acquisition to the Public Library and the literary institutions of our State. It was the intention of M. Vattemare to have visited the capital of Kentucky, and to have made a personal explanation of his plan to the Legislature, but circumstances have prevented him from doing so. I therefore, in view of the importance and interest of the subject, commend it to your consideration.

J. J. CRITTENDEN.

[For Report—see H. R. Journal]
Ordered, That said message and accompanying documents be referred to the committee on Federal Relations.

Resolved, That the Senate concur in the amendments proposed by the House of Representatives, to a bill from the Senate, entitled, an act for the benefit of the Sheriff of Campbell county.

A bill from the Senate, entitled, an act to change the time of holding the Hopkins Circuit Court, and for other purposes, as amended by the House of Representatives, was taken up.

Resolved, That the Senate concur in the amendment proposed by the House of Representatives to said bill, with an amendment to said amendment.

Bills from the House of Representatives, of the following titles, were severally read the first time, to-wit:  
1. An act for the benefit of S. Renfro and others.  
2. An act to incorporate the Harrodsburg Springs Company.  
3. An act to amend an act establishing an election precinct in Mason county.  
4. An act to incorporate the New Liberty and Marion Turnpike Road Company.  
5. An act to regulate the duties of the Police Judge of the town of New Liberty, and for other purposes.  
6. An act to change the names of Louisa Turner, and others.  
7. An act to incorporate the Franklin Fire Company, No. 2, of Covington.

Ordered, That said bills be read a second time.

The constitutional rule as to the second reading of said bills being dispensed with, they were referred—the 1st to the committee on Finance; the 2d, 5th and 7th to the committee on the Judiciary; the 3d to the committee on Privileges and Elections; the 4th to the committee on Internal Improvement; and the 6th to the committee on Propositions and Grievances.

Mr. Evans, from the committee on Education, reported a bill for the benefit of certain children in District No. 1, in Graves county, which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second and third readings of said bill being dispensed with, and the same being engrossed,

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

On the motion of Mr. Boyd, leave was given to bring in a bill to amend the charter of the Flemingsburg and Mt. Carmel Turnpike Road Company, and the committee on Internal Improvement was directed to prepare and bring in said bill.

And then the Senate adjourned.
A message was received from the House of Representatives, announcing that they had received official information that the Governor had approved and signed enrolled bills which originated in that House, of the following titles, to-wit:

An act for the benefit of James Cowan’s heirs.
An act for the benefit of George Dunn, Jailer of McCracken county.
An act to incorporate the Boone Monumental Association.
An act to incorporate Barker Lodge, and for other purposes.
An act to incorporate the Henderson Cemetery Company.
An act to enlarge the Hadensville Constable’s district, in the county of Todd.
An act providing for running and marking a part of the county lines between Pike, Floyd and Lawrence.
An act to establish an additional election precinct in Allen county.
An act to allow an additional Justice of the Peace to the county of Adair.
An act for the benefit of Jesse F. Atchison, and others.
An act to change the August Chancery term of the Christian Circuit Court.
An act supplemental to an act incorporating the Newtown and Lexington Turnpike Company.
An act to revive an act to incorporate a Company to construct a Turnpike from Lancaster to Crab Orchard.
An act for the benefit of Julia E. Crowduz.
An act to incorporate a Literary Association in the county of Garrard.
An act for the benefit of John C. Walker, guardian of Henry A. Ditto.
An act to incorporate the Bethlehem Baptist Church, of Hart county.
An act to incorporate the Master and Wardens of Alexandria Lodge, No. 152, at Alexandria, in Campbell county.
An act to divorce Harriet J. Wheeler.
An act to divorce Henry R. Bishop.
An act to divorce George W. McKinney.
An act to divorce William H. Jackson.
An act to divorce Willis Hammon.
on the 10th day of January last, requiring the committee on the Judiciary to bring in a bill abolishing punishment by death for any crime.

The question being taken on the adoption of said resolution, it was decided in the negative, and so the said resolution was rejected.

Mr. Evans, from the committee on Education, to whom was referred a bill from the House of Representatives, entitled, an act to incorporate the Irvine Seminary, in the county of Estill, reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional rule as to the third reading being dispensed with,

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

Mr. Evans, from the same committee, read and laid on the table the following preamble and resolution, to-wit:

WHEREAS, The subject of education is one of deep and vital importance, and should be so regarded and cherished by every well organized community, and should be promoted and sustained by all practicable means: and whereas, it is believed Kentucky has heretofore been too neglectful in providing the means to sustain a system of Common Schools; and, moreover, its success is deemed somewhat doubtful if left alone to the fluctuations of legislation: and whereas, the people, by a vote of near 38,000 majority, at the last August election in this State, declared not only in favor of a system of Common Schools, but a willingness to be taxed to sustain the same. Therefore,

Resolved by the General Assembly of the Commonwealth of Kentucky, That we hereby recommend to the people of this State, to sign and send memorials to the Convention to meet next October, for the purpose of amending the Constitution, praying said Convention, (should they change said Constitution,) to insert a clause in the Constitution made by them, requiring the Legislature to create and maintain, by legislation, some system of education, by which the great mass of the people may be educated.

The rule of the Senate being dispensed with, the said preamble and resolution were taken up, twice read, and adopted.

Mr. Eaker, from the committee on Privileges and Elections, to whom was referred bills from the House of Representatives, of the following titles, to-wit:

An act to amend an act establishing an election precinct in Mason county.

An act to establish election precincts in Clarke, Henderson and Hart counties.

An act to establish election precincts in Taylor and Laurel counties, and for other purposes.

An act to establish election precincts in Calloway and Bullitt.

Reported the same without amendment.

Ordered, That said bills be read a third time.
The constitutional rule as to the third reading being dispensed with, 
Resolved, That said bills do pass, and that the titles thereof be as afore-
said.

The following bills were reported, to-wit:
By Mr. Grey, from a select committee:
A bill authorizing the establishment of a State road from Pembroke to
Green river.
A bill to amend an act, entitled, an act to extend the limits of the town
of Hopkinsville.
By Mr. English, from a select committee:
A bill to incorporate the Henry and Trimble Turnpike Road Company.
By Mr. Eaker, from the committee on Privileges and Elections:
A bill to change the place of voting in the Flint Island precinct, in
Breckinridge county.

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

The constitutional rule as to the second and third readings of said bills
being dispensed with, and the same being engrossed,
Resolved, That the said bills do pass, and that the titles thereof be as
aforesaid.

Mr. Eaker moved the following resolution, to-wit:
Resolved, That during the remainder of the session, the Senate will meet
at the hour of 9 o'clock, A. M.

Mr. Boyd moved to amend the said resolution, by striking out all after
the words remainder of the session, printed in italic, and inserting, in lieu
thereof, the following:
"The Senate will meet at 10 o'clock in the morning, take a recess at
half past 1 o'clock, and meet again at 3 o'clock, P. M."

Mr. Cofer moved to lay the said resolution and amendment on the ta-
ble.

The question being taken thereon; it was decided in the affirmative.
The yeas and nays being required thereon, by Messrs. Eaker and
Boyd, were as follows, to-wit:

Those who voted in the affirmative, were—

Those who voted in the negative, were—
Messrs. Brien, Evans, Bruce, Hambleton, Thomas, Waite,
Mr. McNary, from the committee on the Public Buildings, reported a bill further to provide for the protection of the State House, which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second reading being dispensed with, the said bill was amended.

The said bill reads as follows, to-wit:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky, That from and after the passage of this act, the passage of the Capitol, in the basement story, shall be under the supervision of the Public Librarian, whose duty it shall be to keep the same clean, and clear of any and all nuisances, and he shall be entitled to the sum of twenty five dollars per annum, for his services. Any person using the same in an indecent or unbecoming manner, or different from their original design, by evidence of the facts, may be fined any sum not exceeding five dollars, before some Justice of the Peace of Franklin county; and any fine recovered under the provisions of this act, shall be for the use of the Librarian.*

Mr. Draffin moved to amend said bill, by striking out twenty five dollars, the compensation therein named.

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

The yeas and nays being required thereon, by Messrs. Draffin and Evans, were as follows, to-wit:

Those who voted in the affirmative, were—

Messrs. Barbour, Evans, Munford,
Bradley, Hambleton, Rice,
Coffer, Heady, Speed,
Draffin, Hogan, Walker,
Eaker, McClure, Young—16.

Those who voted in the negative, were—

Messrs. Boyd, Linthicum, Thornton,
Brien, McMILLAN, Todd,
Bruce, McNary, Waite,
Chiles, Russell, Wall,
Grey, Speed Smith, White,
Hawkins, Thomas, Williams—19.

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

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

The question was taken on the passage thereof, and it was decided in the negative, so the said bill was rejected.
The yeas and nays being required thereon, by Messrs. Evans and Draffin, were as follows, to-wit:

Those who voted in the affirmative, were—

Messrs. Boyd, Hobbs, Speed Smith, Speed
Brien, Linthicum, Thomas
Bruce, McMillan, Thornton
Chiles, McNary, Tripplet
Grey, Munford, Waite
Hawkins, Russell, Williams

Those who voted in the negative, were—

Messrs. Barbour, Evans, Speed
Burnett, Hambleton, Todd
Bradley, Heady, Walker
Cofer, Hogan, Wall
Draffin, McClure, White
Eaker, Rice, Young
English,

And then the Senate adjourned.

WEDNESDAY, FEBRUARY 21, 1849.

A message was received from the House of Representatives, announcing that they had disagreed to a bill from the Senate, entitled, an act for the benefit of Wm. Stillwell and others, of East Maysville.

That they had passed bills from the Senate of the following titles, to-wit:

An act to amend an act, entitled, an act to incorporate the town of Mayfield, and for other purposes.
An act to change the Fall term of the Clay Circuit Court, and in relation to the Fleming Circuit Court.
An act respecting conveyances by married women.
An act to incorporate the Male and Female Institute of Calloway county, and Shelbyville Female College.

That they had passed bills of the following titles, to-wit:
An act to establish the town of Brooklyn, in Campbell county.
An act for the benefit of the McCracken County Court.
An act for the benefit of the Jailer of Ballard county.
An act to amend an act, entitled, an act to incorporate the Maysville Manufacturing Company, and for other purposes, approved March 2, 1844.
An act for the benefit of the heirs of Thomas Taylor, deceased.
An act for the benefit of Narcissa Amanda Morgan.
An act to authorize Robert T. Stratton to sell certain lands belonging to the estate of Peter Stratton, deceased.
An act to incorporate the Brooksville and Rock Spring Turnpike Road Company.
An act for the benefit of the heirs of Hiram Duley, deceased, of Fleming county.
An act for the benefit of the Mechanics of Garrard county.
An act to amend the charter of the city of Louisville, and for other purposes.
An act to amend the charter of the Louisville and Frankfort Railroad Company.
An act to incorporate the Jefferson Insurance Company of Louisville.
An act to change the mode of advertising the forfeiture and sale of lands for taxes.
An act to amend an act, entitled, an act for the benefit of the Mechanics of the city of Louisville, approved December 22d, 1831.
An act for the benefit of the Campbell County Court.
An act to incorporate the several Masonic Institutions of Louisville.
An act to incorporate the German Roman Catholic St. Boniface Benevolent Society of Louisville.
An act for the benefit of David Logan and his children.
An act to extend the powers of the Trustees of the town of New Castle.
An act for the benefit of C. M. Matthews.
An act for the benefit of Jesse Van Sickles.
An act incorporating the German Jefferson Benevolent Society of Louisville.

On the motion of Mr. Russell,
Ordered, That a message be sent to the House of Representatives, to ask leave to withdraw the report of the concurrence of the Senate, in the amendment proposed by the House of Representatives, to a bill from the Senate, entitled, an act to amend an act concerning mill dams and other obstructions in water courses, approved 23d February, 1797, with an amendment to said amendment; and Mr. Russell was directed to carry said message.

Said bill having been returned to the possession of the Senate, the vote concurring in the amendment of the House of Representatives, with an amendment, was reconsidered, and said bill was referred to the committee on the Judiciary.

Mr. Bradley, from the joint committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:
An act for the benefit of the administrator and heirs of James G. Hazlerigg, deceased.
An act in relation to the Clerks of the Marshall Circuit and County Courts.
An act to enlarge the powers of the Trustees of the town of Hamilton, in Boone county, and for other purposes.
An act to amend an act for condemning lands for public purposes, approved February 26, 1842, and for other purposes.
An act for the benefit of John J. Greenwade and Mary, his wife.
An act for the benefit of the heirs of Nancy Strother and Margaret B. Carpenter.
An act to amend the laws relating to the town of Frankfort.
An act to incorporate Owen Lodge, No. 128, and Owen Chapter, No. 23.
An act for the benefit of Radford J. Maxey, of Monroe county.
An act for the benefit of the administrator and heirs of Polly Armstrong, deceased.
An act to amend an act, entitled, an act to incorporate the town of Greensburg.
An act for the benefit of Lodge, No. 138, of Ancient York Masons.
An act for the benefit of School District No. 9, in Russell county.
An act for the benefit of the Somerset Seminary.
An act for the benefit of George Stivers, Sr., of Clay county.
An act for the benefit of William Wallace Blackwell and others, of Clarke county.
An act to amend an act to incorporate the Trustees and Stockholders of the Oan and Gracy Fund.
An act to charter the town of Princeton, and for other purposes.
An act amendatory of an act, entitled, an act to incorporate the Paris, Winchester and Kentucky River Turnpike Road Company, approved February 25, 1848.
An act for the benefit of the late Sheriff of Grant county.
An act for the benefit of the town of Newport.
An act for the benefit of the Barren River Navigation and Manufacturing Company.
An act to change the names of Samuel W. Grant and others, to that of Atkinson.
An act authorizing the Board of Internal Improvement to settle the accounts of James R. Skiles.
An act to incorporate the Springfield, Maxville and Harrodsburg Turnpike Road Company.
An act for the benefit of Abel Sullivan.
An act to restore the Middle Term of the Campbell Circuit Court.
An act to change the name of the town of Marion, in Scott county, to that of Oxford.

And had found the same truly enrolled.

The said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approbation and signature. After a short time, Mr. Bradley reported that the committee had performed that duty.

Mr. White, from a select committee, reported a bill for the benefit of John Morris and Job Allen, of Clay county, which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second reading being dispensed with, Mr. Hogan moved an amendment to said bill.

Ordered, That said bill and amendment be referred to the committee on Finance, with instructions to report the same on to-morrow, at half past 10 o'clock.

Mr. Evans, from the committee on Education, to whom was re-committed a bill from the House of Representatives, entitled, an act to repeal the charter of Augusta College, reported the same with an amendment as a substitute for said bill.

Mr. Linthicum moved the previous question, which was decided in the affirmative.

The main question was then put, “shall the bill be read a third time,” and it was decided in the affirmative.

The constitutional rule as to the third reading of said bill being dispensed with,

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

The yeas and nays being required thereon, by Messrs. Wall and Hobbs, were as follows, to-wit:

Those who voted in the affirmative, were—

Messrs. Barbour, Barnett, Bradley, Brian, Bruce, Draffin, Eaker, English, Evans,

Grey, Hambleton, Heady, Hobbs, Hogan, Linthicum, McClure, Munford, Rice,

Russell, Speed Smith, Speed, Thornton, Thurman, Walker, White, Williams, Young—27.

Those who voted in the negative, were—

Messrs. Boyd, Chiles, Hawkins, McMillan,

McNary, Thomas, Todd,

Triplett, Waite, Wall—10.
Resolved, That the title of said bill be as aforesaid.

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

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

The Speaker laid before the Senate a report from the Board of Internal Improvement, in response to a resolution of the Senate, adopted on the 19th of January last, which is as follows, to wit:

OFFICE OF BOARD OF INTERNAL IMPROVEMENT, 
February 20, 1849.

Sir: In obedience to resolution of the Senate, of the 19th of January past, in relation to the expense, &c., of repair of the Logan, Todd and Christian Turnpike Road, I respond:

1. Having no information of the past management of said road, other than stated in my annual report, I addressed a note, enclosing a true copy of said resolution, to John P. Campbell, Esq., of the town of Hopkinsville, requesting specific answers to the matters therein referred, as President of said Board. To which letter of request, I received an answer, together with a detailed statement of repairs, expenditures, &c.; which letter and statement are here referred to, as part hereof, marked A.

All which is respectfully submitted,

O. G. CATES, P. B. I. I.

To the Hon. John L. Helm, 
Lieut. Governor and Speaker of the Senate.

[ A ]

O. G. CATES, Esq.,

Hopkinsville, Ky., February 5th, 1849.

Dear Sir: Your favor of the 26th ultimo, I received on the 1st inst., and have embraced the first convenient moment to reply to it, which I hope will be satisfactory in its details. Upon the organization of the Logan, Todd and Christian Turnpike Road Company, I was elected its President, and at each of the successive elections, the individual stockholders continued to confide the trust to me, and the last election took place in 1846. I will refer you to our report in 1845, and the subsequent ones, for reasons assigned with regard to tolls and repairs to the Turnpike Road, &c. The gate keepers have generally had monthly pay, when the tolls at their gates would allow. They were not to bring the Company in debt, when the tolls were insufficient to pay them. They were authorized to make temporary repairs to the road, and have all obstructions removed, &c. In 1846, T. W. Taylor agreed to keep the road in repair from Russellville to Elkton, for the tolls received at his gate, and in 1847, he failed to repair some five or six sections below Russellville; and early in 1848, he reported that his gate was located within the prohibited distance of the town limits of Elkton, and must discontinue taking toll. He was directed to remove his gate to such distance as not prohibited by law, and it was some time in early fall, (September,) before I knew he was not receiving toll at his gate. At that time he agreed
to remove the gate and close it, and he was again directed to repair the road from Elkhon to Russellville; and again in October the same directions were given to him. From some cause, Mr. Taylor failed to comply, which, I learn, has produced a state of things in Logan, much to be regretted—the County Court of Logan taking the control of the road lying in Logan. The road would have been repaired along its whole length, but for the unpropitious season preventing the hands engaged in repairing the road, from prosecuting their work. We have endeavored to keep up the road by expending the tolls, and as little over as possible, after the year 1844, when it was indispensable that it should be repaired; and, owing to its construction, (the plan having been furnished by the Board of Internal Improvement), we are necessarily compelled to expend more money than would be required if otherwise made. Of this you are well apprised, and, instead of our expenses for repairs diminishing, they will continue to increase, and we have to appeal to the justice of the Legislature to relieve us from such a state of things, by appropriating an amount of money sufficient to meet the amount paid, and would be paid by individual stockholders, and let it be applied to the completion of the road, beginning at the Cumberland river; and, as means are afforded, continue the work until the road is finished. We have had five toll gates, now four—one of which was said to be a mile above Elkhon, the 2d at Lackey’s, eight miles below Elkhon, the 3rd at Woods’, one and one half miles from and below Hopkinsville, the 4th at Masons’, one and one half miles above Princeton, and the 5th at George W. Cash’s, half way between Princeton and Eddyville. The locations are not the best. We have been compelled to do the best we could. The charter prohibits their location within one mile of the towns, (which ought to be repealed,) and restricts their distance apart to five miles. From the character of our settlements, we have very few points but can be avoided by those disposed to do so, and very many avail themselves of it. We have generally thrown open our gates in winter and early spring, also, whenever the road is very deep with mud, which diminishes, in a good degree, the tolls. In fact, there are but two months in the year, October and November, we get anything like liberal tolls, and then at only two gates, which is taken from movers. Contracts for repairs have been verbal, and under the directions of the President, who has attended to the road, (by the direction of the Local Board,) since June, 1844. Previous to that time, there was an officer of the Board who attended to those duties at a salary of seven hundred dollars per annum, and as soon as we found that the Legislature clearly indicated that we need not expect any further appropriation to the work, we discontinued the services, at least the pay of said officer, at the close of the year 1843. I have since discharged all the duties without receiving pay, and bearing my own expenses, and I have been prompted to this from a desire that the road be kept up until a period should arrive when the condition of the country would enable it to take up the road and complete it. You are well aware that my private interests are sufficiently onerous for one of my age, without desiring to be connected with this additional duty, and of which I would be gladly relieved.

I am, with great respect, yours, &c...

JNO. P. CAMPBELL, Pres'.
I send a statement of tolls and repairs to turnpike road, toll gates and keepers' wages, &c.

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### 1844. RECEIPTS.

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<tr>
<th>Description</th>
<th>Amount</th>
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<tbody>
<tr>
<td>Tolls received at Elkton gate</td>
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<td>Tolls received at Hopkinsville gate</td>
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<td>Tolls received at Princeton gate</td>
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<td>Tolls received at Cash's gate</td>
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<td><strong>Balance</strong></td>
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### 1844. EXPENDITURES.

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<tr>
<th>Description</th>
<th>Amount</th>
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<tr>
<td>Paid T. W. Taylor, Keeper, wages and repairs to road</td>
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<tr>
<td>Paid Wm. Northern, Keeper, wages and repairs to road</td>
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<td>Paid S. W. King, Keeper, wages 10 months</td>
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<td>Paid Geo. W. Cash, Keeper, services</td>
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<tr>
<td>Paid James Washington for Lot of $75</td>
<td>$20.00</td>
</tr>
<tr>
<td>Paid for recording Dead for same</td>
<td>$5.00</td>
</tr>
<tr>
<td>Paid S. W. King, for building Toll House</td>
<td>$150.00</td>
</tr>
<tr>
<td>Paid H. Hoson, repairs, 4 sections</td>
<td>$30.00</td>
</tr>
<tr>
<td>Paid T. B. Pool, repairs, 1 section</td>
<td>$30.00</td>
</tr>
<tr>
<td>Paid Wm. A. Owen, repairs, 3 sections</td>
<td>$60.00</td>
</tr>
<tr>
<td>Paid Wm. A. Owen, repairs and paving section</td>
<td>$68.00</td>
</tr>
<tr>
<td>Paid W. W. Johnson, repairs, 1 section</td>
<td>$30.00</td>
</tr>
<tr>
<td>Paid M. Holeman, repairs, 14 sections</td>
<td>$260.00</td>
</tr>
<tr>
<td>Paid M. Holeman, paving 54 rods</td>
<td>$135.00</td>
</tr>
<tr>
<td>Paid M. Holeman, paving on section 76</td>
<td>$70.00</td>
</tr>
<tr>
<td>Paid T. Lyne, repairs of 4 sections and paving a Bridge</td>
<td>$85.58</td>
</tr>
<tr>
<td>Paid F. Morehead, repairs, 5 sections</td>
<td>$95.00</td>
</tr>
<tr>
<td>Paid John Bucy, repairs, 8 sections</td>
<td>$170.00</td>
</tr>
<tr>
<td>Paid H. Newsom, repairs by M. Holeman</td>
<td>$350.00</td>
</tr>
</tbody>
</table>

*This amount charged to stock account.*

**$1,141.68**

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### 1845. RECEIPTS.

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tolls collected at Elkton gate</td>
<td>$88.74</td>
</tr>
<tr>
<td>Tolls collected at Morrow's, new gate</td>
<td>$48.00</td>
</tr>
<tr>
<td>Tolls collected at Hopkinsville gate</td>
<td>$183.00</td>
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<tr>
<td>Tolls collected at Princeton gate</td>
<td>$191.39</td>
</tr>
<tr>
<td>Tolls collected at Cash's gate</td>
<td>$52.84</td>
</tr>
<tr>
<td>Tolls collected of N. E. Gray, stage privilege</td>
<td>$135.00</td>
</tr>
</tbody>
</table>

### 1845. EXPENDITURES.

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Paid T. W. Taylor, Keeper, $72, certificate to Garth $5.50</td>
<td>$77.50</td>
</tr>
<tr>
<td>Paid J. S. Lindsay, pay 2 months $32, repairs to gate $4.62</td>
<td>$36.63</td>
</tr>
<tr>
<td>Paid Wm. Northern, services and repairs</td>
<td>$89.75</td>
</tr>
<tr>
<td>Paid F. Mason, services 7 months</td>
<td>$70.00</td>
</tr>
<tr>
<td>Paid G. W. Cash, services, &amp;c.</td>
<td>$52.84</td>
</tr>
<tr>
<td>Paid F. Mason, repairs to road</td>
<td>$51.00</td>
</tr>
<tr>
<td>Paid F. Miller, repairs, 28 sections</td>
<td>$280.00</td>
</tr>
<tr>
<td><strong>Balance</strong></td>
<td><strong>$647.72</strong></td>
</tr>
</tbody>
</table>

**$688.97**
1846. RECEIPTS.
Tolls collected at Elkton gate, ........................................ $ 83 20
Tolls collected at Lackey's gate, ..................................... 122 00
Tolls collected at Hopkinsville gate, .............................. 315 15
Tolls collected at Princeton gate, ................................... 375 39
Tolls collected at Cash's gate, ....................................... 91 48
Tolls collected of N. E. Gray, stage privilege, ................. 135 00
Balance, ........................................................................... $ 1,112 02
........................................................................................ $ 1,157 91
1846. EXPENDITURES.
Paid T. W. Taylor, wages, &c., .......................................... $ 83 20
Paid T. S. Lackey, Keeper, $55, and repairs, $3, .................. 68 00
Paid John McCloy, Keeper, 1 months at $15, ................. 96 00
Paid F. Mason, wages and repairs to road, ....................... 130 00
Paid G. W. Cash, Keeper, wages, .................................... 45 24
Paid repairs at Princeton gate, ........................................ 1 50
Paid Isaac Gray, per bill, ................................................ 9 79
Paid P. Miller, repairs 20 sections between Elkton and Hopkinsville, and 30 sections between Hopkinsville and Princeton, 600 00
Paid G. W. Cash, 2 pairs from Princeton to Eddyville, ....... 124 18
........................................................................................ $ 1,157 91
1847. RECEIPTS.
Tolls collected at Elkton gate, ........................................ $ 117 40
Tolls collected at Lackey's gate, ...................................... 118 50
Tolls collected at Hopkinsville gate, .............................. 381 03
Tolls collected at Princeton gate, .................................... 398 60
Tolls collected at Boyd's gate, ......................................... 14 00
John E. Warner, stage privilege, (not paid,) .................... 50 00
T. W. Taylor, stage privilege, .......................................... 40 00
Balance, ........................................................................... $ 1,120 43
........................................................................................ 294 42
1847. EXPENDITURES.
Paid T. W. Taylor, wages 6 months, ................................... $ 60 00
Paid W. Lackey, wages, &c., .......................................... 75 00
Paid B. T. Wood, Keeper, 7 months, ............................... 70 00
Paid F. Mason, Keeper, 9 months, .................................... 95 00
W. W. Shelby, Keeper, no report and removed.
C. Boyd, Keeper, no report and removed.
Paid T. W. Taylor, repairs on road from Elkton to Simmons' Spring, 80 00
Paid P. Miller, repairs from Elkton to Hopkinsville, .......... 380 00
Paid B. T. Wood, 3 sections below Hopkinsville, .............. 63 85
Paid W. Johnson, 14 sections below Hopkinsville, .......... 108 00
Paid L. Nichols, 34 sections below Hopkinsville, .......... 63 00
Paid P. Miller, 4 sections below Hopkinsville, .................. 40 00
Paid C. Mitchell, 7 sections above Princeton, .................. 135 00
Paid P. Miller, from Princeton to Eddyville, and making gutter, 208 00
Paid T. T. Satterfield, making gutter at Princeton, .......... 40 00
Paid Jury fee in Todd--Clerk's fee, Muhlenburg, .............. 7 00
........................................................................................ $ 1,354 85
1848. RECEIPTS.
Tolls collected at Elkton gate, ........................................ $ 2 69
Tolls collected at Lackey's gate, ..................................... 71 50
Tolls collected at Hopkinsville gate, .............................. 377 69
Tolls collected at Princeton gate, ................................... 439 33
H. F. Skinner, stage privilege, ....................................... 1,097 69
T. W. Taylor, stage privilege, ....................................... 111 90
........................................................................................ $ 1,187 82
The foregoing is a correct statement.

JNO. P. CAMPBELL, Pres't.

HOPKINSVILLE, February 5th, 1849.

Ordered, That said report be referred to the committee on Internal Improvement, and that the Public Printer print 150 copies of said report, together with the resolution of the Senate, under which the same was made, for the use of the General Assembly.

The Speaker laid before the Senate, a report from the Board of Internal Improvement, in relation to the claim of John Bussing, which is as follows, to-wit:

OFFICE OF BOARD OF INTERNAL IMPROVEMENT, Frankfort, February 20th, 1849.

To the General Assembly of Kentucky:

By an act to settle and adjust the claim of John Bussing, approved March 1, 1847, the Board of Internal Improvement have had under consideration the petition, documents, evidence, &c., in relation to said claim, and respectfully report thereon, to-wit:

1. The State of Kentucky, in 1842, directed the repair of the Lexington and Ohio Railroad, and for that purpose placed the same under the control of the said Board. In May of that year, the late Col. Wm. R. McKee, as Superintendent of said road, contracted with divers persons for the delivery of material, &c. Among others, a verbal contract was made with the said Bussing, in substance—"that in the event he (Bussing) would deliver, at the office of the road, in the town of Frankfort, 24,000 lineal feet of white oak timber, for sills, &c., he would pay therefor certain specified prices per foot."
2. Afterwards, in the month of September, Bussing prepared a raft of timber at the mouth of Hickman, on the Kentucky river, and started to float the same down to Frankfort. The river being low, with some difficulty he approached within about ten miles of Lock and Dam, No. 5, and there left his raft in shoal water, thinking he might reach and pass the lock, provided the sluice gates of the dam were closed: he applied to the persons then working on the Lock and Dam, for leave to do so, but was refused. He afterwards applied to the Board for permission to close the sluice gates, but the Board not having the control of the Lock and Dam, No. 5, (the same not having been received from the Contractors,) likewise declined interference in the matter, as the water was needed in the pools below. But, in order to aid the said Bussing to forward his raft of timber, and at the same time hasten the repairs of the road, they sent a special message to Bussing, then at his raft of timber above Lock No. 5, to inform him “that if he would pass his timber over or around said Dam, they would furnish him with boats, men, &c., sufficient to aid in "freighting or floating the timber to Frankfort.” Bussing declined this proposition, because, (as stated by him,) he feared the total loss of his timber by the experiment, and preferred risking a rise in the river. This application to close the sluice gates, and offer of the Board to aid with boats, &c., was made in the month of October.

3. Afterwards, a rise came; portion of the raft sunk; part passed over the Dam, and about 5,000 feet, at great cost and trouble, was delivered, and paid for by the Board. The Legislature being then in session, Bussing, by petition, applied for remuneration for loss and injury of his raft. The claim, as per account filed, marked A, is for 24,000 feet of white oak sills, and 250 cross ties; worth, in all, $1,136.25, subject to a credit of $235, for the portion delivered.

These are the principal facts and circumstances upon which the claim is based, as will be seen by the petition and statements of divers persons, herewith referred to as part hereof, marked (1, 2, 3, 4, 5, 6.)

Although the recited act does not, in express terms, require an opinion of the Board upon the validity of said claim, yet they are induced to believe such was the spirit and intention thereof. Accordingly, they report their conclusions in a brief manner, to-wit:

1. That testing this claim by an application of legal principles, it should not be sustained; because the time of delivery of the timber had expired one month before the raft was started from the mouth of Hickman, and no reason assigned why the same was not started between the month of May and 15th of August, (the day of delivery.)

2. That testing the claim by the rules of equity and justice between man and man, it is equally fatal; because, at the time the contract was made, the Lock and Dam, No. 5, was in the river under the charge of the Contractors, and beyond the control of the Board, and thus continued, until after the raft of timber was sunk; all of which must have been known to Bussing, at the time of his contract—and the Board are satisfied he could have filled his contract before the low stage of water in September and October, if he had used reasonable diligence. The refusal of Bussing to accept the aid of the Board with boats, &c., tends to show he relied on his own judgment; and the risk of a rise in the river; and, therefore, has no one to blame or censure but himself.
3. Testing the claim by the kind principles of mercy, it has more plausibility; because the claimant is a poor but honest man, and has lost much time and money by his negligent and headstrong mode of executing his contract. And if poverty and honesty, weighted down by many misfortunes, should have an influence in this matter, the Board are of opinion that about one third of the claim, as rendered, should be allowed.

All of which is respectfully submitted,

O. G. CATES,
DILLIS DYER,
AUSTIN P. COX.

To Hon. John L. Helm,
Lieut. Governor and Speaker of the Senate.

THE COMMONWEALTH OF KENTUCKY.

To John Bussing,
August, 1842—To 30,000 feet of white oak scantling, 34 by 7 inches, at $1.50 per hundred.

To 4,000 additional feet, ................................. $ 300.00

To 250 cross ties, at 22 ½ cents each, ...................... 56.25

Total, .......................................................... $ 356.25

Credit—By 5,200 feet, ................................. $ 255.00

$ 901.25

It is within the personal knowledge of the undersigned, that Wilson, Knott & Co., contractors for building Lock and Dam, No. 5, Kentucky River Navigation, were actively engaged in the summer and autumn of 1842, in finishing their work at that point—that the Board of Internal Improvement had no control over the work, further than to see it properly executed according to contract—that although the gates were hung, none of the fixtures for opening and shutting the same were attached, so that it gave great trouble to open or shut them. For this reason, and the further one that the Contractor wished the water out of the pool so that he might finish graveling the dam, he, the Contractor, refused to permit the waste gates to be shut.

AUSTIN P. COX.

[1.] The testimony of John Woods, taken at his house on Kentucky river, in Garrard county, and to be read as evidence in the case of John Bussing's petition—

He says: That he has been an old boatman, and has, before the improvement of the Kentucky, and before the invention of steam navigation, assisted in 'floating many a flat boat' to market. He has gone from home to New Orleans and other intermediate points. He is now about 76 or 77 years old. Settled in Garrard county (that now is) when quite young, in the neighborhood of Kentucky river, and has resided immediately upon its banks for more than forty years. He knows all the rip-
ples from his house, two and a half miles above the mouth of Hickman, to the mouth of Kentucky river. There was from Hickman many bad ripples, and amongst others the following: At "White Oak," "Buzzard Bar," "Jessamine," "Little Elk Shoal," "Big Elk Shoal," "Mouth of Dick's river," "Cedar Run," "Cow Shoal," "Indian creek., "Shawnee Run," "Rocky Run," "Carr's," "long shallow water below Carr's, the name of which he does not now recollect," then "Finn's," next "Warwick's," where Oregon now is; next "Clear creek:" next "McCoun's," there are some small ripples in the river not here noticed, but these are the principal ones. I went with Mr. Bussing's timber until we nearly reached "Gilbert's ripples." The difficulties or obstructions in the river, that we had passed, were greater than any we would have had to pass in getting to Frankfort. Before we reached the back water from the Dam of No. 5, we found it necessary, occasionally to make a dam to float our raft; but when we reached the point above "Gilbert's ripple" we stopped, because we could not pass "the Lock." We stopped in consequence of the "Lock," and but for that, could have gone to Frankfort. We had overcome more serious obstructions in the river, than any, from the point where we stopped, to Frankfort. I know all about the river. Bussing used every endeavor that man could do, to get the timbers to Frankfort. I did not particularly count the timbers, but have no doubt, from the appearance of the rafts, there was as much as represented. There are ripples in the river I may have omitted, amongst others, "Fugates," and some one or two others—one below "Carr's," but I am now old, being upwards of seventy five. We repeatedly applied to get through the Lock. It would not have been proper to go further with the timber, without the flood gates were "shut down" or closed. If this had been done, we could have gone through. To throw the timber over the "Dam," would have caused the loss of almost all of it. The officers said the State had better pay for the timber than close the flood gates. This latter remark was made to me by Skelton.

JOHN WOODS.

GARRARD COUNTY, Sct:
The foregoing deposition of John Woods, was this day taken, subscribed and sworn to, before me, Jefferson Dunn, a Justice of the Peace for said county, at the time and place, and for the purpose stated in the caption thereof. Given under my hand, this 14th February, 1849.

JEFFERSON DUNN, J. P. G. C.

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JOHN WOODS sworn: That he has lived about 50 years or more a resident of Kentucky, on or near the Kentucky river. That he has followed boating and rafting the river for about 40 years, and is well acquainted with the river, and all the ripples, &c., on it, from its mouth to his residence, two miles above the mouth of Hickman. Mr. Bussing employed him to bring down the timbers mentioned in his petition; he did not see the timber measured, but supposed there was upwards of 30,000 feet; he is acquainted with timbers, and from its bulk there was that quantity. He had some cross ties; he did not count them, but would suppose between
They were started down the river, he thinks, in September. The river was very low when they were started. The timbers were well fixed for floating. From his knowledge of the river, there would have been no greater difficulty in bringing said timbers down to Frankfort, than to the point where they stopped. They were brought down to the ripple above Gilbert's ripple, and but for being obstructed by the Dam at Lock No. 5, could easily have been brought to Frankfort. He repaired to the Lock for the purpose of getting the waste gates stopped, so that the water could fill into the Lock, that the timbers could pass through, but could not succeed in getting the waste gates closed, as he understood, because the navigation below would be closed. If the waste gates had been stopped, so as to let the water into the Lock, the slack water would have been thrown up to where the timbers were. The timbers were fixed in single rafts—they were 5½ by 7 or 7½ inches. The timbers were sunk, in consequence of a rise of water. They were in five or six miles of the Lock. After the rise, they went down part of the way to the Lock, and there came a freeze. After the thaw, by the settling of the mud and sand upon it, the timber being oak, sunk, and a great portion of it was lost. Every exertion that could be used was used to save the timber. He again states, that but for the Dam and Lock, they could have brought the timber to Frankfort. The difficulties in the river, already passed, were greater than those to be passed from that point.

Michael Shearer sworn: He was employed by Bussing to bring down the timbers. They had 250 cross ties. They had 24,000 feet of timber. That he was raised on the river; and has followed it ever since he was large enough to do so. Concurs in the general statement of Mr. Woods. He came to Frankfort to see the Board of Internal Improvement—saw Mr. Cox, and explained to him the difficulties occasioned by the Dam. Mr. Wilson was not quite done graveling the Dam. They agreed to shut the gates on the 28th, but were raised again on the 29th. The water was needed for the navigation below. The gates were not closed long enough to fill the Lock with the water. It would, he supposes, have taken a rise of water in the Dam to the depth of five feet to have brought the water into the Lock—which rise would have brought the slack water to the point where they were. They could not have passed had the timbers been immediately at the Lock. He understood Mr. Cox to say the State had better pay for the timbers, than lose the benefit of the navigation. It would have cost at least one hundred dollars, and have lost a great portion of it by throwing it over. Mr. S. measured the timber.

Mr. Woods: They were about eight or nine miles above the Dam at the time they stopped. Did not understand Mr. Conn that the Board would furnish boats, or pay the expense of throwing the timber over the Dam. Was present at the time Mr. Conn came up. Was standing near when the conversation took place, and heard the conversation, and understood Mr. Conn to say that Mr. McKee had directed Mr. Bussing to have the timber thrown over. From the point where the timber was, had the gates been shut so as to let the water in the Lock, the timber could have been floated through; and but for the obstruction at the Dam, it could have been brought to Frankfort.
Mr. McQuery sworn: Threw over the Dam about $120 worth of timber, and it cost about $26. Taking into consideration the expense of throwing over the timber, and the loss by sinking and unrafting, the probable loss would have been 75 per cent. The timber thrown over by Mr. McQuery, was thrown into a boat.

Mr. Shearer was present when Mr. Conn came up. There was no proposition made to pay the expense of throwing the timbers over the Dam, or to furnish boats. He only said, if the timber was not brought down in three weeks, it would not be received.

Mr. Wilson sworn: States that the Board had sent no boats up to bring down the timber; and there was no boats there for that purpose; nor does he know of any arrangement made by the Board to assist Mr. Bussing to get down the timber. The timber could not have been got through if it had been at the Lock, until the rise in the river. It was in less danger by being up in shoal water, than it would have been in the deep water at the Dam.

During the summer of 1842, the undersigned, as Superintendent of the Lexington and Ohio Railroad, contracted with John Bussing, of Garrard county, for the delivery of 20,000 feet of white oak sills, at Frankfort—afterwards, he agreed to enlarge the amount to 24,000. Bussing proceeded to procure the timber, or a large portion thereof; some 3,000 feet was delivered according to contract; the remainder was confined in Dam No. 5, Kentucky river.

As the stuff was wanted on the road, Bussing was urged to push it forward; he replied that it could not be done, as the dam was an obstruction. The undersigned then went with Michael Shearer to the Board of Internal Improvement, and represented the propriety of shutting the sluices of No. 5. It was replied by Mr. Cox, that the dam would not fill in a reasonable time; that the water of No. 5 was necessary to keep the lower pools full, as the dams were not yet tight, and the water low; and finally, that the State would better pay for the timber than stop the navigation, or something to that effect. The timber was lost, or a large portion of it, by a subsequent rise. Oak timber, being nearly the same weight as water, is made to sink by a small deposit of mud or sand. The undersigned does not know how much timber Bussing had in Dam No. 5, but Mr. Conn, his assistant, who saw it, can give his opinion of the amount.

The above is correct to the best of my knowledge and recollection.

WM. R. McKEE.

An affidavit made and sworn to by Michael Shearer: I hereby certify that I was with Bussing’s timber, that he was to deliver to the agent of
the State, for the purpose of repairing the Lexington and Ohio Railroad; that we landed some eight miles above Lock and Dam No. 5, on the Kentucky river; the night we landed the water was drawn off the Dam, and we were unable, in the morning, to get through said Lock and Dam.

MICHAEL SHEARER.

The additional statement of Michael Shearer, taken before the Board of Internal Improvement, at their office in Frankfort, on the 22d of August, 1847, to be used as evidence in the case of John Bussing's petition:

Mr. Bussing had 24,000 feet of timber—the deponent measured it. It was at McCoun's ferry when Mr. Conn saw it, at the head of a ripple, some of it, and some below; this is about ten miles above the Lock. After Mr. Conn saw the timber, Mr. Bussing and his hands, by making a channel and removing the obstructions, brought the timber down to Gilbert's ripple, when it was frozen up. They succeeded in procuring about 2,000 feet of the timber, and delivering the same; about 5,000 feet were delivered in all, or 5,200; I cannot recollect the precise amount. The trouble and expense of getting the timber, after it had passed over the Dam, cost as much, or nearly so, as it was worth. About 2,000 feet were caught in this way, at great trouble and expense. Mr. Shearer did not, at any time, understand Mr. Conn to say that the State would furnish boats, or that boats would be sent up. There is no doubt but that the timbers could have been brought down, but for the Lock. Mr. S. has now brought down a lot of the same sort of time; the river is now about the same stage it was when Bussing brought his, but it was a little more full when he (Shearer,) left. Mr. S. brought down the same sort of timber last summer, when the river had not as much water as when Bussing came. For the timber (the 5,200 feet,) that was delivered, Bussing received of A. P. Cox, Esq., $215, and $30 from Wm. R. McKee—that is, Mr. S. himself received for Bussing, the $15 and $20, and understood Bussing to say that Mr. Cox had paid him $200.

MICHAEL SHEARER.

The testimony of Thos. Conn, taken before the Board of Internal Improvement of Kentucky, at their office in Frankfort, on the 4th of Sept., 1847, to be used in the case of John Bussing's petition, as evidence:

In the spring of 1842, I was employed by Wm. R. McKee as agent, at Frankfort, to receive timber to be used in the repairs on the Lexington and Ohio Railroad, between Frankfort and Lexington. Some time during the year aforesaid, I was ordered, by the Board of Internal Improvement, to go up the Kentucky river until I should find Messrs. Bussing and Shearer, and state to them, in behalf of the Board of Internal Improvement, that if they would bring their timber down to the Lock and Dam No. 5, that the Board, (at their own expense,) would furnish the requisite number of flatboats, and one half the required number of hands, to pass all the timber that might be brought to Lock No. 5, over the Dam, and into the boats furnished for said purposes of transportation. To this Messrs. Shearer and Bussing replied, that they would not allow the timber to be passed over the Dam, for fear of losing it.
In answer to question of Judge McKee, he states: That he thinks six able-bodied men could un-raft, carry over the Dam, and place in boats below the Dam, 100 pieces of 16 feet each, or 1,600 feet per day—at this rate, it would have taken ninety men one day to put 24,000 feet over the Dam. (24,000 feet is the quantity of timber which he understands they allege that they had.) He did not take any boats with him; don't know whether the Board of Internal Improvement had any, or whether they could have procured them, but suppose that they could have done so. He has no idea, from personal inspection, of the quantity of timber they had. It was lying in the river, resting on the bottom, near McCoun's ferry, about forty one miles below mouth of Hickman, and about eleven miles above Lock and Dam No. 5. Hickman creek puts into the Kentucky river above the mouth of Jessamine. He does not know where Steele's dam is, or whether there is such a dam. Dick's river mouths eight miles above Shawnee Run creek; Shawnee Run creek mouths fifteen miles above Clear creek. Between the mouth of Hickman and the point where the timber lay, there are several other small streams that run into the Kentucky river. If the sluice gates had been shut down, and the Dam tight, the water in the upper pool would have risen to where the timbers lay in the river, in probably three weeks; the timber was white oak, would not have floated, when he saw it, even had there been a rise in the river. The force of a flood or freshet would probably have driven it down stream. If there had been cedar or poplar timber mixed with it, it would have floated had there been a sufficiency of water. He recommended to Shearer, &c., to fix the raft in that way.

To the Honorable, the Senate and House of Representatives of the General Assembly of the Commonwealth of Kentucky:

Your petitioner, John Bussing, would respectfully represent, that some time in May, 1842, he entered into a contract with the Board of Internal Improvement, for the delivery of 20,000 feet of white oak scantling, 5½ inches by 7 inches square, at the Railroad office in the town of Frankfort, on or before the 15th of August, 1842, for which he was to receive four dollars and fifty cents per hundred feet.

That after he had entered into said contract, he was told that the Board of Internal Improvement, by those engaged in the repair of the Lexington and Ohio Railroad, (for which said timbers were intended,) would receive a greater quantity than 20,000 feet, at the same price—that the same was needed in the repair of said road, and that they would receive cross ties at 22½ cents each.

Your petitioner would further represent, that for the purpose of fulfilling the contract on his part, he employed laborers, and got out, procured and prepared to deliver, 24,000 feet of white oak scantling, and about 250 cross ties. That said timbers were placed in rafts, for the purpose of floating to Frankfort, from the county of Garrard, where they were procured. That the water was low at the time they were prepared, and they could not have been brought down in boats. They
were started on the 16th day of September, from the mouth of Hickman, and they brought said timbers to a point some four or five miles from Lock and Dam, No. 5, on the Kentucky river. He did not approach nearer the Lock and Dam, because another contractor was there with timbers at the time, and could not pass through; and he preferred remaining where he was, to bringing his timbers into deeper water, for fear of sustaining losses by the sinking of the timbers, the same being liable to sink from remaining stationary in still water. That he was obstructed and could not get the timbers through the Lock, owing to the fact that the waste gates in the Dam were left open, and a sufficient quantity of water could not be had to fill the chambers of the Lock, so that the timbers could pass through—the water being needed to supply the pools of the lower Dam.

That your petitioner applied, through one of his agents, to the Board of Internal Improvement, to have said waste gates closed, and that the Board made an order, or directed that said gates should be closed on the 28th of October; but said order was countermanded on the 29th of said month. He was then informed, or told to throw the timber over the Dam, which your petitioner informed the Board, or their agent, could not be done except at a very great risk and expense. It would have cost at least $100, and more than half the timber would have been lost. Your petitioner also informed the agent of the Board, that if there come a rise in the river, and the water was muddy, a great portion of it would sink and be lost.

Your petitioner represents further, that said timbers were well prepared for floating, and but for the artificial obstruction in the river, by the construction of Lock and Dam, No. 5, they could have delivered them in the town of Frankfort, in time for the repair of the road, and the same would have been received. Said timbers were not started as soon as they would have been, but from an apprehended difficulty of passing the obstruction; but, as before stated, could have been delivered in time to have been used in the repair of the road, and perhaps ensured its completion by the time proposed.

Your petitioner would further represent, that about four weeks since, there came a very sudden rise in the Kentucky river, and as was anticipated, a great portion of said timbers were covered with mud, and sunk in the river. Owing to the collection of drift at the chambers of the Lock, a small portion of the timber went over the Dam, and the remainder sunk.

Your petitioner has been at great trouble and expense in endeavoring to secure the timbers, and by the hire of hands, and much labor, has been enabled to save about 3,000 feet, which they have brought to Frankfort. This has been saved, however, at an expense, (taking into consideration your petitioner's labors, equal almost, if not entirely, the original cost of the timbers).

Inasmuch, therefore, as your petitioner has used all necessary exertions to comply with his contract, and deliver said timber, and would have done the same but for the obstruction placed in the river by authority of the Legislature—he will, unless relieved by your honorable body, sustain a loss equal to the whole value of his timber. He, therefore, respectfully petitions that his case be taken into consideration, and
that a law be passed for his benefit, allowing him compensation for the loss of his timber. Most respectfully,

JOHN BUSSING.

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

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

Resolved by the Senate of Kentucky, That the Board of Internal Improvement shall make out a skeleton map of this State, showing the extent of the slackwater navigation in the main streams and tributaries, and of the turnpike and railroads, now completed, in progress of completion, and for which charters have been granted; stating the amount of State’s subscription to each, when completed, and the amount already paid by the State; and that paid by individuals, separately, to each several road and river, together with the length of each improvement; and that the said Board report the same to the Senate at its earliest convenience:

Provided, Said map shall cost the State nothing.

The question being taken on the adoption of said resolution, it was decided in the negative, and so said resolution was rejected.

The vote rejecting said resolution was reconsidered, and the said resolution was adopted.

On the motion of Mr. Williams, leave was given to bring in a bill supplemental to the act repealing the charter of Augusta College, and the committee on the Judiciary was directed to prepare and bring in said bill.

Ordered, That Messrs. Barbour and Bradley be appointed a committee on the part of the Senate, to act in conjunction with a committee on the part of the House of Representatives, to ask leave of the Governor to withdraw from his possession an enrolled bill from the Senate, entitled, an act to charter the town of Princeton, and for other purposes; and Mr. Barbour was directed to inform the House of Representatives, and request the appointment of a committee on their part.

After a short time Mr. Barbour reported that the joint committee had performed the duty, and delivered the bill to the possession of the Senate.

After a short time a message was received from the House of Representatives, asking leave to withdraw the report of the passage of said bill by the House of Representatives, which leave was granted, and the bill withdrawn.

Mr. Boyd, from the joint committee on Banks, made the following report, to-wit:

[For Report—see Legislative Documents.]

Ordered, That the Public Printer print 150 copies of said report and accompanying documents, for the use of the General Assembly.

On the motion of Mr. English,

Ordered, That a message be sent to the House of Representatives, to ask leave to withdraw the report of the disagreement of the Senate, to a
bill from that House, entitled, an act to prevent the destruction of fish in
the Little Kentucky river, and Mr. English was directed to carry said
message.

After a short time the said bill was returned to the possession of the
Senate.
The vote by which it was disagreed to was reconsidered; the vote
adopting the first amendment to said bill was reconsidered, and said
amendment was withdrawn.

Ordered, That said bill be read a third time, as amended.
The constitutional rule as to the third reading being dispensed with,
Resolved, That said bill, as amended, do pass, and that the title there-
of be amended by adding "and Harrod's creek."

Mr. Wall, from the committee on the Judiciary, to whom was referred
a bill from the House of Representatives, entitled, an act to authorize
the appointment of a Police Judge of the town of Portland, reported the
same without amendment.

Ordered, That said bill be read a third time.
The constitutional rule as to the third reading being dispensed with,
Resolved, That said bill do pass, and that the title thereof be as afore-
said.

Mr. Wall, from the same committee, reported a bill for the benefit of
Benjamin D. Beall, which was read the first time, and ordered to be read
a second time.
The constitutional rule as to the second reading being dispensed with,
said bill was amended and ordered to be engrossed and read a third
time.
The constitutional rule as to the third reading of said bill being dis-
pensed with, and the same being engrossed,
Resolved, That said bill do pass, and that the title thereof be amended
by adding, "and James Sparks."

Mr. Wall, from the same committee, reported a bill for the benefit of
the Notary Public for Bracken county, which was read the first time, and
ordered to be read a second time.
The constitutional rule as to the second and third readings of said
bill being dispensed with, and the same being engrossed,
The question was taken on the passage thereof, and it was decided in
the negative; so the said bill was rejected.

Mr. Wall, from the same committee, reported the following bills, viz:
A bill to amend an act to revive the charter of the Augusta, Cynthi-
a, and Georgetown Turnpike Road Company.
A bill for the benefit of the widow and children of Christopher Fry.
A bill for the benefit of John R. Thornton and Richard Kenningham,
trustees.
A bill for the benefit of Vincent Brooks.
A bill for the benefit of George McFarland Hall.
A bill for the benefit of Moses Hubbard and wife.
A bill for the benefit of the town of Tompkinsville.
Which bills were severally read the first time, and ordered to be read a second time.

The constitutional rule as to the second and third readings of said bills being dispensed with, and the same being engrossed,

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

Mr. Wall, from the same committee, to whom was referred a bill from the House of Representatives, entitled, an act to amend the criminal laws, reported the same with an amendment.

And then the Senate adjourned.

THURSDAY, FEBRUARY 22, 1840.

A message was received from the House of Representatives, announcing that they had concurred in the amendment proposed by the Senate, to the amendments proposed by the House of Representatives, to a bill from the Senate, entitled, an act to change the time of holding the Hopkins Circuit Court, and for other purposes.

That they had passed a bill from the Senate, entitled, an act to divorce Brazilla Payton and Wm. Rankin.

That they had passed bills of the following titles, to-wit:
An act for the benefit of A. C. Daniel and others.
An act to incorporate the Trustees of the Harmony Church, of Garrard county.
An act for the benefit of Common Schools.

1. Mr. Thurman presented the petition of sundry citizens of Washington county, praying for the establishment of an additional election precinct in said county.

2. Mr. Speed presented the petition of Samuel Sadler and James Eubanks, praying for the passage of a law to establish the town of Miltonville, in Casey county.

Which petitions were severally received and referred; the first to the committee on Privileges and elections; and the 2d to the committee on the Judiciary.

On the motion of Mr. Eaker.
Resolved, That the committee on the Judiciary be instructed to enquire into the expediency and propriety of passing an act providing compensation to jurors serving in Magistrates' Courts.

The Senate resumed the consideration of a bill from the House of Representatives, entitled, an act to amend the criminal laws.

Mr. J. Speed Smith moved an amendment to the amendment reported by the committee on the Judiciary to said bill; and said bill and amendments were recommitted to the committee on the Judiciary, with instructions to report the same on to-morrow morning, at half past 10 o'clock.

Mr. Todd, from the committee on Finance, to whom was referred a bill for the benefit of John Morris and Job Allen, of Clay county, together with the amendment proposed thereto by Mr. Hogan, reported the same with an amendment as a substitute for said bill and amendment; which substitute was rejected.

The amendment proposed by Mr. Hogan to said bill was then adopted, and said bill was ordered to be engrossed and read a third time.

The constitutional rule as to the third reading of said bill being dispensed with, and the same being engrossed, the question was taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. Evans and Young, were as follows, to-wit:

Those who voted in the affirmative, were—


Those who voted in the negative, were—


Resolved, That the title of said bill be amended by adding "and others."

Mr. Wall, from the committee on the Judiciary, reported a bill supplemental to an act to repeal the charter of Augusta College, which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second reading being dispensed with, said bill was recommitted to the committee on the Judiciary, with instructions to report the same at 3 o'clock to-day.
Mr. Wall, from the same committee, to whom was referred a bill from the House of Representatives, entitled, an act to regulate the holding of the Kenton Circuit Court, and for other purposes, reported the same with an amendment; which was concurred in.

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

The constitutional rule as to the third reading being dispensed with,

Resolved, That said bill, as amended, do pass, and that the title thereof be amended to read, an act concerning Surveyors of roads in Kenton county, and for other purposes.

Mr. Wall, from the same committee, to whom was referred bills from the House of Representatives, of the following titles, to-wit:

1. An act for the benefit of James Tucker and his wife.
2. An act to extend the powers of the Marshal of the city of Louisville.

Reported the same without amendment.

The said bills were each amended and ordered to be read a third time. The constitutional rule as to the third reading being dispensed with,

Resolved, That said bills, as amended, do pass, and that the title of the first be amended by adding “and Isaac Meeks,” and the title of the second by adding “and in relation to the Police Judge of Paducah.”

Mr. Wall, from the same committee, to whom was referred bills from the House of Representatives, of the following titles, to-wit:

1. An act to repeal an act incorporating the town of Elizabethtown.
2. An act to authorize the taking of the depositions of Physicians in certain cases,

Reported the same without amendment.

The first bill was ordered to be read a third time, and the second was laid on the table.

Mr. Wall, from the same committee, to whom was referred a bill from the House of Representatives, entitled, an act establishing an additional term of the Greenup Circuit Court, reported the same without amendment.

The said bill was amended and ordered to be read a third time. The constitutional rule as to the third reading being dispensed with,

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

Mr. Wall, from the same committee, to whom was referred bills from the House of Representatives, of the following titles, to-wit:

An act to incorporate the town of Irvine, in the county of Estill, and for other purposes.

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

An act to incorporate “the Louisville Orphans’ Home Society.”
An act to amend an act to incorporate the Merchant's Louisville Insurance Company.

An act to amend an act incorporating the town of East Maysville, in Mason county.

An act for the benefit of Bethania Bennett.

An act to authorize the executor or administrator of W. N. Miller, deceased, to sell a slave.

An act to regulate the duties of the Police Judge of the town of New Liberty, and for other purposes.

An act for the benefit of the Mechanics of Nicholas county.

An act for the benefit of Philip F. Craycraft and wife.

An act concerning the vacant lands in Whitley county.

An act establishing a July term of the Cumberland Circuit Court.

An act for the benefit of Mrs. Leavy and her children.

An act for the benefit of Eden Shotwell.

An act for the benefit of the Marshal of Paducah.

An act for the benefit of J. M. Martin, administrator of Ephraim Ball, deceased.

An act to create the office of Police Judge in the town of Hartford, and defining his duties and powers.

An act to incorporate the Franklin Fire Company, No. 2, of Covington.

An act granting a change of venue to James H. Arnold.

An act to authorize the Register of the Land Office to extend a line of a survey in the name of J. Eubank, in Monroe county.

An act to extend the limits of Campbellsville.

An act to amend the charter of the town of Lower Cloverport.

An act to authorize the Trustees of Carlisle to levy and collect an additional tax.

An act for the benefit of John B. Phelps, a lunatic.

An act to incorporate the Hopkinsville Fire, Life and Marine Insurance Company.

An act to incorporate the Harrodsburg Springs Company.

Reported the same without amendment.

Ordered, That said bills be read a third time.

The constitutional rule as to the third reading being dispensed with,

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

Mr. Wall, from the same committee, to whom was referred a bill from the House of Representatives, entitled, an act to extend the time of making certain surveys and returning plats and certificates thereof, reported the same without amendment, and said bill was laid on the table.
Mr. Wall, from the same committee, to whom was referred bills from the House of Representatives, of the following titles, viz:

An act to change the time of holding the Garrard Circuit Court.
An act for the benefit of Harrison L. Board, guardian of Elizabeth E. Clark.
An act to extend the limits of the town of Mount Washington.

Reported the same, with the opinion of the committee that they ought not to pass.

The question being taken on reading said bills a third time, it was decided in the negative, and so the said bills were disagreed to.

Mr. Wall, from the same committee, to whom was referred a bill from the House of Representatives, entitled, an act to incorporate the Bowlinggreen Thespian Society, reported the same, with the opinion of the committee that it ought not to pass.

Ordered, That said bill be read a third time.

The constitutional rule as to the third reading being dispensed with,

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

Mr. Wall, from the same committee, to whom was recommitted a bill supplemental to an act to repeal the Charter of Augusta College, reported the same with an amendment as a substitute for said bill, which was concurred in.

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

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

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

Mr. Wall, from the same committee, reported a bill for the benefit of the guardian of Nancy Ann Dawson, infant heir of William Dawson, deceased, which was laid on the table.

Mr. Wall, from the same committee, to whom was referred the petition of James F. Goshen, the petition of Isham Bolin and Julia, his wife, the petition of sundry citizens of the town of Mortonsville, and also the petition of the waggoners and traders on the Turnpike Road from Crab Orchard to the Tennessee line, reported the same with the following resolution thereon, to-wit:

Resolved, That said petitions be rejected.

Which was concurred in.

A bill from the House of Representatives, entitled, an act for the benefit of Common Schools, was read the first time, and ordered to be read a second time.

The constitutional rule as to the second reading being dispensed with, it was referred to the committee on Education, with instructions to re-
port the same to-morrow at 11 o'clock; and said bill was made the special order for to-morrow at that hour.

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

On motion of Mr. Bruce,

Ordered, That a message be sent to the House of Representatives to ask leave to withdraw the report of the disagreement of the Senate to a bill from that House, entitled, an act for the benefit of Sophia Scott; and Mr. Bruce was directed to carry said message.

The said bill having been returned to the possession of the Senate, the vote by which it was disagreed to was reconsidered, and it was referred to the committee on Finance.

Mr. Walker, from the committee on Propositions and Grievances, to whom was referred the petition of sundry citizens of the town of Paducah, reported the same with the following resolution thereon, to-wit:

Resolved, That said petition be rejected.

The question being taken on concurring in said resolution, it was decided in the negative.

Ordered, That said committee prepare and bring in a bill pursuant to said petition.

Mr. Walker, from the same committee, to whom was referred bills from the House of Representatives, of the following titles, to-wit:

An act for the benefit of J. S. Golladay, of Logan county.

An act to amend the laws in relation to the Trustees of the town of Burlington.

An act for the benefit of Nathan Butler and Addison Carneal, of Todd county.

An act for the benefit of R. P. Dodds, of Fulton county.

An act for the benefit of E. S. Steed, of Graves county.

An act for the benefit of the town of Hawesville, in Hancock county.

An act to allow an additional Justice of the Peace to Spencer county.

An act for the benefit of George T. Anderson, of Logan county.

An act to allow Greenup county an additional Justice of the Peace, and additional constables to Henry and Cumberland counties.

An act to authorize the Johnson County Court to sell a part of the Public Square in Paintsville.

An act to appoint a Justice of the Peace in Jefferson county, and for other purposes.

An act to change the name of Martha Frisler, and for other purposes.

An act for the benefit of Isham Jones.

An act for the benefit of James Penny.

An act for the benefit of Lucretia Gwyn.

An act for the benefit of Frederick Mayberry.
An act for the benefit of Jordan Middleton and William Ratliff.
An act for the benefit of S. G. Rogers.
An act for the benefit of Milly Ann Skaggs and Warren H. Jones.
An act to allow an additional Constable to Hardin county.
Reported the same without amendment.
Ordered, That said bills be read a third time.
The constitutional rule as to the third reading being dispensed with,
Resolved, That said bills do pass, and that the titles thereof be as afore
said.

Mr. Walker, from the same committee, to whom was referred a bill
from the House of Representatives, entitled, an act for the benefit of A.
M. Vanarsdale, of Mercer county, reported the same without amend-
ment.

Mr. Grey moved to amend said bill by adding thereto the following ad-
tional section, to-wit:

Be it further enacted, That any person or persons who may have here-
tofore purchased or imported into this State, any slave or slaves contrary
to the provisions of said law of 1833, shall not be proceeded against for
such purchase or importation: Provided, He, she or they shall make oath
before some Justice of the Peace, that he, she or they purchased or im-
ported said slave or slaves for his, her or their own use and not as mer-
chandise: And provided further, That said person or persons shall not
make sale of said slave or slaves in this Commonwealth for the term of
five years.

The question being taken thereon, it was decided in the negative.
The yeas and nays being required thereon, by Messrs. Bruce and
Grey, were as follows, to-wit:

Those who voted in the affirmative, were—

Messrs. Barnett, Hogan, Waite,
Brien, McNary, Walker,
Bruce, Rice, White—10.
Grey,

Those who voted in the negative, were—

Messrs. Barbour, Evans, Munford,
Boyd, Hambleton, Speed,
Bradley, Hawkins, Thomas,
Chiles, Heady, Thornton,
Cofar, Hobbs, Thurman,
Draffin, Linthicum, Triplett,
Eaker, McClure, Williams,
English, McMillan, Young—24.

Ordered, That said bill be read a third time.
The constitutional rule as to the third reading being dispensed with,
Resolved, That said bill do pass, and that the title thereof be as afore
said.
Mr. Walker, from the same committee, to whom was referred a bill from the House of Representatives, entitled, an act to change the line between the counties of Clay and Laurel, reported the same with the opinion of the committee that it ought not to pass.

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

The constitutional rule as to the third reading being dispensed with,

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

Mr. Walker, from the same committee, to whom was referred a bill from the House of Representatives, entitled, an act to change the county line of Taylor and Green counties, reported the same with the opinion of the committee that it ought not to pass.

The question being taken on reading said bill a third time, it was decided in the negative, and so the said bill was disagreed to.

The following bills were reported, to-wit:
- By Mr. Waite, from a select committee: A bill for the benefit of Wilson Evans.
- By Mr. Wall, from the committee on the Judiciary: A bill to establish the town of Gordensville, in Hopkins county.
- A bill granting a change of venue to James May.
- A bill to amend an act to amend the penal laws of this Commonwealth, approved February 11, 1809.

By Mr. Walker, from the committee on Propositions and Grievances: A bill to allow an additional Justice of the Peace to Hopkins county.

By Mr. Wall, from the committee on the Judiciary: A bill to establish the town of Miltonville, in Casey county.

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

The constitutional rule as to the second and third readings of said bills being dispensed with, and the same being engrossed,

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

Mr. Walker, from the committee on Propositions and Grievances, to whom was referred a bill from the House of Representatives, entitled, an act to change the names of Louisa Turner and others, reported the same with an amendment, which was concurred in.

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

The constitutional rule as to the third reading being dispensed with,

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

On motion of Mr. Heady, leave was given to bring in a bill for the benefit of those who have heretofore imported slaves into this State, con-
trary to the provisions of the law of 1833; and the committee on Privileges and Elections was directed to prepare and bring in said bill.

Mr. Heady, from the committee on Military Affairs, to whom was referred a bill from the House of Representatives, entitled, an act to amend the militia law, reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional rule as to the third reading being dispensed with,

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

The yeas and nays being required thereon, by Messrs. Heady and Evans, were as follows, to-wit:

Those who voted in the affirmative, were—


Those who voted in the negative, were—


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

Mr. Heady, from the same committee, to whom was referred a bill from the House of Representatives, entitled, an act for the benefit of the Leesburg Light Artillery, reported the same without amendment, and said bill was laid on the table.

Bills from the House of Representatives, of the following titles, were severally read the first time, to-wit:

1. An act to establish the town of Brooklyn, in Campbell county.
2. An act for the benefit of the McCracken County Court.
3. An act for the benefit of the Jailer of Ballard county.
4. An act for the benefit of the heirs of Thomas Taylor, deceased.
5. An act for the benefit of Narcissa Amanda Morgan.
6. An act to authorize Robert T. Stratton to sell certain lands belonging to the estate of Peter Stratton, deceased.
7. An act to amend an act, entitled, an act to incorporate the Maysville Manufacturing Company, and for other purposes, approved March 2, 1844.
8. An act for the benefit of the heirs of Hiram Duley, deceased, of Fleming county.
10. An act to amend the charter of the city of Louisville, and for other purposes.
11. An act to incorporate the Brooksville and Rock Spring Turnpike Road Company.
12. An act to amend the charter of the Louisville and Frankfort Railroad Company.
14. An act to change the mode of advertising the forfeiture and sale of lands for taxes.
15. An act to amend an act, entitled, an act for the benefit of the Mechanics of the city of Louisville, approved December 22d, 1851.
16. An act for the benefit of the Campbell County Court.
17. An act to incorporate the several Masonic Institutions of Louisville.
18. An act to incorporate the German Roman Catholic St. Boniface Benevolent Society of Louisville.
19. An act for the benefit of David Logan and his children.
20. An act to extend the powers of the Trustees of the town of New Castle.
22. An act for the benefit of Jesse Van Sickles.
23. An act incorporating the German Jefferson Benevolent Society of Louisville.
24. An act for the benefit of A. C. Daniel and others.
25. An act to incorporate the Trustees of the Harmony Church of Garrard county.

Ordered, That said bills be read a second time.

The constitutional rule as to the second reading of said bills being dispensed with, they were referred—the 1st, 4th, 5th, 6th, 8th, 9th, 10th, 13th, 15th, 17th, 18th, 19th, 21st, 22d and 23d to the committee on the Judiciary; the 2d, 14th and 16th to the committee on Finance; the 7th to the committee on Agriculture and Manufactures; the 3d and 20th to the committee on Propositions and Grievances; the 11th and 12th to the committee on Internal Improvement; the 24th to the committee on Military Affairs; and the 25th to the committee on Religion.

And then the Senate adjourned.
FRIDAY, FEBRUARY 23, 1849.

A message was received from the House of Representatives, announcing that they had concurred in the adoption of a resolution from the Senate, in relation to the settlement with the present Keeper of the Penitentiary.

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

An act for the protection of the public property on Licking river, and for other purposes.

An act for the appropriation of money.

Mr. English presented the petition of John H. Woods, of Oldham county, praying to be divorced from his wife, Maria Woods, which was received and referred to the committee on Religion.

On the motion of Mr. Boyd,

Ordered, That the Public Printer print 450 additional copies of the report of the joint committee on Banks, for the use of the Senate.

A bill from the House of Representatives, entitled, an act for the appropriation of money, was read the first time, and ordered to be read a second time.

The constitutional rule as to the second reading being dispensed with, the said bill was referred to the committee on Finance, with instructions to report the same to-morrow, at 12 o’clock; and said bill was made the special order of the day for to-morrow, at that hour.

On motion of Mr. White, leave was given to bring in a bill for the benefit of Henry M. Lutes, of Owosley county; and Messrs. White, J. Speed Smith and Speed were appointed a committee to prepare and report said bill.

Mr. White, after a short time, reported said bill, which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second and third readings of said bill being dispensed with, and the same being engrossed,

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

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

On motion of Mr. Chiles—1. A bill further prescribing the duties of County Attorneys in this Commonwealth.

On motion of Mr. Draffin—2. A bill for the benefit of Armstead Miller.

The committee on the Judiciary was directed to prepare and bring in the 1st, and Messrs. Draffin, Evans and English were appointed a committee to prepare and bring in the 2d.
Mr. Eaker, from the committee on Privileges and Elections, to whom was referred a bill from the House of Representatives, entitled, an act to establish an additional election precinct at Ballardsville, in Oldham county, reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional rule as to the third reading being dispensed with, Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Eaker, from the same committee, reported a bill to establish an election precinct in Shelby county, which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second reading being dispensed with, said bill was amended and ordered to be engrossed and read a third time.

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

Resolved, That said bill do pass, and that the title thereof be amended by adding, “and one in Clay county.”

Mr. Eaker, from the same committee, reported a bill for the benefit of those who have imported slaves contrary to the law of 1833, which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second reading being dispensed with, said bill was amended and ordered to be engrossed and read a third time.

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

Resolved, That said bill do pass, and that the title thereof be amended by adding, “and one in Clay county.”

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

The yeas and nays being required thereon, by Messrs. Cofer and Hawkins, were as follows, to-wit:

Those who voted in the affirmative, were—

Messrs. Barbour, Barnett, Bradley, Brien, Bruce, Draffin, English, McMillan, Rice, Grey, Hambleton, Heady, Hobbs, Hogan, McNary, McMillan, Munford, Speed Smith, Speed, Thomas, McClure, 

Those who voted in the negative, were—


Resolved, That the title of said bill be as aforesaid.
Messrs. Triplett, Bruce and Speed were added to the committee on enrollments.

Mr. Bradley, from the joint committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, viz:

- An act to authorize the payment of the amount due to the Commissioners of the road from Bowling Green to the mouth of Salt River.
- An act to amend an act, entitled, an act to amend the law to prohibit the importation of slaves into this State.
- An act to amend the act to incorporate the Millersburg and Cynthiana Turnpike Road Company.
- An act to divorce John L. Vaughan and others.
- An act declaring certain streams in Floyd and other counties navigable.
- An act for the benefit of John Carr, a lunatic, and Peggy Hawthorn.
- An act to amend the charter of the Kentucky and Louisville Mutual Insurance Company.
- An act to divorce John Adair, of Monroe county, and others.
- An act to divorce John and Nancy S. Cox.
- An act to amend the charter of the Louisville and Taylorsville Turnpike Company, and to incorporate the Jefferson and Brownsboro' Turnpike Road Company.
- An act to divorce John R. Bates and Ann Booker.
- An act to divorce Elizabeth Lewis.
- An act to amend the law in relation to the Goose Creek Turnpike Road passing through Clay and Laurel counties.
- An act to amend the law establishing the town of Creelsboro', approved 9th February, 1819.
- An act to incorporate the Owingsville and Sharpsburg Turnpike Road Company, and for other purposes.
- An act to incorporate the Eagle Manufacturing Company.
- An act for the benefit of A. J. Gatewood, of Barren county.
- An act to allow an additional Constable to Shelby county and Calloway county.
- An act declaring Big Mud creek, in Butler county, a navigable stream.
- An act for the benefit of Hiram Begley.
- An act for the benefit of Reuben McCarty, Clerk of the Pendleton County and Circuit Courts.
- An act for the benefit of Elisha Jones, of Larue county.
- An act to amend an act establishing an election precinct in Mason county.
An act for the benefit of the Board of Internal Improvement of Lincoln county.

An act for the benefit of the Sheriffs of Union and Henry counties.

An act authorizing the County Court of Fayette to take stock in the Frankfort and Lexington Railroad Company.

And enrolled bills which originated in the Senate, of the following titles, to-wit:

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

An act for the benefit of the Clerk of the Marshall County and Circuit Courts.

An act to amend an act, entitled, an act to incorporate the town of Mayfield, and for other purposes.

An act to change the Fall term of the Clay Circuit Court, and in relation to the Fleming Circuit Court.

An act for the benefit of Edwin Trimble, and for other purposes.

An act respecting conveyances by married women.

An act to establish the office of Police Judge for the town of Harrisonville, in Shelby county.

An act to incorporate the Maysville Gas Light Company.

An act to incorporate the Maysville Cemetery Company.

An act to amend the charter of the Louisville and Frankfort Railroad Company.

An act to incorporate the Green and Larnue County Turnpike Road Company.

An act to divorce Brazilla Payton and Wm. Rankin.

An act for the benefit of the Leesburg Light Artillery Company.

An act for the benefit of the Hustonville Uniform Infantry Company.

An act for the benefit of the heirs of Edward Haley, deceased.

An act for the benefit of the widow and heirs of George Fry, deceased.

An act to amend the road law of Boone county.

An act for the benefit of the Sheriff of Campbell county, and for other purposes.

An act to incorporate the Flat Lick Seminary, in Knox county.

An act to construct a Turnpike Road from Versailles to the Kentucky river, at or near McConn's ferry, and from Versailles to Munday's or Singleton's landing.

An act for the benefit of the President, Directors and Company of the Bon Harbour Mining and Manufacturing Company.

An act to incorporate the Clark's River Bridge Company, in McCracken county.
An act to authorize the Trustees of the Parsonage of the Methodist Episcopal Church South, in Mountsterling, to sell a part of the parsonage lot, and for other purposes.

An act to incorporate the town of South Carrollton, in Muhlenburg county.

An act to change the time of holding the Hopkins Circuit Court, and for other purposes.

And had found the same truly enrolled.

The said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approbation and signature. After a short time, Mr. Bradley reported that the committee had performed that duty.

Mr. Eaker, from the committee on Privileges and Elections, to whom was referred a bill from the House of Representatives, entitled, an act to repeal an act to change an election precinct in the county of Henry, from the house of James Ethington, to the House of N. L. Oliver, approved March 1, 1847, and for other purposes, reported the same without amendment.

The question was taken on reading 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. English and Eaker, were as follows, to-wit:

Those who voted in the affirmative, were—

Messrs. Barnett, Grey, Rice,
Boyd, Heady, Thomas,
Bradley, Hogan, Thurman,
Brien, McClure, Williams,
Eaker, McMillan, Young—17.
English, Munford,

Those who voted in the negative, were—

Messrs. Bruce, Linthicum, Todd,
Cofer, McNary, Triplett,
Evans, Russell, Waite,
Hambleton, Speed Smith, Walker,
Hawkins, Speed, Wall,

Mr. Russell moved to reconsider the vote by which said bill was disagreed to, and the Senate proceeded to the consideration of the special order of the day.

Mr. Evans, from the committee on Education, to whom was referred a bill from the House of Representatives, entitled, an act concerning Common Schools, reported the same with an amendment as a substitute to said bill.
On motion of Mr. Hobbs, the Senate resolved itself into a committee of the Whole House, on the state of the Commonwealth, on said bill and amendment, Mr. Russell in the Chair; after some time spent in committee, the Speaker resumed the Chair, when Mr. Russell reported that the committee had, according to order, had under consideration said bill and amendment, and had made some progress therein, but not having gone through the same, had directed him to ask leave to sit again.

The question being taken on granting leave to the committee to sit again, it was decided in the negative.

Ordered, That the committee of the whole be discharged from the further consideration of said bill and amendment.

The said bill reads as follows, to-wit:

SEC. 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the Sheriffs and other Collectors of the Revenue shall, hereafter, collect two cents upon each one hundred dollars worth of property, listed for taxation, in addition to the ad valorem tax now directed by law to be collected, which shall be paid over and accounted for as other Revenue, and for which said Sheriffs and Collectors shall only receive a commission of five per cent.

SEC. 2. Be it further enacted, That said two cents upon each one hundred dollars worth of property, and the interest accruing upon the State Bonds and Bank Stock held by the Board of Education, be, upon the faith of the State, forever set apart and dedicated as a Fund for Common Schools; and the same shall be apportioned among the several counties in proportion to the number of children in each county between the ages of five and sixteen years.

SEC. 3. Be it further enacted, That the balance of annual interest on the School Fund, for the year 1848, shall be divided among the different counties in proportion to the number of children, in each county, between the ages aforesaid, and paid on the first day of February, 1850: Provided, That those counties which have drawn a portion of the aggregate interest arising from said source, be first charged with the amount drawn, so that the whole amount of said interest be distributed for the benefit of the children of each county within the ages aforesaid.

SEC. 4. Be it further enacted, That the annual sum to which each county is entitled, under the provisions of this act, shall, on the faith of the State, be forever set apart, and solemnly dedicated as a Fund for Common Schools in said county, and shall never be used or appropriated for any other purpose; but the same shall remain in the Treasury, to the credit of said county, until the laws are complied with to enable said county to draw the same.

SEC. 5. Be it further enacted, That the County Court of each county shall appoint three Commissioners, in which none have heretofore been appointed, or in which those appointed have failed to act, who shall be called and styled Commissioners of Common Schools for the county in which they are appointed, who shall elect a Treasurer of their Board; which Treasurer shall annually execute a bond, in the County Court of his county, with one or more good securities, to be approved of by said Court, in a penalty at least double the amount of the School Fund to
which their said county is entitled, conditioned for the faithful application of said Fund: he shall be authorized to draw from the Treasurer of the State, on the first day of February in each year, the amount of the Common School Fund to which their county is entitled; and he shall pay out the same under the direction of said Common School Commissioners.

Sec. 6. Be it further enacted, That it shall be the duty of said Commissioners, as soon as practicable, to lay off their county into convenient Districts, so that there be not less than twenty nor more than one hundred children in each District, between the ages of five and sixteen years: Provided, That it be left discretionary with said Commissioners, either to district their county, or pay out the Fund due to their county, to schools in which the elements of an English education are taught.

Sec. 7. Be it further enacted, That it shall be the duty of said Common School Commissioners to draw an order on their Treasurer in favor of the Trustees, or their order, of the different School Districts or Schools taught in their county, the amount to which each District or School is entitled, in proportion to the number of children residing in each District, or attending said School, between the ages of five and sixteen years: which amount shall be annually applied by said Trustees for the benefit of those children actually taught, and residing in said District, or attending said School; and should any district fail to organize, as now required by law, the amount to which said District is entitled shall be held by said Common School Commissioners in trust for the benefit of said District, until it is organized: Provided, That if any District shall not organize within five years, the amount to which said District is entitled shall be distributed among the other Districts of said county, in proportion to the number of children in each District, between the ages aforesaid.

Sec. 8. Be it further enacted, That it shall be the duty of the Second Auditor, on or before the first day of January, in each year, to deduct from the aggregate School Fund the expenses chargeable by law to said Fund, and then inform the Common School Commissioners of each county, by mail, of the amount to which said county is entitled, under the provisions of this act; a tabular statement of which, showing the amount to which each county is entitled, shall be furnished by the Auditor to the Treasurer, which, together with the certificate of the Clerk of the County Court, certifying that a bond has been executed by said Treasurer, as directed by the 5th section of this act, shall authorize the Treasurer to pay the amount to which each county is entitled, to the Treasurer of said Board, or his order.

Sec. 9. Be it further enacted, That said Common School Commissioners shall have power, by and with the consent of their County Court, to fill all vacancies which may occur in their number; and it shall be lawful for any one of said Commissioners, who may remain in office, to discharge all the duties of Common School Commissioners; and should said Board of Common School Commissioners become entirely vacant, it shall be the duty of the County Court to fill said vacancies.

Sec. 10. Be it further enacted, That it shall be the duty of the Trustees of each District and School annually to report to the County Commissioners the whole number of children in their District between the ages of five and sixteen years, and the number of children and length
of time actually taught in each year; and the County Commissioners shall report to the Secretary of State, and he to the Legislature, as heretofore directed by law to be reported by the Superintendent of Public Instruction.

Sec. 11. Be it further enacted, That the office of Superintendent of Public Instruction is hereby abolished, and the reports, heretofore directed to be made to him, shall hereafter be made to the Secretary of State, who shall be the President of the Board of Education.

Sec. 12. Be it further enacted, That the salary of the Secretary of State be and is hereby increased two hundred and fifty dollars, as compensation for additional services required of him by this act.

Sec. 13. Be it further enacted, That said Commissioners are hereby required to settle their accounts with their County Treasurer, prior, in every year, to their reports to the Secretary of State, and to report the result to him; and shall see, by actual count, that said Treasurer has the amount in cash, which results from said settlement; and in the event of any deficit, to report the fact to said Secretary, and to proceed, forthwith, by legal process, to collect said deficit, and to appoint and elect another Treasurer; and it shall not be lawful for the Secretary of State to make additional payments to any County Commissioners, or Treasurer, who have failed, for the preceding year, to make the settlement and report, as hereby required, until said settlement and report is made.

Sec. 14. Be it further enacted, That the offices of County Commissioner and County Treasurer shall be incompatible.

Sec. 15. Be it further enacted, That the Treasurer or Treasurers, appointed under this act, shall be responsible for any interest he or they may make by loaning or using the fund in his or their hands; and said Treasurers shall be compelled to report, on oath, whether they have loaned or used said fund, or any part thereof, to whom and when loaned, and at what rate per cent.; and if said Treasurer or Treasurers shall use any part of said fund, he or they, so using said fund, shall be held accountable for six per cent. interest on the amount so used for his or their own benefit, which shall be applied to the education of the children in his or their county, as provided in this act.

Sec. 16. Be it further enacted, That the Commissioners of the Sinking Fund be and they are hereby directed to deposit in the Treasury, to the credit of the Board of Education, the interest upon the bonds, and lists of bonds, and the dividends of the Bank stock, heretofore dedicated to the cause of Common School education, as the same may fall due and be collected by them, or so much thereof as may remain after paying the other demands chargeable to said Fund, to be appropriated for the purposes of Common School education, as hereinbefore required.

Sec. 17. Be it further enacted, That all laws coming within the purview of this act are hereby repealed.

The amendment reported by the committee as a substitute for said bill, was enacted, and is as follows, to wit:

WHEREAS, The good people of the Commonwealth of Kentucky, by a vote of 74,628 in its favor, to 37,746 against it, have instructed the Legislature to impose an additional tax of two cents on each hundred dollars of property in the State, subject to taxation, "for the purpose of estab-
lishing, more permanently, a Common School System in the State."

Therefore,

*Be it enacted by the General Assembly of the Commonwealth of Kentucky,*

That an additional tax of two cents on each hundred dollars worth of property in the State, subject to taxation upon the *ad valorem* principle, be and the same is hereby established and imposed; and that it is and shall be the duty of all Sheriffs, and other officers, to collect and account for the same in the same manner as they are now required, by law, to collect and account for the general revenue tax of this Commonwealth:

*Provided, however,* That said tax, so hereby imposed, shall, forever and inviolably, be appropriated to the purposes, as aforesaid, for which it has been raised.

*Be it further enacted,* That the money to be collected by the first section of this act, shall be distributed in each county in this State, in proportion to the number of children therein between the ages of five and sixteen years; and that all accounts in relation to the school fund, shall be kept in the 2d Auditor's office, in a separate book, and he shall report the same, annually, to the Legislature; and all moneys arising from said tax, shall be paid into the Treasury of this State as other revenue, subject to the draft of the Superintendent of Public Instruction, under the direction of the Board of Education; and said Superintendent shall make out, in each year, a statement of the amount to which each county is entitled, and file the same with the 2d Auditor, whose duty it shall be to open and keep an account with all the counties of the State, giving to each credit by the amount reported by the Superintendent to be due them, respectively, and charging them with the amount paid them, as heretofore directed; and should any county, at any time for three years continuously, fail to adopt the School System, and demand the sum set apart for it, in whole or in part, the amount not called for shall be invested, by the Board of Education, in bonds of the State of Kentucky, or other safe and profitable stocks, and the interest arising therefrom shall be distributed as hereinbefore directed: *Provided,* This section is not to be construed as releasing any of the funds heretofore set apart to, or due to Common Schools.

The question being taken on concuring in said amendment, as a substitute for said bill, it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. Bruce and Draffin, were as follows, to-wit:

Those who voted in the affirmative, were—

- Messrs. Barbour, Hobbs, McMillan, Thornton,
- Boyd, McNary, Todd,
- Chiles, Munford, Triplett,
- Draffin, Russell, Waite,
- Evans, Speed Smith, Walker,
- Grey, Speed, Wall,

Those who voted in the negative, were—

- Messrs. Bradley, Hambleton, Rice,
- Brien, Heady, Thomas,
Mr. Barbour moved to amend said substitute by adding thereto the following additional section, to-wit:

That the net proceeds arising from the Kentucky, Green and Barren River Navigation, be, upon the faith of the State, forever set apart and dedicated as an additional fund for Common Schools, and the amount thus raised, when received, shall be credited to the Sinking Fund for so much of the interest upon the bonds and lists of bonds now due, or that may hereafter become due, to the Board of Education: Provided, That the provisions of this section shall not take effect, and be in force, until the 1st day of February, 1850.

The question being taken thereon; it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. Barbour and Evans, were as follows, to-wit:

Those who voted in the affirmative, were—

Messrs. Barbour, Evans, Russell,
Bradley, Hobbs, Speed,
Bruce, Hogan, Triplett,
Cofer, Linthicum, Waite,
Draffin, McClure, Walker,
Eaker, Munford, White,
English, Rice, Young—21.

Those who voted in the negative, were—

Messrs. Boyd, Heady,
Brien, McMillan, Thornton,
Chiles, McNary, Thurman,
Grey, Speed Smith, Todd,
Hambledon, Thomas, Wall,
Hawkins, Williams—16.

Mr. J. Speed Smith moved further to amend said substitute by adding thereto the following, as additional sections, to-wit:

Be it further enacted, That the Governor of this State be and he is hereby authorized and required to sell State bonds or scrip, to the amount of $1,000,000, bearing an interest of six per centum per annum, payable at any time after fifteen years from the passage of this act, at the option of the State, and not due in less than thirty years; and said bonds or scrip shall not be sold for less than par value.

Be it further enacted, That said million of dollars, thus produced by said sale of bonds, shall be used by the Governor in the purchase of stock in the Northern Bank of Kentucky, the Bank of Kentucky, and the Bank of Louisville—the State having a right, under the charters of the two first Banks, to take stock to the amount of $500,000; which bank stock, thus taken, shall be and is hereby set apart and dedicated to the system of Common Schools in Kentucky.

Be it further enacted, That the dividend arising from said bank stock, shall be applied in aid of the Common School System, annually; but
should not the whole of said dividend be used, the surplus shall be re-invested in stock of the Banks, when such dividends may accrue.

Be it further enacted, That the Governor shall cause the five per cent. bonds, due from the Internal Improvement System to the Common School System, to be cancelled and destroyed.

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

The yeas and nays being required thereon, by Messrs. Hogan and J. Speed Smith, were as follows, to-wit:

Those who voted in the affirmative, were—

Messrs. Brien, Hogan, Thomas,
Cofer, Russell, Thurman,
Heady, Speed Smith, Young—9.

Those who voted in the negative, were—

Messrs. Barbour, Boyd, Speed,
Hambleton, Hawkins, Thornton,
Bradley, Hobbs, Todd,
Bruce, Linthicum, Triplett,
Chiles, McClure, Waite,
Draffin, McMillan, Walker,
Eaker, McNary, Wall,
English, Munford, White,
Evans, Rice, Williams—28.

Grey,

The said bill was further amended.

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

The constitutional rule as to the third reading being dispensed with,

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

The yeas and nays being required thereon, by Messrs. J. Speed Smith and Evans, were as follows, to-wit:

Those who voted in the affirmative, were—

Messrs. Barbour, Linthicum, Thornton,
Boy, McMillan, Thurman,
Bruce, McNary, Todd,
Draffin, Munford, Triplett,
Eaker, Rice, Waite,
English, Russell, Walker,
Evans, Speed Smith, Wall,
Head, Speed, White,
Hobbs, Thomas, Young—28.

Hogan,

Those who voted in the negative, were—

Messrs. Bradley, Eaker, McClure,
Brien, Grey, Williams—8.
Cofer, Hambleton,

Resolved, That the title of said bill be as aforesaid.
Mr. Chiles, from the committee on Agriculture and Manufactures, to whom was referred a bill from the House of Representatives, entitled, an act to amend an act, entitled, an act to incorporate the Maysville Manufacturing Company, and for other purposes, approved March 2d, 1844, reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional rule as to the third reading being dispensed with,

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

On the motion of Mr. Bruce, leave was given to bring in a bill to provide for running and marking the county line between Knox and Clay counties, and for other purposes; and the committee on Internal Improvement was directed to prepare and bring in said bill.

Two messages, in writing, were received from the Governor, by Mr. Harlan, Assistant Secretary of State.

The rule of the Senate being dispensed with, the said messages were taken up and read as follows, to-wit:

Gentlemen of the Senate:
I nominate for your advice and consent, the following named persons for the offices which are attached to their respective names:

Robert D. Murray, to be Notary Public for the county of Hart.

John P. Haggin, to be Police Judge of the town of Harrodsburg, in place of C. C. Tomlinson, resigned.

And the following named persons to be the Trustees of the Cumberland Hospital:

H. M. Woodyard, to be Commissioner of Deeds for the State of Missouri.

J. J. CRITTENDEN.

Gentlemen of the Senate:
I nominate for your advice and consent, the following named persons for the offices in the militia of this State, which are attached to their respective names:

J. B. Bland to be Colonel of the 4th Regiment, 8th Brigade.

Richard S. Ferguson to be Colonel of the 9th Regiment, 5th Brigade, in place of J. Horine, promoted.

James D. Hill to be Lieutenant Colonel of the same, in place of Ferguson, promoted.

Joseph Peyton to be Major of the same, in place of Thos. Harris, resigned.

Aaron Wheeler to be Colonel of the 13th Regiment, 25th Brigade, in place of H. R. Conway, resigned.

James G. Mathers to be Lieutenant Colonel of same, in place of Geo. A. Wist, removed from bounds of Regiment.

Oscar Redman to be Major of same, in place of James Myers, resigned.

John C. Long to be Major of the 14th Regiment, 4th Brigade.
Daniel Mannen to be Lieutenant Colonel of the 15th Regiment, 7th Brigade, in place of Asahel Holton, resigned.
John Kinnard to be Major of the 19th Regiment, 13th Brigade, in place of Jonathan Park, resigned.
John Simrall to be Colonel of the 39th Regiment, 7th Brigade, in place of G. W. Davis, resigned.
Lucien S. Luttsell to be Lieutenant Colonel of same, in place of J. Shipley, resigned.
O. H. P. Wheeler to be Major of the same, in place of Simrall, promoted.
Wm. C. Short to be Lieut. Colonel of the 32d Regiment, 1st Brigade, in place of J. Hall, resigned.
Benjamin Jewell to be Major of the same, in place of Short, promoted.
Joseph Donaldson to be Colonel of the 36th Regiment, 5th Brigade, in place of R. L. Williams, resigned.
Josiah J. Ashley to be Lieutenant Colonel of same, in place of Donaldson, promoted.
Armstead A. Blackwell to be Major of the same, in place of Ashley, promoted.
Hedgeman S. Miller to be Colonel of the 37th Regiment, 6th Brigade, in place of J. Sanders, resigned.
Alexander Veach to be Lieutenant Colonel of same, in place of Malone, resigned.
Wm. S. Waddy to be Major of same, in place of A. H. Logan, resigned.
Thomas Morgan to be Colonel of the 40th Regiment, 17th Brigade, in place of G. O. Prone, resigned.
Thomas N. Mann to be Lieutenant Colonel of same, in place of Morgan, promoted.
Isaac Miller to be Major of the same, in place of Mann, promoted.
Edward H. Towler to be Colonel of the 41st Regiment, 17th Brigade in place of R. G. Rouse, resigned.
M. Agnew to be Lieutenant Colonel of same, and G. A. Sugg, Major of same.
G. C. Tarvin to be Colonel of the 48th Regiment, 22d Brigade, in place of J. H. S. Decourcy, resigned.
S. D. Holmes to be Lieutenant Colonel of same, in place of Tarvin, promoted.
Ishmael Worthington to be Major, in place of Holmes, promoted.
Cleland T. Cunningham to be Colonel of the 50th Regiment, 8th Brigade, in place of C. C. Kelly, promoted.
Charles F. Bosley to be Lieutenant Colonel of the same, in place of Cunningham, promoted.
Thomas S. Grundy to be Major of the same, in place of J. T. Kimberlin, resigned.
James M. Denny to be Major of the 53d Regiment, 16th Brigade, in place of G. M. Foust, removed.
Reuben May to be Colonel of the 56th Regiment, 14th Brigade, in place of Henry T. Davis, resigned.
Lewis Sonards to be Lieutenant Colonel of same, in place of May, promoted.
Hiram Hoskins to be Colonel of the 54th Regiment, 18th Brigade, in place of Wm. Green, resigned.
Wm. N. Tinsley to be Lieutenant Colonel of same.
Zachariah B. Taylor to be Major of the same.
Jesse C. Shy to be Lieutenant Colonel of the 57th Regiment, 9th Brigade, in place of James H. Yantis, resigned.
Travis Dodd to be Major of same, in place of Shy, promoted.
Amazon W. King to be Lieutenant Colonel of the 59th Regiment, 23d Brigade, in place of Charles Hambleton, promoted.
Wm. R. Mays to be Major of the same, in place of Richard Kasey, resigned.
Samuel Carpenter to be Colonel of the 64th Regiment, 11th Brigade, in place of Isham Thomas, promoted.
Wesley Cole to be Lieutenant Colonel of same, in place of J. Thompson, resigned.
John Benedict to be Major of the same, in place of S. Carpenter, promoted.
Lott W. Moore to be Colonel of the 66th Regiment, 12th Brigade, in place of G. R. Hines, removed from regiment.
Moses J. Reed to be Lieutenant Colonel of same, in place of Moore, promoted.
Daugherty White to be Colonel of the 68th Regiment, 18th Brigade, in place of Samuel Chastain, resigned.
B. F. Hibbard to be Lieutenant Colonel of same, in place of Miller, resigned.
Daniel White to be Major of the same, in place of Daugherty White, promoted.
Wm. J. Fultz, to be Colonel of the 69th Regiment, 7th Brigade, in place of Joshua Givens, resigned.
Wm. Carr to be Lieutenant Colonel of same, in place of Fultz, promoted.
George W. Reeder to be Major of same, in place of Wm. Carr, promoted.
Wm. Pryor to be Colonel of the 71st Regiment, 4th Brigade, in place of James Ware, resigned.
G. W. Leonard, to be Lieutenant Colonel of same, in place of Pryor, promoted.
Wm. C. Gano to be Major of the same, in place of Nathan Robinson, resigned.
John M. Sevill to be Colonel of the 72d Regiment, 27th Brigade, in place of Stanley Thomas, resigned.
G. B. Parmenter, to be Lieutenant Colonel of same, in place of Sevill, promoted.
Arthur Smith to be Major of same, in place of S. A. Nance, resigned.
David Province to be Colonel of the 73d Regiment, 12th Brigade, in place of E. S. Marks, resigned.
Wm. F. Hawes to be Lieutenant Colonel of same, in place of M. J. Whayne, resigned.
Alfred McDowell to be Colonel of the 55th Regiment, 19th Brigade.
John M. Lamb to be Lieutenant Colonel of the same.
Francis Matchem to be Major of the same.
Caleb Catching to be Lieutenant Colonel of the 75th Regiment, 24th Brigade, in place of Sion Johnson, promoted.
B. M. Porter to be Major of the same, in place of C. Catching, promoted.
Robert Riddle to be Colonel of the 78th Regiment, 13th Brigade, in place of W. Benton, resigned.
John H. Riddle to be Lieutenant Colonel of the same, in place of R. Riddle, promoted.
Wm. R. Walton to be Major of the same, in place of J. H. Riddle, promoted.
Arad Comstock to be Colonel of the 79th Regiment, 24th Brigade, in place of P. Hart, promoted.
Nelson R. Tye to be Lieutenant Colonel of the same, in place of A. Comstock, promoted.
James McKuhan to be Major of the same, in place of N. R. Tye, promoted.
T. N. Allen to be Colonel of the 85th Regiment, 2d Brigade, in place of R. R. Logan, promoted.
Adam Scearce to be Lieutenant Colonel of the same, in place of T. N. Allen, promoted.
Fielding Balee to be Major of the same, in place of G. Davis, resigned.
Orville G. Cameron to be Lieutenant Colonel of the 86th Regiment, 4th Brigade, in place of Scott, promoted.
N. M. Durbins to be Major of the same, in place of O. G. Cameron, promoted.
B. J. Bowen to be Colonel of the 88th Regiment, 2d Brigade, in place of M. Stewart, deceased.
M. M. Ward to be Lieutenant Colonel of the same, in place of J. H. Clubb, resigned.
M. Kepheart to be Major of the same, in place of M. M. Ward, promoted.
Wm. Wood to be Lieutenant Colonel of the 91st Regiment, 11th Brigade, in place of K. C. Mason, resigned.
George B. Hite to be Major in place of F. S. Williams, resigned.
Isaac Smith to be Lieutenant Colonel of the 94th Regiment, 20th Brigade, in place of R. B. Hall, resigned.
Edward R. Edmunds to be Colonel of the 97th Regiment, 27th Brigade, in place of James F. Buckner, resigned.
John M. Ellis to be Major of the same, in place of E. R. Edmunds, promoted.
James M. Nevill to be Colonel of the 101st Regiment, 20th Brigade.
John D. Guy to be Lieutenant Colonel of the same.
Wm. C. Lively to be Major of the same.
John H. McGehee to be Colonel of the 103rd Regiment, 23rd Brigade, in place of S. H. Philpot.
Wm. Harrison to be Lieutenant Colonel of the same, in place of J. H. McGehee, promoted.
John C. Lawson to be Major of the same, in place of Wm. Harrison, promoted.
George R. Thompson to be Major of the 104th Regiment, 26th Brigade, in place of S. P. Simms, declined to accept.
Resolved, That the Senate advise and consent to the said appointments.
A message, in writing, was received from the Governor, by Mr. Hurlan, Assistant Secretary of State.

The rule of the Senate being dispensed with, the said message was taken up, and read as follows, to-wit:

EXECUTIVE OFFICE,  
February 22d, 1849.  

Gentlemen of the Senate and House of Representatives:

I would respectfully invite your attention to the enclosed resolutions of the Legislature of Tennessee, and to the letter of the Governor of that State, accompanying the same. These papers were submitted to the last General Assembly, by my predecessor, but no definite action was had upon them. I have, since your body has been in session, received a letter from the Governor of Tennessee, pressing the importance to that State of the subject to which the resolutions refer; and I therefore submit them to you, hoping that they will receive that consideration to which a sister State deems them entitled, from their importance to many of her citizens.

J. J. CRITTENDEN.

Resolutions directory to the Governor of Tennessee.

By an act of the General Assembly of Tennessee, passed the 20th of January, 1844, making it the duty of the Governor of Tennessee to appoint two Commissioners, to meet two Commissioners on the part of Kentucky, to run and re-mark the State line between Tennessee and Kentucky—said Commissioners performed the duty assigned to them, and made their report to the last General Assembly of this State, then in session, which report was concurred in, but Kentucky has taken no action thereupon. Therefore,

Be it resolved by the General Assembly of the State of Tennessee, That the Governor of Tennessee be requested to correspond with the Governor of Kentucky, asking action on the part of Kentucky, upon said report, and the communication thereof to the Governor of Tennessee, so that the same may be laid before this General Assembly.

F. BUCHANAN,  
Speaker of the House of Representatives.  
J. M. ANDERSON,  
Speaker of the Senate.

Adopted January 11, 1848.

STATE DEPARTMENT,  
Nashville, January 20th, 1848.  

I, William B. A. Ranney, Secretary of State for the State of Tennessee, do hereby certify the foregoing to be a full and true copy of a resolution adopted by the General Assembly of said State, as appears from the original now on file in my office.

W. B. A. RANNEY, Secretary of State.
EXECUTIVE DEPARTMENT,  
Nashville, January 20th, 1848.

Sir: I have the honor to enclose to you the annexed resolutions of our present General Assembly, and your earliest attention is respectfully solicited to the subject therein referred to. Our General Assembly will probably close its session by the first of February, and desire the information sought, if possible, before the adjournment.

Very respectfully,

N. S. BROWN.

His Excellency, WM. OWSEY.

Ordered, That said message and accompanying documents be referred to the committee on Federal Relations.

A bill to authorize the Governor to borrow money, was reported on leave, and read the first time as follows, to-wit:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That if it should become necessary to defray the expenses of the Convention, to be held in October next, the Governor be and he is hereby authorized, for and on behalf, and in the name of the State of Kentucky, to borrow, of the Banks of Kentucky, or either of them, so much as may be necessary to meet the exigencies of the case.

Ordered, That said bill be read a second time.

The constitutional rule as to the second and third readings of said bill being dispensed with, and the same being engrossed,

The question was taken on the passage thereof, and it was decided in the negative, and so the said bill was rejected.

The yeas and nays being required thereon, by Messrs. Rice and J. Speed Smith, were as follows, to-wit:

Those who voted in the affirmative, were—

Messrs. Boyd, Hambleton, Thornton,
Chiles, Heady, Thurman,
Cofer, Hobbs, Walker,
Draffin, McNary, Williams,
Evans, Munford, Young—16.
Grey,

Those who voted in the negative, were—

Messrs. Barbour, Hogan, Speed,
Bradley, Linthicum, Thomas,
Brien, McClure, Todd,
Bruce, McMllan, Triplett,
Eaker, Rice, Waite,
English, Russell, Wall,
Hawkins, Speed Smith, White—21.

Mr. Eaker, from the committee on Privileges and Elections, made the following report, to-wit:

The committee on Privileges and Elections have had under consideration the returns from the several Senatorial Districts in this Commonwealth, and report the following Senators elected, to-wit:
From the first Senatorial District, John Eaker; from the second, Wm. Bradley; from the third, Ben. Edwards Grey; from the fourth, James V. Walker; from the fifth, George W. Triplett; from the sixth, William F. Evans; from the seventh, William E. Munford; from the eighth, William Barnett; from the ninth, Nathan McClure; from the tenth, Thomas Speed; from the eleventh, George W. Barbour; from the twelfth, Charles Hambleton; from the thirteenth, William C. McNary; from the fourteenth, John Cofer; from the fifteenth, Edward D. Hobbs; from the sixteenth, Samuel S. English; from the seventeenth, John W. Russell; from the eighteenth, Thomas P. Linthicum; from the nineteenth, George C. Thurman; from the twentieth, John Draffin; from the twenty first, James Brien; from the twenty second, Cyrenus Waite; from the twenty third, John Speed Smith; from the twenty fourth, John P. Bruce; from the twenty fifth, J. Russell Hawkins; from the twenty sixth, John J. Thomas; from the twenty seventh, George W. Williams; from the twenty eighth, Overton P. Hogan; from the twenty ninth, William K. Wall; from the thirtieth, Stilwell Heady; from the thirty first, Robert S. Todd; from the thirty second, David Thornton; from the thirty third, Walter Chiles; from the thirty fourth, James M. Rice; from the thirty fifth, Wilson P. Boyd; from the thirty sixth, John F. McMillan; from the thirty seventh, Thomas I. Young; from the thirty eighth, Alexander White.

The term of service of the following named Senators, will expire the present year, (1849,) to-wit: William Bradley, William F. Evans, Nathan McClure, Geo. C. Thurman, John Draffin, John P. Bruce, John J. Thomas, Stilwell Heady, and Robert S. Todd.


And then the Senate adjourned.

SATURDAY, FEBRUARY 24, 1849.

A message was received from the House of Representatives, announcing that they had concurred in the amendment proposed by the Senate,
to a resolution from the House of Representatives, fixing a day for the final adjournment of the General Assembly.

That they had passed bills from the Senate of the following titles, to-wit:

An act for the benefit of Jane Duddy.
An act to divorce Joseph Howard.
An act to divorce Edward S. Bowman and Hickerson Smith.
An act for the benefit of Margaret Wilson, and others.
An act to amend the charter of the Clark's Run and Salt River Turnpike Road Company.
An act legalizing the organization and first election of officers by the Dry Creek and Covington Turnpike Road Company.
An act to divorce Mary Catharine Duncan and Owen C. Turner.
An act for the benefit of John Jay Anderson.
An act to amend an act to incorporate the Georgetown and Paris Turnpike Road Company, approved March 1, 1847.
An act to incorporate the Newtown and Leesburg Turnpike Road Company.
An act to incorporate the Petersburg and Burlington Turnpike Road Company, and Owenton and Ross' Mill Turnpike Road Company.
An act for the benefit of William A. Wilson.
An act for the benefit of William Griffey.
An act for the benefit of Thomas T. Tindal and Nancy Bell.
An act for the benefit of certain children in District No. 1, in Graves county.
An act to amend an act to revive the charter of the Augusta, Cynthiana and Georgetown Turnpike Road Company.
An act for the benefit of the widow and children of Christopher Fry.
An act for the benefit of William L. Owens, and others.
An act to permit the citizens of the town of Louisa to vote for or against granting tavern license, and for other purposes.
An act to amend the charter of the Campbell Turnpike Road Company.
An act to establish an election precinct at the house of Jacob Yost, in Logan county, and for other purposes.
An act divorcing Henrietta Dupuy.

With amendments to the five last named bills.

Which amendments were concurred in.

That they had passed bills of the following titles, to-wit:

An act for the benefit of Christopher D. Weymouth.
An act to incorporate the town of Clayville in Shelby county, and Crab Orchard in Lincoln county.
An act to incorporate the Vestry of Grace Church at Paducah.
An act for the benefit of Lot Adams, of Morgan county.
An act authorizing the running of the dividing line between the counties of Campbell and Pendleton.
An act to change the line between the counties of Perry and Breathitt.
An act for the benefit of Joseph Riddle, of Cumberland county.
An act for the benefit of McCracken county.
An act to divorce Ambrose R. Wright, Samuel Hall, and Mary E. Taylor.
An act to divorce Eli Jester and Catharine A. Jester, and others.
An act to amend the act to incorporate the Paris and Cynthiana Turnpike Road Company, and the act to incorporate the Paris and Combs Ferry Turnpike Road Company, and for other purposes.
An act for the benefit of the Trustees of the town of Stephensport, in Breckinridge county.
An act for the benefit of the widow and heirs of James Hutchison, deceased.
An act to divorce Polly Rowark.
An act to divorce Wm. C. Carnahan, and others.
An act to divorce James D. Franks, and Wm. A. Bishop.
An act to divorce Rebecca Aaron, and Nancy L. Rose.
An act supplemental to an act for the benefit of Darwin Johnson, approved — day of — —, 1849.

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

The constitutional rule as to the second and third readings being dispensed with,

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

Mr. Todd, from the committee on 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.

One of the amendments reported by the committee, is as follows, to wit:

"To Thomas S. Theobald, for the amount of a decree rendered in his favor at the suit of the Commonwealth by the General Court, $1,635 89."

Mr. Hobbs moved to amend said amendment by adding thereto the following proviso:

"Provided, however, That the 2d Auditor shall not issue his warrant for the amount for ninety days from the passage of this act, and not after that time, should the Attorney General think proper to take the case up to the Appellate Court, until such Appellate Court shall confirm the decision of the Court below."
The question being taken on the adoption of said proviso to said amendment, it was decided in the negative.

The yeas and nays being required thereon, by Messrs. Draffin and Barbour, were as follows, to-wit:

Those who voted in the affirmative, were—


Those who voted in the negative, were—


The question was then taken on the adoption of the amendment reported by the committee, and it was decided in the negative.

The yeas and nays being required thereon, by Messrs. Draffin and Barbour, were as follows, to-wit:

Those who voted in the affirmative, were—


Those who voted in the negative, were—


The other amendments reported by the committee were then concurred in.

Mr. Todd moved to amend said bill by adding thereto the following:

"To Mason Brown, E. Field, &c., Commissioners for the erection of the Military Monument, $76, to pay for expenses incurred for advertising proposals for the erection of the same, as per account rendered."

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

The yeas and nays being required thereon, by Messrs. Draffin and Williams, were as follows, to-wit:
Those who voted in the affirmative, were—

Messrs. Boyd, Head, Heady, Thornton, Hobbs, Thurman, Brien, Todd, Bruce, Triplett, Chiles, Wall, Hamblenton, White—19, Hawkins,

Those who voted in the negative, were—


Mr. Linthicum moved the following as an amendment to said bill:

"To Spottwood Wills, $1,434.49, the amount due him as reported by the President of the Board of Internal Improvement."

The said amendment was adopted.

Mr. Linthicum moved further to amend said bill by adding thereto the following:

"To Rufus Lane, $140.00, for his claim against the State for work done on the Bardstown and Green River Turnpike Road."

Mr. Williams moved to amend said amendment by adding thereto the following:

"And, also, $875 to Robert Williams, for money due him for work and services on Licking river."

The question being taken on the adoption of the amendment to the amendment, it was decided in the negative; the Senate being equally divided, the Speaker voted in the negative.

The yeas and nays being required thereon, by Messrs. Hogan and Draffin, were as follows, to-wit:

Those who voted in the affirmative, were—


Those who voted in the negative, were—


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

The yeas and nays being required thereon, by Messrs. Draffin and Linthicum, were as follows, to-wit:
Those who voted in the affirmative, were—


Those who voted in the negative, were—


The said bill was further amended.

Mr. Hogan moved to reconsider the vote adopting the amendment making an allowance to Spottswood Wills.

The question being taken on reconsidering said vote, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Hogan and Linthicum, were as follows, to-wit:

Those who voted in the affirmative, were—


Those who voted in the negative, were—


Mr. Linthicum then withdrew said amendment.

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

The constitutional rule as to the third reading being dispensed with, 

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

Mr. Evans, from the committee on Education, to whom was referred a bill from the House of Representatives, entitled, an act to incorporate the Monodelphian Society of Industrial Education, reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional rule as to the third reading being dispensed with,
Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Eaker presented the petition of William C. Massey and wife, praying for the passage of a law to authorize the transfer of certain trust funds; which was received and referred to the committee on the Judiciary.

A bill from the House of Representatives, entitled, an act to repeal an act incorporating the town of Elizabethtown, was taken up and read a third time.

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

Leave of absence was granted to Messrs. Evans and Thornton for the remainder of the session, after to-day.

Bills from the House of Representatives, of the following titles, were severally reported from the committee on Religion, to whom they had been referred, without amendment, to wit:

By Mr. McClure—
An act to divorce Sarah Calvert.
By Mr. Draffin—
An act for the benefit of North Benson Baptist Church, in Franklin county.
An act to incorporate the Trustees of the Harmony Church of Garrard county.
An act to incorporate the Trustees of the Dripping Spring Regular Baptist Church, in Barren county.

Ordered, That said bills be read a third time.

The constitutional rule as to the third reading being dispensed with, Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

The following bills were reported from the committee on Religion, viz:

By Mr. Draffin—
1. A bill for the benefit of Morton G. Hammons and Mary A. Hammons.
2. A bill for the benefit of John Walker, of Anderson county.
3. A bill to divorce William Gibson and Sarah Jane Gibson, of Graves county.
4. A bill to divorce Susan Burden.
By Mr. Bruce—
5. A bill to divorce James and Hannah Price.

Which bills were severally read the first time, and ordered to be read a second time.
The constitutional rule as to the second reading of said bills being dispensed with, they were severally amended and ordered to be engrossed and read a third time.

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

Resolved. That said bills do pass, and that the titles of the 1st, 2d and 4th be amended by adding, "and others;" the title of the third by adding, "and S. B. Woolfolk," and the title of the 5th by adding, "and Samuel Bileter."

Mr. Draffin, from the same committee, to whom was referred a bill for the benefit of William and John Chiles, of Estill Springs, reported the same without amendment.

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

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

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

Mr. J. Speed Smith, from the committee on Internal Improvement, reported a bill providing for Internal Improvements, which was read the first time as follows, to-wit:

Sec. 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That in aid of internal improvements of the State, by Turnpike Roads and Slackwater Navigation, the respective sums hereinafter given to specific objects, are hereby appropriated: For the erection of a bridge at the mouth of salt river, $20,000; to the road from Elizabeth-town, through Munfordsville, to Bell's Tavern, and a bridge over Green river where the road crosses the same, $40,000; to the road from Bowling-green, through Franklin, to the State line, $5,000; to the Logan, Todd and Christian Road, $100,000; to the road from Georgetown to Williams-town, $30,000; to the road from Maysville to Mountsterling, $25,000; to the Wilderness and Cumberland Gap Road, $10,000; to the Bardstown and Glasgow Road, $5,000; to the road from Glasgow, through Scottsville, to the Tennessee line, $40,000; to connect the road from Lexington to Harrodsburg, by the erection of a bridge across the Kentucky river, $10,000; to the Cynthiana and Millersburg Road, $6,000; to the road from Perryville to Springfield, $18,000; to the road from Brownfield, through Hodgenville, to Elizabethtown, $12,000; to the road from Greensburg to Brownfield's, $40,000; to the road from Taylorsville to Louisville, $20,000; to the Cumberland river, beginning at the falls, $3,000; to clear obstructions in the Kentucky river, above slackwater, and the North, Middle, and South Forks thereof, $8,000; to clear obstructions out of the Rolling Fork, above the mouth of the Beech, $1,000; to construct a Lock and Dam on Kentucky river, $80,000; to the road from Carlisle to Owingsville, 10,000; and to the road from Owingsville to Sharpsburg, $10,000.

Sec. 2. Be it further enacted, That the money appropriated in the preceding section, on the McAdamized roads, shall be laid out and ex-
pended upon the same principle of relative expense by the State and individual stockholders, as in the construction of the roads respectively, heretofore.

Sec. 3. Be it further enacted, That, in order to raise the necessary sums in the first section appropriated, the Governor, for the time being, is hereby authorized, empowered, and required, to issue and sell State scrip or bonds, bearing an interest of six per centum, per annum, redeemable in thirty years, to the amount herein made necessary: Provided, however, Said scrip or bonds will sell at par value, or a value above par: And, provided further, Said bonds or scrip be sold by the approval of said Governor and a majority of the Commissioners of the Sinking Fund.

Sec. 4. Be it further enacted, That the sums in the first section mentioned, be applied to the objects specified, respectively, by the Board of Internal Improvement, by contract, or otherwise, as to said Board may be deemed most expedient and advantageous.

Ordered, That said bill be read a second time.

The constitutional rule as to the second reading being dispensed with,

Mr. Bruce moved to amend said bill by striking out all after the enactment clause, and inserting in lieu thereof the following:

That, in aid of the various works of internal improvements of the State, by Turnpike Roads and the several rivers, the sums hereinafter specified, are appropriated to the various objects: To the Logan, Todd and Christian Road, (to be used upon that part of the road commencing at Eddyville, on the Cumberland River, and extending out from the river as the amount will complete said road,) $40,000; to the road from Georgetown to Williamstown, $20,000; to the Sharpsburg and Mountsterling Turnpike Road, $10,000; to the Winchester and Mountsterling Turnpike Road, $8,000; to the Lancaster and Crab Orchard Road, $6,000; to the road from Glasgow, by way of Scottsville, to the State line, $25,000; to the Wilderness and Cumberland Gap Road, $10,000, (one half of this to be expended from Cumberland Gap to Cumberland Ford;) to the road from Bowling Green to the State line, in the direction to Nashville, $8,000; to the Carlisle and Sharpsburg Road, $10,000; to the Owingsville and Sharpsburg Road, $10,000; to the Campbell Turnpike Road, $5,000; to the Cynthiana and Millersburg Road, $5,000; to the Georgetown and Paris Turnpike Road, $5,000, (to be applied by the Board of Internal Improvement for Bourbon county, in constructing that part of the road which lies in said county;) for the erection of a bridge at the mouth of Salt River, connecting the Louisville and Elizabethtown Turnpike Road, $20,000; to the road from Elizabethtown to Bell's Tavern, $17,000; $20,000 to one of the following Turnpike Roads, upon the terms herein contained: the road leading from Springfield to Perryville, incorporated as the Springfield, Perryville and Danville Turnpike Road Company; the road leading from Springfield to Harrodsburg, by the way of Maxville to Harrodsburg; the road leading from Springfield to Perryville, by the way of Bethel Meeting House, near Haysville, in Marion county; the road leading from Springfield, by way of Maxville, to Perryville; the amount above named to be received by that company and road of the above, which shall show the sum of
$20,000, subscribed by individuals or County Courts, and well secured for the building of the road, and report first to the Board of Internal Improvement; and said Board, on being satisfied that said sum is subscribed by individuals or County Courts, is directed to certify the same to the successful road on which the money is to be paid, the books for subscription to be opened the 3d Monday in April next; to the road from Springfield to Lebanon, on to Newmarket, $10,000; to clear out the obstructions in the Kentucky river, above slackwater, and to the North, Middle and South Forks of said river, $10,000, ($4,000 to be expended on the main river, and the remainder to be laid out, equally, upon the Three Forks;) to the clearing out the obstructions in the Cumberland river, beginning below the Falls, $5,000, ($2,000 to be expended from the Falls to the mouth of Laurel river, and the balance on Smith's Shoals, beginning at the lower end of said Shoals;) to clearing the obstructions in the Big Sandy river, $5,000; for improving the downward navigation of Licking river, from West Liberty, $5,000; to the Rolling Fork, $1,000.

Be it further enacted, That the money appropriated in the preceding section on the McAdamized roads, shall be laid out and expended, upon the same principle of relative expense by the State and individual stockholders, as in the construction of the roads respectively, heretofore.

Be it further enacted, That in order to raise the necessary sums, in the first section appropriated, the Governor, for the time being, is hereby authorized, empowered, and required, to issue and sell State scrip or bonds, bearing an interest of six per centum per annum, redeemable in thirty years, to the amount of $250,000: Provided, however, Said scrip or bonds will sell at par value, or value above par.

Be it further enacted, That the sums in the first section mentioned, be applied to the objects specified, respectively, by the Board of Internal Improvement, by contract, or otherwise, as to said Board may be deemed most expedient and advantageous.

Mr. J. Speed Smith moved to lay said bill and amendment on the table.

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

The yeas and nays being required thereon, by Messrs. Boyd and Hawkins, were as follows, to-wit:

Those who voted in the affirmative, were—

Messrs. Boyd,
Bradley,
Brien,
Drain,
Eaker,

English,
Hambleton,
Hawkins,
McClure,
McNary,

Mr. Speed Smith,
Speed,
Todd,
Triplett—15.

Those who voted in the negative, were—

Messrs. Barbour,
Bruce,
Chiles,
Coffe,
Evans,
Grey,
Heady,

Hobbs,
Hogan,
Linthicum,
McMillan,
Russell,
Thomas,
Thurman,

Waite,
Walker,
Wall,
White,
Williams,
Young—20.
The question was taken on the adoption of said amendment, and it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. J. Speed Smith and Bruce, were as follows, to-wit:

Those who voted in the affirmative, were—


Those who voted in the negative, were—


The said bill was further amended on motion of Mr. Boyd, by adding thereto the following additional section, to-wit:

"To the Maysville and Mountsterling Turnpike Road, $20,000."

Mr. Heady moved to amend said bill by adding thereto the following, as an additional section, which was adopted, to-wit:

"Be it further enacted, That there shall be appropriated for the completion of the Turnpike Road from Taylorsville, in Spencer county, to the city of Louisville, $25,000, as Turnpike stock on the part of the State, in the said road, which stock shall stand on the same principles as other stock owned by the State in other Turnpike Roads."

Mr. Hogan moved to lay 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. Bruce and Hogan, were as follows, to-wit:

Those who voted in the affirmative, were—


Those who voted in the negative, were—

Mr. Grey moved to amend said bill, by adding thereto the following:

"That said $40,000, above appropriated to the Logan, Todd and Christian Turnpike Road, shall be expended upon said road, under the direction of the President and Directors of said road, and upon those portions of said road they may think most advisable."

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

The yeas and nays being required thereon, by Messrs. Grey and Barbour, were as follows, to-wit:

Those who voted in the affirmative, were—

Messrs. Boyd, Linthicum, Speed Smith,
   Brien, McClure, Thomas,
   Bruce, McMillan, Waite,
   Cofer, McNary, Walker,
   Grey, Heady, Munford,
   Heady, Wall—16.

Those who voted in the negative, were—

Messrs. Barbour, Hambleton, Todd,
   Bradley, Hawkins, Triplett,
   Chiles, Hogan, White,
   Draffin, Russell, Williams,
   Eaker, Thurman, Young—15.

Mr. Walker moved further to amend said bill, by adding thereto the following, as an additional section, to-wit:

"To the road leading from Russellville, Kentucky, to Clarksville, Tennessee, commencing at the Tennessee State line, $20,000."

Mr. Bruce moved the previous question, and the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

The main question was then put, "Shall the bill be engrossed and read a third time?" and it was decided in the negative, so the said bill was rejected.

The yeas and nays being required thereon, by Messrs. Draffin and Bruce, were as follows, to-wit:

Those who voted in the affirmative, were—

Messrs. Boyd, Heady, White,
   Bruce, McMillan, Williams,
   Evans, Thomas, Young—11,
   Grey, Thurman,

Those who voted in the negative, were—

Messrs. Barbour, Hambleton, Russell,
   Bradley, Hawkins, Speed Smith,
   Brien, Hogan, Todd,
   Cofer, Linthicum, Triplett,
   Draffin, McClure, Waite,
   Eaker, McNary, Walker,
   English, Munford, Wall—21.
Mr. Walker moved to reconsider the vote by which said bill was rejected.

The question being taken thereon, it was decided in the negative. The yeas and nays being required thereon, by Messrs. J. Speed Smith and Walker, were as follows, to-wit:

Those who voted in the affirmative, were—

Messrs. Boyd, Linthicum, Walker,
Bruce, McMillan, White,
Grey, Munford, Young—11.
Heady, Thurman,

Those who voted in the negative, were—

Messrs. Barbour, Hambleton, Thomas,
Bradley, Hawkins, Todd,
Brien, Hogan, Triplett,
Cofer, McClure, Waite,
Draffin, McNary, Wall,
Evans, Speed Smith,

A message was received from the House of Representatives, announcing that they had disagreed to the 1st, 3d, 4th, 7th, 9th, 10th and 11th amendments, and concurred in the 2d, 5th, 8th and 12th amendments proposed by the Senate to a bill from that House, entitled, an act for the appropriation of money, with an amendment to said amendments.

Resolved, That the Senate recede from their 1st, 3d and 6th amendments, and insist on their 4th, 7th, 9th, 10th and 11th amendments, and concur in the amendments proposed by the House of Representatives, to the amendments proposed by the Senate, to said bill, with an amendment to said amendment.

Mr. J. Speed Smith, from the committee on Internal Improvement, to whom was referred bills from the House of Representatives, of the following titles, to-wit:

An act to amend the charter of the Licking and Lexington Railroad Company.
An act to incorporate the New Liberty and Marion Turnpike Road Company.
An act to amend the charter of the Danville and Perryville Turnpike Road Company.
An act to incorporate the Brooksville and Rock Spring Turnpike Road Company.
An act for the benefit of George W. King.
An act to improve the navigation of Middle and Beaver creeks, in Floyd county.
An act to revive an act, entitled, an act to incorporate a Company
to construct a Turnpike Road from Shelbyville to the contemplated
Railroad near Christiansburg, in Shelby county, approved Feb. 29, 1836.

An act to incorporate the Taylorsville and Mount Washington Turn-
pike Road Company.

An act to amend the charter of the Louisville and Frankfort Rail-
road Company.

An act to permit certain persons to build a mill dam across Kinni-
canick.

Reported the same without amendment.

Ordered, That said bills be read a third time.

The constitutional rule as to the third reading being dispensed with;

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

A message was received from the House of Representatives, announc-
ing that they had concurred in the adoption of a resolution from the
Senate providing for a settlement with Peter Dudley, late Treasurer.

That they had passed a bill from the Senate, entitled, an act further
to provide for the erection of the Second Kentucky Lunatic Asylum.

That they had concurred in the amendment proposed by the Senate,
to a bill from that House, entitled, an act for the benefit of Common
Schools.

That they had passed bills of the following titles, viz:
1. An act to increase the Revenue.
2. An act to amend the charter of the Lebanon, New Market and
Springfield Turnpike Road Company.

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

The constitutional rule as to the second reading of said bills being
dispensed with, the first was made the special order of the day for Mon-
day next at 10 o'clock, and the second was ordered to be read a third
time.

The constitutional rule as to the third reading of the second bill being
dispensed with,

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

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

Three messages, in writing, were received from the Governor, by Mr.
Haran, Assistant Secretary of State.

Mr. Todd, from the committee on Finance, to whom was referred a
bill from the House of Representatives, entitled, an act for the benefit

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of Sophia Scott, reported the same with amendments, which were concurred in.

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

The constitutional rule as to the third reading being dispensed with,

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

Mr. Todd, from the same committee, to whom was referred bills from the House of Representatives, of the following titles, to-wit:

An act for the benefit of the Campbell County Court.

An act to change the mode of advertising the forfeiture and sale of lands for taxes.

An act for the benefit of the McCracken County Court.

Reported the same without amendment.

Ordered, That said bills be read a third time.

The constitutional rule as to the third reading being dispensed with,

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

Mr. Todd, from the same committee, reported a bill in aid of Common Schools, which was read the first time as follows, to-wit:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the Governor of this Commonwealth is hereby directed to issue a bond upon the Commonwealth of Kentucky, for the balance of interest due the Board of Education for the year 1848, and payable the 1st day of January, 1849; and shall also issue bonds for the semi-annual interest which may be due said Board on the 1st day of July, 1849, and the 1st day of January, 1850—after deducting, therefrom, all just credits—which bonds shall be made payable to the Board of Education at the pleasure of the Legislature, and shall not be transferable, bearing interest at the rate of six per centum per annum.

Ordered, That said bill be read a second time.

The constitutional rule as to the second reading being dispensed with,

Mr. J. Speed Smith moved to amend said bill by striking out all after the word "Bonds," printed in italics, and inserting in lieu thereof the following:

"Shall be sold at a price not less than their par value, and the proceeds thereof vested in stock in the Northern Bank of Kentucky, the Bank of Kentucky, and the Bank of Louisville: Provided, Such stock in said Banks, or either of them, can be purchased at par value or less; and the interest on said Bonds shall be paid out of the dividends arising on said Bank stock."

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

The yeas and nays being required thereon, by Messrs. J. Speed Smith and Hawkins, were as follows, to-wit:
Those who voted in the affirmative, were—

Messrs. Brien, Heady, Russell,
Bruce, Hobbs, Speed Smith,
Chiles, Hogan, Waite,
Cofers, Linthicum, White,
Hawkins, McMillan, Young—15.

Those who voted in the negative, were—

Messrs. Bradley, Hambleton, Thurman,
Draffin, McClure, Todd,
Baker, McNary, Walker,
English, Munford, Wall,
Evans, Rice, Williams—17.

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

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

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

Mr. J. Speed Smith, from the committee on Internal Improvement, reported a bill to authorize the survey of the route for a Railroad from Louisville to the terminus of the Mobile and Ohio Railroad, at Columbus, and from Lexington to the eastern boundary of Kentucky, which was read the first time, and ordered to be read the second time.

The constitutional rule as to the second and third readings of said bill being dispensed with, and the same being engrossed,

The question was taken on the passage thereof, and it was decided in the negative, so the said bill was rejected.

The Senate resumed the consideration of the motion made by Mr. Russell on yesterday, to reconsider the vote by which the Senate disagreed to a bill from the House of Representatives, entitled, an act to repeal an act to change an election precinct in the county of Henry, from the house of James Ethington to the house of N. L. Oliver, approved March 1, 1847, and for other purposes.

The question being taken on reconsidering said vote, it was decided in the affirmative.

The question was then taken on reading said bill a third time, and it was decided in the negative, and so the said bill was disagreed to.

Mr. Evans, from the committee on Education, to whom was referred a bill from the House of Representatives, entitled, an act to establish the Kentucky College of Medicine and Surgery, reported the same without amendment.

The said bill reads as follows, to-wit:

Sec. 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That Wm. C. Bullitt, John F. Morton, David Beattie, Benj. Adams, Charles M. Thruston, James Rudd, David Meriwether, Garnett
Duncan and L. M. Breden, with their successors and assigns, be and they are hereby incorporated and made a body politic, under the name and style of the Kentucky College of Medicine and Surgery, for the promotion of medical science and art; and for this purpose they may have a common seal; hold, manage and alienate property, both real and personal; elect officers, and ordain all necessary by-laws and regulations; establish fellowships, scholarships, and boards of examiners; appoint professors, lecturers and teachers, and exercise all the privileges usually pertaining to corporations established for the benefit of any of the liberal arts and sciences.

Sec. 2. That the first meeting of the corporation shall be held within six months after the passage of this act, by a call from any two of the corporators, for the organization of the College; and it shall be lawful, at this meeting, and at any subsequent regular meeting, for the College to fill any vacancies that may occur by death, resignation, or otherwise, a majority of the members present voting, by ballot, being necessary for a choice.

Sec. 3. That the Trustees of the Louisville Marine Hospital shall allow to the professors and students of the Kentucky College of Medicine and Surgery, the same opportunities and facilities for clinical instruction, in that institution, which have been, or shall be afforded to the professors and students of the University of Louisville.

Sec. 4. That the Legislature may, at any time, alter or amend this act at their pleasure: Provided, however, That this act shall be submitted to the qualified voters for Mayor and Council, of the city of Louisville, at the next election thereof, in May next, who are hereby empowered to say, by vote, whether they will ratify and accept the provisions of this act; and for that purpose, a poll shall be opened, by the inspectors appointed to superintend the election in each of the wards in said city, and the clerk of each ward, appointed to register the votes thereof, at said election, shall make two columns upon the book in which the votes are to be registered, which columns shall be headed, "For and against the New School," and he shall ask each voter, "Are you for or against the measure?" and the vote of each voter shall be carried into one or the other of the columns, according as he shall express himself; and if a majority of those who vote in said election, on that question, shall cast their votes for the new school, it shall be the duty of the Mayor to make proclamation thereof, and from and after that time this act shall be in full force and virtue.

The question being taken on reading 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. Bruce and Hawkins, were as follows, to wit:

Those who voted in the affirmative, were—

Those who voted in the negative, were:


Grey,

A bill from the House of Representatives, entitled, an act for the protection of the public property on Licking river, and for other purposes, was read the first time, and ordered to be read a second time.

The constitutional rule as to the second and third readings being dispensed with,

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

Mr. Linthicum, from the committee on Propositions and Grievances, to whom was referred a bill from the House of Representatives, entitled, an act for the benefit of the Jailor of Ballard county, reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional rule as to the third reading being dispensed with,

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

Mr. Bradley, from the joint committee on Enrollments, reported that the committee had examined enrolled bills and a resolution, which originated in the Senate, of the following titles, viz:

An act to charter the Kentucky Insurance Company.
An act to incorporate the Male and Female Institute of Calloway county, and Shelbyville Female College.
An act for the benefit of Jane Duddy.
An act to divorce Joseph Howard.
An act to divorce Edward S. Bowman and Hickerson Smith.
An act for the benefit of Margaret Wilson, and others.
An act to amend the charter of the Clark's Run and Salt River Turnpike Road Company.
An act legalizing the organization and first election of officers by the Dry Creek and Covington Turnpike Road Company.
An act to divorce Mary Catharine Duncan and Owen C. Turner.
An act for the benefit of John Jay Anderson.
An act to amend an act to incorporate the Georgetown and Paris Turnpike Road Company, approved March 1, 1847.
An act for the benefit of James A. Wilson.
An act for the benefit of William Griffey.
An act for the benefit of Thomas T. Tindal and Nancy Bell.
An act for the benefit of certain children in District No. 1, in Graves county.

An act to amend an act to revive the charter of the Augusta, Cynthia, and Georgetown Turnpike Road Company.

Resolution in relation to the settlement with the present Keeper of the Penitentiary.

And enrolled bills which originated in the House of Representatives, of the following titles, to-wit:

An act granting a change of venue to James H. Arnold.

An act to authorize the Register of the Land Office to extend a line of a survey in the name of J. Eubank, in Monroe county.

An act to allow Greenup county an additional Justice of the Peace, and additional constables to Henry and Cumberland counties.

An act to amend an act, entitled, an act to incorporate the Maysville Manufacturing Company, and for other purposes, approved March 2, 1844.

An act to change the line between the counties of Clay and Laurel.

An act to allow an additional Constable to Hardin county.

An act for the benefit of the Mechanics of Nicholas county.

An act for the benefit of Mrs. Leavy and her children.

An act for the benefit of Jordan Middleton and William Ratliff.

An act establishing a July term of the Cumberland Circuit Court.

An act for the benefit of Philip F. Graycraft and wife.

An act to extend the limits of Campbellsville.

An act to incorporate the Hopkinsville Fire, Life and Marine Insurance Company.

An act to incorporate the Harrodsburg Springs Company.

An act to incorporate the town of Irvine, in the county of Estill, and for other purposes.

An act for the benefit of Lucretia Gwyn.

An act to allow an additional Justice of the Peace to Spencer county.

An act to authorize the Trustees of Carlisle to levy and collect an additional tax.

An act to appoint a Justice of the Peace in Jefferson county, and for other purposes.

An act for the benefit of John B. Phelps, a lunatic.

An act to incorporate the Georgetown and South Elkhorn Turnpike Road Company.

An act to incorporate the South Kentucky Institute.

An act to incorporate the Irvine Seminary, in the county of Estill.

An act to amend an act to incorporate a Turnpike Road from Washington to Murphysville, in Mason county.

An act to amend an act incorporating the town of East Maysville, in Mason county.
An act for the benefit of the Washington Female Seminary.
And had found the same truly enrolled.
The said bills and resolution having been signed by the Speaker of
the House of Representatives, the Speaker of the Senate affixed his sig-
nature thereto, and they were delivered to the committee to be present-
ed to the Governor for his approbation and signature. After a short
time, Mr. Bradley reported that the committee had performed that duty.
The following bills were reported, to-wit:
By Mr. J. Speed Smith, from a select committee:
A bill to amend the act incorporating the Kentucky Military Institute.
By Mr. Draffin, from the committee on Religion:
A bill for the benefit of Ezekiel Arterbury.
By Mr. Bruce, from the same committee:
A bill to divorce Mary Duck, of Laurel county.
A bill to divorce Lucinda Fish.
By Mr. J. Speed Smith, from the committee on Internal Improve-
ment:
A bill to mark, definitely, the dividing line between certain counties.
A bill to incorporate the Cynthiana and Williamstown Turnpike Road
Company.
By Mr. Evans, from the committee on Education:
A bill concerning Common Schools.
Which bills were severally read the first time, and ordered to be read a
second time.
The constitutional rule as to the second and third readings of said
bills being dispensed with, and the same being engrossed,
Resolved, That said bills do pass, and that the titles thereof be as afore-
said.
Mr. Wall, from the committee on the Judiciary, to whom was referred
a bill from the Senate, entitled, an act to amend an act concerning mill
dams and other obstructions in water courses, approved 22d February,
1797, as amended by the House of Representatives, reported the same
with an amendment to said amendment.
Ordered, That said bill and amendments be laid on the table.
An engrossed bill, entitled, an act for the benefit of Robert Williams,
was read the third time.
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. Bradley and
Hogan, were as follows, to-wit:

Those who voted in the affirmative, were—

Messrs. Boyd,  Eaker,  Speed Smith,
Brien,    Hawkins,  Thomas,
Bruce,   Hobbs,  Wall.
Resolved, That the title of said bill be as aforesaid.

An engrossed bill, entitled, an act for the benefit of George B. Kinkead, was read the third time.

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. Heady and J. Speed Smith, were as follows, to-wit:

Those who voted in the affirmative, were—

Messrs. Boyd, Bruce, Chiles, Cofer, Draffin, Grey, Hambleton,

Hawkins, Hobbs, McMillan, McNary, Munford, Russell,

Speed Smith, Triplett, Wall, White, Williams, Young—19.

Those who voted in the negative, were—

Messrs. Barbour, Bradley, Brien, Eaker,

Heady, Hogan, Linthicum, McClure,

Rice, Thomas, Thurman, Waite—12.

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

Mr. Heady, from the committee on Military Affairs, to whom was referred a bill from the House of Representatives, entitled, an act for the benefit of A. C. Daniel, and others, reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional rule as to the third reading being dispensed with, Resolved, That said bill do pass, and that the title thereof be as aforesaid.

A message, in writing, was received from the Governor, by Mr. Harlan, Assistant Secretary of State.

The rule of the Senate being dispensed with, the said message was taken up, and read as follows, to-wit:

EXECUTIVE OFFICE, February 24th, 1849.

Gentlemen of the Senate:

I nominate for your advice and consent, John D. Taylor to be Police Judge of the town of East Maysville.

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

Mr. Chiles, from the select committee appointed under a resolution of the Senate, in relation to the supposed defalcation of James Davidson, late Treasurer, made the following report, to-wit:

The select committee, appointed under and by virtue of a resolution of the Senate, providing for an investigation of the supposed defalcation of Col. James Davidson, late Treasurer of Kentucky, and for other purposes, beg leave to report:

That at the time of our appointment, in consequence of the limited period intervening before the probable termination of the present session of the Legislature, we had great reason to apprehend that we would not be able to accomplish the dutiful task assigned us, and hence, we felt constrained to desire an excusal from undertaking of the requisite labors, but the honorable body to which we belong, denied us our request. Resolving, then, to do all within the compass of our power, in view of the circumstances existing, we obtained leave to hold our sessions during the business hours of the Senate, and immediately proceeded to the discharge of the trust reposed in us. Having been previously furnished with a report which appeared to have been made by Messrs. A. W. Dudley and F. Lloyd, as Commissioners under an appointment from Ex-Governor Owsley, before the close of his administration, we examined the same carefully, as well as the authority under which it was made. Col. Davidson, it appears, resigned his office of Treasurer, on the 7th day of August, 1848. Thereupon, the said Commissioners were appointed by the Executive, as provided by an act of the General Assembly of this Commonwealth, passed in the year 1808. That act, amongst other things, directs that in the event of the resignation, death, or removal of the Treasurer, during the recess of the Legislature, that the Governor shall appoint two Commissioners to settle the accounts of the deceased, resigned; or removed Treasurer, where some one, on behalf of said Treasurer, may attend, for the purpose of aiding in such settlement; and the Commissioners, having made such settlement, shall deliver over the books, papers, and money, belonging to the Treasury, to the Treasurer so appointed, and take his receipt therefor. A statement of such settlement, together with the receipt of the Treasurer so appointed, shall be delivered to the Auditor of Public Accounts, to be by him filed in his office. This settlement and report, was made by high authority, and having such a sanction, we did not feel at liberty to disregard it, especially as its correctness had not been impeached, so far as we had any knowledge or information. We supposed that said Commissioners were entirely competent to the discharge of the duties enjoined on them by said appointment, as the Governor of the Commonwealth, under such circumstances, would scarcely be so derelict in trust, as to select inefficient agents for so important a station. And we take pleasure in saying, that having interrogated a number of witnesses who appeared before us—men of the highest standing and first respectability in Frankfort—such as James Harlan, Thomas S. Page, E. H. Taylor, Henry Wingate, &c., &c., they
bore ample testimony to the high character of those Commissioners, as honorable gentlemen, correct accountants, and men of splendid business capacity. We feel constrained to say, in view of this evidence, that in our opinion better selections could not have been made in the Commonwealth of Kentucky, for the objects contemplated in their appointment.

Feeling it our duty to apprise Colonel Davidson of our appointment as a committee under the aforementioned resolution, and invite him to attend our sessions, we forthwith addressed to him a letter containing such information. And being solicitous to terminate our labors as soon as practicable, we therein also requested of him to point out to us all and any errors which he might have discovered in the settlement of said Commissioners, or in any settlement or report of himself as Treasurer, heretofore made, and which was used or referred to by said Commissioners, or was in any manner or degree connected with their said report; and we furthermore desired of him to favor us with such reasons, if any he had, why he failed or omitted to execute such official bonds, from time to time, as required by law. The following is a copy of the letter addressed to him:

"Dear Sir: Having been appointed a committee, under a resolution of the Senate of Kentucky, (lately adopted,) in relation to the supposed defalcation in the Treasury of the State, whilst under your administration, we shall this day commence our labors, in one of the rooms of the Capitol, and will adjourn from time to time, as occasion may demand, until the business is completed. We would be pleased to have you present on all such occasions as it might be convenient for you to attend, and will listen to any suggestions as you would be disposed to present to our consideration, in relation to the matter. We regret that such a duty has devolved on us; but being forced into our present position, by the action of the Senate, we have no other alternative than to proceed; and it is our desire to progress with as much dispatch as circumstances will warrant, as the session of the Legislature is drawing to a termination.

"We design not to be inquisitorial, or unjust to you in any respect; our highest aspirations will be to do strict justice to all, and faithfully discharge the trust reposed in us. We sincerely hope that neither you nor your friends will have occasion to impute to us any improper motives, blame, or censure, relative to our action in this business.

"We have been furnished with the report of the Commissioners appointed by the late Governor of the Commonwealth, to make a settlement of your accounts as Treasurer, and it will greatly facilitate our investigation, to take up this report, and compare it with the books of the several offices which it may be necessary to examine. If you have detected any errors in this report, of any description, we respectfully ask of you to point them out to us, and it will give us great pleasure to make such an examination thereof, as will result in doing you full, ample, and complete justice in the premises. We will spare no labor
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we, as your Commissioners, have the honor to say, that we have more than once directed our attention to the subject of the settlement in question, and we have felt it our duty to communicate our opinion to the Senate, that the settlement in question is erroneous.

We beg leave to observe, that the settlement in question is erroneous, and that no such bond was executed by you, as Treasurer, subsequent to the 25th day of April 1840. We hope that you are able to furnish such reasons as will be satisfactory to the public; and as none such have as yet appeared, so far as we have learned, through any medium, we feel confident that you will esteem it a privilege to make a response to the enquiry here propounded to you.

There are other matters involved in the resolution, that are made subjects of investigation, but none that demands any further enquiry of you. Will you favor us with an early response to this address?

With sentiments of respect, we are yours, &c.,

WALTER CHILES,
WM. BARNETT,
S. S. ENGLISH,
OLI. JAMES DAVIDSON, late Treasurer of Kentucky.

We were furnished with the following reply:

FRANKFORT, Feb. 12, 1849.

GENTLEMEN: I have received yours of to-day's date, informing me of your having been appointed a committee, under a resolution of the Senate of Kentucky, (lately adopted,) in relation to the supposed defalcation in the Treasury of the State, whilst under my administration, and that you would be pleased to have my presence, on all suitable occasions when it might be convenient for me to attend, and that you will listen to any suggestions which I might be disposed to present to your consideration. You also inform me that it is not your desire 'to be inquisitorial, or unjust to me in any respect, and that your highest aspirations will be to do justice to all.' In answer to your communication, I beg leave to assure the committee I have the utmost confidence in their integrity, intelligence and patriotism, and that their labors will be directed solely to the development of all the facts connected with my accounts, as late Treasurer of this Commonwealth; but I beg leave to decline the privilege offered by the committee, to make explanations before them, for the following reasons: 1st. The Commonwealth has instituted legal proceedings against me, founded on the report made by Commissioners appointed by the immediate predecessor of the present executive, and the case will stand for trial at the
next term. I am not advised that any proceeding which may be had before your committee, or any report you may make, will be evidence before the Court, in the trial of the case. 2d. In order that a thorough examination may be made of my accounts, from the time I was first elected Treasurer, until my resignation, I desire that gentlemen well qualified for the service may be appointed, who can investigate the subject thoroughly, in the recess of the Legislature; to such a committee I will cheerfully attend, and go into a thorough investigation of the whole subject, and am perfectly willing to abide the result of their investigations. I do not wish you to infer that I distrust your capacity to discharge such a duty, but my opinion is, the near approach of the adjournment of the Legislature does not afford sufficient time for a full and thorough investigation of the matter. 3d. I desire none other but a fair investigation, and am perfectly satisfied, when such an investigation takes place, that it will be found I am not in arrears to the Commonwealth. 4th. The state of my health has not permitted me to compare the report of the Commissioners made to the Legislature, with the present session, with the books and papers on which their report was founded; their investigations were made by themselves, not in my presence, nor in the presence of any one representing me; during a considerable portion of the time, my health was so poorly as to prevent my attending to any kind of business; the result of the investigation of those Commissioners will be found I feel confident, wholly erroneous.

For the foregoing reasons, I respectfully decline to enter into any explanation before your committee. I repeat, I desire a full and thorough investigation, before a tribunal to whom sufficient time is allowed to perform their duty in a thorough manner. I will submit, with pleasure, for the examination of the committee, any books in my possession, pertaining to my late office of Treasurer.

I am, very respectfully, your obedient servant,

JAMES DAVIDSON.

How far the reasons, detailed in the above and foregoing communication, may be satisfactory for declining the request specified in our letter to him, we leave for others to determine—we conceive it unnecessary to give any expression of opinion on the subject. It is true, as therein stated, that suit had been commenced against him, by the Commonwealth of Kentucky. This was instituted, (by motion,) on the 3d day of February last, as we ascertained by enquiry at the office of the General Court. We supposed, however, that if he had really ascertained that any errors existed, for the sake of his own character, he would have been so accommodating as very readily to have pointed them out; it certainly would not have prejudiced his case in court, to have satisfied us that he was not in default, or that errors had been committed heretofore in the settlement of his accounts. The general expression employed by him, that the report of the Commissioners would be found "wholly erroneous," upon investigation, sounded very strange to us, when he did not pretend to say that he had detected any such errors himself, or caused the same to be done by others, or even made a strict examination thereof, to ascertain if such errors did in fact exist. It would be very remarkable, if a report made by Commissioners, of the character of
These by whom his accounts were settled, by authority of the Governor of Kentucky, were "wholly erroneous." Although met with so flat a refusal, on the part of the late Treasurer, to assist us in the investigation contemplated, we resolved to look as far as we could into the business, and trace out some of those errors, if we possibly could find any. We directed our attention chiefly to the printed reports of the Treasurer and Auditors, as exhibited in the Journals of the Senate and House of Representatives for several years past. Before commencing this examination, however, we concluded to call on the Commissioners, Messrs. A. W. Dudley and F. Lloyd, and to ascertain from them more fully the reasons why they fixed upon the 27th of February, 1839, as their "starting point," in making out their report; we addressed to them a letter containing the requisite interrogatories, to which we received for answer the letter contained in appendix hereto annexed, marked A, No. 1. The reasons detailed by them were most satisfactory to us, and by way of testing the correctness of their calculations, we examined all the reports, &c., referred to by them, and was not able to detect any error to any amount therein worth mentioning, and are constrained to believe that the same are just and accurate.

We would take occasion to remark, that in the examination of the various books containing reports of the Treasurer, Auditors, &c.; there are errors to be found—and in those which appeared previous to the sessions of 1839-40; those errors are calculated to mislead and produce improper and incorrect conclusions. At the session of the Legislature of 1839-40, it appears that rumor had proclaimed a defalcation in the Treasury of the State, which superinduced a most rigid and scrutinizing investigation into the books, records, papers and business affairs of the Treasurer's office, by the said Legislature, and the committees thereof. On the 16th day of December, of that session, we find the following resolution was adopted at the instance of Mr. Meriwether, of Jefferson:

"Resolved, That the Treasurer of this Commonwealth be directed to lay before this House, the gross amount of money received into the Treasury during each fiscal year, since his appointment to office, and the amount of warrants paid by the Treasurer in each year, as afore
said, striking a balance at the end of each year, so as to show whether there be a surplus or deficit in each year, and how much. And that he be directed to report what amount of credits he has received in the Commonwealth's Bank, by virtue of the acts of the Legislature, and when; and that he distinguish between the receipts and disbursements for ordinary purposes of government, Internal Improvement, Sinking Fund, and School Fund; and that he be requested to give such explanation, as to the apparent deficit in the Treasury, as he may deem proper; and that he report whether there was a surplus or deficit when he came into office, and how much." See H. R. Journal, p. 78, 1839-40.

This resolution was responded to by Col. Davidson, on the 6th day of January, 1840, and all the information called for was furnished by him in a lengthy and elaborate report. In his communication to the Legislature, he uses these words: "There may be found, and doubtless are, some slight errors in the heads of accounts, and some few items improperly carried forward; yet, in all and every account, the aggre-
“gate amount of receipts and disbursements, in each fiscal year, balance correctly, and are clearly exhibited.”

“Sometime last summer, I was informed by the Second Auditor that he had examined and tested the accounts in his office from 11th of October, 1834, to the 10th of October, 1838, and had corrected some errors; and on comparison of the balance sheet of each office, it was ascertained we did not agree. He requested me to commence and re-examine all my accounts and bring forward the balances in each fiscal year, and test every item with the vouchers on which they were founded. And with great care and labor I commenced a re-examination of the books, &c., from 11th October, 1834, to the 10th of October, 1838; and with the exception of one or two instances where the balances of the preceding years were not brought forward, and one small item of $7.92 twice charged to myself, I was pleased to find that all my receipts and disbursements, within the above period, agreed and balanced precisely with the books of the Second Auditor.”

On page 156, of the same Journal, after the balance was struck, up to the 10th day of October, 1838, the said Treasurer uses this language.

“The whole of the foregoing items erroneously stated, were made in my deductions (founded upon the general results) from the books; and the confusion has accrued from my misunderstanding some portion of the accounts and confounding others, and charging myself with the same sums twice; but my books, in the main, were correct, before the examination was made by the Second Auditor and myself, last summer; and now, I have no doubt, every thing will be found correct. Of all the errors that occurred, not one was found against the Commonwealth; which at least shows no design, upon my part, to commit the errors.”

Col. Davidson was appointed Treasurer on the 16th day of December, 1825. His report commences at that period, and exhibits his accounts, with the balances struck each year, to the said session of 1839.

On page 155, one item is omitted by the printer on extending his accounts, but the amount is carried out correctly, and the omitted item is included in the aggregate, as a test of the calculation and addition will conclusively prove, so that no injustice is done any one thereby, and no discrepancy is produced as to general results—this amount omitted is $528,484 75. At the same session of the Legislature, the Auditor of Public Accounts made a voluminous report, in which he exhibited the situation of the Treasury each year, commencing from the 10th day of October, 1823, extending to the 10th of October, 1839, inclusive. This agrees with the report of the Treasurer, and may be found in the appendix of the H. R. Journal from pages 29 to 43, inclusive. On page 40 will be found a typographical error of $20,000, yet the aggregate amount is found to be correct. From both of these reports it appears, that in 1833, there was a full settlement made with the Treasury, and a large balance then found against the State, was paid off in the funds of the old Commonwealth’s Bank. A new account commences at this period, and is regularly continued on from thence to the present time. There seems to be no controversy that up to this time all was right. The two reports agree precisely, as they do also from that period to 1839.
At the said session of 1839-40, the committee on Public Offices made an investigation and examination of these accounts, as appears from their report in Appendix to H. R. Journal, p. 599, and sequent. They use therein the following language:

"Your committee next proceeded to examine the books, papers, and accounts in the Auditor's office. They called over the warrants drawn upon the Treasury, and compared them with the corresponding numbers in the check book; (or register of warrants) drawn upon the Treasury, and found them to agree, and all the additions to be correct. They carefully compared the balances of each year, from the 10th of October, 1833, to the 27th February, 1839, and here report the result in table marked A, which shows the general balance at that time."

This table marked A, corresponds with the other reports, and shows the Treasury to be debtor in the sum of $156,059 74. The same committee further report, on page 608 of the same Journals, that they have corrected all differences found to exist in said reports, and point out the same, item by item, exhibiting the same result.

After the response of the Treasurer to the resolution of the H. R., in 1839, as aforesaid, said response was referred to a select committee of Messrs. Meriwether, Hardy, and others, and on the 23d day of January, they made a report to the House, which may be found on pages 274-5 of said Journals. This language is used in said report, in relation to these accounts: "And so far as the committee are enabled to determine, they believe that the response to the resolutions of the 16th December, corrects the errors heretofore existing in the annual reports of the Treasurer, and that the appendix to the Second Auditor's report will be found to be a correct exposition of the books of the Auditor's office, and that it will agree with the response of the Treasurer."

Now, it appears that these accounts of the Treasurer and Auditor have been rigidly examined by themselves, as Col. Davidson himself says, as above shown — he had re-examined his books, and was pleased to find that all his receipts and disbursements agreed and balanced precisely with the books of the Second Auditor. They were also examined by two committees of the House of Representatives, at said session of 1839-40, and found to be correct. We now say that we have also examined the same, as appears on said Journal and Appendix, and find the calculations correct! If, then, there be any errors in the report of the Commissioners, Dudley and Lloyd, we cannot find them. That their "starting point" is correct, we cannot doubt; and that their calculations and results are correct, we are likewise satisfied. We have made a calculation from these revised reports of the Treasurer and Auditor, from the 10th day of October, 1833, to the 27th February, 1839, and from thence to the 14th of August, 1848, when the balance of money in the State Treasury was paid over to Peter Dudley, the new Treasurer. This calculation will produce the result, precisely, which was reported by the Commissioners, viz: a deficit of $52,217 32. For this calculation, see Appendix hereto, marked B-No. 2.

We have made no examination of the books and records of either of the offices, with the exception of a slight inspection of some of those in the office of the First Auditor. We could see no necessity for so doing. The evidences of the various examinations thereof, by Col. Davidson,
Mr. Page, and the two committees of the House of Representatives, that everything was correct, are too strong to be totally over-looked by us. We were not aware that one could correct errors where such inspections of the records had been made, as appears to have been done in this case, without effect, especially when the party interested could not direct our attention to any. The calculations of Messrs. Dudley and Lloyd, from February 27th, 1839, to the close of Col. Davidson's career as a public officer, has not been impeached, so far as we can hear, except so far as Col. Davidson himself has done so in his general charge, contained in his letter above copied. If Col. Davidson shall be so fortunate as to point out these errors of which he complains, it will afford us much satisfaction, and will be the source of heartfelt gratification to his old friends and associates.

As to the causes which have operated to produce the result already indicated, and which we are also directed to ascertain and report, we find it somewhat difficult to draw a conclusion. From the best evidence, however, that we have been enabled to obtain, we are of the opinion that the over confidence in others, negligence in keeping accounts, and perhaps a lack of economy in the domestic circle, have had their influence. We have found no one who doubted the honesty of Col. Davidson. All who have appeared before us, have testified in behalf of his claims to moral rectitude and propriety. All represent him as a kind man, indulgent parent, and good neighbor; yet, as an accountant and bookkeeper, those whose opportunities have enabled them to judge, speak of him as rather deficient.

From the best lights we have, this defalcation commenced in the year 1841, and continued to increase, each year, to the period of his resignation.

We have not been successful in obtaining any reasons why bonds were not executed by said Treasurer, from time to time, as the law requires. Col. Davidson can give none himself, or at least has not given any to us; and we could not perceive in what manner his response to this part of our enquiries could prejudice or affect him in the suit brought against him by the Commonwealth. This omission, we think, is a feature in his case more odious than any other. His last bond bears date the 15th of April, 1840, and the very next year his defalcation commences. This is certainly most unfortunate for him. We regret that such is the case, and will forbear any further comment. We think that the Treasurer, as well as the Senate of Kentucky, have been to blame for their non-attendance to the duties by law enjoined on them, respectively; and we are also inclined to the belief, that the Governors of the Commonwealth, who have been in office since 1840, ought also to share the blame. There is, however, a difference of opinion on this subject, and we will refer the Senate to the act of 1798—Brown and Morehead's Digest, 2d volume, 1515. There is one point on which all must agree, that the Treasurer has been in default in this respect. There can be no doubt of that. We find that he has regularly tendered securities to the Senate of Kentucky, each year, since 1840; and said securities have, from time to time, been approved. For 1841-2, Jacob Swigert, Thomas S. Theobald, Adam C. Keenon, and A. G. Hodges were so tendered as securities. For 1842-
and for 1843-4, the same securities were tendered. For 1844-5, Jacob Swigert, A. O. Keenon, A. G. Hodges, and A. P. Cox, were tendered as securities; and, also, for 1845-6. For 1847-8, Messrs. Newton Craig, A. G. Hodges, and Jacob Swigert, were tendered, and were approved on the 24th day of February, 1847. Messrs. Jacob Swigert, A. P. Cox, and A. G. Hodges, were tendered for the next year, and were approved on the 17th day of February, 1848.

Each of said sureties do rely upon the non-execution of such bonds, to avoid responsibility. Mr. Jacob Swigert is Clerk of the Court of Appeals of Kentucky, A. G. Hodges is Public Printer, A. P. Cox is Secretary of the Board of Internal Improvement, and Newton Craig is the Agent of the Kentucky Penitentiary. Mr. Theobald says, if his “name was tendered as one of Col. Davidson’s securities, he was not aware of it,” and Mr. Craig says, in answer to a letter we addressed to him, “I do not feel bound for any default of said Davidson, as Treasurer, or otherwise, never having even agreed to endorse his bond.”

We have thus endeavored to discharge the duties enjoined on us; whether satisfactory to the Senate or not, is for their determination. We have labored faithfully and diligently, and if we have not discharged our duty, we feel assured that it has not been for lack of diligence and industry. A portion of our duty has been of rather an unpleasant kind, yet we have not for a moment flinched or hesitated, and have done the very best that we could, in view of all the facts and circumstances of the case. All of which is respectfully submitted.

WALTER CHILES,
SAMUEL S. ENGLISH.

FEBRUARY 24, 1849.

APPENDIX.

[In-No. 1.]

To Messrs. WALTER CHILES, WM. BARNETT, and S. S. ENGLISH, Committee of the Senate.

GENTLEMEN: We have just received your note of yesterday, propounding to us certain queries in relation to the settlement of the accounts of the late Treasurer. In this note you state to us: “In your report upon the settlement of the accounts of Col. James Davidson, late Treasurer of Kentucky, we perceive that you have fixed upon the 27th February,
"1839, as your "starting-point," and for this you have given reasons, "yet you have not set them forth so fully and so satisfactorily as we "suppose you could have done, and would have done, if you had con- "cealed it necessary. In order that we may be fully enlightened upon "the subject, and be prepared to enlighten others, we would respecti- "fully solicit of you a further explanation." In answer to this request we respectfully offer the following statements:

We were appointed to "settle" the accounts of the late Treasurer. A serious difficulty met us in the entrance upon our labors. The two Auditors claimed to have in the Treasurer's hands money amounting in all to $34,328,11. On the other hand, the Treasurer stated that the net balance standing to his credit, officially, in the Frankfort Branch Bank, amounting to $75,091,51, constituted the whole of the funds belonging to the Commonwealth. Here, then, was a seeming discrepancy between the Auditors and the Treasurer of $59,236.60. The first duty of the Commissioners was to compare the books of the Treasury with those of the two Auditors' Departments, and see how this disagreement was to be accounted for. It was necessary to fix upon a starting point at which to begin the comparison. The obvious course seemed to be to go back only as far as 10th October, 1847, the end of the previous fiscal year, because on this date the Treasurer had reported that he had in the Treasury, from all sources, the sum of $158,656,35, an amount which agreed exactly with the total sum claimed by the two Auditors; and it was a reasonable supposition that the Treasurer had compared his cash on hand with the sum which he reported to be in the Treasury. Upon further enquiry and reflection, however, we felt that it would be proper and right to carry our investigation back for several years. Our reasons for this course being detailed in full in our final report to the Governor, we need not here repeat them.

We adopted the date of 27th February, 1839, as the starting point of our comparison and investigation, because the Treasury accounts had been carefully revised and conformed to the Auditor's accounts up to this date: from the history of this revision, with which we were furnished by Thomas S. Page, Esq., all the presumptions were in favor of the accounts of the two departments being correct up to this date. The history of this revision is as follows:

In the session of 1838-9, the office of Second Auditor was created. On the 27th February, 1839, Mr. Page, the new Auditor, entered upon his duties, and proceeded to divide the accounts between the two Auditors' offices. From the condition of the Auditor's books, he found that it would be necessary, in the first place, to revise the Auditor's accounts from 1823 to 27th February, 1839. To aid him in the performance of this work he engaged the services of Mr. Charles S. Waller. By their joint labor a new series of accounts for the Auditor's office, for the period from 1823 to 27th February, 1839, was made out from the Auditor's original entries, and from the vouchers on file in his office. While this revision of the Auditor's accounts was going on, the Treasurer was likewise engaged in revising his own accounts. In making up these two revised series of accounts, the balances of the Auditor and the Treasurer were compared at the end of every month, and at the end of each fiscal year. When any discrepancy appeared between the accounts of the two departments, the work was stopped until the cause of the disagreement was settled.

We will state the substance of this revision as follows:

On the 27th February, 1839, the Treasurer's books showed a surplus of $75,091.51. On the 10th October, 1847, the Treasurer reported a surplus of $158,656.35. The history of this revision is as follows:

The two Auditors' accounts were compared with the Treasurer's accounts, and it was found that the Treasurer had compared his cash on hand with the sum which he reported to be in the Treasury. Upon further enquiry and reflection, however, we felt that it would be proper and right to carry our investigation back for several years. Our reasons for this course being detailed in full in our final report to the Governor, we need not here repeat them.
was discovered and removed. In this manner the joint labors were carried on until the date of 27th February, 1839, was reached. On this date the accounts of the Auditor and of the Treasurer being found to agree exactly, balances were struck, and these balances were divided between the two Auditors’ departments. This settlement was considered, at the time, to be a correct and a final one by the Treasurer and the two Auditors, so far as regarded the books and vouchers in the Auditor’s office, up to 27th February, 1839. Of course, although this settlement was correct as far as it went, it did not include any sums previously received or paid out by the Treasurer, which remained unaudited on 27th February, 1839—that is to say, the settlement did not and could not include any previous receipts or disbursements by the Treasurer of which the Auditor had never been notified.

It will be seen from a report of a committee of the Legislature, H. R. Journal 1839-40, page 274, that the Treasurer had received large sums of money with which he had not been charged. These were moneys borrowed from the Banks in 1837 and 1838, amounting in all to $318,462 50. On the 10th October, 1840, the Board of Internal Improvement issued a certificate to the first Auditor, directing him to charge the Treasurer with this sum. On the other hand, the Treasurer had paid out large sums for interest in the years 1835-6-7 and 9, for the amount of which ($16,093 82) he did not receive a warrant until 25th December, 1845. But these unaudited sums do not, of course, affect the accuracy of the balances which were struck on the date of 27th February, 1839.

Our report shows that our search for errors during the period in question, resulted in the discovery that the Treasurer was entitled to credits to the amount of $7,019 20; leaving a deficiency in his cash amounting to $52,217 32.

It was necessary to ascertain in what year or years this large deficiency in the Treasury occurred, because, had we discovered that the deficiency existed during the whole period which we revised—the same on 27th February, 1839, as on 8th August, 1848—or, had we discovered that a portion only of the deficiency had occurred since February, 1839, then we would have gone back to 1833 and searched for errors up to our first starting point. But our investigation proved that the whole amount of the deficiency had occurred since the year 1841. On the 10th October, 1841, there was no deficiency in the Treasurer’s cash. It would, therefore, have been absurd to seek for errors against him in the years from 1833 to 1839, to account for a deficiency of $52,217 32, which did not begin to appear in his cash until after the 10th October, 1841.

We carried our search for errors back to a period more than two years prior to the year in which the deficiency in the Treasury began to appear. To have continued the search back to 1833, would have incurred to the Commonwealth the useless expense of some months of additional labor on the part of the Commissioners.

The foregoing reasons for not carrying back our investigation beyond the 27th February, 1839, we deem to be conclusive.

In your note aforesaid, you further ask of us: “We would also request of you to inform us whether you have revised your work, done and performed by you in and, about said investigation, and if you have made any discovery of any errors or mistake in your work, or any further calculation of accounts in any wise affecting your said inves-
"tigation, either in confirmation or in opposition to the conclusion arrived at by you, we would be pleased to hear from you in relation thereto." To these queries we reply: That we feel convinced that no errors exist in our statements and accounts of the settlement of the accounts of the late Treasurer, which statements and accounts are contained in our books deposited in the First Auditor's office. We did not close our labors until we felt thoroughly satisfied that we had explored every channel, accessible to us, through which errors could have crept into the accounts of the Treasury, and that we had discovered all the errors which were capable of being detected, so far as we had entries or evidence of any sort to operate upon.

The most probable sources of error lay in the "Internal Improvement Fund" and the "Sinking Fund"—particularly in the latter. These two accounts we analyzed and investigated with especial care. During former years, an immense sum in State bonds passed through the Treasury as cash. In order to see whether the Treasurer had duly received credits for all the bonds with which he had been charged, in our analysis of the Internal Improvement account, we carried out the cash, the large bonds, and the small bonds, into separate columns, balancing each set of columns separately. As the debit and credit sides of the bond columns balanced exactly, it was clear that there could be no error in the bond account, so far as the Treasury was concerned.

Previous to 1845, the Commissioners of the Sinking Fund had a separate cash Fund, and a Treasurer of their own, through whose hands nearly a quarter of a million of dollars passed during each year. Of these sums, a portion did not enter the Treasury at all; and many of the sums debited and credited on the books of the State Treasurer, were not, in reality, received and disbursed by him. Moreover, the State Treasurer was in the practice of making advances to the Treasurer of the Sinking Fund, in anticipation of requisitions to be made on the former thereafter. Of these advances, generally large in amount, no evidence appeared on the books of the Treasury; they were settled with the State Treasurer in warrants afterwards issued. In view of these obvious sources of error, we scrutinized the Treasurer's "Sinking Fund" account with great care, passing over it again and again, and collating it with the Bank accounts, and with the printed accounts of the settlement with James M. Bullock and James Harlan, the Treasurers of the Commissioners of the Sinking Fund; which accounts appear in reports 1845-6, pages 457 to 526. Moreover, we had the advantage of the lucid explanations of Mr. Harlan, who was the Treasurer of the Sinking Fund during four years of the period which passed under our review.

The books of the Treasury were not kept with skill, and they contained many errors; but it is due to Col. Davidson to state, that nearly all these errors were against himself. In the Commissioners' account, book C, page 74, on file in the Auditor's office, it will be seen that we rejected the sum of $11,050 44, being the total of various amounts which he had charged against himself in his receipt book, but which charges we obtained full evidence of being erroneous.

We remain, most respectfully,

A. W. DUDELEY,
FRANCIS LLOYD,

FRANKFORT, 23d Feb., 1849.

Late Commissioners.
No. 2.

Statement of Credits to the Treasurer from the 10th October, 1833, to 27th February, 1839, taken from the appendix to 2d Auditor's Report, in "Appendix to H. R. Journal, 1839-40," pages 38 to 43.

<table>
<thead>
<tr>
<th>Total paid by Treasurer for the year ending 10th October, 1834,</th>
<th>$ 219,031 10</th>
</tr>
</thead>
<tbody>
<tr>
<td>Warrants paid by Treasurer for year ending 10th October, 1835,</td>
<td>210,501 63</td>
</tr>
<tr>
<td>Warrants paid by Treasurer for year ending 10th October, 1836,</td>
<td>231,412 17</td>
</tr>
<tr>
<td>Warrants paid for year ending 10th October, 1837, Scrip and Sinking Fund</td>
<td>78,925 90</td>
</tr>
<tr>
<td>Warrants paid for year ending 27th February, 1838, Scrip and Sinking Fund,</td>
<td>326,155 02</td>
</tr>
</tbody>
</table>

Total amount of Credits, $5,594,483 74.

*There is a typographical error in this sum in the printed report—$337,068 36 is printed by mistake for $357,068 36.
No. 3.

Amount of moneys received and disbursed by the Treasurer, from 10th October, 1833, to 7th August, 1848, as per printed report of 2d Auditor, in "Appendix to H. R. Journal, 1839-40," pages 38 to 43, and the report of the late Commissioners:

DEBITS.
To debits from 10th October, 1833, to 27th February, 1839, per Statement No. 1, - - - - $5,751,443 48
To debits from 27th February, 1839, to 7th August, 1848, as per report of the Treasury Commissioners, - - - - 8,866,876 09
Total amount of Debits, - - - - $14,618,319 57

CREDITS.
By credits from 10th October, 1833, to 27th February, 1839, per Statement No. 2, - - - - $5,594,483 74
By credits from 27th February, 1839, to 7th August, 1848, as per report of the Treasury Commissioners, - - - - 8,889,507 73
By balance of errors, per Commissioners report, - - - - 7,019 29
By cash received of Frankfort Branch Bank, and paid over to Peter Dudley, the new Treasurer, on 14th August, 1848, - - - - 75,091 50
Total amount of Credits, - - - - 14,566,102 36
Leaves a balance still due by Treasurer of - - - - $53,217 32

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

And then the Senate adjourned.

MONDAY, FEBRUARY 26, 1849.

A message was received from the House of Representatives, announcing that they had concurred in the amendment proposed by the Senate, to the amendment proposed by that House, to a bill from the Senate, entitled, an act to establish a summer term of the Franklin Circuit Court, and to change fall term of said Court, and for other purposes.

That they had concurred in the amendments proposed by the Senate, to bills from that House, of the following titles, to-wit:

An act to prevent the destruction of fish in the Little Kentucky river.
JOURNAL OF THE SENATE.

An act to change the name of Louisa Turner, and others.
An act to regulate the holding of the Kenton Circuit Court, and for other purposes.
An act to extend the powers of the Marshal of the city of Louisville.
An act establishing an additional term of the Greenup Circuit Court.
An act for the benefit of James Tucker and his wife.
That they had passed bills from the Senate, of the following titles, viz:
An act to incorporate the Licking Steamboat Navigation Company.
An act to charter sundry Turnpike Companies in Madison county.
An act to incorporate the Springfield, Maxville and Perryville Turnpike Road Company.
An act to incorporate the Springfield and Perryville Turnpike Road Company.
An act to amend the charter of the Maysville and Lewis County Turnpike Road Company.
An act for the benefit of J. T. Thomasson, deceased.
An act to amend the charter of the Lexington and Frankfort Railroad Company.
An act for the benefit of Spottswood Wills.
An act to incorporate the Campbell and Pendleton Turnpike Road Company, and amend the charter of the Versailles and Midway Turnpike Road.
An act authorizing the Marshall County Court to change a part of the State road leading from Hopkinsville to Columbus.
An act to divorce Jane Gatliff.
An act to amend the charter of the Winchester and Mountsterling Turnpike Road Company.
An act authorizing the establishment of a State road from Pembroke to Green river.
An act to incorporate the Henry and Trimble Turnpike Road Company.
An act to change the place of voting in the Flint Island Precinct, in Breckinridge county.
An act to amend an act, entitled, an act to extend the limits of the town of Hopkinsville.
An act for the benefit of Benjamin D. Beall and James Sparks.
An act for the benefit of John R. Thornton and Richard Kenningham, trustees.
An act for the benefit of Vincent Brooks.
An act for the benefit of George McFarland Hall.
An act for the benefit of Moses Hubbard and wife.
An act for the benefit of the town of Tompkinsville.
An act for the benefit of Wilson Evans.
An act to establish the town of Gordonsville, in Hopkins county.
An act granting a change of venue to James May.
An act to amend an act to amend the penal laws of this Commonwealth, approved February 11, 1809.
An act to amend the charter of Paducah.
An act to allow an additional Justice of the Peace to Hopkins county.
An act to establish the town of Miltonville, in Casey county.
An act for the benefit of Henry M. Lutes, of Owsley county.
An act for the benefit of those who have imported slaves contrary to the law of 1833.
An act to amend the act incorporating the Kentucky Military Institute.
An act divorcing James and Hannah Price, and Samuel Biletter.
An act to divorce Lucinda Fish.
An act to divorce Mary Duck, of Laurel county.
An act to divorce Susan Burden, and others.
An act for the benefit of Morton G. Hammons and Mary A. Hammons, and others.
An act for the benefit of Ezekiel Arterberry.
An act for the benefit of John Walker, of Anderson county, and others.
An act to divorce William Gibson and Sarah Jane Gibson, of Graves county, and S. B. Wofolk.
An act for the benefit of William and John Chiles, of Estill Springs.
An act to mark definitely the dividing line between certain counties.
An act concerning Common Schools.
An act for the benefit of the Caldwell Circuit Court.
An act to establish an election precinct in Shelby county, and one in Clay county.
An act supplemental to an act to repeal the charter of Augusta College.

With amendments to the two last named bills.
That they had disagreed to a bill from the Senate, entitled, an act for the benefit of John Morris and Job Allen, of Clay county, and others.
That they had passed a bill, entitled, an act to increase the powers of the Trustees of the town of Versailles.
That they had received official information that the Governor had approved and signed enrolled bills which originated in that House, of the following titles, to-wit:
An act authorizing the confinement of offenders against the ordinances of the city of Maysville, in the county jail and jail yard in said city.
Approved February 17, 1849.

An act to incorporate the St. Louis and New Orleans Telegraph Company.
JOURNAL OF THE SENATE.

FEB. 26.

An act to incorporate the Russellville and Nashville Turnpike Road Company.

An act divorcing Benj. R. Gaines and wife, and for other purposes.

An act allowing an additional Constable in Larue county.

An act to amend the road law in the county of Campbell.

An act to regulate the public roads in Bullitt county.

An act to change an election precinct in the county of Pulaski.

An act to change a State road in Christian county.

An act for the benefit of Ralph F. Wood, of Barren county.

An act to incorporate the Trustees of the Parsonage of the Methodist Episcopal Church South, in Floydsburg, in Oldham county.

An act for the benefit of the Trustees of the First Presbyterian Church in Shelbyville.

An act for the benefit of the Mechanics of Estill and Owsey.

An act for the benefit of the widow and heirs of Henry Durrett, deceased.

An act to amend an act, entitled, an act to establish the town of Milton, approved February 4, 1846.

An act to amend an act regulating the town of Salvisa, in Mercer county, approved February 9, 1828.

An act to authorize the Clerk of the Breckinridge County Court to transcribe certain records.

An act to incorporate the Odd Fellows Hall Association in Henderson.

An act to establish the Louisville Commercial College.

An act to establish the Covington Commercial College.

An act authorizing a re-conveyance of ten acres of land on Barren river, to T. L. Stephens and James Ford.

An act to reduce into one the several acts concerning the town of Lagrange.

An act to repeal, in part, an act declaring Pond river a navigable stream.

An act for the benefit of Rebecca Royse, of Fleming county.

An act supplemental to an act to erect a monument to those who have fallen in defence of their country, approved February 25, 1848.

An act authorizing the Trustees of Germantown to appoint an Assessor for special purposes.

An act for the benefit of Nathan Wallis, of Hickman county, and Robert Taylor, of Monroe county.

An act to allow J. L. Jones and John Adams to erect a mill dam on Licking river.
An act to authorize the President and Directors of the Turnpike Road between Bowlinggreen and Franklin to locate a toll gate within one mile of Bowlinggreen.

An act for the benefit of George W. Finnie.

An act to legalize the proceedings of a special term of the Estill County Court.

An act to extend the limits of the town of Ghent.

An act to incorporate the Grayson and Catlettsburg Railroad Company.

An act to incorporate the Paris and North Middletown Turnpike Road Company.

An act to authorize the County Courts of Boyle and Lincoln to take stock in certain Turnpike Roads.

An act to allow the County Court of Lewis to apply the proceeds of the vacant lands of said county to the improvement of the navigation of Kinnicanick, and for other purposes.

An act to divorce David C. Spencer.

An act to divorce John M. Crane.

An act to divorce E. V. Scruggs.

An act to divorce George Boulton.

An act to divorce Tilman H. and Julia Ann Steele.

An act to divorce Edward Pelouze.

An act to divorce Mary Ann Carpenter.

An act to divorce John G. Brown.

An act to divorce Sarah Lorispaugh, and for other purposes.

Approved February 21, 1849.

An act to divorce John R. Pates and Ann Booker.

An act to divorce John Adair, of Monroe county, and others.

An act declaring certain streams in Floyd and other counties navigable.

An act to amend the law establishing the town of Creelsboro', approved 9th February, 1819.

An act to authorize the payment of the amount due to the Commissioners of the road from Bowlinggreen to the mouth of Salt River.

An act to amend the charter of the Kentucky and Louisville Mutual Insurance Company.

An act to divorce John and Nancy S. Cox.

An act to divorce Elizabeth Lewis.

An act to incorporate the Owingsville and Sharpsburg Turnpike Road Company, and for other purposes.

An act to divorce John L. Vaughan and others.

An act declaring Big Mud creek, in Butler county, a navigable stream.
An act authorizing the County Court of Fayette to take stock in the Frankfort and Lexington Railroad Company.

An act to amend the act to incorporate the Millersburg and Cynthiana Turnpike Road Company.

An act for the benefit of the Board of Internal Improvement of Lincoln county.

An act for the benefit of the Sheriffs of Union and Henry counties.

An act to amend the charter of the Louisville and Taylorsville Turnpike Company, and to incorporate the Jefferson and Brownsboro' Turnpike Road Company.

An act for the benefit of John Carr, a lunatic, and Peggy Hawthorn.

An act for the benefit of A. J. Gatewood, of Barren county.

An act to allow an additional Constable to Shelby county and Calloway county.

An act to amend the law in relation to the Goose Creek Turnpike Road passing through Clay and Laurel counties.

An act for the benefit of Hiram Begley.

An act for the benefit of Reuben McCarty, Clerk of the Pendleton County and Circuit Courts.

An act to incorporate the Eagle Manufacturing Company.

An act to amend an act establishing an election precinct in Mason county.

An act for the benefit of Elisha Jones, of Larue county.

Approved February 23, 1849.

Mr. Hobbs, from the committee on the Sinking Fund, to whom was referred a bill from the House of Representatives, entitled, an act to authorize the surrender of State bonds, and to provide for the cancelment and burning of State bonds, and for other purposes, reported the same with amendments, which were amended and concurred in.

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

The constitutional rule as to the third reading being dispensed with,

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

Mr. Walker, from the committee on Propositions and Grievances, to whom was referred a bill from the House of Representatives, entitled, an act to extend the powers of the Trustees of the town of New Castle, reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional rule as to the third reading being dispensed with,

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

Leave of absence was granted to Mr. Linthicum for the remainder of the session.
Leave was given to Mr. Williams to withdraw from the files of the Senate the petition and papers of Morton G. Hammons.

On the motion of Mr. Walker, the committee on Propositions and Grievances was discharged from all further business before them.

Mr. J. Speed Smith, from the committee on Internal Improvement, to whom was referred a bill from the House of Representatives, entitled an act to change the State road leading from Canton to Waidboro, reported the same with an amendment, which was concurred in.

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

The constitutional rule as to the third reading being dispensed with,

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

Resolved, That the Senate concur in the amendment proposed by the House of Representatives, to a bill from the Senate, entitled an act supplemental to an act to repeal the charter of Augusta College.

A bill from the Senate, entitled an act to establish an election precinct in Shelby county and one in Clay county, as amended by the House of Representatives, was laid on the table.

Mr. Wall, from the committee on the Judiciary, reported a bill to amend an act entitled an act to amend the several laws establishing and regulating towns in this Commonwealth, approved February 23, 1834, which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second reading being dispensed with, The question was taken on engrossing and reading said bill a third time, it was decided in the negative, and so the said bill was rejected.

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

An act for the benefit of Jesse Vansickles.

An act to amend the charter of the city of Louisville, and for other purposes.

An act incorporating the German Jefferson Benevolent Society of Louisville.

An act for the benefit of David Logan and his children.

An act to incorporate the German Roman Catholic St. Boniface Benevolent Society of Louisville.

An act for the benefit of the heirs of Hiram Duley, deceased, of Fleming county.

An act to authorize Robert T. Stratton to sell certain lands belonging to the estate of Peter Stratton, deceased.

An act for the benefit of Narcissa Amanda Morgan.

An act for the benefit of the heirs of Thomas Taylor, deceased.

An act to incorporate the several Masonic Institutions of Louisville.
An act to amend an act, entitled, an act for the benefit of the Mechanics of the city of Louisville, approved December 22nd, 1831.

An act to incorporate the Jefferson Insurance Company of Louisville.

An act to establish the town of Brooklyn, in Campbell county.

Reported the same without amendment.

Ordered, That said bills be read a third time.

The constitutional rule as to the third reading being dispensed with, Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Wall, from the same committee, to whom was referred bills from the House of Representatives, of the following titles, to-wit:

1. An act for the benefit of C. M. Matthews.

Reported the same with amendments to each, which were concurred in.

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

The constitutional rule as to the third reading being dispensed with, Resolved, That said bills, as amended, do pass, and that the title of the 1st be amended by adding, "and for other purposes," and the title of the 2d by inserting after Garrard the world "Laurel."

Mr. Bruce, on leave, reported a bill to authorize the holding of an additional term of the Estill Circuit Court in 1849, which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second and third readings of said bill being dispensed with, and the same being engrossed, Resolved, That said bill do pass, and that the title thereof be as aforesaid.

After a short time a message was received from the House of Representatives, announcing that they had passed said bill with an amendment, which amendment was concurred in.

A message was received from the Governor, by Mr. Harlan, Assistant Secretary of State, announcing that the Governor had approved and signed an enrolled bill which originated in the Senate, entitled, an act to amend the charter of the Lexington and Frankfort Railroad Company.

Approved February 26, 1849.

The Senate proceeded to the consideration of the special order of the day, being a bill from the House of Representatives, entitled, an act to increase the revenue.

The said bill reads as follows, to-wit:

Sec. 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That it shall be the duty of the several Sheriffs of this Commonwealth to collect and pay into the Public Treasury, one cent, in ad-
dition to the tax now imposed by law, upon every hundred dollars worth of property now subject to taxation, and liable to be assessed under the existing revenue laws of this Commonwealth; which additional tax of one cent, as aforesaid, shall be collectible only for the year 1849, to pay the expenses of the approaching Convention, and to supply the deficiency, if any exist, from the alleged defalcation of the late Treasurer.

Sec. 2. That instead of the sums now required by law to be paid by the owners and keepers of a menagerie, circus, wax figures, show, exhibition or theatrical performance, there shall be paid by such owners or keepers, in advance, for their license, as now required by law, the sum of one dollar, per day, for each and every day's exhibition thereof, for each one hundred voters contained in the county in which such exhibition, show or performance may be exhibited or made; the license for such exhibitions to be obtained and paid for in the manner now directed by law.

Sec. 3. That from and after the passage of this act, no merchant, vender of any goods, wares or merchandise, shall be permitted to sell spirituous liquors in quantities now provided by law, until he or they shall first obtain from the Clerk of the County Court, where he or they may reside, a license to sell the same for twelve months, and shall pay the Clerk, aforesaid, the sum of five dollars for such license, which shall be paid into the Treasury as other taxes, received by the Clerks of County Courts, are now paid into the Treasury.

Sec. 4. That if any merchant, vender of any such goods, wares or merchandise, proceed to sell any spirituous liquors, contrary to the provisions of the third section of this act, he or they shall be subject to all the penalties imposed upon tavern keepers for selling spirituous liquors without license, and to be recovered and appropriated in the same manner.

Sec. 5. That it shall be the duty of each and every proprietor of any nine or ten pin alley, which has heretofore been erected, and is now kept, or which may hereafter be erected or kept in this Commonwealth, to pay to the Clerk of the County Court of the county in which such alley is erected and kept, the sum of ten dollars, annually; and shall execute bond in the Clerk's office, in a penalty of one hundred dollars, with good security, to be approved as aforesaid, conditioned that no gaming, riotous or disorderly conduct shall be allowed upon said alley, or in the building containing the same; and the Clerk shall thereupon grant or permit such person or persons to keep such alley for the space of one year; and the Clerk shall account for all sums of money paid by virtue of this act, as other taxes are now accounted for by law.

Sec. 6. That if any person shall hereafter presume to keep any nine or ten pin alley, without first having complied with the provisions of the fifth section of this act, such person shall forfeit and pay to the Commonwealth the sum of one hundred dollars, to be recovered by information or indictment, and applied as other fines and forfeitures are now applied by law; and if any keeper or keepers of such alley, shall violate, or knowingly permit to be violated, the condition of his bond provided for as above, he and his sureties may be sued thereon in any Court of this Commonwealth having jurisdiction of the same, and the penalty of such bond be recovered and applied as other forfeitures are now applied.
Sec. 7. That hereafter, before any plat and certificate of survey shall be received into the Land Office of this Commonwealth, or registered therein, the owner or holder of such survey, shall first pay to the Register as follows; to-wit: For every survey containing four hundred acres, or under that quantity, the sum of one dollar; and for every four hundred acres contained in any such survey, over and above four hundred, an additional sum of ten cents shall be in like manner paid; which sums shall be in full for all services performed by said Register, in every such case, up to and including the issuing, grant; which several sums, when received by the Register, shall be accounted for, and paid into the Treasury of this Commonwealth, as other fees paid in the said office.

Sec. 8. That the owner or holder of all surveys, founded on donation warrants, or warrants from the County Courts, which have been made prior to the passage of this act, and are not yet registered in the Land Office, shall have twelve months, from and after the passage of this act, to return and have the same registered; and on all surveys which may be hereafter made, founded on either class of warrants hereinbefore mentioned, the owner or holder thereof, shall be required to return and have the same registered in the Land Office, within twelve months from and after the making said surveys, respectively; and in case the owner or holder of any such survey or surveys shall fail to have the same registered in the Land Office, within the time herein and hereby prescribed, the Register of the Land Office shall not receive or register the same; and every such survey, and the entry on which it is founded, shall be, and the same is hereby declared null and void; and all land embraced or included in any such entry or survey, shall be subject to entry or appropriation by any other person, in the same manner as other vacant land may be appropriated under the laws of this Commonwealth.

Sec. 9. Hereafter, when any County Court grants a tavern privilege, the Court shall order the Clerk of the Court to issue a license for the same, as soon as such applicant produces to the Clerk the Sheriff's receipt for ten dollars, the amount of tax.

Sec. 10. Hereafter it shall be the duty of all persons who stand a Stud, Jack or Bull, to pay the amount of the license money to the Sheriff of the County where the Stud, Jack or Bull may stand; and the Clerk of the County Court shall not grant any license for the standing of any of the aforesaid animals, until the owner produces the Sheriff's receipt for the standing money.

Sec. 11. It shall be the duty of the County Court Clerk of each county, to file the Sheriff's receipt for all the license money received as aforesaid; and by the first day of September in each year, he shall copy and forward to the Second Auditor, a full and complete list of all such receipts, showing the amount, from whom received, and for what purpose received; and it shall also be the duty of the Sheriff, by the first day of September in each year, to make a similar return. The County Court Clerks shall be allowed twenty-five cents, to be paid by the parties, for issuing each license; and the Sheriff shall be allowed three per cent. for collecting and paying over; and the Sheriff shall pay into the Treasury all moneys collected under this act, at the same time the revenue is paid, and be subject to the same penalties, in case of failure to pay.

Sec. 12. That it shall be the duty of the several Judges of the Circuit Courts of this Commonwealth, at each term of their respective Courts,
to specially give in charge to the grand jury of each county, the fifth and eleventh sections of an act, entitled, an act to add to the resources of the Sinking Fund, approved March 11th, 1843. And it shall be the duty of the several attorneys for the Commonwealth, to prosecute for all violations of said sections of said act; and the said Attorneys shall be entitled to receive twenty per cent. of all monies which may be collected for violations of said act.

Sec. 13. That it shall be the duty of the Clerks of the Circuit Courts in this Commonwealth, at least thirty days before the meeting of each Circuit Court, to issue to all merchants and pedlers in their county, a summons, directing them to appear before the Clerk of the County Court, on or before the first day of the term of said Circuit Court, and answer or otherwise report to him, on oath, the following questions, viz: "Have you or not, during this year, sold or caused to be sold, any packs of playing cards?" If so, how many packs have you sold?" and should it appear by the answers to these questions, that any packs of playing cards have been sold, then, and in that event, the said merchant or pedler, shall then and there, for the benefit of the Treasury, pay to the said Clerk of the County Court, at the rate of twenty five cents for each and every pack so sold; and should any merchant or pedler, so summoned, fail, or refuse to appear and answer, as directed, or fail to pay the tax imposed in this bill, he or they shall suffer and pay a penalty of one hundred dollars, to be recovered by presentment or indictment before any Court of competent jurisdiction in this Commonwealth.

Sec. 14. That the Governor be and he is hereby requested, as soon as practicable, to ascertain all public defaulters to this Commonwealth, and their probable ability to make good the amount of their said defalcation, in whole or in part; and if, in his opinion, they are able to pay as much as ten per cent. thereon, to cause suit to be brought against all persons legally bound therefor, for the recovery thereof, unless the same be settled or adjusted on or before the first day of June next.

Mr. English moved to lay 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. English and Bruce, were as follows, to wit:

Those who voted in the affirmative, were—

Bruce, English.

Those who voted in the negative, were—

Messrs. Barbour, Boyd, Hogan, Thornton,
Hogan, McMillan, Thurman,
Chiles, McNary, Todd,
Cofer, Munford, Tripplett,
Draffin, Rice, Walker,
Grey, Russell, Wall,
Hambleton, Speed, Smith, White,
Hawkins, Speed, Williams,
Hobbs, Thomas, Young—27.
Mr. Rice moved to amend said bill by striking out the 7th and 8th sections thereof.

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

The yeas and nays being required thereon, by Messrs. Bruce and Rice, were as follows, to-wit:

Those who voted in the affirmative, were—


Those who voted in the negative, were—


Mr. Todd moved to amend the said bill, in the first section, by striking out “one cent,” where it occurs in said section, printed in italics, and inserting in lieu thereof, “two cents.”

Mr. English moved a division of the question.

And the question being taken on striking out “one cent,” it was decided in the affirmative.

The question was then taken on filling the blanks in said section with “two cents,” and it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. English and Todd, were as follows, to-wit:

Those who voted in the affirmative, were—


Those who voted in the negative, were—

italics, the words, "or any pistols or Bowie knives;" and by inserting after the word "packs," printed in italics, the words "and pistols or Bowie knives;" and by inserting after the word "sold," printed in italics, the words "and one dollar for each and every pistol or Bowie knife sold."

The question being taken on the adoption of said amendments, it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. Brien and Hogan, were as follows, to-wit:

Those who voted in the affirmative, were—


Those who voted in the negative, were—


Mr. Hogan then moved to amend said bill by striking out said 13th section, as amended.

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

The yeas and nays being required thereon by Messrs. Hogan and Cofer, were as follows, to-wit:

Those who voted in the affirmative, were—


Those who voted in the negative, were—


Mr. Cofer then moved to amend said bill by adding thereto the following, as an additional section, to-wit:

Be it further enacted, That there shall be paid and collected, the sum of ten dollars upon each and every slave imported into this State; and it shall be the duty of any person or persons importing a slave into this Commonwealth, to pay to the County Court Clerk of his, her or their
county, the said sum of ten dollars, in twenty days after such importation; and, upon failure to do so, he, she or they shall suffer and pay a penalty of one hundred dollars, to be recovered by presentment or indictment, before any Court of competent jurisdiction in this Commonwealth. The County Court Clerk shall account for the tax imposed by this section, as other revenue.

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

The yeas and nays being required thereon, by Messrs. Cofer and Triplett, were as follows, to-wit:

Those who voted in the affirmative, were—

Messrs. Boyd, McMillan, Triplett,
Bruce, Speed Smith, White,
Chiles, Speed, Walker,
Cofer, Thornton, Wall,
Hawkins, Todd, Williams—16.
Hobbs,

Those who voted in the negative, were—

Messrs. Barbour, English, Munford,
Bradley, Grey, Thomas,
Brien, Hogan, Thurman,
Eaker, McNary,

The said bill was further amended by adding thereto the following, as an additional section:

That each and every keeper of a coffee house, or other person who shall be licensed by any city or town authority to retail or sell any spirituous liquors, shall pay a tax of ten dollars to the Clerk of the County Court of the county of his residence, who shall account for and pay over the same as he is required by law to account for and pay over tax on tavern license; and all Clerks shall, in regard to coffee houses thus paying tax, be governed in every respect by the laws in force prescribing their duty as to tax on tavern license; and any coffee house keeper or other person who shall sell or retail spirituous liquors, without having first paid such tax as aforesaid, shall be liable to all the pains and penalties imposed upon persons who sell or retail spirituous liquors without license.

Mr. Russell moved to amend said bill by inserting the following, as the seventh section thereof, to-wit:

Be it further enacted, That the Clerks of the different County Courts in this Commonwealth, be and they are hereby authorized to issue license to any individual applying therefor, to put up and keep a billiard table for twelve months from and after the date of said license, upon the payment, by such applicant, of three hundred dollars; the said applicant entering into bond, with good security, in the sum of one thousand dollars, not knowingly to permit any person or persons to bet any sum of money, or other thing, on any game played on said table; and
any person putting up, and allowing play on a billiard table, without taking out license as above permitted, shall be subject to indictment therefor, and on conviction, shall be confined in the Jail and Penitentiary of this State, for a term of not less than six, nor more than twelve months.

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

The yeas and nays being required thereon, by Messrs. Boyd and Speed, were as follows, to-wit:

Those who voted in the affirmative, were—


Those who voted in the negative, were—


Mr. Wall moved to reconsider the vote by which the said amendment was adopted.

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

The yeas and nays being required thereon, by Messrs. Hobbs and Wall, were as follows, to-wit:

Those who voted in the affirmative, were—


Those who voted in the negative, were—


The said section was then amended by striking out $300 and inserting $500, as the amount to be paid by the person setting up and keeping a billiard table.

The question was then taken on the adoption of said amendment as amended, and it was decided in the negative.
The yeas and nays being required thereon, by Messrs. Munford and J. Speed Smith, were as follows, to-wit:

Those who voted in the affirmative, were—

Messrs. Barbour, Bruce, Chiles, Hambleton, Hawkins,

Heady, Hogan, Russell, Speed Smith, 


Those who voted in the negative, were—

Messrs. Boyd, Bradley, Brien, Cofer, Draffin, Eaker, English,

Grey, Hobbs, McClure, McMillan, Rice, 

Speed, Thomas, Thornton, Todd, Walker, Wall—19.

The said bill was further amended.

Mr. Hogan then moved to amend said bill by striking out all after the first section.

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

The yeas and nays being required thereon, by Messrs. Hogan and Bruce, were as follows, to-wit:

Those who voted in the affirmative, were—

Messrs. Barbour, Bradley, Brien, Eaker, Hawkins,

Hogan, McNary, Munford, Speed Smith, Speed,

Thornton, Thurman, Todd, Walker, Wall—15.

Those who voted in the negative, were—

Messrs. Boyd, Bruce, Chiles, Cofer, Draffin, English,

Grey, Hambleton, Heady, McClure, McMillan,


Mr. Heady moved to amend said bill by adding thereto a section permitting billiard tables to be erected and kept upon the payment of a tax of $250.

Mr. Grey moved to amend said amendment by fixing the tax to be paid on such tables at $350, which was decided in the affirmative.

The question was then taken on the adoption of said amendment as amended, and it was decided in the negative.

The yeas and nays being required thereon, by Messrs. Munford and Brien, were as follows, to-wit:
Those who voted in the affirmative, were—

Messrs. Barbour, Hawkins, Speed Smith, Speed
Bruce, Headly, Thurman, Speed
Chiles, Hogan, Thurman, Speed
Draffin, McNary, Triplett, Speed
Hambleton, Russell, Waite, Speed

Those who voted in the negative, were—

Messrs. Boyd, Grey, White
Bradley, Hobbs, Waite
Brien, McClure, Walker
Cofer, McMillan, Wall
Eaker, Munford, Wall
English, Rice, Wall

Mr. Walker moved to reconsider the vote by which the amendment proposed by Mr. Cofer, imposing a tax of $10 dollars on each slave imported into this State, was adopted.

The question being taken on reconsidering said vote, it was decided in the negative.

The yeas and nays being required thereon, by Messrs. Grey and Barbour, were as follows, to-wit:

Those who voted in the affirmative, were—

Messrs. Barbour, English, Munford
Bradley, Grey, Russell
Brien, Headly, Thurman
Chiles, Hogan, Todd
Eaker, McClure, Walker

Those who voted in the negative, were—

Messrs. Boyd, Hobbs, Thomas
Bruce, McMillan, Thornton
Cofer, McNary, Triplett
Draffin, Rice, Waite
Hambleton, Speed Smith, Wall
Hawkins, Speed, Wall

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

The constitutional rule as to the third reading being dispensed with,

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

The yeas and nays being required thereon, by Messrs. Hogan and Brien, were as follows, to-wit:

Those who voted in the affirmative, were—

Messrs. Boyd, Hobbs, Thomas
Chiles, McMillan, Thornton
Cofer, McNary, Todd
Draffin, Munford, Triplett
Grey, Russell, Waite
Hambleton, Speed Smith, Wall
Hawkins, Speed, Wall
Those who voted in the negative, were—


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

A message was received from the House of Representatives, announcing that they had passed a bill from the Senate, entitled, an act limiting the jurisdiction of the General Court, with amendments which were concurred in.

That they had adopted a resolution rescinding the resolution fixing a day for the final adjournment of the General Assembly, and fixing another day.

The said resolution was taken up.

Mr. Eaker moved to amend said resolution by striking out the 28th inst., that being the day fixed for the final adjournment, and inserting in lieu thereof the 27th inst.

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

The yeas and nays being required thereon, by Messrs. Eaker and McClure, were as follows, to-wit:

Those who voted in the affirmative, were—


Those who voted in the negative, were—


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

The yeas and nays being required thereon, by Messrs. Cofer and Hambleton, were as follows, to-wit:

Those who voted in the affirmative, were—

Those who voted in the negative, were—

Messrs. Cofer, English, McMillan,
Draffin, Hambleton, McNary,
Eaker, McClure, Walker—22.

A message was received from the House of Representatives, announcing that they had passed bills of the following titles, to-wit:

An act to increase the powers of the Trustees of the town of Versailles.
An act to divorce Gilbert Williams, and others.
An act to divorce Juliann Robinson.
An act to divorce Nancy C. Blewett, and others.
An act to divorce Mahulda Renfro, and others.
An act to divorce Emerine Sneed and R. D. Menzer.
An act to divorce Thomas Edmonson and Colton Hobdy.
An act to divorce Elizabeth Green.
An act to divorce John McKenzie.
An act to divorce Elizabeth Whitlock, and others.
An act to incorporate the Nicholasville and Jessamine County Turnpike Road Company.
An act to divorce Daniel Ramsey.
An act to divorce Margaret Frazier, and John and Elizabeth Elston.
An act to divorce David Fleming, and others.
An act to divorce Anderson Sizemore and Susannah Norris.

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

The constitutional rule as to the second and third readings of said bills being dispensed with, and the same being engrossed,

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

Leave of absence was granted to Messrs. Williams and Young for the remainder of the session.

Mr. J. Speed Smith, from the joint committee appointed to visit Transylvania University and the Lunatic Asylum, made the following report:

The joint committee of the Senate and House of Representatives, appointed to visit Transylvania University and the Lunatic Asylum, and examine the condition of those institutions, having performed that duty, submit the following report:

The State having no ownership in the grounds or buildings of the University, the committee do not deem it their duty to make any report as to either. The committee are uninformed of any patronage, except the empty and useless patronage of visitation, which this Institution re-
To the Hon. J. Speed Smith, and others,
Committee of Visitation from the Legislature of Ky., to Trans. University.

Gentlemen: Pursuant to your request, I have the honor to submit the accompanying statement of the sources and amount of income to Morrison College of Transylvania University, with the amount of annual expense to the same Institution, for salaries, fuel, &c.

This report, you will observe, shows a deficit in the means of the Institution, for the year 1847-8, of $1,248; which deficit, I may remark, affects the salaries only of the Professors of Mathematics and Ancient Languages, and of the two teachers in the Preparatory Departments, with that of the Professor of Natural Sciences, who serves the Institution each alternate session. Among these officers the annual deficiency, whatever it may be, is shared in the ratio of their nominal salaries—$1,200, $900, $800, $500.

The number of students in the several departments of the school, the current session, may be stated as follows:

In College, 60
In Senior Section Preparatory Department, 34
In Junior Section Preparatory Department, 60

For the several preceding years of the connexion between Transylvania University and the M. E. Church, the number of students in College was much larger than at present—averaging upwards of 100. The causes of such diminution, I did not understand to come within the sphere of your inquiries; nor would it, probably, be appropriate to any member of the Faculty to undertake to give his theory on such a question.

The estimated cost of covering the College building, with shingles, is $675; of enclosing the lawn with a suitable fence, $481.

I regret, gentlemen, that circumstances beyond my control, have delayed this communication.

Your ob't. serv't.,

JAMES B. DODD,
Prof. of Mathematics, &c.

LEXINGTON, 19th Jan., 1849.

The income of Morrison College, Transylvania University, has been derived from the "Lexington City Bonds," the "Morrison Fund," the "Railroad Bonds" to the State, individual notes and bonds, and tuition fees.

The Lexington City bonds yield an annual interest of two thousand two hundred and eight dollars, ($2,208 00.)

The Morrison Fund establishes the Morrison Professorship, paying an annual interest of fourteen hundred dollars, ($1,400 00.)

Deducting
fifty dollars cost of insurance on the real estate of this fund, and the net income is thirteen hundred and fifty dollars, ($1,350 00.)

The Railroad bonds, the interest on which ($120) has heretofore regularly paid in November, have been taken up in full by the road. We have no income from this source for the year 1848.

The individual notes and bonds are of two classes. First, ordinary notes, given to found scholarships, and credited now with various payments which have been re-invested in bonds; and secondly, annuity notes, given to endow the English Literature Professorship. The income from the first class mentioned, is about two hundred and sixty dollars; that of the second class, two hundred and seventy dollars. The whole income, therefore, from both of these classes of notes and bonds, is five hundred and thirty dollars, ($530 00.)

The tuition fee is $40 00 per annum, in the College proper. From October 1, 1847, to October 1, 1848, tuition fees amounted to twelve hundred and sixty-six dollars, ($1,266 00.) Of this amount, one hundred and fifty dollars was paid in the Preparatory Department, where the price of tuition is $15 00 for the Senior Section, and $10 00 for the Junior.

The number of students in the College proper, during the last collegiate year, was 100; and in the Preparatory Departments, 98. Of these, fifty one in the College, and forty in the preparatory schools, entered on bought scholarships; but twenty eight in the College, and fifteen in the Preparatory Departments, paid their tuition fees in cash to the Treasurer.

The number of students, therefore, furnishes no criterion for estimating the income from tuition fees. There are some who use their own scholarships, and have thus paid years in advance. There are others who are the beneficiaries of an exalted charity, which educates the needy without tax to the Institution. But the ninety above mentioned, are of neither class. They bought their right to tuition from the holders of scholarships, whom they found underselling the College. Had they paid their tuition fees in cash to the Treasurer, our income would have been $4,906 00, instead of $1,266 00, as reported.

RECAPITULATION.

<table>
<thead>
<tr>
<th>Income for the year—from Oct. 1, 1847, to Oct. 1, 1848.</th>
<th>Capital</th>
<th>Int. on income</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lexington City bonds,</td>
<td></td>
<td>$2,208</td>
</tr>
<tr>
<td>Morrison Fund,</td>
<td></td>
<td>$20,600</td>
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<tr>
<td>Railroad bonds, to the State,</td>
<td></td>
<td>$2,100</td>
</tr>
<tr>
<td>Individual notes and bonds,</td>
<td></td>
<td>$8,800</td>
</tr>
<tr>
<td>Tuition fees,</td>
<td></td>
<td>$538</td>
</tr>
<tr>
<td>Total annual income,</td>
<td></td>
<td>$5,392</td>
</tr>
</tbody>
</table>

The expenses of the Institution call for $6,600, annually—$5,800 for salaries, and $800 to meet the current expenses of the College.

In visiting the Lunatic Asylum, the duty assigned your committee was unquestionable, direct and interesting. Melancholy as was the task, it was attended with many pleasing occurrences. They saw, in the extent...
and solidity of the edifice and its various departments, that the purpose of the beneficent endowments of the State, had been carried out with admirable judgment. So far as the appropriations for additional buildings have enabled the Commissioners to proceed, your committee take pleasure in giving their full and cordial approval. They regret that the funds furnished were not sufficient to complete the entire plan of improvement, and recommend an appropriation of $5,000 to that end. When the buildings shall be completed, and the plan carried out, the Lunitac Asylum, if managed and superintended as it now is, will stand the proudest monument of the just, beneficent, and wise legislation of the State. The medical gentlemen on the joint committee, and there were three, concur in the opinion that under existing circumstances—and those circumstances must continue without the appropriation recommended—is made—means more conducive to the comfort, or better calculated to lead to the restoration of the inmates to their reason, cannot be expected. In short, referring the General Assembly to the reports of the Managers and Superintendent, for facts in detail, with which it is unnecessary to incumber this report or the Legislative Journals, everything they saw or heard, connected with the Institution, excited their admiration, and challenged and received their full and honest approval.

J. SPEED SMITH, Ch'm. Senate Com.
A. T. NOE, Ch'm. H. R. Com.

The three messages received from the Governor, on the 24th instant, were taken up and read as follows, to-wit:

Executive Office, February 24th, 1849.

Gentlemen of the Senate:
I nominate for your advice and consent, the following named persons for the offices in the militia of this State, which are attached to their respective names:
Samuel A. Spencer to be Brigadier General of the 10th Brigade, in place of W. H. Wilson, resigned.
John P. Cooper to be Brigadier General of the 12th Brigade, in place of John Patton, resigned.
I also nominate for your advice and consent, Henry Duncan and Madison C. Johnson to be Directors, on the part of the State, of the Northern Bank of Kentucky.
A. S. Mitchell to be Commissioner for the State of Missouri, under an act of Assembly, approved 23d January, 1843, authorizing the appointment of Commissioners to take acknowledgments of deeds and other instruments of writing, executed out of this State.
Abraham Hunter to be Gate Keeper on the Wilderness Turnpike Road.
Thomas Parker to be Police Judge of the town of Harrisonville, in Shelby county.
Alonzo Livermore to be a member of the Board of Internal Improvement, in place of Dillis Dyer, resigned.
John W. Crow to be Police Judge of the town of Hartford.

J. J. CRITTENDEN.
Gentlemen of the Senate:

I nominate for your advice and consent, the following named persons for the offices in the militia of this State, which are attached to their respective names:

William Morrow to be Major General of the 1st Division, in place of L. Nance, resigned.

Wm. Bryan to be Major General of the 5th Division, in place of Leslie Combs, resigned.

John McAfee to be Major General of the 8th Division, in place of D. F. James, resigned.

Charles C. Kelly to be Brigadier General of the 8th Brigade, 8th Division, in place of R. M. Sutfield, resigned.

John M. Weddle to be Brigadier General of the 16th Brigade, 8th Division, in place of James, promoted.

I also nominate for your advice and consent, Bushrod R. Johnson to be Lieutenant Colonel of the Western Military Institute, in place of Wm. F. Hopkins, resigned.

J. J. CRITTENDEN.

EXECUTIVE OFFICE, February 2d, 1849.

Gentlemen of the Senate:

I nominate for your advice and consent, Virgil McKnight and U. E. Ewing to be Directors, on the part of the State, of the Bank of Kentucky.

J. J. CRITTENDEN.

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

The following bills were reported, to-wit:

By Mr. J. Speed Smith, from the committee on Internal Improvement:
A bill for the benefit of the Maysville and Mountsterling Turnpike Road Company.

By Mr. Draffin, from a select committee:
A bill for the benefit of Armstead Miller.

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

The constitutional rule as to the second and third readings of said bills being dispensed with, and the same being engrossed,

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

Mr. McMillan, from the committee appointed pursuant to a resolution of the 19th inst., in relation to the Kentucky River Navigation, made the following report, to-wit:

The select committee, to which was referred the resolution of the Senate of the 19th inst., with reference to the expenditures of the Kentucky River Navigation, &c., beg leave to report: That the answers to the interrogatories propounded to the several members of the Board of Internal Improvement have come to hand this morning, and it is impossible to examine them and prepare a report before the Legislature is, by your resolution, to adjourn sine die. It is therefore desired that the papers be
Mr. Chiles, from the committee appointed in relation to the supposed defalcation of James Davidson, late Treasurer, made the following supplemental report, to-wit:

The committee to whom was referred the resolutions relative to the supposed defalcation of James Davidson, late Treasurer of Kentucky, respectfully beg leave to submit the following supplemental report:

We have lately seen in a public newspaper, a report of the speech of Senator Wall, to which is appended a statement purporting to have been made by David Meriwether, Esq., of Jefferson county, Ky., exhibiting the amount of receipts and disbursements of the Treasurer of Kentucky, from 1833 to 7th of August, 1848. Said statement being at war with the report heretofore made by us, and being entirely erroneous as we conceive, and calculated to mislead and impose upon the public, we have felt it our duty to direct the attention of the Senate thereto, and point out its fallacies. In the first place, the additions in the first item exhibited in the statement, both as to debit and credit, are incorrect—see appendix No. 2 to our report, in which the receipts and expenditures are correctly calculated, showing the amount of each, in every fiscal year, from 1833 to 7th of August, 1848. But separate and apart from this, there are others, so very apparent, that no calculation whatever is necessary to detect them. In the second item of said statement, the sum of $318,462.50 is charged to the Treasurer, as having been omitted by the Auditor in 1839. It is true this was omitted by the Auditor in 1839; yet it was regularly charged in the year 1840, as appears from the reports of both Auditor and Treasurer of that year. By examining the said Auditor’s report, in Legislative Documents of 1840-1, page 230, No. 1, and the Treasurer’s report in said book, page 207, No. 3, the same will be found correctly set forth. This sum, then, of $318,462.50, was taken into the estimate, by the Commissioners appointed by Governor Owsley, in their report, and is included in the aggregate debit of $8,866,876.10, as by them reported; so that in this statement of Mr. Meriwether, that sum is twice charged to the Treasurer. As to the item of $35,537.50, we know nothing. Whether correct or incorrect, we cannot state, as we have not been able to obtain any light in relation thereto. In the last item of the statement, the Treasurer is credited by $8,724.89, “by error as per Commissioners report.” This is palpably incorrect. There is no such error reported by said Commissioners. By an inspection of their report, on the 9th page, “the balance of errors to be carried to the credit of the Treasurer” will be found to consist of the sum of $7,019.90. This is a fact that every one may clearly see and understand, by even a very slight examination. The $8,724.89 of said Commissioners’ report, is under another head, entirely different from that of errors. This will be found on the 7th page of same report, and is the balance remaining in the hands of the Treasurer on the 7th of August, 1848, belonging to the Second Auditor’s Department.

Now, even to admit that the calculations of the first items of the debit and credit of said statement are accurate, and that the $35,537.50 item is also correctly set forth, (which, by the by, we do not admit,) how will the account stand? Make the corrections and see! Thus:
To amount received from 1833 to the 27th day of February, 1839, $6,546,336 50
To difference in report of committee of 1839, 35,537 50
To amount received from the 27th day of February, 1839, to the 7th of August, 1816, 8,566,876 19

Total receipts, $15,448,750 19

By amount paid out from 1833, to the 27th day of February, 1839, $6,881,797 49
By amount paid out from the 27th day of February, 1839, to the 7th of August, 1816, 8,889,507 72
By true error in Commissioners report, 7,019 29

Total credits, $15,778,384 40

Now deduct the foregoing debit, $15,448,750 19

And the State is found to be in debt to the late Treasurer, in said sum of $329,574 31.

The Commissioners reported the fact that they found in the Treasury the sum of $75,091 31, which they paid over to the new Treasurer, (Dudley.) Nothing is said of this money, or notice taken of it, in said calculation of Mr. Meriwether. From his estimate, with the corrections above set forth, it would appear that the whole of this sum of money should be paid over to Col. Davidson, besides the balance due him of $254,482 80!! This amount of itself, exhibits the vast folly and utter absurdity of this statement! The largest amount of taxable property listed by Col. Davidson, in any year since he first became Treasurer of the State, as is manifest from the returns in the Second Auditor's office, is $10,960 00. It is, then, scarcely reasonable to suppose he had in his power to advance so large a sum to the Commonwealth. The proof taken before the committee, shows that Col. Davidson himself did not rely upon this statement as correct. So far from it, that he declared the State was not so greatly in arrears to him, but that on a fair settlement, a small balance would be found in his favor.

We have felt it our duty to make this supplement to our report, for the reasons above specified. We again declare that we have no wish to injure or prejudice the case of the late Treasurer, nor have we any desire to cast any reflection on Mr. Meriwether. We hold him in high estimation as a gentleman. His calculation, however, is certainly wrong. We think a review of his work will produce that conviction upon his own mind. The statement made out by him, is evidently the result of a very rude and cursory examination, and we incline to the belief, that it was not designed for publication. Be this, however, as it may, we trust that he will recur to the matter, and he will readily perceive the errors which he has (unintentionally, as we believe,) committed, and when discovered, that he will most willingly rectify them.

Respectfully,

WALTER CHILES,
Chairman Committee.

Ordered, That the Public Printer print 150 copies of said report for the use of the General Assembly.
Mr. J. Speed Smith, from the committee on Internal Improvement, reported a bill re-modeling the Board of Internal Improvement, which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second reading being dispensed with.

Mr. Draffin moved to lay said bill on the table until to-morrow.

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

The yeas and nays being required thereon, by Messrs. J. Speed Smith and Draffin, were as follows, to-wit:

Those who voted in the affirmative, were—

Messrs. Bradley, McMillan, Thurman, Speed Smith,
Draffin, McNary, Todd, Speed,
Eaker, Russell, Tripllett, Thornton,
Hobbs, Thomas, Waite—12.

Those who voted in the negative, were—

Messrs. Boyd, Hawkins, Speed Smith,
Brien, Heady, Speed,
Bruce, Hogan, Thornton,
Chiles, McClure, Walker,
Cof er, Munford, White—16.

Grey,

The further consideration of said bill was then postponed until to-morrow.

A message was received from the House of Representatives, announcing that they had passed bills of the following titles, to-wit:

1. An act to divorce Jeptha B. Erwin and Sarah Ann Erwin.
2. An act to divorce Abraham Lighter and Mary Ann Gray.

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

The constitutional rule as to the second reading being dispensed with, said bills were each amended and ordered to be read a third time.

The constitutional rule as to the third reading being dispensed with, Reolved, That said bills, as amended, do pass, and that the title of the 1st be amended by adding “and others,” and the title of the 2d by adding after Lighter the word “Stringer.”

Mr. Bradley, from the joint committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, to-wit:

An act to amend an act to incorporate the Merchants’ Louisville Insurance Company.

An act to amend the laws in relation to the Trustees of the town of Burlington.

An act concerning the vacant lands in Whitley county.

An act for the benefit of the town of Hawesville, in Hancock county.

An act for the benefit of Common Schools.
An act to create the office of Police Judge in the town of Hartford, and defining his duties and powers.

An act for the benefit of Bethania Bennett.

An act for the benefit of Milly Ann Skaggs and Warren H. Jones.

An act for the benefit of the Marshal of Paducah.

An act to authorize the executor or administrator of W. N. Miller, deceased, to sell a slave.

An act for the benefit of Eden Shotwell.

An act for the benefit of J. M. Martin, administrator of Ephraim Ball, deceased.

An act to authorize the Johnson County Court to sell a part of the Public Square in Paintsville.

An act to incorporate the Franklin Fire Company, No. 2, of Covington.

An act for the benefit of George T. Anderson, of Logan county.

An act to change the name of Martha Frisler, and for other purposes.

An act to amend the charter of the town of Lower Cloverport.

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

An act to amend the militia law.

An act to regulate the duties of the Police Judge of the town of New Liberty, and for other purposes.

An act to establish an election precinct at Ballardsville, in Oldham county.

An act to incorporate the Bowling Green Thespian Society.

An act for the benefit of A. M. Vanarsdale, of Mercer county.

An act for the benefit of E. S. Steed, of Graves county.

An act to incorporate "the Louisville Orphans' Home Society."

An act for the benefit of Iaham Jones.

An act for the benefit of Nathan Butler and Addison Carneal, of Todd county.

An act for the benefit of R. P. Dodds, of Fulton county.

An act for the benefit of J. S. Golladay, of Logan county.

An act for the benefit of Frederick Mayberry.

An act for the benefit of James Penny.

An act for the benefit of S. G. Rogers.

An act to amend the charter of the Lancaster and Crab Orchard Turnpike Road Company.

An act to repeal the charter of Augusta College.

An act to authorize the appointment of a Police Judge in the town of Portland.

An act to establish election precincts in Calloway and Bullitt.

An act to establish election precincts in Clarke, Henderson and Hart counties.
An act to authorize the Hart County Court to establish a road.
An act authorizing the County Court of Butler to change the State road from Bowlinggreen to Greenville.
An act to amend the charter of the Turnpike Road Company from Bowlinggreen to the Tennessee line.
An act to establish election precincts in Taylor and Laurel counties.
An act for the benefit of Lydia Hindman, of Barren county.
An act for the benefit of Wm. Harman, George W. Riddle and Clement M. Buckman.
An act for the benefit of Milly Walker, of Fleming county.
An act for the benefit of Charles H. Stutteville, late Sheriff of Grayson county.
An act to amend an act to establish a bridge at Falmouth, approved January 30, 1834.
An act for the benefit of S. Renfro, and others.
And an enrolled resolution and enrolled bills which originated in the Senate, of the following titles, to-wit:
Resolution providing for a settlement with Peter Dudley, late Treasurer.
An act to incorporate the Petersburg and Burlington Turnpike Road Company, and Owenton and Ross' Mill Turnpike Road Company.
An act to charter the Nicholas Savings Institution, and amend the charter of the Versailles Savings Institution.
An act to establish the town of Miltonville, in Casey county.
An act for the benefit of Moses Hubbard and wife.
An act for the benefit of Wilson Evans.
An act for the benefit of George McFarland Hall.
An act to incorporate the Henry and Trimble Turnpike Road Company.
An act concerning Common Schools.
An act to amend the charter of the Lexington and Frankfort Railroad Company.
An act to amend the charter of the Maysville and Lewis County Turnpike Road Company.
An act to amend an act to amend the penal laws of this Commonwealth, approved February 11, 1809.
An act to amend the charter of Paducah.
An act to incorporate the Campbell and Pendleton Turnpike Road Company, and amend the charter of the Versailles and Midway Turnpike Road Company.
An act to establish the town of Gordonsville, in Hopkins county.
An act to incorporate the Licking Steamboat Navigation Company.
An act to incorporate the Springfield, Maxville and Perryville Turnpike Road Company.

An act to amend the charter of the Campbell Turnpike Road Company, and for other purposes.

An act to establish an election precinct at the house of Jacob Yost, in Logan county, and for other purposes.

An act for the benefit of William L. Owens, and others.

An act to permit the citizens of the town of Louisa to vote for or against granting tavern license, and for other purposes.

An act to incorporate the Newtown and Leesburg Turnpike Road Company.

An act divorcing Henrietta Dupuy, and others.

An act to establish a summer term of the Franklin Circuit Court, and to change the fall term of said Court, and for other purposes.

An act supplemental to an act to repeal the charter of Augusta College.

An act for the benefit of John Walker, of Anderson county, and others.

An act for the benefit of Morton G. Hammons and Mary A. Hammons, and others.

An act for the benefit of John R. Thornton and Richard Kenningham, trustees.

An act for the benefit of William and John Chiles, of Estill Springs.

An act to divorce Susan Burden, and others.

An act further to provide for the erection of the Second Kentucky Lunatic Asylum.

An act to amend the act incorporating the Kentucky Military Institute.

An act for the benefit of the estate of J. T. Thomasson, deceased.

An act for the benefit of Spottswood Wills.

An act for the benefit of the Caldwell Circuit Court.

An act for the benefit of those who have imported slaves contrary to the law of 1833.

An act to divorce Jane Gatliff.

An act to charter sundry Turnpike Companies in Madison county.

An act authorizing the Marshall County Court to change a part of the State road leading from Hopkinsville to Columbus.

An act authorizing the establishment of a State road from Pembroke to Green river.


An act for the benefit of Ezekiel Arterberry.

An act for the benefit of the widow and heirs of George Fry, deceased.

An act to amend the charter of the Winchester and Mountsterling Turnpike Road Company.
An act for the benefit of Benjamin D. Beall and James Sparks.
An act for the benefit of Vincent Brooks.
An act to allow an additional Justice of the Peace to Hopkins county.
An act granting a change of venue to James May.
An act to divorce Lucinda Fish.
An act divorcing James and Hannah Price, and Samuel Bileter.
An act to amend an act, entitled, an act to extend the limits of the town of Hopkinsville.
An act to change the place of voting in the Flint Island Precinct, in Breckinridge county.
An act for the benefit of Henry M. Lutes, of Owsley county.
An act to divorce Mary Duck, of Laurel county.

And had found the same truly enrolled.

The said bills and resolution having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approbation and signature. After a short time, Mr. Bradley reported that the committee had performed that duty.

And then the Senate adjourned.

TUESDAY, FEBRUARY 27, 1849.

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

An act to protect the estates of deceased persons.
An act in relation to limited partnerships.
An act authorizing Coroners to convey lands in certain cases.
An act to repeal an act, entitled, an act to amend an act to reduce into one the several acts concerning strays, approved March 1, 1847.
An act to divorce Nathan A. Williams and others.
An act to divorce Robert Langford.
An act for the benefit of Elizabeth Hopkins and Wm. H. Ritchie.
An act to divorce Caleb F. Riggs and Samuel B. Woolfolk.
An act for the benefit of Thomas Crowder.
An act for the benefit of John Cunningham.
An act to divorce Annie E. Fairbairn.
An act to divorce Louisa Jane Lafayette Ureay, of Marshall county.
An act to divorce Nancy Forbes.
An act to divorce Walter Jones and wife.
An act for the benefit of George Riley and Matilda, his wife.
An act to divorce Hannah Plank, of Nicholas county.
An act for the benefit of William S. Patterson.
An act concerning the granting of tavern licenses in the different cities and towns.
An act to repair certain books in the Logan County and Circuit Court Clerks offices.
An act to authorize the arranging and transcribing of certain books in the Auditor's and Treasurers' offices.
An act to amend the act, entitled, an act to amend the several laws establishing a permanent revenue, approved Jan. 31, 1814.
An act to establish a just principle in the rates of toll on Turnpike Roads.
An act authorizing toll gate keepers to administer oaths in certain cases, and for other purposes.
An act for the benefit of Elisha Crutchfield, of Graves county.
An act to incorporate the Owenton and Kentucky River Turnpike Road Company.
An act concerning the road from Birch Lick creek, in Madison county, to Brashears' Salt Works, in Perry county.
An act to incorporate the Burlington and Dry Creek Turnpike Road Company.
An act for the improvement of the Cumberland river, and the roads in Pulaski county.
An act for the benefit of Rufus Lane.
An act to incorporate the Elizaville and Helena Turnpike Road Company.
An act declaring Blackford creek, between Daviess and Hancock counties, a navigable stream.
An act to repeal all acts prohibiting the circulation, in this Commonwealth, of bank notes of less denomination than five dollars.
An act for the benefit of David Pirtle.
An act to amend an act prescribing the duties of the Board of Commissioners of the Sinking Fund, &c.
An act to divorce Allie Emberton, of Monroe county.
An act to divorce Jane McDonald, of Monroe county.
An act to amend the law in relation to writs of ad quod damnum.
With amendments to the three last named bills.
That they had passed bills of the following titles, viz:
An act to incorporate the Mill Creek Christian Church, in Monroe county.

An act to divorce Louisa Burress, and others.

An act to change the names of Elizabeth Hale, Ellen Hale, and Ann Maria Hale.

An act requiring a settlement of the accounts of the Lexington Lunatic Asylum.

An act requiring Coffee House Keepers, and other licensed retailers ofspirituous liquors, to pay a tax to the State for their licenses.

An act to change the Richmond State road.

An act for the benefit of the Athenian Light Infantry Company.

An act to incorporate a company to turnpike a road from Harrodsburg to Cane Run Meeting House.

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

The constitutional rule as to the second and third readings of said bills being dispensed with,

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

The Senate resumed the consideration of a bill remodeling the Board of Internal Improvement.

The said bill was laid on the table.

Resolved, That the Senate concur in the amendments proposed by the House of Representatives, to bills from the Senate, of the following titles, to-wit:

An act to divorce Jane McDonald, of Monroe county.

An act to divorce Allie Emberton, of Monroe county.

Resolved, That the Senate concur in the first, and disagree to the second amendment proposed by the House of Representatives, to a bill from the Senate, entitled, an act to amend the law in relation to writs of ad quod damnum.

On motion of Mr. Barbour,

Ordered, That a message be sent to the House of Representatives, to ask leave to withdraw the report of the concurrence of the Senate, in the resolution from that House, rescinding the resolution fixing a day for the final adjournment of the General Assembly, and fixing another day; and Mr. Barbour was directed to carry said message.

Leave of absence was granted to Messrs. McNary and English, for the remainder of the session.

A message was received from the House of Representatives, asking leave to withdraw the report of the disagreement of that House, to a bill from the Senate, entitled, an act for the benefit of John Morris and
Job Allen, and others, of Clay county; which was granted, and the bill withdrawn.

A message was received from the House of Representatives, announcing that they had receded from their disagreement to the 4th, 7th and 9th amendments, and insist on their disagreement to the 10th and 11th amendments proposed by the Senate, to a bill from that House, entitled, an act for the appropriation of money.

That they had passed a bill from the Senate, entitled, an act for the benefit of Robert Williams.

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

An act for the benefit of Martin V. Parker.
An act to incorporate the Masonic Fraternity of the town of Stanford.
An act for the benefit of Uriah Coppage.
An act to prevent unlawful fishing in parts of Fox and Triplett's creeks, in Fleming county, and for other purposes.

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

The constitutional rule as to the second and third readings of said bills being dispensed with,

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

On the motion of Mr. J. Speed Smith,

Ordered, That a message be sent to the House of Representatives, to ask leave to withdraw the report of the passage, by the Senate, of a bill from that House, entitled, an act requiring a settlement of the accounts of the Lexington Lunatic Asylum; and Mr. J. Speed Smith was directed to carry said message.

The said bill having been returned to the Senate, the votes by which it was passed and ordered to a third reading, were reconsidered.

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

The constitutional rule as to the third reading being dispensed with,

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

Mr. Thomas having obtained leave, reported a bill for the benefit of Michael Dolan, which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second and third readings of said bill being dispensed with, and the same being engrossed,

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

Mr. Wall, from the committee on the Judiciary, to whom was referred a bill prescribing the duties of Circuit Court Clerks in certain cases, re-
And said bill was laid on the table.

Mr. Wall, from the same committee, reported a bill for the benefit of Henry F. Turner, which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second and third readings of said bill being dispensed with, and the same being engrossed,

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

Mr. Wall, from the same committee, to whom was referred a bill from the House of Representatives, entitled, an act to amend the criminal laws, reported the same with an amendment; and said bill and amendment were laid on the table.

Mr. Wall, from the same committee, reported a bill for the benefit of Francis McConnell's infant children, which was read the first time, and ordered to be read a second time.

The constitutional rule as to the second reading being dispensed with,

The question was taken on engrossing and reading said bill a third time, it was decided in the negative, and so the said bill was rejected.

Mr. Wall, from the same committee, reported a bill to amend the 5th section of an act, entitled, an act to reduce into one the several acts, or parts of acts, concerning the limitation of actions, approved Dec. 17th, 1795, which was read the first time as follows, to-wit:

Sec. 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That so much of the 5th section of the act, entitled, an act to reduce into one the several acts, or parts of acts, concerning the limitation of actions, as approved December 17th, 1796, as prohibits all actions or suits, founded upon account for goods, wares and merchandise sold and delivered, or for any article charged in any store account, unless the same be commenced and sued within one year, be and the same is hereby repealed.

Sec. 2. Be it further enacted, That hereafter it shall and may be lawful to commence and prosecute all such suits and actions, at any time within two years and six months next after the cause of such action or suit, or the delivery of such goods, wares and merchandise, and not after, except as is provided in said 5th section of said recited act.

Ordered, That said bill be read a second time.

The constitutional rule as to the second reading being dispensed with,

Mr. Draffin moved to lay the said bill on the table.

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

The yeas and nays being required thereon by Messrs. Triplett and Draffin, were as follows, to-wit:
Those who voted in the affirmative, were—

Messrs. Barbour, Boyd, Bradley, Brien, Bruce,

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

Resolved by the General Assembly of the Commonwealth of Kentucky, That our Senators and Representatives in Congress, be requested to procure a survey and reconnoissance, on the part of the General Government, of the Falls of Cumberland river, to ascertain whether it is practicable to remove said obstruction to the navigation of said river.

Resolved further, That his Excellency, the Governor, forward copies of these resolutions to our Senators and Representatives.

The rule of the Senate being dispensed with, said resolutions were taken up, twice read, and adopted.

A message, in writing, was received from the Governor, by Mr. Harlan, Assistant Secretary of State.

The rule of the Senate being dispensed with, the said message was taken up, and read as follows, to-wit:

EXECUTIVE OFFICE, February 27th, 1849.

Gentlemen of the Senate:

I nominate for your advice and consent, Scott Newman to be Police Judge of the town of Portland, in Jefferson county.

John W. Crow to be Police Judge of the town of Hartford, who, by mistake, was nominated and approved before the passage of the act creating the office.

J. J. CRITTENDEN.

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

A message was received from the House of Representatives, announcing that they had disagreed to the first and fifth amendments, and concurred in the other amendments proposed by the Senate, to a bill from that House, entitled, an act to increase the revenue.

Resolved, That the Senate insist on said first and fifth amendments to said bill.

A message was received from the House of Representatives, by Messrs. Hughes and Mason, announcing that the House had appointed a committee of conference on their part, on the disagreement of the two houses to the first and fifth amendments proposed by the Senate, to a bill from that House, entitled, an act to increase the revenue, and soliciting the appointment of a similar committee on the part of the Senate.

Messrs. Todd, Hawkins and J. Speed Smith, were appointed a committee on the part of the Senate.

After a short time, Mr. Todd, from said committee, made the following report:

The committee of conference, on the subject of the disagreement between the Senate and House of Representatives, on the revenue bill, having met and conferred, recommend that the House of Representatives shall recede from their disagreement to the first amendment made
by the Senate to said bill, and concur in the same, and that the Senate receive from their fifth amendment proposed to said bill.

R. S. TODD, Chairman.

Which report was concurred in.

A message was received from the House of Representatives, announcing that they had disagreed to the report of the committee of conference, on the disagreement to the first and fifth amendments to said bill.

Messrs. McMillan, Barbour and Eaker, were appointed a second committee of conference on the part of the Senate, on the disagreement of the two houses to said first and fifth amendments to said bill, and Mr. McMillan was directed to inform the House of Representatives thereof, and solicit the appointment of a second committee on the part of that House.

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, to-wit:

An act requiring a settlement of the accounts of the Lexington Lunatic Asylum.

An act to divorce Jeptha B. Erwin and Sarah Ann Erwin.

An act to divorce Abraham Lighter and Mary Ann Gray.

An act for the benefit of C. M. Mathews.

An act for the benefit of the Mechanics of Garrard county.

An act to authorize the surrender of State bonds, and to provide for the cancelment and burning of State bonds, and for other purposes.

An act to change the State road leading from Canton to Waidboro'.

That they had adopted preamble and resolutions confirming the report of the Commissioners fixing the boundary line between Tennessee and Kentucky.

Which preamble and resolutions were taken up, twice read, amended, and concurred in.

Mr. Bradley, from the joint committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, to-wit:

An act for the benefit of William S. Patterson.

An act for the benefit of David Pirtle.

An act concerning the road from Birch Lick creek, in Madison county, to Brashears' Salt Works, in Perry county.

An act to repeal all acts prohibiting the circulation, in this Commonwealth, of bank notes of less denomination than five dollars.

An act to amend an act prescribing the duties of the Board of Commissioners of the Sinking Fund, &c.

An act authorizing Coroners to convey lands in certain cases.
An act to divorce Jane McDonald and Darling McDonald, of Monroe county.

An act declaring Blackford creek, between Daviess and Hancock counties, a navigable stream.

An act to establish a just principle in the rates of toll on Turnpike Roads.

An act limiting the jurisdiction of the General Court in certain cases.

An act to divorce Allie Emberton, of Monroe county, and Mary F. Johnson.

An act to divorce Caleb F. Riggs and Samuel B. Woolfolk.

An act for the improvement of the Cumberland river, and the roads in Pulaski county.

An act authorizing toll gate keepers to administer oaths in certain cases, and for other purposes.

An act to authorize the holding of an additional term of the Estill Circuit Court, in 1849.

An act to divorce Louisa Jane Lafayette Usrey, of Marshall county.

An act for the benefit of Rufus Lane.

An act to repair certain books in the Logan County and Circuit Court Clerks' offices.

An act to amend the act, entitled, an act to amend the several laws establishing a permanent revenue, approved Jan. 31, 1814.

An act to divorce Walter Jones and wife.

An act for the benefit of the town of Tompkinsville.

An act to authorize the arranging and transcribing of certain books in the Auditors' and Treasurer's offices.

An act to repeal an act, entitled, an act to amend an act to reduce into one the several acts concerning strays, approved March 1, 1847.

An act for the benefit of Elizabeth Hopkins and Wm. H. Ritchie.

An act to divorce Nancy Forbes.

An act for the benefit of Thomas Crowder.

An act to divorce Nathan A. Williams and others.

An act to divorce Robert Langford.

An act for the benefit of John Cunningham.

An act to divorce Annie E. Fairbairn.

An act to divorce Hannah Plank, of Nicholas county.

An act for the benefit of George Riley and Matilda, his wife.

An act to protect the estates of deceased persons.

An act concerning the granting of tavern licenses in the different cities and towns.

An act to incorporate the Springfield and Perryville Turnpike Road Company.

An act for the benefit of Robert Williams.
An act to mark definitely the dividing line between certain counties.
And enrolled bills which originated in the House of Representatives,
of the following titles, to-wit:
An act to incorporate the Trustees of the Dripping Spring Regular
Baptist Church, in Barren county.
An act to divorce Juliann Robinson.
An act for the benefit of A. C. Daniel and others.
An act for the benefit of the Jailer of Ballard county.
An act authorizing the running of the dividing line between the
counties of Campbell and Pendleton.
An act to incorporate the Vestry of Grace Church at Paducah.
An act to amend the act to incorporate the Paris and Cynthiana Turn-
pike Road Company; and the act to incorporate the Paris and Combs' Ferry Turnpike Road Company, and for other purposes.
An act to repeal an act incorporating the town of Elizabethtown.
An act to incorporate the Taylorsville and Mount Washington Turn-
pike Road Company.
An act for the benefit of Joseph Riddle, of Cumberland county.
An act to divorce Ambrose R. Wright, Samual Hall, and Mary E.
Taylor.
An act to divorce Eli Jester and Catharine A. Jester, and others.
An act to change the line between the counties of Perry and Breathit.
An act to incorporate the Monodelphian Society of Industrial Edu-
cation.
An act to amend an act, entitled, an act for the benefit of the Me-
chanics of the city of Louisville, approved December 22d, 1831.
An act to incorporate the German Roman Catholic St. Boniface Be-
evolent Society of Louisville.
An act for the benefit of the widow and heirs of James Hutchison,
deceased.
An act to amend the charter of the Louisville and Frankfort Rail-
road Company.
An act establishing an additional term of the Greenup Circuit Court.
An act for the benefit of James Tucker and his wife, and Isaac Meeks.
An act for the benefit of the North Benson Baptist Church, in Fran-
kin county.
An act to amend the charter of the Danville and Perryville Turn-
pike Road Company.
An act to amend the charter of the Lebanon, New Market and
Springfield Turnpike Road Company.
An act supplemental to an act for the benefit of Darwin Johnson, ap-
proved —— day of ——, 1849.
An act to improve the navigation of Middle and Beaver creeks, in Floyd county.
An act for the benefit of Lot Adams, of Morgan county.
An act for the benefit of the McCracken County Court.
An act for the protection of the public property on Licking river, and for other purposes.
An act to establish the town of Brooklyn, in Campbell county.
An act for the benefit of David Logan and his children.
An act to divorce John McKenzie.
An act to incorporate the Nicholasville and Jessamine County Turnpike Road Company.
An act to incorporate the Trustees of the Harmony Church, of Garrard county.
An act to incorporate the town of Clayville in Shelby county, and Crab Orchard in Lincoln county.
An act incorporating the German Jefferson Benevolent Society of Louisville.
An act to divorce Daniel Ramsey.
An act to extend the powers of the Trustees of the town of New Castle.
An act for the benefit of the heirs of Hiram Duley, deceased, of Fleming county.
An act to incorporate the several Masonic Institutions of Louisville.
An act to change the mode of advertising the forfeiture and sale of lands for taxes.
An act for the benefit of Jesse Vansickles.
An act to amend the charter of the city of Louisville, and for other purposes.
An act to extend the powers of the Marshal of the city of Louisville, and in relation to the Police Judge of Paducah.
An act concerning Surveyors of roads in Kenton county, and for other purposes.
An act to incorporate the New Liberty and Marion Turnpike Road Company.
An act to permit certain persons to build a mill dam across Kinnicnnick.
An act for the benefit of Charles H. Stutteville, late Sheriff of Grayson county.
An act to amend the charter of the Licking and Lexington Railroad Company.
An act to change the name of Louisa Turner, and others.
An act to prevent the destruction of fish in the Little Kentucky river, and Harrod's creek.
An act for the benefit of Christopher D. Weymouth.
An act for the benefit of the Campbell County Court.
An act for the benefit of the Trustees of the town of Stephensport, in Breckinridge county.
An act to divorce Polly Rowark.
An act to divorce Rebecca Aaron, and Nancy L. Rose.
An act to divorce Wm. P. Carnahan, and others.
An act to divorce James D. Franks, and Wm. A. Bishop.
An act to incorporate the Jefferson Insurance Company of Louisville.
An act to divorce Sarah Calvert.
And had found the same truly enrolled.
The said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approbation and signature. After a short time, Mr. Bradley reported that the committee had performed that duty.

And then the Senate adjourned.

WEDNESDAY, FEBRUARY 28, 1849.

A message was received from the House of Representatives, announcing that they had concurred in the amendment proposed by the Senate, to preamble and resolutions from that House, confirming the report of the Commissioners, fixing the boundary line between Tennessee and Kentucky.

That they had passed a bill from the Senate, entitled, an act for the benefit of Henry F. Turner.

A message was received from the House of Representatives, by Mr. Hardin, announcing that they had appointed a second committee of conference on their part, on the disagreement of the two houses to the first and fifth amendments proposed by the Senate, to a bill from that House, entitled, an act to increase the revenue.

Mr. McMillan, from the committee of conference on the part of the Senate, reported that the committee of the two houses had met and conferred, and had adopted the following resolution, to-wit:
Resolved, That the House recede from its disagreement to the first amendment of the Senate, and that the Senate recede from the fifth amendment proposed by them to the act to increase the revenue. The said resolution was concurred in.

After a short time, a message was received from the House of Representatives, announcing that they had concurred in the adoption of the report and resolution of said committee of conference, on the disagreement of the two houses to the amendments proposed by the Senate to said bill.

Mr. Bradley, from the committee on Enrollments, reported that the committee had examined enrolled bills which originated in the Senate, of the following titles, to-wit:

An act to incorporate the Burlington and Dry Creek Turnpike Road Company.

An act for the benefit of Henry F. Turner.

And enrolled bills which originated in the House of Representatives, of the following titles, to-wit:

An act to authorize the surrender of State bonds, and to provide for the cancelment and burning of State bonds, and for other purposes.

An act to prevent unlawful fishing in parts of Fox and Triplett's creeks, in Fleming county, and for other purposes.

An act to divorce Margaret Frazier, and John and Elizabeth Elston.

An act for the benefit of Uriah Coppage.

An act for the benefit of the Athenian Light Infantry Company.

An act to change the Richmond State road.

An act to incorporate a company to turnpike a road from Harrodsburg to Cane Run Meeting House.

An act requiring a settlement of the accounts of the Lexington Lunatic Asylum.

An act to incorporate the Masonic Fraternity of the town of Stanford.

An act to incorporate the Mill Creek Christian Church, in Monroe county.

An act for the appropriation of money.

An act for the benefit of the heirs of Thomas Taylor, deceased.

An act to revive an act, entitled, an act to incorporate a Company to construct a Turnpike Road from Shelbyville to the contemplated Railroad near Christiansburg, in Shelby county, approved Feb. 29, 1836.

An act requiring Coffee House Keepers, and other licensed retailers of spirituous liquors, to pay a tax to the State for their licenses.

An act to change the names of Elizabeth Hale, Ellen Hale, and Ann Maria Hale.

An act for the benefit of George W. King.

An act for the benefit of McCracken county.
An act to authorize Robert T. Stratton to sell certain lands belonging to the estate of Peter Stratton, deceased.

An act to divorce Anderson Sizemore and Susannah Norris.

An act to divorce Thomas Edmonson and Colton Hobby.

An act to divorce Elizabeth Whitlock, and others.

An act to incorporate the Brooksville and Rock Spring Turnpike Road Company.

An act to divorce Mahulda Renfro, and others.

An act for the benefit of the Mechanics of Garrard and Laurel counties.

An act to divorce Gilbert Williams, and for other purposes.

An act to divorce Nancy C. Blewett, and others.

An act to divorce David Fleming, and others.

An act for the benefit of C. M. Matthews, and for other purposes.

An act to change the State road leading from Canton to Wainsboro'.

An act to divorce Jeptha B. Erwin, Sarah Ann Erwin, and others.

An act to divorce Abraham Lighter, Nancy Stringer, and Mary Ann Gray.

An act for the benefit of Martin V. Parker.

An act to increase the powers of the Trustees of the town of Versailles.

An act to increase the Revenue.

Preamble and resolutions confirming the report of the Commissioners fixing the boundary line between Tennessee and Kentucky.

And had found the same truly enrolled.

The said bills and preamble and resolutions having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor, for his approbation and signature. After a short time, Mr. Bradley reported that the committee had performed that duty.

Mr. Wall being in the Chair, Mr. Boyd moved the following resolution, to-wit:

Resolved, That the thanks of the Senate be and are hereby tendered to the Lieutenant Governor, John L. Helm, for the able, dignified and impartial manner in which he has presided as Speaker, over the deliberations of the Senate, during the present session.

The said resolution was unanimously adopted.

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

Resolved, That the thanks of this Senate be tendered to the Clergy of the city of Frankfort, for attending its meetings and opening the same with prayer.
The said resolution was unanimously adopted.

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

Resolved, That the thanks of the Senate are due, and are hereby tendered, to John D. McClure, Sergeant-at-Arms, and Benjamin Selby, Door Keeper of the Senate, for their prompt and vigilant attention to the members, as well as a faithful discharge of the duties of their respective offices.

The said resolution was unanimously adopted.

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

Resolved, That the thanks of the Senate are due, and are hereby tendered, to Theodore Kohlhass, for the prompt and faithful discharge of the duties of Principal Clerk of the Senate, during the present session.

The said resolution was unanimously adopted.

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

Resolved, That the thanks of the Senate are due, and are hereby tendered, to Thomas D. Tilford, for the obliging and very efficient manner in which he has discharged his duties as Assistant Clerk.

The said resolution was unanimously adopted.

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

Resolved, That the thanks of the Senate are due, and are hereby tendered, to Wm. L. Callender, Reporter, for the gentlemanly deportment, and faithful discharge of his duties as reporter of the proceedings of the Senate.

The said resolution was unanimously adopted.

The Speaker resumed the Chair.

A message was received from the Governor, by Mr. Brown, Secretary of State, announcing that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, to-wit:

An act to authorize the Trustees of Cynthiana to levy and collect an additional tax.

An act to authorize the sale of certain alleys in Winchester.

An act to extend the corporate limits of Newport.

An act to repeal an act, entitled, an act to prevent the sale of spirituous liquors within the town of Lagrange, and one mile therefrom, approved January 29, 1846.

An act for the benefit of James Byles.

An act for the benefit of James Bartram.

An act for the benefit of John M. Fraim, of Monroe county.

An act for the benefit of Gilson P. Snelling.

An act to authorize Hugh W. McNary to sell a slave in this State, and for other purposes.

An act for the benefit of William and Sarah Compton.

An act for the benefit of Wm. Cecil.

An act for the benefit of Washington Kennedy's children.
An act in relation to the Executive offices.
An act for the benefit of Garvin Morrison, Constable of Harrison county.
An act for the benefit of Warrenton S. Bland.
An act for the benefit of John Fible, of Oldham county.
An act to amend an act for the benefit of the children and heirs at law of Louisa Dunnington, approved March 1, 1848.
An act for the benefit of the devisees of Rolla Blue.
An act for the benefit of James L. Turman, Samuel Hogan and John L. Price.
An act to provide for the sale of a certain house for public worship in Hardin county.
An act for the benefit of James Haun, guardian of John James Ham.
An act for the benefit of Middletown, in Jefferson county, and for other purposes.
An act for the benefit of Thomas Rankin, jailer of Harrison county.
An act for the benefit of Green V. Goble.
An act to amend proceedings before Justices of the Peace.
An act to amend an act concerning strays, approved March 1, 1848.
An act for the benefit of Ervin Anderson, of Graves county.
An act for the benefit of Alonzo Livermore and Jacob Yost.
An act to extend to the county of Fayette the provisions of an act further to provide for the appointment of Patrons in this Commonwealth, approved February 18, 1841, and for other purposes.
An act declaring the "Hopkins Delta" a public authorized newspaper.
An act allowing the Judge of the 16th Judicial District further time to move into his District.
An act to incorporate the town of Owenton, in Owen county.
An act for the benefit of Louisa Williams.
An act for the benefit of Ira H. and Wm. George.
An act for the benefit of the heirs of Wm. R. Griffith, deceased.
An act allowing additional election precincts in Rockcastle and Knox counties.
An act granting a change of venue to Wm. Burns.
An act for the benefit of David I. Caldwell, his wife and children.
An act for the benefit of Jack Hardin and B. Mills Crenshaw.
Approved February 19, 1849.
An act for the benefit of John J. Greenwade and Mary, his wife.
An act to amend the laws relating to the town of Frankfort.
An act for the benefit of the town of Newport.
An act amendatory of an act, entitled, an act to incorporate the Paris, Winchester and Kentucky River Turnpike Road Company, approved February 25, 1849.
An act for the benefit of the Somerset Seminary.
An act for the benefit of the late Sheriff of Grant county.
An act for the benefit of Lodge, No. 138, of Ancient York Masons.
An act to incorporate the Springfield, Maxville and Harrodsburg Turnpike Road Company.
An act in relation to the Clerks of the Marshall Circuit and County Courts.
An act for the benefit of the administrator and heirs of Polly Armstrong, deceased.
An act for the benefit of Radford J. Maxey, of Monroe county.
An act for the benefit of the administrator and heirs of James G. Harrington, deceased.
An act for the benefit of Abel Sullivan.
An act for the benefit of George Stivers, Sr., of Clay county.
An act to amend an act for condemning lands for public purposes, approved February 26, 1842, and for other purposes.
An act for the benefit of William Wallace Blackwell and others, of Clarke county.
An act to incorporate Owen Lodge, No. 128, and Owen Chapter, No. 23.
An act to enlarge the powers of the Trustees of the town of Hamilton, in Boone county, and for other purposes.
An act to change the names of Samuel W. Grant and others, to that of Atkinson.
An act authorizing the Board of Internal Improvement to settle the accounts of James R. Skiles.
An act for the benefit of the heirs of Nancy Brother, and Margaret Carpenter.
An act to amend an act, entitled, an act to incorporate the town of Greensburg.
An act to amend an act to incorporate the Trustees and Stockholders of the Doan and Grady Fund.
An act for the benefit of the Barren River Navigation and Manufacturing Company.
An act to change the name of the town of Marion, in Scott county, to that of Oxford.
An act for the benefit of School District No. 9, in Russell county.
An act to restore the Middle Term of the Campbell Circuit Court.
   Approved February 21, 1849.
An act to incorporate the Green and Larue County Turnpike Road Company.
An act to authorize the Trustees of the Parsonage of the Methodist Episcopal Church South, in Mountsterling, to sell a part of the parsonage lot, and for other purposes.
An act for the benefit of the widow and heirs of George Fry, deceased.
An act to construct a Turnpike Road from Versailles to the Kentucky river, at or near McCoun’s ferry, and from Versailles to Munday’s or Singleton’s landing.
An act for the benefit of the President, Directors and Company of the Bon Harbour Mining and Manufacturing Company.
An act to incorporate the Flat Lick Seminary, in Knox county.
An act for the benefit of the heirs of Edward Haley, deceased.
An act to amend an act, entitled, an act to incorporate the town of Mayfield, and for other purposes.
An act to amend the charter of the Louisville Marine and Fire Insurance Company.
An act to incorporate the town of South Carrollton, in Muhlenburg county.
An act to change the Fall term of the Clay Circuit Court, and in relation to the Fleming Circuit Court.
An act for the benefit of the Hustonville Uniform Infantry Company.
An act to amend the charter of the Louisville and Frankfort Railroad Company.
An act for the benefit of Edwin Trimble, and for other purposes.
An act to change the time of holding the Hopkins Circuit Court, and for other purposes.
An act to divorce Brazilla Payton and Wm. Rankin.
An act to establish the office of Police Judge for the town of Harrisonville, in Shelby county.
An act for the benefit of the Clerk of the Marshall County and Circuit Courts.
An act respecting conveyances by married women.
An act to amend the road law of Boone county.
An act to incorporate the Maysville Gas Light Company.
An act to incorporate the Maysville Cemetery Company.
An act to incorporate the Clark’s River Bridge Company.
An act for the benefit of the Leesburg Light Artillery Company.
An act for the benefit of the Sheriff of Campbell county.
Approved February 23, 1849.
An act to charter the Kentucky Insurance Company.
An act to incorporate the Male and Female Institute of Calloway county, and Shelbyville Female College.
An act for the benefit of John Jay Anderson.
An act for the benefit of James A. Wilson.
An act to divorce Joseph Howard.
An act for the benefit of certain children in District No. 1, in Graves county.
An act for the benefit of Thomas T. Tindal and Nancy Bell.
An act to divorce Mary Catharine Duncan and Owen C. Turner.
An act legalizing the organization and first election of officers by the Dry Creek and Covington Turnpike Road Company.
An act to amend an act to revive the charter of the Augusta, Cynthia and Georgetown Turnpike Road Company.
An act for the benefit of Margaret Wilson, and others.
An act for the benefit of William Griffley.
An act for the benefit of Jane Duddy.
An act to amend an act to incorporate the Georgetown and Paris Turnpike Road Company, approved March 1, 1847.
An act to divorce Edward S. Bowman and Hickerson Smith. Approved February 24, 1849.
An act to amend the charter of the Clark's Run and Salt River Turnpike Road Company. Approved February 24, 1849.
An act to incorporate the Petersburg and Burlington Turnpike Road Company, and Owenton and Ross' Mill Turnpike Road Company.
An act to charter the Nicholas Savings Institution, and amend the charter of the Versailles Savings Institution.
An act to permit the citizens of the town of Louisa to vote for or against granting tavern license, and for other purposes.
An act to incorporate the Henry and Trimble Turnpike Road Company.
An act to establish the town of Gordonsville, in Hopkins county.
An act to incorporate the Licking Steamboat Navigation Company.
An act to incorporate the Newtown and Leesburg Turnpike Road Company.
An act to amend the charter of the Campbell Turnpike Road Company, and for other purposes.
An act to establish the town of Miltonville, in Casey county.
An act for the benefit of Moses Hubbard and wife.
An act concerning Common Schools.
An act to amend the charter of Paducah.
An act for the benefit of Wilson Evans.
An act for the benefit of George McFarland Hall.
An act to establish an election precinct at the house of Jacob Yost, in Logan county, and for other purposes.
An act for the benefit of William L. Owens, and others.
An act to incorporate the Campbell and Pendleton Turnpike Road Company, and amend the charter of the Versailles and Midway Turnpike Road Company.
An act to incorporate the Springfield, Maxville and Perryville Turnpike Road Company.
An act to amend the charter of the Maysville and Lewis County Turnpike Road Company.

An act to amend an act to amend the penal laws of this Commonwealth, approved February 11, 1809.

An act to charter sundry Turnpike Companies in Madison county.

An act for the benefit of the estate of J. T. Thomasson, deceased.

An act to amend the act incorporating the Kentucky Military Institute.

An act for the benefit of Benjamin D. Beall and James Sparks.

An act for the benefit of Vincent Brooks.

An act for the benefit of Spottwood Wills.

An act for the benefit of the widow and children of Christopher Fry.

An act authorizing the Marshall County Court to change a part of the State road leading from Hopkinsville to Columbus.

An act authorizing the establishment of a State road from Pembroke to Green river.

An act to amend the charter of the Winchester and Mountsterling Turnpike Road Company.

An act supplemental to an act to repeal the charter of Augusta College.

An act to establish a summer term of the Franklin Circuit Court, and to change the fall term of said Court, and for other purposes.

An act for the benefit of the Clerk of the Caldwell Circuit Court.

An act further to provide for the erection of the Second Kentucky Lunatic Asylum.

An act to change the place of voting in the Flint Island Precinct, in Breckinridge county.

An act to amend an act, entitled, an act to extend the limits of the town of Hopkinsville.

An act for the benefit of Henry M. Lutes, of Owsley county.

An act for the benefit of John R. Thornton and Richard Kenningham, trustees.

An act for the benefit of William and John Chiles, of Estill Springs.

An act to allow an additional Justice of the Peace to Hopkins county.

An act granting a change of venue to James May.

Approved February 26, 1849.

An act divorcing Henrietta Dupuy, and others.

An act for the benefit of John Walker, of Anderson county, and others.

An act for the benefit of Morton G. Hammons and Mary A. Hammons, and others.

An act to divorce Mary Duck, of Laurel county.

An act to divorce Lucinda Fish.

An act divorcing James and Hannah Price, and Samuel Bileter.

An act to divorce Jane Gatilff.
An act to divorce Susan Burden, and others.
An act for the benefit of Ezekiel Arterberry.
An act for the benefit of George Riley and Matilda, his wife.
An act to divorce Hannah Plank, of Nicholas county.
An act to divorce Walter Jones and wife.
An act to divorce Caleb F. Riggs and Samuel B. Woolfolk.
An act to divorce Allie Emberton, of Monroe county, and Mary F. Johnson.
An act for the benefit of David Pirtle.
An act for the benefit of Elizabeth Hopkins and Wm. H. Ritchie.
An act to divorce Jane McDonald and Darling McDonald, of Monroe county.
An act to divorce Louisa Jane Lafayette Urey, of Marshall county.
An act for the benefit of Thomas Crowder.
An act to divorce Nancy Forbes.
An act to divorce Robert Langford.
An act to divorce Nathan A. Williams and others.
An act to divorce Annie E. Fairbairn.
An act for the benefit of John Cunningham.
An act concerning the granting of tavern licenses in the different cities and towns.
An act to protect the estates of deceased persons.
An act authorizing Coroners to convey lands in certain cases.
An act to authorize the holding of an additional term of the Estill Circuit Court, in 1849.
An act to authorize the arranging and transcribing of certain books in the Auditors' and Treasurer's offices.
An act to incorporate the Springfield and Perryville Turnpike Road Company.
An act to amend an act prescribing the duties of the Board of Commissioners of the Sinking Fund, &c.
An act to establish a just principle in the rates of toll on Turnpike Roads.
An act declaring Blackford creek, between Daviess and Hancock counties, a navigable stream.
An act to repeal all acts prohibiting the circulation, in this Commonwealth, of bank notes of less denomination than five dollars.
An act to amend the act, entitled, an act to amend the several laws establishing a permanent revenue, approved Jan. 31, 1814.
An act to repair certain books in the Logan County and Circuit Court Clerks' offices.
An act for the benefit of Rufus Lane.
An act limiting the jurisdiction of the General Court in certain cases.
An act for the benefit of William S. Patterson.
An act authorizing toll gate keepers to administer oaths in certain cases, and for other purposes.
An act for the improvement of the Cumberland river, and the roads in Pulaski county.
An act for the benefit of the town of Tompkinsville.
An act to repeal an act, entitled, an act to amend an act to reduce into one the several acts concerning strays, approved March 1, 1847.
An act to mark definitely the dividing line between certain counties.
An act concerning the road from Birch Lick creek, in Madison county, to Brashears' Salt Works, in Perry county.
An act for the benefit of those who have imported slaves contrary to the law of 1833.
An act for the benefit of Robert Williams.

Resolution in relation to the settlement with the present Keeper of the Penitentiary.

Resolution providing for a settlement with Peter Dudley, late Treasurer.

An act to incorporate the Burlington and Dry Creek Turnpike Road Company.

An act for the benefit of Henry F. Turner.

A message was received from the House of Representatives, announcing that they had received official information that the Governor had approved and signed enrolled bills and resolutions which originated in that House, of the following titles, to-wit:

An act to amend an act, entitled, an act to amend the law to prohibit the importation of slaves into this State.
An act to allow Greenup county an additional Justice of the Peace, and additional constables to Henry and Cumberland counties.
An act to allow an additional Constable to Hardin county.
An act for the benefit of Philip F. Craycraft and wife.
An act to extend the limits of Campbellsville.
An act to incorporate the Hopkinsville Fire, Life and Marine Insurance Company.

An act for the benefit of the Washington Female Seminary.
An act to amend an act to incorporate a Turnpike Road from Washington to Murphysville, in Mason county.
An act for the benefit of John B. Phelps, a lunatic.
An act to incorporate the Georgetown and South Elkhorn Turnpike Road Company.
An act to incorporate the Irvine Seminary, in the county of Estill.
An act to incorporate the South Kentucky Institute.
An act to authorize the trustees of Carlisle to levy and collect an additional tax.
An act to appoint a Justice of the Peace in Jefferson county, and for other purposes.
An act to incorporate the Harrodsburg Springs Company.
An act to amend an act incorporating the town of East Maysville, in Mason county.
An act granting a change of venue to James H. Arnold.
An act to authorize the Register of the Land Office to extend a line in a survey in the name of J. Eubank, in Monroe county.
An act to amend an act, entitled, an act to incorporate the Maysville Manufacturing Company, and for other purposes.
An act to change the line between the counties of Clay and Laurel.
An act for the benefit of Mrs. Leavy, and her children.
An act for the benefit of the Mechanics of Nicholas county.
An act establishing a July term of the Cumberland Circuit Court.
An act for the benefit of Jordan Middleton and William Ratliff.
An act to allow an additional Justice of the Peace to Spencer county.
An act for the benefit of Lucretia Gwyn.
An act to incorporate the town of Irvine, in the county of Estill, and for other purposes. Approved Feb. 24, 1849.
An act to repeal the charter of Augusta College.
An act to amend the charter of the Lancaster and Crab Orchard Turnpike Road Company.
An act for the benefit of J. M. Martin, administrator of Ephraim Ball, deceased.
An act for the benefit of Eden Shotwell.
An act to amend, in part, the charter of the city of Louisville.
An act to amend the charter of the town of Lower Cloverport.
An act for the benefit of S. Renfro and others.
An act to amend an act to establish a bridge at Falmouth, approved January 30, 1834.
An act for the benefit of J. S. Golladay, of Logan county.
An act for the benefit of Frederick Mayberry.
An act to amend the militia law.
An act to regulate the duties of the Police Judge of the town of New Liberty, and for other purposes.
An act for the benefit of S. G. Rogers.
An act for the benefit of James Penney.

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An act to establish election precincts in Calloway and Bullitt.
An act to establish election precincts in Clarke, Henderson, and Hart counties.
An act for the benefit of George T. Anderson, of Logan county.
An act to change the name of Martha Trisler, and for other purposes.
An act for the benefit of Milly Walker, of Fleming county.
An act for the benefit of Charles H. Stutteville, late Sheriff of Grayson county.
An act for the benefit of Nathan Butler and Addison Carneal, of Todd county.
An act for the benefit of R. P. Dodds, of Fulton county.
An act authorizing the County Court of Butler to change the State road from Bowlinggreen to Greenville.
An act to authorize the Hart County Court to establish a road.
An act to amend the charter of the Turnpike Road Company from Bowlinggreen to the Tennessee line.
An act to establish election precincts in Taylor and Laruel counties, and for other purposes.
An act for the benefit of Lydia Hindman, of Barren county.
An act for the benefit of William Harman, George W. Riddle, and Clement M. Buckman.
An act to authorize the appointment of a Police Judge in the town of Portland.
An act to incorporate the Louisville Orphans’ Home Society.
An act for the benefit of Isham Jones.
An act for the benefit of A. M. Vanarsdale, of Mercer county.
An act for the benefit of E. S. Steed, of Graves county.
An act to establish an election precinct at Ballardsville, in Oldham county.
An act to incorporate the Bowlinggreen Thespian Society.
An act to authorize the Johnson County Court to sell a part of the Public Square in the town of Paintsville.
An act to incorporate the Franklin Fire Company, No. 2, of Covington.
An act for the benefit of Bethania Bennet.
An act for the benefit of Milly Ann Skaggs and Warren H. Jones.
An act for the benefit of the Marshal of Paducah.
An act to authorize the executor or administrator of W. N. Miller to sell a slave.
An act to amend the laws in relation to the Trustees of the town of Burlington.
An act to amend an act to incorporate the Merchants’ Louisville Insurance Company.
An act concerning the vacant lands in Whitley county.
An act for the benefit of the town of Hawesville, in Hancock county.
An act for the benefit of Common Schools.
An act to create the office of Police Judge, in the town of Hartford, and defining his duties and powers. Approved February 26, 1849.
An act to incorporate the Jefferson Insurance Company of Louisville.
An act to amend the charter of the Licking and Lexington Railroad Company, approved March 1, 1847.
An act for the benefit of Jesse Vansickles.
An act to amend the charter of the city of Louisville, and for other purposes.
An act to permit certain persons to build a mill dam across Kinnicank.
An act to change the mode of advertising the forfeiture and sale of lands for taxes.
An act to establish the town of Brooklyn, in Campbell county.
An act for the benefit of Joseph Riddle, of Cumberland county.
An act to divorce Ambrose R. Wright, Samuel Hall and Mary E. Taylor.
An act for the benefit of James Tucker and his wife, and Isaac Meeks.
An act establishing an additional term of the Greenup Circuit Court.
An act to divorce John McKenzie.
An act to divorce Rebecca Aaron, and Nancy L. Rose.
An act to divorce Wm. P. Carnahan, and others.
An act for the benefit of the North Benson Baptist Church, in Franklin county.
An act concerning Surveys of roads in Kenton county, and for other purposes.
An act to incorporate the town of Clayvillage in Shelby county, and Crab Orchard in Lincoln county.
An act to incorporate the Trustees of the Harmony Church, of Garrard county.
An act to extend the powers of the Marshal of the city of Louisville, and in relation to the Police Judge of Paducah.
An act to incorporate the Nicholasville and Jessamine County Turnpike Road Company.
An act to incorporate the New Liberty and Marion Turnpike Road Company.
An act to amend the charter of the Louisville and Frankfort Railroad Company.
An act for the benefit of the widow and heirs of James Hutchison, deceased.
An act to divorce Juliann Robinson.
An act to incorporate the Trustees of the Dripping Spring Regular Baptist Church, in Barren county.
An act for the benefit of the McCracken County Court.
An act for the benefit of Lot Adams, of Morgan county.
An act authorizing the running of the dividing line between the counties of Campbell and Pendleton.
An act to amend the charter of the Lebanon, New Market and Springfield Turnpike Road Company.
An act to incorporate the Monodelphian Society of Industrial Education.
An act to incorporate the German Roman Catholic St. Boniface Benevolent Society of Louisville.
An act to amend an act, entitled, an act for the benefit of the Mechanics of the city of Louisville, approved December 22d, 1831.
An act to divorce Eli Jester and Catharine A. Jester, and others.
An act to change the line between the counties of Perry and Breathitt.
An act for the protection of the public property on Licking river, and for other purposes.
An act to incorporate the Taylorsville and Mount Washington Turnpike Road Company.
An act to improve the navigation of Middle and Beaver creeks, in Floyd county.
An act to incorporate the several Masonic Institutions of Louisville.
An act for the benefit of the heirs of Hiram Duley, deceased, of Fleming county.
An act to extend the powers of the Trustees of the town of New Castle.
An act to divorce Daniel Ramsey.
An act to change the names of Louisa Turner, and others.
An act to prevent the destruction of fish in the Little Kentucky river, and Harrod's creek.
An act for the benefit of the Trustees of the town of Stephensport, in Breckinridge county.
An act for the benefit of David Logan and his children.
An act to divorce Sarah Calvert.
An act to incorporate the Vestry of Grace Church at Paducah.
An act for the benefit of the Jailer of Ballard county.
An act for the benefit of A. C. Daniel and others.
An act to divorce James D. Franks, and Wm. A. Bishop.
An act supplemental to an act for the benefit of Darwin Johnson, approved —— day of ——, 1849.
An act to divorce Polly Rowark.
An act to amend the charter of the Danville and Perryville Turnpike Road Company.

An act to amend the act to incorporate the Paris and Cynthiana Turnpike Road Company.

An act to incorporate the town of Elizabethtown.

An act for the benefit of Christopher D. Weymouth.

An act for the benefit of the Campbell County Court.

An act to divorce Elizabeth Green.

An act incorporating the German Jefferson Benevolent Society of Louisville.

Preamble and resolutions in relation to the publication of a map of the State, by Boner and Klyng.

An act to divorce Thomas Edmonson and Colton Hobdy.

An act to divorce Anderson Sizemore and Susannah Norris.

An act to divorce Mahulda Renfro, and others.

An act for the benefit of the Mechanics of Garrard and Laurel counties.

An act to incorporate the Masonic Fraternity in the town of Stanford.

An act requiring a settlement of the accounts of the Lexington Lunatic Asylum.

An act to divorce David Fleming, and others.

An act to divorce Louisa Burriss, and others.

An act to change the State road leading from Canton to Waidsboro.

An act for the benefit of C. M. Mathews, and for other purposes.

An act for the benefit of Martin V. Parker.

An act to increase the powers of the Trustees of the town of Versailles.

An act to divorce Abraham Lighter, Nancy Stringer, and Mary Ann Gray.

An act to divorce Jeptha B. Erwin, Sarah Ann Erwin, and others.

An act to incorporate the Brooksville and Rock Spring Turnpike Road Company.

An act to authorize Robert T. Stratton to sell certain lands belonging to the estate of Peter Stratton, deceased.

An act for the benefit of McCracken county.

An act to divorce Nancy C. Blewitt, and others.

An act to divorce Gilbert Williams, and for other purposes.

An act to divorce Elizabeth Whitlock, and others.

An act to divorce Emerine Sneed and R. D. Menser.

An act requiring Coffee House Keepers, and other licensed retailers of spirituous liquors, to pay a tax to the State for their license.

An act to change the names of Elizabeth Hale, Ellen Hale, and Ann Maria Hale.

An act for the benefit of George W. King, of Henderson county.
An act for the benefit of Uriah Coppage.
An act to divorce Margaret Frazier and John and Elizabeth Elston.
An act for the appropriation of money.
An act for the benefit of the Athenian Light Infantry Company.
An act to change the Richmond State road.
An act to authorize the surrender of State bonds, and to provide for the cancelment and burning of State bonds, and for other purposes.
An act to prevent unlawful fishing in parts of Fox and Triplett creeks, in Fleming county, and for other purposes.
An act to revive an act, entitled, an act to incorporate a Company to construct a turnpike road from Shelbyville to the contemplated Railroad near Christiansburg, in Shelby county, approved February 29, 1836.
An act for the benefit of the heirs of Thomas Taylor, deceased.
An act for the benefit of Narcissa Amanda Morgan.
An act to incorporate the Mill Creek Christian Church, in Monroe county.
An act to incorporate a Company to turnpike a road from Harrodsburg to Cane Run Meeting House.
An act to increase the revenue.

Preamble and resolutions confirming the report of the Commissioners, fixing the boundary line between Tennessee and Kentucky.

Approved February 28, 1849.

On motion of Mr. Todd, a message was sent to the House of Representatives, to inform them that they have finished their legislative business, and are now ready to adjourn; and Messrs. Todd, Chiles and McMillan were directed to carry said message.

Messrs. Rice, Hogan and Boyd, were appointed a committee, on the part of the Senate, to wait on the Governor and inform him that the General Assembly have finished their legislative business, and are now ready to adjourn, and to know if he has any further communication to make to them.

A message was received from the House of Representatives, by Mr. Hardin, announcing that they had finished their legislative business, and are now ready to adjourn, and that they had appointed a committee on their part, to wait on the Governor to inform him of the intended adjournment, and to know if he had any further communication to make.

The committee on the part of the Senate retired, and after a short time returned, when Mr. Rice reported that the joint committee had performed the duty assigned them, and were informed by the Governor that he had no further communication to make.

The Speaker made an appropriate address, and the Senate adjourned without day.
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