At a General Assembly, begun and held for the State of Kentucky, at the Capitol, in the city of Frankfort, on Monday, the 7th day of December, one thousand eight hundred and fifty-seven, (that being the day fixed by an act of the last Legislature,) the following members of the Senate appeared and took their seats, viz:  
From the first Senatorial district, George W. Silvertooth; from the second, James D. Headley; from the third, James F. Buckner; from the fourth, George T. Edwards; from the fifth, A. D. Cosby; from the sixth, George Wright; from the seventh, William M. Wilson; from the eighth, C. J. Walton; from the ninth, Joseph S. Bledsoe; from the tenth, Jesse W. Burton; from the eleventh, John Q. A. King; from the twelfth, John B. Bruner; from the thirteenth, E. D. Walker; from the fourteenth, Samuel Haycraft; from the fifteenth, Charles Ripley; from the sixteenth, Gibson Mallory; from the seventeenth, John P. Smith; from the eighteenth, Walter C. Whitaker; from the nineteenth, William B. Read; from the twentieth, Thomas S. Grundy; from the twenty-first, William H. McBryer; from the twenty-second, Daniel Mathewson; from the twenty-third, Cyrenius Wait; from the twenty-fourth, David Irvine; from the twenty-fifth, William C. Gillis; from the twenty-sixth, Samuel Howard; from the twenty-seventh, John F. Fisk; from the twenty-eighth, James Sudduth; from the twenty-ninth, Asa P. Grover; from the thirtieth, John Williams; from the thirty-first, William S. Darnaby; from the thirty-second, Thomas P. Porter; from the thirty-third, James McKee; from the thirty-fourth, H. M. Rust; from the thirty-fifth, Landaff W. Andrews; from the thirty-sixth, Harrison Taylor; from the thirty-seventh, John P. Martin; and from the thirty-eighth, Theophilus T. Garrard.  
or, William H. McBrayer, James McKee, Thomas P. Porter, William B. Read, H. M. Rust, John P. Smith, Harrison Taylor, Cyrenius Wait, E. D. Walker, Walter C. Whitaker, and William M. Wilson, who severally produced certificates of their election, and took the several oaths required by the constitution of the United States, and the constitution and laws of this State.

The Hon. James G. Hardy, the Lieutenant Governor and Speaker of the Senate, having since the last meeting of the General Assembly departed this life, thereby rendering vacant the office of Speaker, the Senate proceeded to an election to fill said vacancy for the occasion.

Mr. Andrews nominated Mr. John Q. A. King as Speaker for the occasion.

Mr. Martin nominated Mr. George W. Silvertooth.

And upon taking the vote it stood thus:

Those who voted for Mr. King were—

Landaff W. Andrews, Samuel Haycraft, James Sudduth,
Joseph S. Bledsoe, Samuel Howard, Harrison Taylor,
John B. Bruner, David Irvine, Cyrenius Wait,
James F. Buckner, Gibson Mallory, Walter C. Whitaker,
Jesse W. Burton, James McKee, John Williams,
George T. Edwards, Charles Ripley, George Wright—19.

William C. Gillis,

Those who voted for Mr. Silvertooth were—

A. D. Cosby, James D. Headley, H. M. Rust,
William S. Darnaby, John P. Martin, John P. Smith,
John F. Fisk, Daniel Matthewson, E. D. Walker,
Theo. T. Gavard, William H. McBrayer, C. J. Walton,

Thomas S. Grundy, William B. Read,

Mr. John Q. A. King, having received a majority of all the votes given, was declared duly elected Speaker for the occasion, and being conducted to the Chair by Messrs. Buckner and Grundy, returned thanks, and recommended the observance of order and decorum.

Mr. Andrews nominated J. Russell Hawkins as a proper person to fill the office of Secretary of the Senate during the present session.

Mr. Smith nominated Mr. Ben Selby.

And upon taking the vote it stood thus:

Those who voted for Mr. Hawkins were—

Mr. Speaker, (King,) William C. Gillis, James Sudduth,
Landaff W. Andrews, Samuel Haycraft, Harrison Taylor,
Joseph S. Bledsoe, Samuel Howard, Cyrenius Wait,
John B. Bruner, David Irvine, Walter C. Whitaker,
James F. Buckner, Gibson Mallory, John Williams,
Jesse W. Burton, James McKee, George Wright—20.
George T. Edwards, Charles Ripley.

Those who voted for Mr. Selby were—
A. D. Cosby, James D. Headley, H. M. Rust,
W. S. Darnaby, John P. Martin, George W. Silvertooth,
John F. Fisk, Daniel Mathewson, John P. Smith,
Theo. T. Garrard, William H. McBrayer, E. D. Walker,
Asa P. Grover, Thomas P. Porter, C. J. Walton,

J. Russell Hawkins having received a majority of all the votes given, was declared duly elected Secretary of the Senate during the present session. Whereupon he took the oath required by the constitution of this State.

Mr. Andrews nominated Mr. W. N. Sudduth as a proper person to fill the office of Assistant Secretary of the Senate during the present session.

Mr. Rust nominated Mr. B. J. Monroe.

And upon taking the vote it stood thus:

Those who voted for Mr. Sudduth were—
Mr. Speaker, (King,) William C. Gillis, James Sudduth,
Landaff W. Andrews, Samuel Haycraft, Harrison Taylor,
Joseph S. Bledsoe, Samuel Howard, Cyrenius Wait,
John B. Bruner, David Irvine, Walter C. Whitaker,
James F. Buckner, Gibson Mallory, John Williams,
Jesse W. Burton, James McKee, George Wright—20.
George T. Edwards, Charles Ripley.

Those who voted for Mr. Monroe were—
A. D. Cosby, James D. Headley, H. M. Rust,
William S. Darnaby, John P. Martin, George W. Silvertooth,
John F. Fisk, Daniel Mathewson, John P. Smith,
Theo. T. Garrard, William H. McBrayer, E. D. Walker,
Asa P. Grover, Thomas P. Porter, C. J. Walton,

Mr. W. N. Sudduth having received a majority of all the votes given, was declared duly elected Assistant Secretary of the Senate during the present session. Whereupon he took the oath required by the constitution of this State.

Mr. Andrews nominated Mr. John W. Prunett as a proper person to fill the office of Sergeant-at-Arms of the Senate during the present session.

Mr. Read nominated Mr. Morgan B. Chinn.

And upon taking the vote it stood thus:
Those who voted for Mr. Pruett were—

Mr. Speaker, (King,) William C. Gillis, Samuel Haycraft, James Sudduth, Harrison Taylor,
Landaff W. Andrews, Samuel Howard, Cyrenius Wait,
Joseph S. Bledsoe, David Irvine, Walter C. Whitaker,
John B. Bruner, Gibson Mallory, John Williams,
James F. Buckner, James McKee, George Wright—20.
Jesse W. Burton, Charles Ripley.
George T. Edwards.

Those who voted for Mr. Chinn were—

A. D. Cosby, John P. Martin, James D. Headley, H. M. Rust,
William S. Darnaby, Daniel Matthewson, George W. Silvertooth,
John F. Fisk, William H. McBrayer, John P. Smith,
Theo. T. Garrard, Thomas P. Porter, E. D. Walker,
Asa P. Grover, William B. Read, C. J. Walton,
Thomas S. Grundy.

Mr. John W. Pruett having received a majority of all the votes given, was declared duly elected Sergeant-at-Arms of the Senate during the present session. Whereupon he took the oath required by the constitution of this State.

Mr. Andrews nominated Mr. W. P. Watson as a proper person to fill the office of Doorkeeper to the Senate during the present session.

Mr. Fisk nominated Mr. Calvin W. Hull.

And upon taking the vote it stood thus:

Those who voted for Mr. Watson were—

Mr. Speaker, (King,) William C. Gillis, James Sudduth, Harrison Taylor,
Landaff W. Andrews, Samuel Haycraft, Cyrenius Wait,
Joseph S. Bledsoe, Samuel Howard, Walter C. Whitaker,
John B. Bruner, David Irvine, John Williams,
James F. Buckner, Gibson Mallory, George Wright—20.
Jesse W. Burton, James McKee.
George T. Edwards, Charles Ripley.

Those who voted for Mr. Hull were—

A. D. Cosby, James D. Headley, H. M. Rust,
William S. Darnaby, John P. Martin, George W. Silvertooth,
John F. Fisk, Daniel Matthewson, John P. Smith,
Theo. T. Garrard, William H. McBrayer, E. D. Walker,
Asa P. Grover, Thomas P. Porter, C. J. Walton,

Mr. W. P. Watson 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 oath required by the constitution of this State.

Mr. Edwards moved the following resolution, viz:

Resolved, That the rules which governed the deliberations of the
Senate at its last session be, and they are hereby, adopted for the government of this Senate, until altered or amended; and that the Public Printer print 150 copies thereof for the use of the General Assembly.
Which was adopted.
And then the Senate adjourned.

TUESDAY, DECEMBER 8, 1857.

Mr. Porter moved the following resolution, viz:
Resolved, That a message be sent to the House of Representatives to inform them that the Senate have met, elected their officers, and are now ready to proceed to legislative business.
Which was adopted.
Whereupon Messrs. Porter and Bledsoe were appointed to bear said message.

Mr. Walton moved the following resolution, viz:
Resolved, That a committee of three be appointed to wait upon the Governor, in conjunction with such committee as may be appointed by the House of Representatives, to notify him that the Legislature is organized and ready to proceed to business; and to ascertain whether he has any communication to make to this body, and at what time it will suit his pleasure and convenience to make such communication.
Which was adopted.
Whereupon Messrs. Walton, Andrews and Mallory were appointed the committee in pursuance of said resolution.

A message was received from the House of Representatives, by Messrs. Barbee and Lindsey, announcing that the House had met and organized, and was ready to proceed to legislative business; and that they had appointed a committee on their part to wait upon the Governor and inform him that the General Assembly had convened, and was now ready to receive any communication he might think proper to make.
The committee heretofore appointed on the part of the Senate retired, and after a short time returned, when Mr. Walton 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 in a few moments.

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

*Gentlemen of the Senate and House of Representatives:*

In again assembling to discharge the important duties confided to you, I deeply regret that I cannot meet you with the customary congratulations on the present condition of our country. After a long period of almost unexampled prosperity, we have recently witnessed a wide-spread commercial revulsion, with such a derangement of the exchanges and monetary concerns of the whole nation, as seriously to affect the operations of trade, and to a great extent to paralyze the arm of industry and enterprise.

Whether this has been caused by the illegitimate facilities afforded for wild and visionary speculation by a bloated currency, or by an extraordinary drain of coin from our country consequent upon the undue increase of foreign imports, or both combined, the effect has been to create a panic in the public mind, and to force back upon the banks their liabilities for redemption to such an extent, as to compel a very general suspension of specie payments.

I am gratified, however, that our own banks, acting with that caution and foresight which have usually characterized their management, have all been able to meet promptly every demand upon them. During the period of severest pressure, a feeling grew up in several localities, which resulted in manifestations of violence towards those who were in the exercise of a clear constitutional right in seeking the redemption of bank notes held by them, and in some few instances, I am sorry to add that such persons were either deterred or prevented from receiving their just dues.

I most sincerely regret that this lawless violation of private right should ever have occurred. But I am gratified to be able to state from the most careful inquiries, that this course was regretted as much by the principal banks, in whose behalf it was adopted, as by any others, and in every instance those who were prevented in this manner from collecting their debts were sought out and paid in full. The general manifestation of public sentiment on this subject, will, it is believed, prevent its repetition. Banks can only exist upon the public confidence in their wealth and integrity, and with them as with private in-
individuals, it is far better that their wealth should be impaired, than that their integrity should be questioned. Having the power of issuing their obligations in the form of bank notes which pass as money, these notes should be made to approximate as near as possible the constitutional standard of value. Constituting nearly our only currency, they necessarily exert a powerful influence upon private interests, and all the commercial operations of the country. All banks under the influence of self-interest, from the very law of their existence, must be interested in the general prosperity of the community, and the community reciprocally interested in their good management and integrity, and punctual payment of all liabilities. A refusal on their part to pay their notes in gold or silver, with an acknowledged ability to do so, cannot be defended by arguments compatible with the dictates of justice or of honesty. In proportion to the extent of their connection with all the diversified interests of society, would be the injurious consequences of their suspension. By it credit would be still more seriously affected, the whole business of the community still more deranged, the exchanges still more unsettled, property of every kind depreciated in value, and the means of payment necessarily lessened. There is no greater mistake than to suppose that a temporary suspension could afford the slightest relief; and when the moral contagion of such an example is considered, loosening the ties of conscientious obligation, and relaxing the innate sense of justice and right, I am constrained to view it as the last sad alternative ever to be adopted. There might arise a great emergency, when the crisis of public affairs should render it dangerous not only to the solvency of the banks, but to the community at large, for the banks to pay all their obligations on demand, when it would become the mutual interest of the banks and the community to postpone payment for a season, and the Legislature on behalf of the country, and in order to protect its interests, might indirectly sanction such postponement by declining to take advantage of a forfeiture of their charters. While conceding this much, I do not think that this emergency has arisen in our State. The banks have shown their ability to pay, and are daily becoming stronger and more able to meet every liability. While their issues have necessarily lessened by returning on them for redemption, their specie basis has not been materially diminished, and a laudable disposition has been manifested to aid the commerce of the State as far as compatible with their own safety.

Our people are comparatively free from debt; our country teems with abundance; and although our vast surplus may not command as high prices as with a more inflated currency, still it is believed to be enough to remove all fears of embarrassment, and speedily to bring
about a restoration of confidence. Indeed, unless all the signs of the times are delusive, the crisis has already passed. Gloom and despondency are passing away, and a brighter and more hopeful future is not far off. I am not, and never have been, the advocate of local banks. I have not the slightest personal interest in any one of them. I found them in existence, furnishing our only currency; connected with all the business transactions of society; debts contracted with direct reference to their issues, and our State government largely and deeply interested as a stockholder, and looking to them for the ultimate liquidation of our public debt, and common prudence requires that nothing should be done to impair their credit or lessen their usefulness. That their multiplication throughout the Union, issuing their notes which pass as money, without any concert of action, with nothing to regulate or restrain them, has been the cause of the periodical revulsions which have so often scourged us, few will deny. In periods of prosperity they indulge in extravagant expansions, giving a false and fictitious value to property, and enhancing the price of all the necessaries of life. A spirit of wild speculation is necessarily engendered. Here and there an instance of extraordinary success in the speedy realization of a fortune induces thousands to rush forward in the same career, and to abandon the slow and regular profits of patient industry. The consequence is, that the country soon becomes glutted with an influx of foreign merchandise. The over issue of paper money has depressed the value of the whole currency—coin as well as paper—and whenever this is done, by an inexorable law of trade the coin will flow from us. It is only exported when it is more valuable abroad than at home. The merchant who exports the precious metals is as much under the influence of self-interest as one who exports the surplus productions of the country. If the cost of a commodity at home be such as to preclude the merchant from realizing his outlay, and interest, and cost of transportation, with a reasonable sum for his risk of the fluctuation of prices, it is obvious that it would be to his interest to send the money instead of the commodity to meet his liability abroad. When it is exported in large amounts from this cause, and to meet payments for the importation of foreign merchandise, beyond the fair value abroad of our exports, a commercial revulsion is almost a necessary consequence. Coin is then sought for exportation; banks are compelled to contract their loans and issues; prices sink; the most enterprising and energetic of our citizens are often unable to meet their debts, and all the banking corporations of the Union are impotent to relieve, and often, by a mistaken policy, add to the severity of the pressure. Our own banks have, generally, been managed with
great caution and prudence, and kept their issues within safe limits. It is the aggregate circulation of the whole Union which has brought about the mischief complained of, and produced in the minds of many a feeling in favor of a metallic currency. But no one will contend that the general government has the power to destroy the banking corporations of the several States. They are coeval with our national existence, recognized as constitutional by every department of the government, and so intertwined with all the business relations of society as utterly to forbid the idea that the States would ever yield this exercise of their sovereign power. In our own State experience has demonstrated that an overwhelming majority of the people are in favor of a paper currency, and during a period of commercial distress will have one unconnected with the idea of convertibility, rather than be without any. With great respect to those who entertain a different opinion, I think it preposterous to talk of a purely metallic currency. If it could be made to supply all the wants of a commercial people, it is manifest that it is impossible to bring it about. But if this could be done, the change would produce the most glaring injustice and oppression. All private and public transactions have originated under our present system. Unless one half of the debt of the country could at the same time be cancelled, every debtor would have to pay virtually at least double his indebtedness. It would not fail, for the time, to paralyze every branch of industry, and every effort of enterprise. I hope never to witness the period of transition from a paper to a metallic currency. My own solemn conviction is, that the only remedy can be found in a well guarded national currency, uniform in value in every part of the United States. Call it by what name you please; throw every necessary and proper restriction around it; obviate, by legislation, whatever the past experience of the country has shown to be evil, but let there be some fiscal agent which shall give us a national currency, with power to regulate and restrain the local banks in their issues, and avert, by the prudence and wisdom of its management, the ruinous vibrations and fluctuations in our trade and commerce. That such an institution could be framed as would meet the public approbation, and exercise a most salutary influence on the permanent commercial prosperity of the whole country, I entertain no doubt, and it is only necessary to lay aside for a season prejudices growing out of past party issues, to produce a general conviction that it is the only remedy for the acknowledged evils under which we are laboring. Whether any or what remedy shall be adopted will be for those who now hold the power in their hands. Whatever it may be I trust that
it will permanently advance the prosperity and happiness of our common country.

It is a subject worthy of consideration, whether a well guarded law legalizing conventional interest would not exert a salutary influence in bringing out the dormant capital of the State, and in relieving, to some extent, the present stringency in moneyed affairs. Our usury laws are now, in effect, a dead letter. The lender knows that he has the power, by law, to collect his principal and six per cent interest, no matter to what extent the transaction may have been tainted by usurious exactions. With no forfeiture beyond the usurious interest agreed on, money, like any other commodity, now commands the market value, which is always enhanced by the risk incurred from a violation of law. In framing a law for conventional interest there should be some adequate penalty for exceeding the prescribed limit. As far as my experience or observation has extended, there is a very small amount of money now loaned at an interest as low as six per cent. I have understood that some of our deposit banks are paying six per cent for money deposited with them, for a stipulated period, to be let out, of course, in some shape at a higher rate. As a general rule I am satisfied that borrowers are now paying a greater interest than they would have to do under a well digested law allowing conventional interest. I submit the whole subject to your superior judgment, and ask for it the consideration to which it is entitled.

I am happy to inform you that the finances of the State were never in a better or more prosperous condition. At your last biennial session it appeared, from the Auditor’s report, that on the 10th of October, 1855, the close of the fiscal year, there was a balance in the treasury of two hundred and fifty-five thousand seven hundred and thirty-one dollars and fifty-five cents ($255,731.55.) From that period to the 10th of October, 1856, the receipts into the treasury amounted to eight hundred and twenty-two thousand five hundred and ten dollars and fifty-two cents ($822,510.52) making, with the surplus of the previous year, an aggregate of one million seventy-eight thousand two hundred and forty-two dollars and seven cents ($1,078,242.07.) The expenditures, during the same period, amounted to one million twenty-six thousand and ninety-two dollars and seventy-eight cents ($1,026,992.78,) leaving in the treasury, on the 10th of October, 1856, fifty-two thousand one hundred and forty-nine dollars and twenty-nine cents ($52,149.29.) From this date to the 10th of October, 1857, the receipts into the treasury amounted to nine hundred and eighty-eight thousand four hundred and forty-four dollars and forty-three cents ($988,444.43) which added to the balance in the treasury on the 10th of October, 1856, made an aggregate of one million forty thousand
five hundred and ninety-three dollars and seventy-two cents ($1,040.593 72.) The expenditures, during the same period, amounted to one million four hundred and fifty-one dollars and eighty-nine cents ($1,000,451 89.), leaving a balance in the treasury on the 10th of October, 1857, of forty thousand one hundred and forty-one dollars and eighty-three cents ($40,141 83.)

It may be proper to state, that while the receipts embrace all that is collected for the sinking fund and for school purposes, all transfers to either fund are charged under the head of expenditures.

The gross revenue for the year commencing the 10th of October, 1857, and ending on the 10th of October, 1858, amounts to nine hundred and thirty-eight thousand five hundred and forty-four dollars and forty-eight cents ($938,544 48.) When the charges for collection, and what has been paid previous to the 10th of October, 1857, are deducted, the estimated amount will be eight hundred and seventy-two thousand six hundred and twelve dollars and sixty-one cents ($872,612 61.) Of this amount one half, viz: four hundred and thirty-six thousand three hundred and six dollars and thirty cents ($436,306 30.) belongs to the sinking fund and school fund, leaving for ordinary revenue four hundred and thirty-six thousand three hundred and six dollars and thirty-one cents ($436,306 31.) to which it is estimated will be added, from other sources, the sum of eighty-six thousand nine hundred and fifty dollars ($86,950.) and the balance in the treasury on the 10th day of October, 1857, of forty thousand one hundred and forty-one dollars and eighty-three cents ($40,141 83.) will make the gross sum of five hundred and sixty-three thousand three hundred and ninety-eight dollars and fourteen cents ($563,398 14.) The estimated expenditures for the same period, including unpaid appropriations, amount to four hundred and ninety-five thousand eight hundred and ninety-two dollars ($495,892,) leaving a balance in the treasury on the 10th of October, 1858, of sixty-seven thousand five hundred and six dollars and fourteen cents ($67,506 14.)

These estimates can only approximate the truth, but they are believed to be sufficiently accurate for all practical purposes.

No extraordinary appropriation is included in this estimate, and consequently, if any such appropriation be made, it will lessen to that extent, the estimated balance on the 10th of October, 1858. Whatever balance over ten thousand dollars ($10,000.) not necessary to pay outstanding appropriations, may be in the treasury at the end of any fiscal year is, by law transferred to the Sinking Fund.

Knowing the anxiety of our constituents to have our public debt extinguished as soon as possible, I earnestly recommend the observance
of economy in all our public expenditures. Although the resources of our treasury are ample to meet any probable appropriation, I am inclined to think that there must be some radical defect in the mode fixed by law for the assessment for taxation of the lands in our State. The constant fluctuation in the number of acres given in each year for taxation shows great want of accuracy in its assessment. For the year 1851 there was a decrease in the number of acres given in for taxation, when compared with the previous year, of 310,368 acres. In the year 1852 there was an increase of 831,560 acres. The following year there was a decrease of 9,788 acres. In the year 1854 there was again an increase of 330,814 acres. There was a further increase in 1855 of 48,646 acres. In the year 1856 there was a decrease of 167,813 acres, and for the present year there is an increase over the last of 49,514 acres. I respectfully invite your attention to the subject and recommend the passage of such a law as will correct this loose mode of assessment.

In my last message I stated to you that the balance in the treasury, standing to the credit of the Sinking Fund, on the 10th of October, 1855, amounted to one hundred and forty-three thousand four hundred and seventy-eight dollars and sixty-three cents ($143,478 63.) From the 11th day of October, 1855, to the 10th of October, 1856, the receipts into the Sinking Fund amounted to eight hundred and ninety-four thousand three hundred and thirty-one dollars and fifty-eight cents ($894,331 58.) which added to the foregoing balance made one million thirty-seven thousand eight hundred and ten dollars and twenty-one cents ($1,037,810 21.) The expenditures during the same period amounted to one million seventeen thousand four hundred and fifty-three dollars and fifty cents ($1,017,453 50.) leaving a balance in the treasury to the credit of the Sinking Fund on the 10th of October, 1856, of twenty thousand three hundred and fifty-six dollars and seventy-one cents ($20,356 71.) From the 11th of October, 1856, to the 10th of October, 1857, the receipts into the Sinking Fund amounted to eight hundred and eleven thousand two hundred and ninety-eight dollars and fifteen cents ($811,298 15.) which added to the foregoing balance on the 10th of October, 1856, made eight hundred and thirty-one thousand six hundred and fifty-four dollars and eighty-six cents ($831,654 86.) The expenditure during the same time amounted to eight hundred and twelve thousand five hundred and fifty-five dollars and seventy-seven cents ($812,555 77.) leaving in the treasury, to the credit of the Sinking Fund, on the 10th of October, 1857, nineteen thousand and ninety-nine dollars and nine cents ($19,099 09.) The expenditures embrace the payment of the interest on the public debt, including the bonds held by the Board of Education, during the whole period above named,
the redemption of the public debt, and the sums loaned to individuals under the law of the last Legislature. During this period four hundred and fifteen thousand five hundred dollars ($415,500) of the public debt has been redeemed, and sixteen thousand dollars ($16,000) since the 10th of October last, which, with twenty-six thousand dollars ($26,000) redeemed prior to the 10th of October, 1855, makes the whole amount redeemed since I have been in office, four hundred and fifty-seven thousand five hundred dollars ($457,500), which lessens the annual interest about the sum of twenty-seven thousand dollars ($27,000) and to that extent increases the resources of the Sinking Fund. It is also proper to state, that when loans of the Sinking Fund money have been made it is charged as expenditures, and when paid back it is credited as receipts, thus swelling the aggregate amount of both receipts and expenditures. For a detailed statement of these receipts and expenditures I refer you to the Auditor’s report, which will be laid before you.

Having found great difficulty in investing all the funds dedicated by the constitution to that purpose, in the redemption of the State debt, and a considerable sum being on hand which would yield no interest an act was passed, approved March 10th, 1856, by which the commissioners were authorized to loan any surplus they might, at any time, have, by taking, as security for the repayment thereof, the bonds of the State, or the stock of any incorporated bank of the State whose stock was selling in the market above its par value, to an amount equal to the sum loaned, estimating the bonds or bank stock at their nominal par value. Desiring to make the debt, thus created, secure in any contingency, the commissioners resolved to advance only ninety cents on the dollar of bank stock, and from time to time made loans of the surplus on hand on such security. The whole sum thus loaned and unpaid, on the 10th of October, 1857, amounted to three hundred and sixty-four thousand one hundred and sixty dollars ($364,160), and this sum, together with the balance in the Treasury on that day to the credit of the Sinking Fund, of nineteen thousand and ninety-nine dollars and nine cents, ($19,099 09,) constituted the available means of this fund on that day. For the security of the money loaned there is deposited with the Auditor three hundred and ninety-six thousand dollars ($396,400) of bank stock, and thirteen bonds of the State, of one thousand dollars ($1,000) each, bearing six per cent. interest, making the whole security amount to four hundred and nine thousand four hundred dollars ($409,400.)

The interest upon this loan is payable on the 1st of January and 1st of July, the whole of which has been promptly paid, amounting—including a small sum from the Bank of Kentucky—to nineteen thou-
sand one hundred and thirty-nine dollars and forty-five cents ($19,139.45.) Arrangements have been made for the punctual payment of the interest on the public debt on the 1st of January next without encroaching on any part of this fund, leaving whatever may be paid on this loan for the redemption of the public debt. The interest owned by the State in the Lexington and Frankfort Railroad Company, and the annual payment of interest on seventy-six thousand four hundred and twenty dollars and twenty-five cents ($76,420.25.) by the Louisville and Frankfort Company constitute a part of the resources of the Sinking Fund; but a controversy has arisen by which it is deprived for the present of any receipts from this source. Under an act of the 2nd of February, 1833, the State indorsed one hundred and fifty thousand dollars, ($150,000.) of the bonds of the Lexington and Ohio Railroad Company, and received a mortgage upon all the property of the company to protect herself against that liability. By an act of 1838 the company was authorized to borrow a sum not exceeding nine hundred thousand dollars ($900,000.) to complete the road; and in order to procure the indorsement of the city of Louisville they were authorized to execute a mortgage upon all their property, which mortgage, when executed, was to have precedence over that of the State executed in 1833. The city of Louisville voted to make the indorsement, and having received the mortgage, indorsed two bonds for ten thousand dollars ($10,000) each—one payable to the Northern Bank of Kentucky, and the other to the Bank of Kentucky. Before any other bonds were used an act passed on the 11th of February, 1840, repealing so much of the act of the 15th February, 1838, as gave precedence to the mortgage created under that act, and the whole property of the company was afterwards sold by the Auditor to satisfy the State’s lien under the mortgage of 1833, and the State became the purchaser. Afterwards that portion of the road between Louisville and Frankfort was sold to the Louisville and Frankfort Company at an appraised valuation of seventy-six thousand four hundred and twenty dollars and twenty-five cents ($76,420.25.) and that portion between Lexington and Frankfort was sold to the Lexington and Frankfort Company for one hundred and fifty thousand dollars ($150,000,) of stock in said company. The holders of the bonds of ten thousand dollars ($10,000) each have brought suit, praying that the property of the Lexington and Ohio Railroad Company now held by the two other companies may be made subject to the mortgage made under the act of 1838, or to have the interest of the State in these roads made subject to their demands. The Circuit Court has decreed the payment of the money out of the State’s interest in the two roads, and accordingly sixteen thousand three hundred and
The Sinking Fund has received two dividends of three per cent. each from the Lexington and Frankfort Company, and the stock of the State has been increased, by stock dividends, so as to amount now to one hundred and eighty-one thousand five hundred dollars ($181,500.) The dividends upon this stock may be fairly estimated at ten thousand eight hundred and ninety dollars ($10,890.) per annum.

I find a credit indorsed upon the bond of the Louisville and Frankfort branch of this road of one thousand nine hundred dollars and seventy-five cents ($1,900.75,) for damages for the right of way which seems to have been made in pursuance of the statute. By law the interest upon this bond is only payable at the time a dividend is declared, and thus far none has been paid. The annual interest of four thousand four hundred and seventy-one dollars and seventeen cents ($4,471.17,) from the period of the completion of the road from Louisville to Frankfort up to the time the first dividend is declared, will constitute a part of the Sinking Fund.

For full details with regard to our public debt I have thought it a matter of sufficient importance to have a tabular statement made out, showing the amount of each issue, under what law the issue was made, the rate of interest, the amount of each issue redeemed, and the amount still outstanding, which is herewith submitted.

From this it will appear, that on the 4th of November, 1857, the whole amount of the debt of the State, including the bonds for stock in the Southern Bank of Kentucky, the principal and interest on which the Bank is bound to pay, and the entire school debt, was five millions five hundred and seventy-four thousand two hundred and forty-four dollars and three cents ($5,574,244.03.) If the school debt is deducted, the interest on which only is a perpetual charge on the Sinking Fund, and the six hundred thousand dollars ($600,000) to the Southern Bank is also deducted, the principal and interest of which have to be paid by the bank, the unredeemed debt of the State on the 4th of November, 1857, will be three millions five hundred and ninety-two thousand four hundred and twelve dollars ($3,592,412.) viz: bonds bearing five
per cent. interest, four hundred and ninety-three thousand dollars ($493,000;)
bonds bearing six per cent. interest, three millions and
ninety-nine thousand dollars ($3,099,000;) and four hundred and twelve
dollars ($412) of six year bonds and railroad scrip now due, and not
bearing interest, and which have probably been lost or destroyed.
The annual interest on this sum amounts to two hundred and ten
thousand five hundred and ninety dollars ($210,590,) to which add the
interest on the school debt, seventy thousand three hundred and seven-
deen dollars and twenty-two cents ($70,317 22,) and the whole annual
interest chargeable to the Sinking Fund amounts to two hundred and
eighty thousand nine hundred and seven dollar s and twenty-two cents
($280,907 22.) From this it will be seen that there will be a considera-
ble fund, annually, to be applied to the extinguishment of the State debt,
to which, by the Constitution, the fund is sacredly dedicated. Of the
bonds issued on the 1st of January, 1845, to the holders of the Lexington
and Ohio Railroad bonds, one hundred and sixteen thousand dollars
($116,000) remain unredeemed. These may be paid by the State at the
end of fifteen years from the date of their issue, which would be on the
1st of January, 1860. A sufficient fund will be reserved by the Commis-
ioners for that purpose. The same privilege is given on the seventy
thousand dollar ($70,000) issue to contractors, of which a balance re-
mains, unredeemed, of sixty-one thousand dollars ($61,000,) both of
which sums may be advertised for redemption in two and three
years. Our Sinking Fund, by the Constitution, cannot be diminished, but may
be increased, and as the public debt is lessened, its resources are
necessarily enlarged to the extent of the interest saved. It is far bet-
ter for the State that our debt should be redeemed to the full extent of
our means, than that the money should be loaned out to individuals,
however unquestionable the security. Hitherto, however, it has been
found impracticable to purchase our bonds as rapidly as our resources
are realized, and to suffer the money to lie in the treasury, without
interest, with a constitutional interdiction to its appropriation to any
other object, would enhance the cost of the bonds, virtually, to the ex-
tent of the interest lost. Our whole public debt is in a manageable
form, and may be redeemed, with the income alone of the Sinking
Fund, in a few years, provided the bonds can be purchased. We will
then have two millions twenty thousand five hundred dollars ($2,020,-
500) of stock in the banks of the State, all of which is even now above
par, two millions six hundred and ninety-four thousand four hundred
and thirty-nine dollars and ninety-eight cents ($2,694,239 98) of stock
in turnpike roads, nine hundred and one thousand nine hundred and
thirty-two dollars and seventy cents ($901,932 70) in locks and dams on
the Kentucky river, eight hundred and fifty-nine thousand one hundred and twenty-six dollars and seventy-nine cents ($859,126.79) in locks and dams on Green river, one hundred and eighty-one thousand five hundred dollars ($181,500) of stock in the Lexington and Frankfort Railroad, and an annuity of six per cent. on seventy-four thousand five hundred and nineteen dollars and five cents ($74,519.50) to the Louisville and Frankfort Railroad Company. The Constitution prohibits the creation of any new debt, unless provision be made at the same time, to lay and collect an annual tax sufficient to pay the interest stipulated, and to discharge the debt within thirty years; with the further provision that the law be submitted to the people, at a general election, for their adoption, or rejection. With this constitutional prohibition, there can be no large expenditures by you for new schemes of public improvement. Coming directly from the people, you are presumed to know their wishes, with regard to the further extension of internal improvements. If they desire the submission to them of a law giving aid to public improvements, it will be your duty to frame it, in accordance with the provisions of the Constitution, before it is submitted to a popular vote. This is a subject placed by the Constitution under the final control of the people, by their own direct action, and if it be their wish, they have the right to have a law submitted for their determination. With the salutary checks of the Constitution, there is but little fear of the adoption of any wild or reckless scheme which shall involve the State in an onerous debt. For information concerning the present condition of our public works, I must refer you to the report of the President of the Board of Internal Improvement, which will be laid before you at an early day.

By the law of the last session of the Legislature, imposing an additional tax for common school purposes, the School Fund has been largely increased, and an additional impulse given to the system. On the 10th of October, 1855, there was a balance in the treasury, to the credit of the School Fund, of fifty-six thousand eight hundred and thirty-nine dollars and ninety cents ($56,839.90.) The receipts from the 11th of October, 1855, to the 10th of October, 1856, amounted to one hundred and thirty-three thousand nine hundred and seventy-three dollars and eighteen cents ($133,977.18.) making an aggregate of one hundred and ninety thousand eight hundred and seventeen dollars and eight cents ($190,817.08.) The expenditures during the same period were one hundred and fifty-seven thousand five hundred and eleven dollars and seventy-three cents ($157,511.73,) leaving a balance on the 10th of October, 1856, of thirty-three thousand three hundred and five dollars and thirty-five cents ($33,305.35.) The receipts, from
that time, to the 10th of October, 1857, amounted to two hundred and ninety-six thousand seven hundred and sixty dollars and ninety-three cents ($296,760.93), making with the foregoing balance three hundred and thirty thousand and sixty dollars and twenty-eight cents ($330,066.28). The expenditures during the same time were three hundred and twenty-one thousand seven hundred and seventy-nine dollars and eighteen cents ($321,779.18) leaving a balance on the 10th of October, 1857, of eight thousand two hundred and eighty-seven dollars and ten cents ($8,287.10). For the detailed operation of the system, I refer you to the full and lucid report of the able Superintendent for the year 1856. From that report it will appear, that the whole number of children reported to him, between the ages of six and eighteen years, were two hundred and forty-five thousand one hundred and eighty-one (245,181), being twelve thousand three hundred and six (12,306) more than were reported to the Auditor by the County Assessors. The highest number reported at school during the year, at any one time, was one hundred and thirty-nine thousand eight hundred and five (139,805), being an increase of twenty-six thousand and forty-two (26,042) over the preceding year. The number of schools in operation are reported at three thousand eight hundred and eighty-eight (3,888,) being an increase of five hundred and fourteen (514.)

The balance to the credit of the counties, not called for each year, is directed by law to be transferred to the Commissioners of the Sinking Fund, for which the Governor is required to execute the bond of the State, redeemable at the pleasure of the Legislature, and not transferrable, bearing six per cent. interest, and specifying the amount due to each county. In pursuance of this provision of law, on the 23rd of February, 1857, I executed the bond of the State to the Board of Education, for twelve thousand one hundred and sixty-seven dollars and thirty cents ($12,167.30,) which will be found reported as a part of the school debt of the State.

I cannot refrain from tendering to you my hearty congratulations, upon this exhibit of the prosperous condition of our common school system. It is comparatively but recently that the means of education were within the reach of any except the opulent. Our present system embraces every child in the commonwealth, and places it in his power to obtain the rudiments of education; and, I need scarcely add, that in proportion to the unrestrained circulation of knowledge, will public opinion be enlightened, and an independent, masculine, and healthful spirit become the controlling element of public prosperity.
It is to cultivated intellect that we must look for the impulses by which our country is to be carried forward in the march of improvement. We want it in its most expanded and enlarged form, an intellect, which by originality of thought, and by scientific researches, may lay claim to the gratitude of the human race. It is one of the laws of our nature that mankind should be carried forward by great abstract truths, which are developed by a few minds—often by a single individual. When a great discovery is made, or a great truth revealed, it is frequently but dimly perceived by some superior intellect, but by the action of other minds upon it, all its relations with the best interests of society become almost indefinitely multiplied. When Watt first made the application of steam to machinery, he did not dream that in the hands of Fulton, and Fitch, and Rumsey, it was to revolutionize the commerce of the world; and when Franklin drew the lightning from the clouds, he little thought that it was destined to annihilate time, and space, and become the ready messenger of human thought. Original thoughts, and great truths, when thrown upon the world by creative genius in an age of diffused knowledge, can never die. They become immortal. It must be obvious to the most superficial mind, how deeply and vitally our country is interested in the cause of learning and the general diffusion of knowledge. It is a source of honest pride to us all, that there is but one feeling in our State as to the necessity of universal elementary education.

Our common schools struggled for many years for a precarious existence, until many began to doubt the possibility of success with our existing social relations; but the system received the vitalizing touch of genius, and it may now proudly compare with the best in our country. Yet the fact cannot, and ought not to be concealed, that there are gross deficiencies in many of our schools, which time, and continued and enlightened perseverance, can alone correct. The character of the schools, and the amount of knowledge imparted, and their moral influence on the community, must depend in a great measure upon the character of the teachers. Without assiduous, efficient, moral, and competent teachers, our schools must necessarily sink in the public estimation. Whatever is done to elevate the character of the teachers, elevates at the same time, and in the same degree, the character of the schools which they teach. The mind and heart of every child within the commonwealth must be subjected, during the most ductile period of youth, to the influence of teachers. We all know the permanence of early impressions, and yet many persons act as if skill, or professional experience, were unnecessary for the office of a teacher. De Witt Clinton, when Governor of New York, in urging the improve-
ment of the system of common schools in that State, by the establishment of a Normal School, for the education of teachers, says "the vocation of a teacher in its influence on the destinies of the rising and all future generations has either not been fully understood, or not duly estimated. It is or ought to be ranked among the learned professions." With the desire to place our school system upon a permanent and enduring basis, and to elevate the standard of common school education, a law was passed, at your last session, to reorganize Transylvania University and to establish a school for teachers, "in which should be taught all branches of learning usually taught in the district schools, together with the theory and practice of teaching." All the requirements of the law having been complied with, the school has been carried into successful operation; and time alone is required to demonstrate the practical effects which will be produced by it upon our common school system. For the number of pupils, the counties from which they were sent, and more detailed information as to its operation, I refer you to the report of the trustees which will be laid before you.

If it be the duty of the government to make adequate provision for the education of the children of the State, an enlightened self-interest, and the spirit of the age, alike require that the system should be so developed, and improved and matured, as to ensure the highest attainable results. If I were called upon to point out the most efficacious improvement in the system already established, the engine by which the minds of the rising generation could be most successfully developed, the means by which the word of instruction could reach farthest and sink deepest, I would say that it would be by multiplying competent and enlightened instructors, thoroughly versed in the theory and practice, the science and the art of teaching. Teaching is an art, and like all other arts it is capable of perpetual improvement. That system of teaching is beginning to be adopted, and under the influence of the Normal School, will silently but surely make its way into our common schools, which is best calculated to develope, invigorate, and mature all the intellectual and moral faculties of our nature. The fostering care of the Legislature, wisely extended to this school, has inaugurated a new era in the history of the common school education of our State. It, or some equivalent institution, in my judgment, is an indispensable part and parcel of any well matured and enlightened system of elementary education. The prosperity, and usefulness, and elevation of our whole system of popular instruction is indissolubly blended with it. It has no party affinities or ties—no sectarian dogmas to inculcate—no peculiar religious creed to propagate. It is the institution of the people of the whole State, of every party and all
In all its ends and aims it is elevated far above the atmosphere of political or religious strife. If properly sustained it will become one of the controlling elements of the progress and advancing civilization of the age. I know of no subject which can occupy your attention, as legislators, of more vital interest to the commonwealth, than the perfection of our system of elementary education; and it will be my pride and pleasure to co-operate with you, to this end, in whatever the dictates of duty, or patriotism, may suggest. In my last message I suggested the propriety of the removal of the office of the Superintendent of Public Instruction to the seat of government, and for the reasons then stated I renew the recommendation.

Our charitable institutions will claim your particular attention. You will have before you the reports of those under whose care they have been placed, and it will be your duty to make such inquiries and investigations, as to their present condition, and past management, as may most effectually secure, for the future, the humane and philanthropic object of their establishment. I have no reason to doubt their good management, but as they are only required to report to you—and that now only biennially—and large sums are drawn annually for their support from the public Treasury, I respectfully suggest the propriety of the passage of some law, by which a responsible general supervision may be established.

The last half century has witnessed a wonderful amelioration of the condition of the insane, deaf and dumb, and the blind, and our hospitals for the former, and asylums for the latter, have kept pace with the spirit of the age, and are an honor to our State. While, however, so much has been done for this unfortunate class of our population, the poor and pitiable idiot is still left in groveling imbecility. You will see, from the Auditor's report, that the sum annually drawn, from the Treasury for the support of such as are paupers, is every year increasing, and now exceeds twenty-one thousand dollars ($21,000.) Experience has demonstrated, that there is scarcely one of these, now almost loathed human beings, into whose mind the ray of reason may not be made to penetrate, and who may not be elevated from the depths of misery and hopeless debasement in which he is now found.

During your last session we were favored with a visit from Dr. W. H. Wilbur, the accomplished and philanthropic superintendent of the New York asylum for idiots, accompanied by several of his pupils, who were publicly examined and gave evidence of the developement of mental powers, which might well compare with many reared under happier auspices. Nothing, I am persuaded, but the apprehension of not being able to procure a competent and experienced superintendent,
prevented the action of the last Legislature on the subject, and I am unable now to state that a suitable one could be procured. I would respectfully suggest, however, that the large and commodious building of the Western Lunatic Asylum—which is not now I understand more than half filled—might be profitably used in making an experiment on this subject, which if successful, as I doubt not it would be, would ultimately result in a large pecuniary saving to the Treasury.

I am glad to be able to inform you that since your last session, there has been a manifest and marked improvement in the condition of our State Prison. In my last message, it became my duty to state to you that there was a great deficiency of bedding, that the cells were damp and unhealthy, and not more than half enough which could be safely used. By an act approved 10th of March, 1856, the sum of twenty thousand dollars ($20,000) "together with all sums of money to which the State may be entitled from the operations of the institution during the succeeding two years from the passage of the act," were appropriated, in order to afford facilities for the extension of the area of the prison, and to build a new cell-house and hospital, and Commissioners were appointed to carry the law into effect. The work contracted to be done is nearly completed, and the Commissioners will lay before you at an early day a detailed report of their proceedings. The area of the Prison has been extended, by the building of an outer wall of substantial and solid masonry. A large and commodious hospital is nearly completed, the upper part of which is destined for female prisoners, and the old cells renewed and repaired, so as to have now two hundred and fifty-two instead of one hundred and twenty-six—the number heretofore used—the whole of them presenting a degree of comfort and cleanliness heretofore unknown in the prison. The law seems to have contemplated the building of a new cell-house, and the Commissioners accordingly sought for and obtained plans from different sources, but it was ascertained that the money appropriated would scarcely more than lay the foundation for the number of cells needed. As chairman of the Commissioners, I was unwilling to commence an improvement which could not be completed with the money appropriated, leaving it as a necessity to the Legislature to abandon what had been done as a loss, or to make further appropriations, and in this view there was a unanimous concurrence of the Commissioners. They accordingly determined to repair the old cells, and I am happy to say have succeeded, at a small cost, in making them as safe and comfortable in all respects as if new cells had been built. The cells are now dry and airy, with an iron bedstead and good bed and comfortable bedding in each, and the requirement of the law carried out, of solitary
confined at night. The whole cost is less than the appropriation, and I am confident is less than the same amount of work could be done for again. I refer you to the report of the Commissioners for a detailed account of the whole expenditure.

By a law of the last session of the General Assembly, the Commissioners of the Sinking Fund were authorized, on behalf of the State, to make a contract with the present keeper of the Penitentiary for a lease of the prison, at a fixed and stipulated sum of money, to be paid in annual installments. All the provisions of this act have been carried into effect, and the partnership feature in the previous contract abrogated. We thus get clear of the long and complicated accounts between the keeper and the State, involving an almost interminable difficulty in their final settlement and adjustment. I have no hesitation whatever in declaring, that in my opinion the present mode of leasing the prison is infinitely better for the interests of the State than that containing the partnership feature. There is now no settlement to be made with the keeper. He has to pay the sum stipulated on a given day into the treasury, and upon his failure to do so a summary judgment may be rendered against him. In making a new contract, if you should deem it advisable to adhere to the present system, it will be for you to ascertain what would be a fair and reasonable sum to be annually paid by the keeper. While more than he can afford to pay ought not to be exacted, the State is entitled to receive its fair and reasonable value. It should never be an object with the State to make money out of its convict labor, and whenever the prison yields an income beyond the expenses incident to this mode of punishment, a certain portion might be distributed, to an amount greater than is now done, among those who leave the walls of the prison. The small pittance allowed to each prisoner upon the expiration of his sentence, in many cases, is not sufficient to defray his necessary expenses home.

The inspectors appointed by law to make weekly visits to the prison, and to examine into all matters connected with its government, discipline, and police, have been diligent in the performance of that duty, and have regularly reported to me as required by law. In addition to these reports, I have personally kept such general supervision over the institution as was compatible with my official duties. The object of all prison discipline should be not merely to punish the offender for his crime, but if possible to reform him by all the means which virtue and Christian counsel can exert. The great and radical defect of our whole system is the mingling of the young and inexperienced offender who has perhaps committed his first crime, with old and hardened criminals who are beyond the pale of reformation. I hope the day
will come when it will be in your power to have them kept so separated as to remove the pernicious effect of such association.

The number of convicts on the 1st of March, 1856, was two hundred and forty; on the 1st of March, 1857, two hundred and thirty-eight; and on the first of November last two hundred and thirty-six. It is apparent that kind but rigid discipline can alone govern such a large number of criminals, and it is but simple justice to add that the present keeper is peculiarly and eminently qualified for the discharge of all the duties which belong to the office, and, as far as has ever come under my observation, he has fulfilled every obligation imposed upon him by the responsible position he occupies.

I beg leave again to invite your attention to the present condition of our militia system. By a law approved March 7, 1854, it was enacted that a muster should be held on the first Saturday in June, 1859, and on the first Saturday in June every sixth year thereafter, which should be styled a regimental muster. Under this law our whole militia system has been destroyed, and the State is left in a defenseless condition in any sudden emergency. No returns of either officers or men are now made to the Adjutant General, and if there were any call for the militia "to execute the laws, suppress insurrection, or repel invasion," there is no mode by which that call could be obeyed or enforced. There is, in fact, no organized militia in the State. I have encouraged, as far as it was in my power, volunteer companies by furnishing them with public arms. I earnestly recommend that the system be revised, and some mode prescribed by which full annual returns, at least, should be made to the proper department. Some law is also necessary to give greater facilities in commissioning officers of volunteer companies.

I herewith submit to you the report of the Quarter Master General, giving a detailed statement of the number and condition of the public arms. In making a selection of our quota of the public arms I thought it advisable to take the whole amount in brass ordnance. There are such constant changes made in small arms, and they are so liable to be destroyed or lost by being in the hands of military companies, I thought it our interest to get a full supply of cannon before making a further requisition for muskets or rifles.

We have now in the Arsenal forty-five pieces of ordnance, eleven thousand seven hundred and ten rifles and muskets, one thousand seven hundred and sixty pistols, one thousand seven hundred and thirty swords, with all the necessary accoutrements belonging to each class of arms. I have not authorized the sale of any of the public arms which were unfit for use, because they would bring but little or nothing,
and it was deemed advisable to postpone any action in the matter until the proposition made by the Secretary of War to alter, at the expense of the United States, the small arms issued to the States, had been finally disposed of.

The Geological and Mineralogical Survey of the State has been in progress during the past two years, and, in pursuance of the direction of the statute, the reports made to me have been handed over to the Public Printer for publication. They contain a large amount of valuable and interesting information as to our mineral wealth and various soils, with the best means for their improvement and renovation. It is due to the great agricultural interest of the State that this survey should be completed. Apart from the inexhaustible mineral wealth which has already been developed, it will furnish an accurate analysis of soils from every part of the State. Data will be given for tracing the natural manures, and the best means pointed out of fertilizing our soils. Its value cannot be too highly estimated in the influence which it is destined to exert on the future agricultural industry of the State. I regret that we shall, to some extent, be deprived of the valuable services of Dr. Owen, who has accepted the appointment of Geologist for the State of Arkansas. He has, however, expressed a willingness to continue to give a general supervision over the Kentucky survey, and, as he receives only a per diem compensation, for the time he is actually occupied in the service of the State, it is, I think, desirable that as the work was commenced by him it should be completed under his auspices. I however submit the whole subject to your better judgment, with the full confidence that you will do whatever may be best calculated to advance the prosperity of our State.

Profoundly impressed with the great importance of the agricultural improvement of the State, I respectfully invoke that aid and patronage demanded by the magnitude of the interests involved. You will see from the report of the State Society, which will be laid before you, what has been done for the advancement of this great branch of human industry, in which the great mass of our people feel such deep and abiding interest. We are essentially an agricultural people, and I need scarcely add that agriculture is the solid foundation upon which the prosperity of our commonwealth is based. Whatever can advance its interests, or promote its improvement, has a just claim upon your enlightened consideration.

By the act “to provide for the registry of births, deaths, and marriages in Kentucky,” we have now reports for the past five years, carefully compiled and judiciously arranged. From them may be gathered the prevailing disease in each locality of the State; the relative fecundity
of the white and black race; the average age of marriages and of deaths; the number of births, and the proportion of male and female children. The reports give details more or less accurate of 132,332 births, 30,964 marriages, and 57,279 deaths. The collection of these statistics costs but little, and in the estimation of learned physicians are of great importance in pointing out the causes of mortality, as well as in the suggestion of plans for the promotion of the public health.

In connection with this subject, the Kentucky Medical Society, acting under an act of incorporation by the State, have voluntarily collected a mass of interesting facts and valuable information, and I respectfully suggest the propriety of authorizing their reports to be made to some department of the government to be published as other public documents for the benefit of the people. With the knowledge obtained from our registration reports, and the wise suggestions of enlightened and experienced gentlemen of the medical profession, sanitary regulations would necessarily follow, calculated to remove the causes of disease, and lessen the ravages of death.

In making out the registration report the Auditor, as usual, has availed himself of the aid of a skillful physician, who has devoted much of his time and attention to this subject, and I recommend that the customary appropriation be made for this service.

A report and resolution in relation to the alleged claim of the United States to Wolf Island, in the Mississippi river, were passed at your last session, which were transmitted by me to our Senators and Representatives in Congress, by which they were requested to procure the passage of an act of Congress relinquishing all claim the United States might have to the island. A resolution was accordingly passed by Congress, approved March 3, 1857, by which the United States disclaims all title to any and all lands on Wolf Island, with a proviso that it shall not be construed as in any manner affecting the question of jurisdiction over said island as between the States of Kentucky and Missouri. I also transmitted a copy of the same report and resolutions to the Governor of Missouri, and have received from him in return a report and resolutions passed by the Legislature of Missouri, which are herewith submitted. It will be seen that for the purpose of having a definite settlement of the boundary between the two States a suit in chancery in the United States Court was proposed, and as we had suggested this as one of the modes of settlement, all the preliminary steps for the institution of the suit have been arranged. Whenever the bill is filed, the answer of the State will be prepared and immediately filed also, and every facility afforded by each party for
the speedy determination of the controversy. I have appointed James Harlan, Esq., Attorney General of the State, to prepare the case for trial on behalf of Kentucky.

The habit of betting on elections, with the almost necessary consequence of using money to procure or influence votes, is a great and growing evil, which demands your careful consideration. The only penalty for this pernicious practice is the infliction of a fine, which is not graded in proportion to the magnitude of the offense. The small betters who are often provoked by the heat of controversy to this violation of law do it openly, and are thus held amenable, and compelled to pay as heavy a fine as those who bet solely for gain, while the latter generally escape the infliction of any penalty. If by any means the betting could be made to have the effect of a disqualification to vote it might interpose an effectual remedy. I leave the whole subject to your sound and enlightened consideration.

In a government like ours the elective franchise is justly deemed the dearest if not the most responsible prerogative of a freeman. It is the exercise of sovereign power, and is the foundation on which our institutions are based. Upon its purity depends, to a great extent, the very existence of our government. Every citizen, whether native or naturalized, whatever may be his political affiliations, is entitled to demand the preservation of this inestimable right, not only in its exercise by himself without molestation, but by the adoption of all legal means effectually to prevent frauds or illegal voting. It is a subject that rises far above every party consideration, and is inseparably connected with the very vitality of liberty. One party may achieve a triumph to-day and another to-morrow, through its corrupt instrumentality, but no matter by which achieved it will be a triumph over the prostrate form of freedom. Any and every attempt to sully the purity of the elective franchise, whether by violence or fraud, deserves the condemnation and reprobation of the patriots of every party. Illegal voting, whether founded on perjury or forgery, on false or loaned certificates of naturalization, or on the temporary removal into an election district without any intention of a permanent residence, can have no other effect than to corrupt the very fountain of legitimate power by overruling the honest expression of the popular will. In all such cases it is the false and fraudulent and illegal votes which under the desecrated forms of the law, are taken in lieu of the calm and dispassionate voice of the people. Knowing, as all must do, that Europe has been pouring her paupers and criminals upon us in almost countless numbers, it is not surprising that fraud and illegal voting have kept pace with the means of its perpetration. The shameless Plaquemine fraud
in Louisiana was but the commencement of a system which has been kept up, to a greater or less extent, ever since. It is a solemn duty which we owe our common country, to guard against this growing evil, which, in my judgment, threatens the perpetuity of our free institutions.

The ignorant foreigner, who comes among us without being able to speak a word of our language, who has never read our constitution, and can have no idea of our complex form of government, is unfit to be trusted, within the short probationary period fixed by law, with the sacred privilege of the ballot which is to exercise a controlling influence over the destiny of a free people. I know that there are intelligent, virtuous, and patriotic foreigners among us—naturalized citizens who reverence the law, and are sincerely attached to our form of government. But when it is recollected that it has never been proposed to interfere, in any manner, with existing rights; that those now entitled to the exercise of the elective franchise, by the very fact of having it bestowed upon them, have become American citizens, fully and indefeasibly entitled to whatever the constitution and laws have conferred upon them, not only our interest but theirs also demands the adoption of a policy which is to affect the incoming race only, and which is believed to be necessary to preserve, in their purity, the institutions of our country. It seems strange that all who are in the habit of deferring to the lessons of wisdom taught by the fathers of the Republic, who have listened to the teachings of history, or who are willing to take warning by the experience of the present, do not unite to correct this great and threatening evil. It would be the first great step taken towards purifying the ballot-box by cutting off one vast source of corruption and fraud. Its necessity is inculcated by the teachings of those wise patriots who constructed the frame-work of our government, and who, at a time when immigration to our shores was but five thousand a year, with a patriotic jealousy of those born and reared under kingly governments, wisely ordained, by fundamental law, that the chief executive officer of our government should be selected from those who were then citizens or who should thereafter be born within the United States. Were those patriots now to re-construct their work, with our annual immigration swollen to nearly five hundred thousand souls, it is not too much to say that the constitutional safeguard, as to birth, would be extended in a modified form to every voter whose voice could be instrumental in the election of a native-born executive.

These views may, for a season, come under the ban of party proscription, but I have the consciousness that they are sincerely and honestly entertained, and with an abiding faith in a righteous cause.
with the blessings of Providence I feel assured of their ultimate triumph and success.

I have received resolutions, with the request to lay them before you, from the States of Ohio, New Hampshire, Maine, Massachusetts, and Connecticut, which are herewith transmitted. These resolutions relate to slavery, and its extension into the territory of Kansas, and to the opinion of the Supreme Court of the United States in the Dred Scott case. I regret extremely that they breathe a spirit at war with the best interests of the country, and which, if carried into practical effect, could not fail to endanger, if not destroy, the government under which we live. In all the embittered agitation arising from fanaticism, united with sectional party strife, our State has uniformly manifested a spirit of conciliation and a never ceasing devotion to the Union of the States. We have never asked the general government to force our institutions on any State or Territory. The position of the entire south is antagonistic to such an idea; but we do claim that the citizens of a Territory, when they form a State government, have the unquestionable right to adopt such a domestic polity as may suit themselves, under the federal guaranty that the form of government be republican. Any restriction of this inherent power, either before or at the time of their State organization, is inconsistent with every idea of equality, and at war with the genius and spirit of our government.

In my last message I expressed my profound conviction that the only safety to the Union consisted in the firm establishment of the doctrine, that the common government for all the States should abstain unconditionally from all hostile action upon the subject of slavery. Further reflection has only strengthened me in the views then expressed. The Federal Government is a common government for all the States, and is bound to extend its protection to all property made such by State authority. It creates no property itself, and wherever the flag of the Union floats, so far as depends upon federal action, one species of property has as much claim to protection as another. This is demanded by the law of equality, and is claimed as a right secured by the highest constitutional sanction.

I deeply regret the agitation of this distracting question, and trust that the day is not far distant when it will no longer mingle as an element in party conflicts. Its continued agitation is calculated to weaken if not to sever the ties by which we are bound together under a common government. The warning voice of the Father of his country seems to be unheeded, and all the lessons of history forgotten. There is no real diversity of interests between the different sections of our widely extended country, and situated as we are in Kentucky, be-
tween the north and south, our interests are indissolubly bound up in the destiny of each. It is our habit to cultivate a feeling of kindness for every section; but as a sovereign State, with one heart and one impulse, we claim an equality with every other member of the confederacy. We ask in the spirit of patriotism that this mischievous agitation, so vitally affecting our interests as a border State, shall cease forever. If there be an honest difference of opinion as to the construction of our organic law, let it be decided by the supreme arbiter which that law has itself ordained.

I have a deep conviction that God will keep us a united people, and with a devout invocation for his continued Divine protection, may we not all unite in the fervent prayer, that, in the coming centuries which are to follow, our own cherished commonwealth shall still remain a bright star in the galaxy of States, forever devoted as now to the Union and the Constitutional rights of every member of a great Republic.

C. S. MOREHEAD.
A Statement showing the amount of the Public Debt of the State of Kentucky, on the 4th day of November, 1857.

<table>
<thead>
<tr>
<th>Description of Bond</th>
<th>Original issue</th>
<th>Am't redeemed</th>
<th>Am't unredeemed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Amount due and outstanding of the six per cent. issue of $609,600, of six year bonds, and Internal Improvement Railroad Scrip, Bonds issued May 25th, 1835, to Bank of Kentucky, under act of February 28, 1835, payable 30 years after date, bearing 5 per cent. interest, at the Bank of Kentucky,</td>
<td>$100,000 00</td>
<td>$73,000 00</td>
<td>$27,000 00</td>
</tr>
<tr>
<td>Bonds issued August 1st, 1835, to Prine, Ward &amp; King, under an act of February 28th, 1835, payable 30 years after date, bearing 5 per cent. interest, at New York,</td>
<td>100,000 00</td>
<td>5,000 00</td>
<td>95,000 00</td>
</tr>
<tr>
<td>Bonds issued April 25, 1836, to Northern Bank of Kentucky, under an act of February 29, 1836, payable 30 years after date, bearing 5 per cent. interest, at Northern Bank of Kentucky,</td>
<td>100,000 00</td>
<td>5,000 00</td>
<td>95,000 00</td>
</tr>
<tr>
<td>Bonds issued June 1st, 1836, to Bank of Kentucky, under an act of February 29, 1836, payable 30 years after date, bearing 5 per cent. interest at the Northern Bank of Kentucky,</td>
<td>50,000 00</td>
<td>26,000 00</td>
<td>24,000 00</td>
</tr>
<tr>
<td>Bonds issued April 1st, 1837, to War Department, under an act of February 29, 1837, payable 30 years after date, bearing 5 per cent. interest at New York,</td>
<td>165,000 00</td>
<td>-</td>
<td>165,000 00</td>
</tr>
<tr>
<td>Bonds issued September 2d, 1843, to John Tilford, agent to sell, under an act of March 12, 1843, payable 30 years after date, bearing 5 per cent. interest at New York,</td>
<td>100,000 00</td>
<td>13,000 00</td>
<td>87,000 00</td>
</tr>
<tr>
<td>Bonds issued July 1st, 1838, to the American Life Insurance and Trust Company, under an act of February 16, 1838, payable 30 years after date, and bearing 6 per cent. interest at New York,</td>
<td>1,250,000 00</td>
<td>173,000 00</td>
<td>1,077,000 00</td>
</tr>
<tr>
<td>Bonds issued from 3d April, 1840, to 13th February, 1841, to contractors on Public Works, under act of February 22d, 1839, payable 30 years after date, bearing 6 per cent. interest at New York,</td>
<td>33,000 00</td>
<td>12,000 00</td>
<td>21,000 00</td>
</tr>
<tr>
<td>Bonds issued November 4, 1840, to Northern Bank of Kentucky, under an act of February 21, 1840, payable 30 years after date, bearing 6 per cent. interest at New York,</td>
<td>235,000 00</td>
<td>32,000 00</td>
<td>203,000 00</td>
</tr>
<tr>
<td>Bonds issued November 4, 1840, to Bank of Kentucky, under an act of February 21, 1840, payable 30 years after date, bearing 6 per cent. interest at New York,</td>
<td>180,000 00</td>
<td>37,000 00</td>
<td>143,000 00</td>
</tr>
</tbody>
</table>

Amounts carried forward, $2,313,000 00 $376,000 00 $1,937,000 00
### Description of Bond

<table>
<thead>
<tr>
<th>Description of Bond</th>
<th>Original issue</th>
<th>Am't redeemed</th>
<th>Am't unredeemed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Amounts brought forward,</td>
<td>$2,313,000.00</td>
<td>$376,000.00</td>
<td>$1,937,412.00</td>
</tr>
<tr>
<td>Bonds issued from April 3, 1841, to April 1, 1842, to contractors, and in exchange for 6 year bonds, under act of February 21, 1840, February 1841, and March 3d, 1842, under act of March 11, 1843, and March 2, 1844, payable 30 years after date, and bearing 6 per cent interest, at New York,</td>
<td>1,741,000.00</td>
<td>233,000.00</td>
<td>1,478,000.00</td>
</tr>
<tr>
<td>Bonds issued January 1, 1845, to holders of Lexington and Ohio Railroad bonds, under act of March 1, 1844, payable 15 or 30 years after date, at the pleasure of the State, bearing 6 per cent interest, at New York,</td>
<td>150,000.00</td>
<td>34,000.00</td>
<td>116,000.00</td>
</tr>
<tr>
<td>Bonds issued from 7th October, 1846, to 16th June, 1849, to holders of 6 year bonds and others, under act of February 23, 1846, and March 1, 1847, payable 15 or 30 years after date, at the pleasure of the State, bearing 6 per cent interest, at New York,</td>
<td>70,000.00</td>
<td>9,000.00</td>
<td>61,000.00</td>
</tr>
<tr>
<td>Bonds issued to Southern Bank of Kentucky, under the several acts chartering said bank, bearing six per cent interest,</td>
<td>600,000.00</td>
<td></td>
<td>600,000.00</td>
</tr>
<tr>
<td>Bonds held by the Board of Education, Bond for unexpended county distribution, issued 23d August, 1855, and held by the Board of Education, Bond for unexpended county distribution, issued 31st February, 1857, and held by Board of Education,</td>
<td>1,336,770.01</td>
<td></td>
<td>1,336,770.01</td>
</tr>
<tr>
<td>Total,</td>
<td>$6,255,832.03</td>
<td>$632,000.00</td>
<td>$5,623,844.03</td>
</tr>
</tbody>
</table>

Amount of 6 per cent. debt due and outstanding, $412,000.00
Amount of 5 per cent. bonds unredeemed, $433,000.00
Amount of 6 per cent. bonds unredeemed, $3,039,000.00
Amount of Southern Bank issue, for stock in said bank, $600,000.00
Amount of bonds held by Board of Education, composed as follows, to wit:

- No. 1. At thirty years date, bearing 6 per cent. interest, dated August 9, 1840, $24,000.00
- No. 20. At thirty years date, bearing 6 per cent. interest, dated January 16, 1840, $21,500.00
- No. 21. At thirty years date, bearing 6 per cent. interest, dated January 1, 1840, $22,000.00
- No. 22. At thirty-five years date, bearing 5 per cent. interest, dated January 15, 1840, $500,000.00
- No. 23. At thirty-five years date, bearing 5 per cent. interest, dated January 22, 1840, $170,000.00
- No. 24. At thirty-five years date, bearing 5 per cent. interest, dated January 22, 1840, $180,000.00

Amounts carried forward, $917,500.00 $4,192,412.00
STATEMENT—Continued.

Amounts brought forward, 

No. — Bearing 5 per cent. interest from January 1, 1848, and made payable at the pleasure of the Legislature, and dated December 30, 1845, -----$917,500 00 $4,192,412 00

No. — Amount of bond issued for balance due for interest on State bonds, and same dated July 1, 1850, and made payable at the pleasure of the Legislature, and to bear interest at the rate of 5 per cent. per annum, from January 1, 1850, -----308,968 42

Total amount of bonds issued -----1,226,470 52

Every bond is recorded in a set of books kept in the Auditor's office, with all the coupons of interest attached, and whenever one is redeemed it is cancelled, and so marked on the recorded bond; and so with regard to all coupons of interest paid. These bonds and coupons, after careful comparison and a minute description of each one—which is entered in a separate book—by an order of the Commissioners are burnt by those appointed by law to perform that duty. As chairman of the Board of Commissioners, I have felt it to be my duty to examine these books, and to see that every bond reported redeemed by me had been marked cancelled on the recorded bond.

C. S. MOREHEAD, Chairman.

[Documents accompanying Governor's Message.]

QUARTERMASTER GENERAL'S OFFICE,
FRANKFORT, 10th October, 1857.

To His Excellency, C. S. Morehead,
Governor of the Commonwealth of Kentucky:

Agreeably to the provisions of "an act establishing a Militia System," making it the duty of the Quartermaster General to report annually to the Commander-in-chief the number and condition of the arms and equipments, including in said report all the camp equipage belonging to the State, I have the honor to transmit my report, showing the number and condition of the same in the State arsenal, on the 10th day of October, 1857, together with the issue of arms and equipments to uniform companies, and the receipts from all sources, at the arsenal, since the date of my last report to your Excellency.

Arms and Equipments in the State Arsenal.

11,710 The whole number of arms, serviceable and unserviceable, in the arsenal is eleven thousand seven hundred and ten.

2,580 flint lock muskets, in good order.

2,018 flint locks, repaired and in good order.

2,082 flint locks, in bad order.

620 percussion cap muskets, in good order.

80 Mississippi rifles, in good order.

160 Mississippi rifles, repaired and in good order.
520 Hall’s rifles, flint lock, and in good order.
600 Hall’s rifles, flint lock, in bad order.
300 Deringer rifles, in good order.
1,000 flint lock muskets, worthless.
700 cavalry pistols, in good order.
1,000 cavalry pistols, in bad order.
60 Colt’s pistols, in good order.
24 brass 6-pounders, not mounted, in good order.
 2 brass 12-pounders, percussion cap, mounted and in good order.
 8 brass 6-pounders, mounted and in good order.
 4 6-pound howitzers, not mounted, in good order.
 6 iron 6-pounders, not mounted, in bad order.
 9 cannon or ammunition wagons, not mounted.
 1 ten-inch mortar, in good order.
250 artillery swords.
1,440 cavalry swords.
36 regulation swords.
86 set of harness, complete.
 1 brass and 1 iron 6-pounder, not mounted.
 2 brass 6-pounders, taken in the Mexican war, and presented to the State of Kentucky by Col. John S. Williams and Col. G. A. Caldwell.

**Issues.**

There have been issued from the arsenal to the use of the uniform corps, upon requisition and bond pursuant to the statute, the following arms and equipments, viz:

1856. April 3. To Captain L. B. White, city of Louisville—
40 percussion cap muskets.
40 cartridge boxes.
40 breast plates.
40 cap boxes.
40 belt plates.
40 bayonet scabbards.
40 frogs.
40 brushes and pricks.
40 gun slings.
40 belt straps.
 5 sabres.
 5 sergeants’ swords.

1856. December 24. To Captain W. W. Frazier, of Todd county—
60 percussion cap muskets.
60 cartridge boxes.
60 breast plates.
60 cap boxes and belts.
60 belt plates.
60 gun slings.
60 bayonet scabbards and frogs.
40 brushes and pricks.
60 percussion cap muskets.
60 cartridge boxes.
60 breast plates.
60 belts with plates.
60 bayonet scabbards.
60 cap boxes and pouches.
60 gun slings.
5 regulation swords.

1857. June 23. To Captain G. Clay Smith, Madison county—
60 percussion cap muskets.
60 bayonet scabbards.
60 cartridge boxes.
60 gun slings.
60 cap boxes.
60 breast plates.
60 pricks and brushes.
60 frogs.
4 sergeants’ swords.

1857. August 1. To Captain John W. Morgan, Fayette county—
60 rifles.
60 pouches and flasks.
60 waist belts.
60 cap boxes.
60 breast plates.
60 gun slings.
8 cavalry swords.
6 regulation swords.
6 shoulder belts.
60 wipers.
60 tube wrenches.

60 percussion cap muskets.
60 cartridge boxes.
60 bayonet scabbards.
60 belts.
60 pair wipers.
60 waist belts.
60 shoulder straps.
60 frogs.
60 screw drivers.
60 breast plates.
8 artillery swords.

1856. September 20. To Kentucky Military Institute, Colonel E. W. Morgan—
60 percussion cap muskets.
40 pair wipers.
40 bayonet scabbards.
80 tubes.
40 waist belts.
40 cartridge belts and boxes.
40 frogs.
20 screw drivers.
2 tube wrenches.
12 sabres.
12 cavalry swords.
10 regulation swords.

60 percussion cap muskets.
60 pair wipers.
60 shoulder straps.
60 bayonet scabbards.
60 waist belts and breast plates.
60 cartridge boxes.
60 frogs.
60 screw drivers.
6 regulation swords.
20 percussion cap muskets.
20 shoulder straps.
20 cartridge boxes.
20 bayonet scabbards.
20 gun slings.
20 pricks and brushes.
20 screw drivers.
20 waist belts.
40 plates.

1856. November 23. To James S. Jackson, Christian county—
1 brass 6-pound cannon.
1 primer's wire.
1 gunner's gimlet.
2 sponges and rammers.
1 worm and probe.
2 tail handspikes.
1 port fire.
1 tube case and powder horn.

The Secretary of War has renewed his recommendation of Congress of the last session, for an appropriation to enable the United States government "to alter the small arms heretofore issued to the States for the use of the militia, so as to make them conform to, the improved model which has been adopted for the United States service." By the act above referred to, authority was given to dispose of the old and unserviceable arms and equipments in the arsenal, and to apply the proceeds to the purchase of other arms. Several offers were received for them, but at so inadequate a sum per musket that they were declined. I thought it best to defer selling until a more favorable opportunity for a better offer, than to make any sacrifice.

From personal inquiry instituted during the past year into the situation and condition of the public arms heretofore loaned to the brigade boards, for the use of the militia of the several counties of the State, I am enabled to report to your Excellency that very little or no
care is taken of them, from the fact that the brigades have no further use for them; the meetings of the brigade boards have fallen into disuse, the militia not called out as formerly for training and inspection, and no suitable armory provided by the counties for the safe keeping and preservation of the same, and the greater proportion of them, now scattered throughout the bounds of the brigades, are considered and used as private property.

Efforts have been made to recall arms issued upon requisition and bond to uniform companies now out of service, but with very little success, as will appear by reference to the returns embodied in this report. Many of the officers upon whose bonds the arms were issued, are either dead or have removed to other States; the arms have passed into the possession of individuals, and independent organizations not recognized by law, nor accountable to the State for either their safe keeping, or return to the arsenal when required.

All of which is respectfully submitted.

A. G. CAMMACK,
Quartermaster General of Kentucky.

Correspondence, &c., in relation to Wolf Island.

OFFICE OF SECRETARY OF STATE;
CITY OF JEFFERSON, JUNE 15, 1857.

To His Excellency,
The Governor of Kentucky:

Sir: By direction of the Governor I herewith enclose to you a certified copy of a resolution adopted by the legislature of this State, in reference to Wolf Island; also, a copy of a report of a committee of the House of Representatives, upon the same subject.

I have the honor to be, most respectfully,
Your obedient servant,
B. F. MASSEY, Secretary of State.

Report from the Committee on Federal Relations, in relation to Wolf Island.

The committee on Federal Relations, to which was referred the communication from the Governor of Kentucky, in relation to Wolf Island, have had the same under consideration, and instructed me to report:

That your committee cannot recognize the validity of the claim of Kentucky to the territory in controversy; nor do they admit the correctness of the argument of the Kentucky Legislature, submitted to this General Assembly, in the report from the committee of that body.

That Kentucky may, for the last twenty years, have advanced a claim to the island will not be controverted; but, on the other hand, it is equally true, that Missouri has always claimed it as hers, and evinced that claim in every possible way.
The Virginia treasury warrant, said to have been located in 1782, by Myers and Shannon, was a mere paper location; they did not settle on the land; they did not improve it, or in any manner control it. Even if the warrant had been located by metes and bounds, it could not in any way divest France—the then owner of Louisiana—of her sovereignty, or transfer title to Virginia. It may be true, that Joseph Edrington settled on the island thirty years ago, claiming under Myers; yet, it is equally true, that he had so little confidence in its validity, that he entered the same land, or a part of it, in the United States land office, at Jackson, in this State.

Kentucky, no doubt, has sold the lands on the island at the nominal price of ten cents per acre. The United States have, also, sold them at a dollar and a quarter; and portions of them are now held by citizens of Mississippi county, Missouri, regardless of the claims of Kentucky.

Virginia, from whom Kentucky sprung, and under whom she claims, originally owned, on both sides of the Ohio, and when she organized the district of Kentucky, she gave her jurisdiction to low water mark on the north side of the river. This gave her the ownership of the islands in the Ohio, and hence the origin of her claims to islands in the Mississippi.

But very different were the facts in relation to the boundaries on the latter river. The main channel of the Mississippi was always the dividing line on this continent, between the dominions of France and Spain on the one side, and Great Britain on the other. It is a well established historical fact, that the island was claimed and treated as a part of Louisiana, by both the French and Spanish governments—that a French and Spanish confirmation was located on it, and is now owned by a citizen of Missouri.

The main channel of the Mississippi was part of the boundary of Louisiana when ceded by France to the United States, in 1803, and such is the boundary designated in the constitution of the State of Missouri.

During the existence of the Territorial Government of Missouri, the island was a part of the county of New Madrid, she exercising jurisdiction unquestioned, by collecting taxes, serving legal process, and exercising other acts appertaining to sovereignty. During the war of 1812, the inhabitants of the island were enrolled in the militia of the territory, and claimed protection as a component part thereof.

The United States, after taking possession of Louisiana, caused the island to be surveyed as a part of the purchase from France, brought it into market, and actually sold a portion of it to citizens of this State, who still own and possess it, notwithstanding the adverse claim of Kentucky. It is a notorious fact, that the island would, long since, have been entered, if the lands had not been withdrawn from market at the instance of Kentucky.

That the main channel of the Mississippi is on the east side, and always has been, is evidenced by both tradition and history, and cannot, in the opinion of your committee, be successfully controverted. If this be so, it places the claim of Missouri beyond doubt. Some years ago the Commissioner of the general land office fully investigated this
subject, and did not hesitate to decide that the island formed a part of the State of Missouri.

The island in controversy is large and valuable, containing some five thousand acres of the richest soil. Missouri owes it to herself, as well as her citizens immediately interested, to assert her and their rights.

By the documents submitted to your committee, from the Governor of Kentucky, the legislature of that State proposes to settle the question in one of three ways:

First.—By procuring the passage of a law of Congress, relinquishing all claim the United States may have to Kentucky.

Second.—By reference of the matter to three disinterested persons, who shall not be citizens of any State bordering on the Mississippi, and

Third.—By suit. It is presumed in the courts of the United States.

Your committee cannot accede to either of the two first propositions.

If the United States should transfer her rights to Kentucky, it would not settle the question. The general government does not now own the sovereignty that is in Missouri, having been vested in her since 1820, when her state constitution was formed.

The second proposition is tedious, expensive, and uncertain. Years might elapse before the matter could be adjusted; and then the unsuccessful party might, or might not, abide the award.

To the third proposition, "that of settling it through the courts of the United States," your committee is perfectly willing to agree, and for that purpose would recommend the adoption of the following resolution:

Resolved by the General Assembly of the State of Missouri, That for the purpose of having a definite settlement of the boundary between this state and Kentucky, the Governor be requested to take the necessary steps to effect that object, by a suit in chancery or otherwise, in the courts of the United States, and, to defray the expenses incident to such proceeding, the Governor is authorized to draw from the treasury the necessary sum, not to exceed, in the aggregate, fifteen hundred dollars; which sum is hereby appropriated out of any money in the treasury not otherwise appropriated.

Resolved further, That the Governor be requested to communicate the foregoing report and resolution to the Governor of Kentucky, and to each of our Senators and Representatives in Congress.

Approved February 21, 1857.

I, B. F. Massey, Secretary of State, hereby certify the foregoing printed copy of a resolution, adopted by the legislature of the State of Missouri, at its session by and on the 20th day of December, 1856, is a true and perfect copy of the original roll, now on file in this office.

In testimony whereof I have hereto set my hand and affixed the seal of office. Done at the city of Jefferson, at the office of the Secretary of State, this 15th day of June, A. D., 1857.

B. F. MASSEY, Secretary of State.
EXECUTIVE DEPARTMENT,
Jefferson City, Missouri, February 21, 1857.

DEAR SIR: In pursuance of the last of the enclosed resolutions, I beg leave to communicate said resolutions and the accompanying report to you; and if they shall meet the views of the legislature of Kentucky, I desire, in accordance with the wish of the general assembly of Missouri, as expressed in the first of said resolutions, "to take the necessary steps," in conjunction with the Executive or other proper authority of Kentucky, "to effect a definite settlement of the boundary between this state and Kentucky," as it regards Wolf Island, "by a suit in chancery or otherwise, in the courts of the United States." In order that "the necessary steps" specified in the resolution aforesaid, may be taken, I hope you will do me the honor to let me hear from you in reply, at your earliest convenience.

With sentiments of high regard, I am very truly,
Your obedient servant,

TRUSTEN POLK.

To His Excellency the Governor of Kentucky,
Frankfort, Kentucky.

DEAR SIR: I received your letter of the 21st February last, enclosing the resolutions passed by the legislature of Missouri, in relation to the disputed jurisdiction of Wolf Island, in the Mississippi river, and have appointed the Hon. J. Harlan, Attorney General of the state, to make the necessary preliminary arrangements for the prosecution of a suit between our respective states. I have received a letter from J. W. Morrow, Esq., informing me that he had been appointed by you for a similar purpose, on the part of your state, and I have informed him that he could confer with Mr. Harlan.

I have the honor to be, very respectfully,

C. S. MOREHEAD.

To the Governor of Missouri.

A true copy:
T. P. ATTICUS BIBB, Assistant Secretary.

EXECUTIVE DEPARTMENT.

J. W. MORROW—
DEAR SIR: I have received your letter of the 19th instant, upon the subject of the proposed suit between Kentucky and Missouri, in relation to the disputed jurisdiction of Wolf Island, and I have appointed the Hon. J. Harlan, Attorney General of this state, to make all the necessary preliminary arrangements, with whom you may confer.

C. S. MOREHEAD.

A true copy:
T. P. ATTICUS BIBB, Assistant Secretary.
Joint resolutions of the State of Ohio relative to Kansas affairs.

EXECUTIVE OFFICE,
COLUMBUS, OHIO, APRIL 30, 1856.

To His Excellency, C. S. Morehead,
Governor of Kentucky:

Sir: I have the honor to transmit herewith a copy of a preamble and resolutions, passed by the Legislature of this State, agreeably to the requirements of said resolutions.

Very respectfully, your obedient servant,
S. P. CHASE, Governor of Ohio.

Whereas, the original policy of our country contemplated no extension of slavery beyond the limits of the slave States, and no increase of the number of such States; and whereas experience has sufficiently proven that every departure from that policy has been productive of evil, and of evil only; and whereas by the repeal of the slavery prohibition of the Missouri compromise the whole question of slavery, in its relation to the Union, the States, and the Territories, has been reopened; and whereas the people of Kansas, deprived of the protection of that prohibition, and despooled by armed invasion of their undoubted right to elect their own Representatives, have been compelled to choose between the alternatives of resort to the inherent right of every community, in the absence of valid laws, to provide for its own safety and good order, or submission to the unauthorized edicts of a pretended legislature; seeking to compel the admission of slavery by appointing its own creatures to all Territorial offices, whether executive or judicial, and by imposing such restrictions upon the right of suffrage at future elections as will exclude the opponents of slavery from the polls; and whereas the people of Kansas, properly adopting the former alternative, have proceeded to elect a delegate to Congress, and to form for themselves a State constitution with a view to application for admission into the Union; and whereas, it is the duty, in the judgment of this General Assembly, of the Federal Government, and of the people of the several States, to unite their efforts to save the Territory of Kansas from the renewal of civil tumult, and from the further shedding of blood; be it therefore

Resolved, by the General Assembly of the State of Ohio, That the cause of the people of Kansas, engaged in defending themselves against lawless violence and in asserting their inherent right of self-government, be and hereby is earnestly commended to the warm sympathies of the people of Ohio.

Resolved, That our Senators in Congress be instructed, and Representatives requested, to oppose all acts and measures which tend to recognize as legal and binding, any of the acts of the pretended legislature of Kansas, held at Shawnee Mission.

Resolved, That our Senators in Congress be instructed, and Representatives requested, to use their best endeavors for the immediate passage of an act of Congress, admitting Kansas into the Union as a free
State, with such limitation of boundary as by Congress shall be deemed advisable; and in case Congress shall not consent to such admission, then to use their best endeavors to secure the passage of acts enabling the people of that territory to elect their own Governor and other officers, and fully protect them in the exercise of the elective franchise.

Resolved, That our Senators in Congress be further instructed, and our Representatives requested, to use their best endeavors to secure the passage of laws prohibiting slavery in the Territories of Kansas and Nebraska, and all territory embraced in the Missouri compromise, and re-establishing the original American policy as declared in the regulation proposed by Thomas Jefferson in 1784 for the exclusion of slavery from all territory ceded, or to be ceded, and of such other laws as shall best fulfill the high duty repeatedly acknowledged by the people of Ohio, of using all power clearly given by the terms of the National compact, to prevent the increase, to mitigate, and finally eradicate the evil of slavery, without encroaching upon, or in any way legislating upon the right of each State to adopt and modify its own municipal laws, to regulate its own internal affairs, and to hold and maintain its equal and independent sovereignty with each and every other State.

Resolved, That the Governor be requested to cause a copy of this preamble and resolutions, properly certified, to be forwarded to each of our Senators and Representatives in Congress, and the Governor of each State in the Union.

N. H. VAN VORHES,
Speaker of the House of Representatives.
THOMAS H. FORD,
President of the Senate.

April 9th, 1856.

STATE OF OHIO,
SECRETARY OF STATE'S OFFICE,
Columbus, O., April 26, 1856.

I, James H. Baker, Secretary of State of the State of Ohio, hereby certify, that the foregoing is a true copy of a preamble and resolutions passed by the General Assembly of this State, copied from the original roll on file in this office.

In testimony whereof, I hereunto set my hand, and affix the great seal of the State of Ohio, at Columbus, this 26th day of April, A. D., 1856.

JAMES H. BAKER,
Secretary of State.
Resolved by the Senate and House of Representatives in General Court convened, as follows: 1. Resolved, That all subsequent events have demonstrated that the abrogation, in the act organizing the Territories of Kansas and Nebraska, of the prohibition against slavery, which formed a part of the compact long known and respected as the Missouri compromise, was not, as was alleged by the supporters of the measure, for the purpose of recognizing and enunciating a great political principle, but, as was charged by its opponents at the time, had for its object to strip that great territory of its defences, and to open it to invasion and conquest by that relentless power, which, in its onward movement, no concession can appease, and no acquisition can satisfy; and which, for the advancement of its unholy purposes, has long wielded, and virtually claims the right to wield, the whole power of the general government.

2. Resolved, That the successful incursions of the armed and organized bands of lawless marauders from a neighboring State into the Territory of Kansas—assailing and overpowering its peaceful inhabitants, preventing their lawful exercise of their political rights, seizing upon and appropriating all the powers vested in them for the formation of a government, and fortifying and perpetuating this usurpation by the most oppressive and atrocious laws—have proved that the doctrine of popular sovereignty, however true in the abstract, and in its application to more mature, or to independent communities, is not fitted to the condition of an infant territory, under constitutional guardianship, and most especially, where the powers vested in the guardian shall be used in violation of the great trust which it holds.

3. Resolved, That there never has been established in Kansas any government in accordance with the provisions of its territorial or organic law, and that the conduct of the National Executive, in sanctioning and sustaining a pretended government, forcibly imposed upon its inhabitants by slavery fanatics and propagandists from the State of Missouri, is unjust and inhuman, and ought to be rebuked by the friends of freedom throughout the Union, in the most emphatic manner in which they can express their condemnation of wrong.

4. Resolved, That the adoption of a constitution, the organization of a government, and the application for admission into the Union as a State, by the people of Kansas, are measures forced upon them by the necessities of their condition, are justified by precedent, and should be acceded to by Congress as the best and speediest, if not the only means of restoring peace and order to the Territory, and of calming the agitation of the country.

5. Resolved, That responsibility for the depredations, burnings, imprisonments, and murders which have been committed against the property and persons of the people of Kansas, tidings of which have come to us upon every western breeze, rests, we are constrained to say, as well upon the President of the United States, charged with the execution of the laws and the preservation of the peace of the coun-
try, as upon the inflamed and misguided men who have been the actors in the perpetration of these crimes, and upon those who have stimulated and instigated their commission.

6. Resolved, That the recent unmanly and murderous assaults which have disgraced the national capital, are but the single outbursts of that fierce spirit of determined domination which has revealed itself so fully on a larger field, and which manifests itself at every point of contact between freedom and slavery, and, which, if it shall not be promptly met and subdued, will render any free expression of opinion, any independence of personal action by prominent men of the free States in relation to the great national issue now pending, imprudent and perilous, unless it shall be understood that it is to be backed up by the bowie knife and the revolver.

7. Resolved, That while offences, of whatever enormity, which affect only or mainly individual security, may be referred for punishment to the local laws of the place where they are committed—for those offences which reach beyond the individual, and inflict a wound upon a great principle which concerns the whole people, it becomes a duty to arraign the offender at the great bar of the public opinion of the country, and to pronounce upon him such sentence of condemnation as his crime shall merit.

8. Resolved, That the assault upon an editor of a public journal, when in attendance upon Congress in his lawful business, for opinions supposed to have been expressed by him through the columns of that journal, upon the public official conduct of a member of the government, was a blow at the freedom of the press, and could only have been intended as an admonition that slavery had grown so great that her champions must be spoken of only in careful language and with bated breath.

9. Resolved, That the later, more atrocious and more brutal attack, by one of the chivalrous Representatives of South Carolina, upon a Senator from Massachusetts, in the Senate chamber, for words spoken in debate, in his place, and as the organ of the State which he in part represents in that body, made with the stealthy approach of the assassin, and with the cowardly accompaniment of an accessory and coadjutor, inflicting blows which by their force and frequency had in them hardly anything short of the significance of murder, is receiving the indignant rebuke which it deserves, from the concentrated voice of the people of the free States, expressed through the press, and in popular assemblies and legislative bodies—not merely as a crime against personal sanctity, but as a violation of Senatorial privilege, as an insult to the dignity and rights of a sovereign State, and as an outrage upon the great constitutional right of freedom of debate—a right, in the vindication and preservation of which, every State and every citizen has a deep interest—and that it is fitting that New Hampshire, through her Legislature, should add her voice, as she now does, to that of Massachusetts, Rhode Island and Connecticut, in swelling this volume of denunciation, and in demanding the punishment of the offender, by his expulsion from that body which he has disgraced.

10. Resolved, That the people of the free States, strong in the irresistible force of a majority of numbers, have the power, if they will
exercise it, through the lawful and peaceful agency of the ballot-box, to compel respect for the rights of their representatives wherever they may be in the discharge of their official duties; the power to right the wrongs of Kansas, and to restore peace and security to that unhappy Territory; the power to prevent the extension of slavery over any Territory now free, and to re-establish freedom, as it should have ever been, as the controlling power in the government—and that this State now pledges herself to co-operation with any and all of her sister States in all constitutional measures for the accomplishment of these great ends.

11. Resolved, That His Excellency the Governor be requested to forward a copy of these resolutions to the Governors of the several States and Territories of the Union, to be laid before the legislative authorities thereof, and to each of our Senators and Representatives in Congress, to be laid before the Senate and House of Representatives of the United States.

EDWARD H. ROLLINS,
Speaker of the House of Representatives.

THOMAS J. MELVIN,
President of the Senate.

Approved July 12th, 1856.

RALPH METCALF, Governor.

STATE OF NEW HAMPSHIRE,
SECY. OF STATE'S OFFICE,
Concord, N. H.

I hereby certify, that the foregoing is a true copy of the resolutions passed by the Legislature of this State, copied from the original record now on file at this office.

LEMUEL N. PATTEE,
Secretary of State.

Resolves of the State of Maine, relating to the extension of slavery, the Territory of Kansas, and secret political associations.

Resolved, That in the judgment of this legislature, the settled convictions of the people of Maine are adverse to the extension of slavery over the territories of the United States; but that the "resolves relating to slavery," approved March seventeenth, eighteen hundred and fifty-five, set forth doctrines which are not satisfactory to the people of this State, and are calculated to increase sectional agitation, without accomplishing any good result, and to place the State in an attitude of apparent hostility to the Union and the Constitution.

Resolved, That the people of Kansas Territory, under the Constitution of the United States, and the provisions of the Nebraska-Kansas Act, the true intent and meaning of which by its very terms are de-
declared to be, "to leave the people thereof perfectly free to form and regulate their domestic institutions in their own way, subject only to the Constitution," are entitled to protection against interference from any quarter, intended to thwart or prevent the actual settlers in said territory, from the full and complete exercise of the right of suffrage and the enjoyment of all civil and political rights and privileges incident to their position, and necessary to secure the just regulation of their domestic institutions.

Resolved, That the Territory of Kansas should be admitted as a State into the Union, whenever it shall have a sufficient population, and the people thereof have adopted a constitution republican in its character, and have conformed to the usages which have heretofore been considered necessary and proper in similar cases.

Resolved, That secret oath-bound political associations are hostile to a republican form of government; destroy the rights of the minorities and the independence of the citizens; corrupt the purity of the ballot box, and become "potent engines, by which cunning, ambitious, and unprincipled men are enabled to subvert the power of the people, and usurp for themselves the reins of government.

Resolved, That the Governor be requested to forward a copy of these resolves to each of our Senators and Representatives in Congress, to be presented to that body, and to the Governor of each State, with a request that the same be laid before the Legislature thereof.

In the House of Representatives, April 10, 1856.
Read and passed.
JOSIAH S. LITTLE, Speaker.

In Senate, April 10, 1856.
Read and passed.
LOT M. MORRILL, President.
April 10, 1856. Approved.
SAMUEL WELLS.

SECRETARY'S OFFICE,
Augusta, April 23, 1856.

I hereby certify that the foregoing is a true copy of the original deposited in this office.
CALEB R. AYER, Secretary of State.

Resolves of the State of Maine, in relation to the decision of the Supreme Court of the United States, in the case of Dred Scott.

WHEREAS, the Supreme Court of the United States, in the recent case of Dred Scott, over which it expressly declared it had no jurisdiction, has undertaken to pronounce an extra-judicial opinion, prohibiting the people of the United States from any control of the question of slavery within the territories of the United States, either through
Congress, or local governments instituted under the authority of Congress, or otherwise; and,

Whereas, such extra-judicial opinion subordinates the political power and interests of the American people to the cupidity and ambition of a few thousand slaveholders, who are thereby enabled to carry the odious institution of slavery wherever the national power extends, and pre-dooms all territory which the United States may hereafter acquire, by purchase or otherwise, to a law of slavery as irrepealable as the organic constitution of the country; and,

Whereas, such extra-judicial opinion of a geographical majority of the Supreme Court is conclusive proof of the determination of the slaveholding States to subvert all the principles upon which the American Union was formed, and degrade it into an engine for the extension and perpetuation of the barbarous and detestable system of chattel slavery; therefore,

Resolved, That the extra-judicial opinion of the Supreme Court of the United States, in the case of Dred Scott, is not binding in law or conscience, upon the government or citizens of the United States, and that it is of an import so alarming and dangerous, as to demand the instant and emphatic probation of the country.

Resolved, That the Supreme Court of the United States should, by peaceful and constitutional measures, be so reconstituted as to relieve it from the domination of a sectional faction, and make it a tribunal whose decisions shall be in harmony with the constitution of the United States and the spirit of our institutions, and, at whose hands all classes of persons in the United States, without regard to race or locality, shall receive even and exact justice.

Resolved, That until this extra-judicial opinion of the Supreme Court, establishing slavery in all the territories of the United States, and placing it beyond the reach of Congress or the people, is reversed and set aside, and, until the advance of our national flag ceases to be the advance of slavery, it will be the paramount duty of the supporters of justice and liberty to resist any further acquisition of territory which may be attempted, under whatever disguise, with the purpose of enlarging the era of an institution which is the scandal of this country and age.

Resolved, That the independent right of each State to determine who shall be admitted to political franchise and citizenship within its own limits, is clear and indisputable, and is to be exercised without question by any other State, and that persons admitted to the rights of citizenship by any State are, by the plain letter of the constitution of the United States, "entitled to all the privileges and immunities of citizens in the several States."

Resolved, That whatever may be the course of political events elsewhere, the people of Maine are determined to abide by, and make effectual within the limits of their own sovereign jurisdiction, the principles of the Declaration of American Independence, the Constitution of the United States, and the Constitution of this State, which, ordained "to establish justice" and "secure the blessings of liberty," declares that "all men are born equally free and independent, and have certain natural, inherent and unalienable rights, among which are
those of enjoying and defending life and liberty, acquiring, possessing and protecting property, and of pursuing and obtaining safety and happiness."

*Resolved.* That Maine will not allow slavery within its borders, in any form or under any pretence, for any time, however short, let the consequences be what they may.

*Resolved.* That his excellency, the Governor, be requested to forward a copy of these resolutions to the Governors of the several States and Territories of the Union, to be laid before the legislative authorities thereof, and to each of our Senators and Representatives in Congress, to be laid before the Senate and House of Representatives of the United States.

*In the House of Representatives,* April 15, 1857.
Read and passed.
C. A. SPOFFORD, Speaker.

*In Senate,* April 15, 1857.
Read and passed
HIRAM CHAPMAN, President pro tem.
April 15, 1857. Approved.
JOSEPH H. WILLIAMS.

A true copy—Attest:
ALDEN JACKSON, Secretary of State.

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*Resolves of the Commonwealth of Massachusetts, in relation to the Territory of Kansas.*

Whereas, the Congress of the United States has enacted a law, establishing a government in the Territory of Kansas, which opens the said Territory to the introduction of slavery; and,

Whereas, armed mobs have invaded the Territory of Kansas, interfering with the political rights and franchises of the settlers; and,

Whereas, the Commonwealth of Massachusetts has asked in vain, through its Legislature, the State government of Missouri, and the President of the United States, to protect the settlers of the Territory of Kansas against the unparalleled outrages to which they have been subjected— which outrages have been heaped upon them by the slave interest in this country, for the purpose of forcing slavery upon Kansas, against the will of its inhabitants, and against the wishes of a majority of the people of the Union; and,

Whereas, Through the neglect of the government of the United States to protect the settlers, and redress their wrongs, they have been left, as a last resource, to fall back upon the original right of self-preservation, and have appealed to the American people for justification and assistance; therefore,

*Resolved.* That we have heard the call for sympathy and aid, which has come up to the people of the United States from the settlers of Kansas, with the deepest solicitude; that their sufferings have touched our hearts, and the manly defence of their rights has won our admiration; and while we do not claim, that as a State legislature, we are
clothed with power to initiate measures for their relief, we nevertheless present their case to the people of this Commonwealth, in full confidence that they will use all just and constitutional means to aid these heroic men in maintaining and defending their liberties.

Resolved, That the inhabitants of Kansas are justifiable in declining to recognize the code of laws which was forced upon the territory by the act of a body of men calling themselves a legislature, and yet composed, in part, of persons who were not settlers; and that the President of the United States, in endorsing those enactments as the true laws of Kansas, and, in his threat that the settlers shall be made to obey them, even at the point of the bayonet, has exhibited a servility to a sectional slave interest, and an indifference to the fundamental principles of justice and freedom, which merit the condemnation of the American people.

Resolved, That this is a fit occasion to re-assert the principle so often declared to be the doctrine of Massachusetts, that Congress has power to prohibit slavery in the territories of the United States, and that this power should be exercised to its full extent.

Resolved, That as the intrigues to thrust slavery upon Kansas have been growing more desperate ever since the repeal of the Missouri Prohibition, until the question of free or slave territory is become a prominent and vital issue before the country, and threatens to drive the nation into a civil war, we hold that the speedy admission of Kansas into the Union as a free State, with her present constitution, is a measure of first importance to the welfare of that Territory, and to the tranquility and honor of the United States, and that our Senators and Representatives in Congress are earnestly requested to use every exertion to bring about this result.

Resolved, That His Excellency, the Governor, be requested to transmit a copy of these resolves to the President of the United States, to the Governors of each of the States and Territories, and to each of our Senators and Representatives in Congress.

Passed. CHARLES A. PHELPS, Speaker.
In Senate, May 31, 1856.
Passed. ELIHU C. BAKER, President.
June 3, 1856. Approved. HENRY J. GARDNER.

Secretary's Office, Boston, June 4, 1856.
I certify the foregoing to be a true copy of the original resolves.
Attest: FRANCIS DE WITT,
Secretary of the Commonwealth.

Resolves of the State of Connecticut, on the subject of slavery.

STATE OF CONNECTICUT,
General Assembly, May Session, 1857.

Resolved, That as the fathers of American liberty held, so do "we hold these truths to be self-evident, that all men are created equal;
that they are endowed by their Creator with certain inalienable rights; that among these are life, liberty, and the pursuit of happiness; that to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed;" that as the fathers of the republic designed to favor no particular class of men, but to establish a government giving equal political rights to all, and the greatest amount of liberty consistent with public safety; we maintain that the great purpose of our national government should be, to secure and protect those rights, and make perpetual the blessings of liberty.

Resolved, That slavery being contrary to the principles of natural right, founded upon injustice and fraud, at war with the principles upon which our government is founded, injurious to the growth and prosperity of the country, and a reproach to a people professing to love liberty, ought never to receive the national sanction; that while we recognize it as a local institution, maintained by force of the law of the State where it exists, and over which we have no control, and for which we have no responsibility, it is our right and our duty to resist to the last, every attempt to extend it into the territories of the republic.

Resolved, That a majority of the judges of the Supreme Court of the United States, in the recent case of Dred Scott, in declaring that a free negro of the African race, whose ancestors were brought to this country and sold as slaves, is not a citizen within the meaning of the constitution of the United States, and is not entitled to sue in a court of the United States, and that no state can make him such citizen; that Congress has no power to prohibit slavery in the territories; that every slave-owner may carry his slaves into the territories and hold them therein, as slaves; that the federal government recognizes slaves as property, and pledges itself to protect it in the territories, and that the Missouri compromise act was void, when such declarations or opinions were not necessary for the decision of the case before said court; have departed from the usages which have heretofore governed our courts; have volunteered opinions which are not law; have given occasion for the belief that they promulgated such opinions for partisan purposes, and thereby have lowered the dignity of said court, and diminished the respect heretofore awarded to its decisions.

Resolved, That the resolutions of the General Assembly of this State, passed in 1849, declaring that Congress has full constitutional power to prohibit slavery in the territories of the United States, by legislative enactment; that the people of Connecticut, while abiding by the compromises of the constitution, and avowing their attachment to the Federal Union, are unalterably opposed to the extension of slavery into free territory, and the further extension of its influence into the councils of the federal government; that in resisting the extension of slavery we do not make a sectional issue nor oppose the interests of the people of the South, express now, as then, the sentiments of the people of Connecticut.

Resolved, That the people of Connecticut deeply sympathize with their brethren in the Territory of Kansas, in their struggles against the
aggressions of slavery, and earnestly desire that they may continue to resist, by all lawful means, until they shall make Kansas a free State.

Resolved, That our Senators in Congress are hereby instructed, and our Representatives in Congress are hereby earnestly requested to vote always and in every stage of the question, against the admission of another slaveholding State into the Federal Union.

Resolved, That His Excellency, the Governor, be requested to transmit a copy of these resolves to the President of the United States, to the Governors of each of the States and Territories, and to each of our Senators and Representatives in Congress.

STATE OF CONNECTICUT,
Office of Secretary of State.

I hereby certify that the foregoing is a true copy of the resolutions passed by the General Assembly of the State at its May session, A.D. 1857, on record in this office.

In testimony whereof, I have hereunto set my hand and affixed the seal of said State, at Hartford, this fourth day of July, one thousand eight hundred and fifty-seven.

ORVILLE H. PLATT, Secretary of State.

Mr. Sudduth moved the following resolution, viz:

Resolutions, That the Speaker of the Senate be requested to invite the ministers of the gospel resident in the city of Frankfort, to open the sessions of the Senate each morning thereof with prayer.

Which was adopted.

Mr. Read moved the following resolution, viz:

Resolved, That the Sergeant-at-Arms be requested to employ a sufficient number of Pages to attend on the Senate.

Which was adopted.

Mr. Porter moved the following resolution, viz:

Resolved, That George W. Lewis and Ben. J. Monroe be entitled to seats within the Senate chamber, to report the proceedings of said body for the Commonwealth and Yeoman.

Which was adopted.

Mr. Gillis moved the following resolution, viz:

Resolved, That the Public Printer be directed to print two hundred copies of the Governor's message for each member of the Senate.

Mr. Martin moved to amend said resolution by striking out two hundred and inserting in lieu thereof one hundred.

Mr. Walton moved to amend the amendment, by making it read three hundred instead of one hundred.

And the question being taken on the adoption of the amendment proposed by Mr. Walton, it was decided in the negative.
The yeas and nays being required thereon by Messrs. Martin and Rust, were as follows, viz:

Those who voted in the affirmative were—

Mr. Speaker, (King,) Thomas S. Grundy, Charles Ripley,
Landaff W. Andrews, Samuel Haycraft, James Sudduth,
Joseph S. Bledsoe, David Irvine, Harrison Taylor,
John B. Bruner, Gibson Mallory, Cyrenius Wait,
A. D. Cosby, William H. McBrayer, C. J. Walton,
George T. Edwards, James McKee, George Wright—19.
John F. Fisk,

Those who voted in the negative were—

James F. Buckner, Samuel Howard, George W. Silvertooth,
Jesse W. Burton, John P. Martin, John P. Smith,
William S. Darnaby, Daniel Matthewson, E. D. Walker,
Theo. T. Garrard, Thomas P. Porter, Walter C. Whitaker,
William C. Gillis, William B. Read, John Williams,
James D. Headley,

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

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

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

On motion of Mr. Sudduth—1. A bill for the benefit of the sheriff of Bath county.
On motion of Mr. Fisk—2. A bill to incorporate Naomi Lodge, No. 129, I. O. O. F.
On motion of Mr. Taylor—3. A bill to amend an act establishing the quarterly courts in the several counties of this commonwealth.
On motion of Mr. Fisk—4. A bill to incorporate the German Gymnastic Association of Covington.
On motion of same—5. A bill to amend the charter of the city of Covington.
On motion of Mr. Silvertooth—7. A bill for the benefit of the sheriffs of Graves, Hickman and Fulton counties.
On motion of Mr. Wright—8. A bill for the benefit of J. D. Mannin, of Warren county.
On motion of Mr. Silvertooth—9. A bill to amend the act incorporating the city of Paducah.
On motion of same—10. A bill to amend the act creating the equity and criminal courts in the first judicial district.
On motion of Mr. Haycraft—11. A bill exempting sheriffs from the payment of tolls on turnpike roads.

On motion of Mr. Smith—12. A bill to change the time of holding the court of claims in Henry county.

On motion of Mr. Ripley—13. A bill to amend the charter of the Louisville and Portland Canal Company.


On motion of Mr. Ripley—15. A bill to amend the law regulating voluntary assignments.

On motion of Mr. Grundy—16. A bill regulating the time of holding magistrates' courts in Washington county.

On motion of Mr. Rust—17. A bill for the benefit of the sheriff of Greenup county.

On motion of Mr. Sudduth—18. A bill to amend the law in relation to gambling with free negroes and slaves.

On motion of Mr. Silvertooth—19. A bill to change the Grey's ferry road, in McCracken county.

On motion of Mr. Ripley—20. A bill to amend the law in relation to attachments.

On motion of Mr. Walker—21. A bill to repeal the act establishing the Normal School, at Lexington.

Messrs. Sudduth, Mallory and Andrews were appointed a committee to prepare and bring in the 1st; Messrs. Fisk, Walton and Howard the 2d; Messrs. Taylor, Andrews and Buckner the 3d; Messrs. Fisk, Headley and Grover the 4th; Messrs. Fisk, Ripley and Darnaby the 5th; Messrs. Andrews, Ripley and Fisk the 6th; Messrs. Silvertooth, Grundy and Ripley the 7th; Messrs. Wright, Silvertooth and Edwards the 8th; Messrs. Silvertooth, Matthewson and Headley the 9th; Messrs. Silvertooth, Matthewson and Bruner the 10th; Messrs. Haycraft, Walker and Read the 11th; Messrs. Smith, Darnaby and Mallory the 12th; Messrs. Ripley, Whitaker and Buckner the 13th; Messrs. Read, Walker and Haycraft the 14th; Messrs. Grundy, Silvertooth and Irvine the 16th; Messrs. Rust, Read and Martin the 17th; Messrs. Silvertooth, Porter and Burton the 19th; Messrs. Walker, Read and Haycraft the 21st; the committee on the Judiciary was directed to prepare and bring in the 15th, 18th and 20th.

And then the Senate adjourned.
The Speaker announced the following standing committees, viz:


On Religion—Messrs. George Wright, John Williams, Samuel Howard, James McKee and Joseph S. Bledsoe.


JOINT COMMITTEES.


Mr. Walton moved the following resolutions, viz:

WHEREAS, it has pleased Almighty God, in the dispensation of His providence, to remove from the walks of men the late Lieutenant Governor of Kentucky, James G. Hardy—therefore,

Resolved, That in view of the long line of eminent services he has rendered his country as a legislator, and his unsullied integrity as a man, that we most sincerely regret his removal from our midst.

Resolved, That as a testimonial of our regard for the illustrious deceased, the Senate do now adjourn to meet on Thursday at 10 o'clock, and that the members wear the usual badge of mourning for thirty days, and that the Speaker be requested to forward a copy of these resolutions to the widow of the deceased.

Which were unanimously adopted.

THURSDAY, DECEMBER 10, 1857.

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

An act to amend the charter of the Winchester and Mt. Sterling Turnpike Road Company.

Mr. Andrews moved the following resolution, viz:

Resolved, That so much of the Governor's message as refers to the finances of the Commonwealth, be referred to the committee on Finance.

That so much of said message as refers to the subject of education
and the common school system, be referred to the committee on Education.
That so much of said message as refers to charitable institutions, be referred to the committee on Finance.
That so much of said message as refers to the State prison, be referred to the committee on the Penitentiary.
That so much of said message as refers to the militia, be referred to the committee on Military Affairs.
That so much of said message as refers to the geological and mineralogical survey of the State, be referred to the committee on Geological Survey.
That so much of said message as refers to the subject of internal improvements, be referred to the committee on Internal Improvement.
That so much of said message as refers to banks and currency, be referred to the committee on Banks.
That so much of said message as refers to federal affairs, be referred to the committee on Federal Relations.
That so much of said message as refers to the fluctuations in the assessments of the lands of this Commonwealth, be referred to the committee on Finance.
That so much of said message as refers to frauds on the purity of the elective franchise, be referred to the committee on Privileges and Elections.

Which was adopted.

Mr. Bledsoe moved the following resolutions, viz:

WHEREAS, we have learned the painful intelligence that Shelby Stone, late a member of this body, has departed this life, in the vigor of manhood, the prime of life, and in the midst of a bright career of usefulness. And as a testimonial of our appreciation of him as a man and legislator, therefore

Resolved, That we sincerely deplore his loss, not only to the district which he lately represented, but to the State.
Resolved, That as a man he was kind, affectionate and generous; as a legislator prudent, impartial and wise.
Resolved, That we cordially sympathize with his widow and family in their bereavement, and tender to them the condolence they so justly merit; and that the Secretary of the Senate transmit to her a copy of this preamble and resolutions.
Resolved, As a further indication of our respect for his memory, we will wear the usual badge of mourning for thirty days.

Which were adopted.

Mr. Porter moved the following resolution, viz:

Resolved, That the committee on Finance be instructed to enquire into the propriety of extending the time now allowed by law to sheriffs for paying the revenue of this State into the treasury, and that they report by bill or otherwise.

Which was adopted.

On motion of Mr. Sudduth—

Leave of absence was granted to Mr. Mallory until to-morrow.
Mr. Martin moved the following joint resolution, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That they will, at 12 o'clock on Tuesday, the 15th instant, proceed, by a joint vote of both Houses, to the election of a Senator of the United States, for the State of Kentucky, to serve for six years from and after the 4th of March, 1859.

And the question being taken on dispensing with the rule requiring a joint resolution to lie one day on the table, it was decided in the negative, two-thirds not voting in the affirmative.

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

Those who voted in the affirmative were—

Mr. Speaker, (King,) Thomas S. Grundy, H. M. Rust,
Jesse W. Burton, James D. Headley, George W. Silvertooth,
A. D. Cosby, John P. Martin, John P. Smith,
William S. Darnaby, Daniel Matthewson, E. D. Walker,
John F. Fisk, William H. McBrayer, C. J. Walton,
Asa P. Grover, William B. Read,

Those who voted in the negative were—

Landaff W. Andrews, Samuel Haycraft, Harrison Taylor,
Joseph S. Bledsoe, Samuel Howard, Cyrenius Wait,
John B. Bruner, David Irvine, Walter C. Whitaker,
James F. Buckner, James McKee, John Williams,
George T. Edwards, Charles Ripley, George Wright—17.
William C. Gillis, James Sudduth,

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

On motion of Mr. Bledsoe—1. A bill to amend the school law of this Commonwealth.

On motion of Mr. Whitaker—2. A bill providing for the election of a circuit court judge for the 7th judicial district.

On motion of Mr. Bledsoe—3. A bill to regulate the trial by jury before quarterly courts, police courts, and justices of the peace.

On motion of Mr. Grundy—4. A bill for the benefit of the sheriffs of Washington and Marion counties.

On motion of Mr. Read—5. A bill to amend the Code of Practice in suits of equity.

On motion of same—6. A bill for the benefit of common school district No. 18, of Larue county.

On motion of Mr. Sudduth—7. A bill to amend the law in relation to taxing jacks.

On motion of Mr. Edwards—8. A bill for the benefit of the assessor of Logan county.
On motion of same—9. A bill for the benefit of the sheriff of Logan county.

On motion of same—10. A bill to incorporate a railroad company in Logan county.

On motion of Mr. Rust—11. A bill to incorporate the Virginia and Kentucky bridge company.

On motion of Mr. Haycraft—12. A bill to regulate certain fees and allowances.

On motion of Mr. Rust—13. A bill to incorporate the Big Sandy Navigation Company.

On motion of Mr. Read—14. A bill for the benefit of the present sheriff of Larue county.

On motion of same—15. A bill to compel the county judges to keep their offices at the county seats of their respective counties.

On motion of Mr. Darnaby—16. A bill to amend the act to provide for the registry of births, deaths and marriages.

On motion of Mr. Silvertooth—17. A bill to amend the mechanics lien law of Hickman county.

On motion of same—18. A bill for the benefit of common school district No. 20, in Fulton county.

On motion of Mr. Haycraft—19. A bill for the benefit of John Padget.

On motion of Mr. Fisk—20. A bill to establish the county line between Campbell and Pendleton.

On motion of same—21. A bill to amend the mechanics' lien law of the city of Covington.

On motion of same—22. A bill to change the time of holding the Campbell county court.

On motion of same—23. A bill to amend the Revised Statutes, chapter 42, on gaming.

On motion of Mr. Taylor—24. A bill to incorporate the Union Coal and Oil Company of the States of Kentucky and Virginia.

On motion of Mr. Sudduth—25. A bill for the benefit of Wm. B. White and H. L. Tye, late sheriffs of Whitley county, and William C. Gillis, late surveyor of same county.

On motion of Mr. Wait—26. A bill to charter a company to build a bridge across Buck creek, in Pulaski county.

On motion of Mr. Gillis—27. A bill authorizing the Whitley county court to make changes in the State road in said county.

The committee on Education was directed to prepare and bring in the 1st and 6th; the committee on the Judiciary the 3d, 20th, 21st and 24th; the committee on the Code of Practice the 5th; the committee
on Internal Improvement the 10th, 11th, 13th and 26th; the committee on Finance the 14th; the committee on County Courts the 15th, 22d and 27th; the committee on Propositions and Grievances the 19th and 25th; the committee on Revised Statutes the 23d; Messrs. Buckner, Andrews and Whitaker were appointed a committee to prepare and bring in the 2d; Messrs. Grundy, Silvertooth and Burton the 4th; Messrs. Sudduth, Williams and Gillis the 7th; Messrs. Edwards, Brunner and Wright the 8th; Messrs. Edwards, Walton and Matthewson the 9th; Messrs. Haycraft, Read and Walker the 12th; Messrs. Darnaby, Porter and Taylor the 16th; Messrs. Silvertooth, Grundy and Howard the 17th; Messrs. Silvertooth, Grundy and Ripley the 18th.

Mr. Gillis, from the committee on County Courts, reported a bill changing the time of holding the county court of Campbell.

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

The constitutional provision 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. Taylor, from a select committee, reported a bill to amend article 18th, chapter 27th, of the Revised Statutes.

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

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

Ordered, That the Public Printer print 150 copies thereof for the use of the General Assembly, and that it be referred to the committee on Revised Statutes.

The following bills were reported from select committees, viz:

By Mr. Read—1. A bill to incorporate the Paraquet Springs Company.

By Mr. Buckner—2. A bill providing for the election of Judge in the 7th judicial district.

By Mr. Rust—3. A bill for the benefit of Marshall Baker, late sheriff of Greenup county.

By Mr. Grundy—4. A bill to change the time of holding Justices' quarterly courts in Washington county.

By Mr. Silvertooth—5. A bill to change the State road in McCracken county.

By Mr. Fisk—6. A bill to incorporate Naomi Lodge, No. 129, I.O.O.F.
By Mr. Ripley—7. A bill to amend the charter of the Louisville and Portland Canal Company.

By Mr. Fisk—8. A bill to incorporate the German Gymnastic Association of the city of Covington.

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

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

The 1st, 6th and 8th were referred to the committee on the Judiciary; the 2d, 3d, 4th, 5th and 7th were ordered to be engrossed and read a third time.

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

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

Mr. Sudduth, from a select committee, reported a bill for the benefit of the sheriff of Bath county.

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

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

Mr. Andrews moved to amend said bill.

Mr. Matthewson then moved to amend the amendment offered by Mr. Andrews.

Ordered, That said bill and proposed amendments be referred to the committee on Finance.

Mr. Haycraft, from a select committee, reported a bill exempting sheriffs from the payment of tolls on turnpike roads.

Said bill was then amended.

Mr. Buckner moved to commit said bill, as amended, to the committee on Finance.

Mr. Irvine moved the previous question.

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

The question was then taken on committing said bill to the committee on Finance, and it was decided in the affirmative.

On motion of Mr. Irvine,

Ordered, That Mr. Taylor be added to the committee on Banks.

Ordered, That the select committee to whom was referred the leave to bring in a bill to amend the charter of the city of Covington be discharged from the further consideration thereof, and that it be referred to the committee on the Judiciary.
The Speaker laid before the Senate the biennial report of the Treasurer, which is as follows, viz:

TREASURY DEPARTMENT,  
Frankfort, December 10th, 1857.

Hon. John Q. A. King,  
Speaker of the Senate:

Sir: I have the honor to communicate to you the biennial report of this department.

Very respectfully,

R. C. Wintersmith, Treasurer.

[For Report—see Legislative Documents.]

Ordered, That the Public Printer print 1,500 copies thereof for the use of the General Assembly.

And then the Senate adjourned.

FRIDAY, DECEMBER 11, 1857.

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

An act to change the April and October terms of the Clarke county court.

An act for the benefit of certain clerks of this Commonwealth.

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

The constitutional provision as to the second reading of said bills being dispensed with, the 1st was ordered to be engrossed and read a third time, and the 2d was referred to the committee on the Judiciary.

The constitutional provision as to the third reading of the 1st bill being dispensed with,

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

1. Mr. Bledsoe presented the petition of sundry citizens of Cumberland county, praying the passage of an act authorizing Thomas S. Ellison to establish a ferry in said county.

2. Mr. Matthewson presented the petition of sundry citizens of Cal-
loway county, praying the passage of an act to authorize James Van­
cleve to change the State road in said county.

3. Also, the petition of sundry members of the bar and court of the
first judicial district, to change the time of holding the courts in said
district.

4. Mr. Headley presented the petition of sundry citizens of the
counties of Hopkins, Union, Caldwell and Crittenden, praying the for­
mation of a new county out of parts of said counties.

5. Mr. Rust presented the memorial of Geo. W. Kouns, in relation
to a portion of the Owingsville and Big Sandy turnpike road, asking
compensation for monies expended thereon.

Which were received, the reading dispensed with, and referred—
the 1st, 2d and 4th to the committee on Propositions and Grievances;
the 3d to the committee on Circuit Courts, and the 5th to the commit­
tee on Finance.

The following bills were reported, viz:

By Mr. Buckner, from the committee on the Judiciary—1. A bill to
incorporate the Union Coal and Oil Company.

By M. Ripley, from the committee on the Code of Practice—2. A
bill to amend title 7, chapter 4, of the Code of Practice.

By Mr. Smith, from a select committee—3. A bill to change the time
of holding the court of claims in Henry county.

By Mr. Walker, from same—4. A bill to repeal an act re-organ­
izing Transylvania University and establishing a school for teachers.

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

The constitutional provision as to the second reading of said bills
being dispensed with, the 1st, 2d and 3d were ordered to be engrossed
and read a third time, and the 4th was referred to the committee on
Education.

The constitutional provision 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 titles thereof be as
aforesaid.

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

On motion of Mr. Andrews—1. A bill to take the sense of the peo­
ple of this Commonwealth as to the propriety of calling a convention.

On motion of Mr. Walton—2. A bill to amend the charter of the
Kentucky State Medical Society.

On motion of Mr. Cosby—3. A bill to amend the law in regard to
constables.
On motion of Mr. Sudduth—4. A bill to levy a specific tax on distilleries.

On motion of same—5. A bill to repeal all laws authorizing private banking.


On motion of Mr. Buckner—7. A bill to prevent the circulation of foreign bank notes of a denomination less than five dollars.

On motion of Mr. Taylor—8. A bill to amend chapter 70, article 1st, of the Revised Statutes.


On motion of Mr. Grover—10. A bill to amend an act, entitled, an act to regulate the duties of County and Commonwealth Attorneys, approved March 8th, 1856.

On motion of same—11. A bill to amend article 2d, section 642, of the Code of Practice.


On motion of Mr. Matthewson—13. A bill to amend the law in relation to peddlers.

On motion of Mr. Grover—14. A bill to repeal section 2d of an act, entitled, an act to authorize justices of the peace to hold inquests in certain cases, approved December 20, 1851.

On motion of Mr. Whitaker—15. A bill to regulate the delivery of possession of real estate sold under execution or by decree of court.

On motion of Mr. Walker—16. A bill allowing jurors and witnesses pay before the magistrates and quarterly courts.

On motion of Mr. Rust—17. A bill to amend the mechanics' lien law of Greenup county.

On motion of Mr. Haycraft—18. A bill to allow clerks of circuit and county courts out of office further time to collect fees.

On motion of Mr. Walton—19. A bill to suppress betting on elections.

On motion of Mr. Grover—20. A bill for the benefit of school district No. 14, in Owen county.

On motion of Mr. Fisk—21. A bill to incorporate the town of Economy, in Kenton county.

On motion of Mr. Whitaker—22. A bill for the relief of common school districts in the State.

On motion of Mr. Read—23. A bill to allow examining courts in criminal cases compensation for their services in presiding over preliminary trials.
On motion of Mr. Sudduth—24. A bill to provide for the inspection of spirituous liquors.
On motion of same—25. A bill to amend the laws in relation to vending spirituous liquors.
On motion of Mr. Gillis—27. A bill for the benefit of the sheriff of Laurel county.
On motion of Mr. Edwards—28. A bill for the benefit of the Baptist church in Russellville.

The committee on Finance was directed to prepare and bring in the 4th, 25th and 27th; the committee on the Judiciary the 5th, 9th, 12th, 13th, 17th, 21st and 24th; the committee on Banks the 6th and 7th; the committee on Revised Statutes the 8th, 10th, 13th, 14th and 16th; the committee on the Code of Practice the 11th; the committee on Circuit Courts the 18th; the committee on Privileges and Elections the 19th; the committee on Education the 22d; the committee on Propositions and Grievances the 24th; Messrs. Andrews, Taylor and Mallory were appointed a committee to prepare and bring in the 1st; Messrs. Walton, Cosby and Burton the 2d; Messrs. Cosby, Silvertooth and Walton the 3d; Messrs. Grover, Fisk and McBrayer the 20th; Messrs. Read, Walker and Haycraft the 23d; Messrs. Edwards, Silvertooth and Bledsoe the 28th.

The Senate took up for consideration a bill from the House of Representatives, entitled,
An act to amend an act, entitled, an act to amend the charter of the Winchester and Mt. Sterling Turnpike Road Company.
Which was read the first time, and ordered to be read a second time.
The constitutional provision as to the second reading of said bill being dispensed with,
Ordered, That said bill be referred to the committee on the Judiciary.
The Senate, also, took up for consideration the resolution offered by Mr. Martin on yesterday, in relation to the election of a United States Senator.
Mr. Mallory moved to lay said resolution on the table.
And the question being taken thereon, it was decided in the affirmative.
The yeas and nays being required thereon by Messrs. Martin and Walton, were as follows, viz:
Those who voted in the affirmative, were—

Mr. Speaker, (King,) William C. Gillis, James Sudduth,
Landaff W. Andrews, Samuel Haycraft, Harrison Taylor,
Joseph S. Bledsoe, Samuel Howard, Cyrenius Wait,
John B. Bruner, David Irvine, Walter C. Whitaker,
James F. Buckner, Gibson Mallory, John Williams,
Jesse W. Burton, James McKee, George Wright—20.
George T. Edwards, Charles Ripley,

Those who voted in the negative, were—

A. D. Cosby, James D. Headley, H. M. Rust,
William S. Darnaby, John P. Martin, George W. Silvertooth,
John F. Fisk, Daniel Matthewson, John P. Smith,
Theo. T. Garrard, William H. McBrayer, E. D. Walker,
Asa P. Grover, Thomas P. Porter, C. J. Walton,

And then the Senate adjourned.

SATURDAY, DECEMBER 12, 1857.

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

An act providing for the election of Judge in the 7th judicial district.

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

An act to organize a second fire company in the city of Frankfort.
An act to change the time of holding the county courts in Garrard county.
An act for the benefit of E. P. Hill's administrators.
An act for the benefit of Jeff Brown, late clerk of Union county court.
An act for the benefit of William Marshall, jailor of Bracken county.
An act for the benefit of Mrs. Eleanor Aberdeen.

On motion of Mr. Whitaker,

Ordered, That a committee be appointed to inform the House of
Representatives of the death of James G. Hardy, late Lieutenant Governor, and that they had adopted resolutions in relation thereto.

Mr. Sudduth presented the petition of Jaques Guedin, praying the passage of an act authorizing the Bourbon circuit court to grant him relief in relation to certain lost bonds.

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

The Speaker laid before the Senate the report of the superintendent of the Deaf and Dumb Asylum, at Danville, which is as follows, viz:

[For Report—see Legislative Documents.]

Ordered, That the Public Printer print 1,000 copies thereof for the use of the institution, and 500 for the use of the General Assembly.

The Speaker laid before the Senate the report of the Auditor in relation to the People’s Bank, which is as follows, viz:

To the Honorable General Assembly of the State of Kentucky:

The undersigned, the President and Directors of the People’s Bank of Kentucky, present the following as a full and accurate statement of the condition of said Bank as it existed on the 1st day of November, 1857.

The whole capital stock of $250,000 has been subscribed, and the first and second calls, five per cent. each, paid in on the amount of stock subscribed, amounting to $25,000.

No real estate owned by said Bank.

The residue of the capital stock, not being due at that date according to the charter, has not been paid.

No debts were due or owing to or from said bank.

Specie on hand, $25,000.

The Bank at that date had not then commenced business.

No money deposited.

No bills in circulation.

No bills on hand on any Banks incorporated by this or any other State of the United States.

No notes in circulation of any denomination issued by this Bank, as none has been issued.
No dividend or profit had been made by the Bank, and there was no surplus or contingent fund on hand.

We commenced business on the 26th day of November, 1857, upon a specie capital of $25,000, to which will be added on the 10th day of December $25,000, by a call of ten per cent. then due, in accordance with the charter.

We will make any further report deemed necessary.

B. C. Grider, President.

A. G. Hobson, Cashier.

December 7, 1857.

Auditor's Office, Frankfort, Ky., December 11th, 1857.

A true copy from the original on file in this office.

Thos. S. Page, Auditor.

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

By Mr. Grundy, from the committee on Propositions and Grievances—1. A bill for the benefit of Wm. B. White, H. L. Tye, William C. Gillis and Dempsey King.

By Mr. Matthewson, from the committee on Internal Improvement—2. A bill to incorporate the Big Sandy Navigation Company.

By Mr. Bledsoe, from the same committee—3. A bill to incorporate the Virginia and Kentucky Bridge Company.

By Mr. Silvertooth, from the committee on Finance—4. A bill for the benefit of the sheriffs of this Commonwealth.

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

The constitutional provision as to the second reading of said bills being dispensed with, the 1st, 3d and 4th were ordered to be engrossed and read a third time, and the 2d was amended and recommitted to the committee on Internal Improvement.

The constitutional provision as to the third reading of the 1st, 3d and 4th bills being dispensed with, and the same being engrossed,

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

The following bills were reported from select committees, viz: 

By Mr. Haycraft—1. A bill to regulate certain fees.

By Mr. Sudduth—2. A bill to amend the law in relation to taxing jacks, &c.

By Mr. Silvertooth—3. A bill to amend the mechanics' lien law of Hickman county.

By Mr. Wright—4. A bill for the benefit of J. D. Mannen.

Which were read the first time, and ordered to be read the second time.
The constitutional provision as to the second reading of said bills being dispensed with, the 1st was referred to the committee on Revised Statutes; the 2d and 4th to the committee on Finance, and the 3d was ordered to be engrossed and read a third time.

The constitutional provision as to the third reading of the 3d bill being dispensed with, and the same being engrossed,

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

Mr. Grundy, from the committee on Propositions and Grievances, asked to be discharged from the further consideration of a leave to them-referred, to bring in a bill for the benefit of John Padget.

Which was granted.

Mr. Silvertooth moved the following joint resolution, viz:

*Whereas*, resolutions from the Legislature of the State of Ohio, and from other supernannuated sources, touching the question of slavery, have been forwarded to the Governor of Kentucky, and by him laid before this Legislature, which, in our opinion, is an unconstitutional and fanatical interference with our domestic institutions; therefore

*Resolved by the General Assembly of the Commonwealth of Kentucky*,

That the Governor of this Commonwealth be requested to return said resolutions to the source whence they came, with his official endorsement thereon, asking, in the name of Kentucky, that, hereafter, these States respectively keep within their own jurisdiction such resolutions and such doctrines, and cease their unwarranted interference with the domestic institutions of Kentucky.

The rule of the Senate requiring a joint resolution to lie one day on the table being dispensed with,

Mr. Fisk moved the following amendment, viz:

*Resolved*, That the Governor be requested, should he receive any similar resolutions in future, to immediately return them to the source whence they came.

Which was adopted.

The question was then 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. Martin and Smith, were as follows, viz:

Those who voted in the affirmative were—

Mr. Speaker, (King,) Thomas S. Grundy, H. M. Rust,
Landaff W. Andrews, Samuel Haycraft, George W. Silvertooth,
Joseph S. Bledsoe, James D. Headley, John P. Smith,
John B. Bruner, Samuel Howard, James Sudduth,
James F. Buckner, David Irvine, Harrison Taylor,
Jesse W. Burton, Gibson Mallory, Cyrenius Wait,
A. D. Cosby, John P. Martin, E. D. Walker,
William S. Darnaby, Daniel Matthewson, C. J. Walton,

In the negative—none.

On motion of Mr. Irvine—

Leave was given to bring in a bill to amend the several acts giving to the Madison county court power to make appropriations to turnpike roads in said county.

Which was referred to the committee on County Courts.

And then the Senate adjourned.

MONDAY, DECEMBER 14, 1857.

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

2. An act to change the time of holding justices' quarterly courts in Washington county.
3. An act to change the State road in McCracken county.
4. An act to change the time of holding the county court of Campbell.
5. An act to amend title 7, chapter 4, of the Code of Practice.

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

1. An act to incorporate Silula Lodge, No. 70, I. O. O. F., of Smithland.
2. An act for the benefit of William J. Field, late sheriff of Carter county.
3. An act for the benefit of J. C. Oliver, late sheriff of Anderson county.
4. An act to amend the charter of the Hickman and Graves county Plank Road Company.
5. An act to repeal an act establishing the town of Rowena, in Russell county.

6. An act to amend the laws relating to the county levy of Campbell county.

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

The constitutional provision as to the second reading of said bills being dispensed with, the 1st was referred to the committee on the Judiciary, and the 2d, 3d, 4th, 5th and 6th were ordered to be read a third time.

The constitutional provision as to the third reading of the 2d, 3d, 4th, 5th and 6th bills being dispensed with,

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

A message was received from the House of Representatives, announcing that they had adopted a resolution in relation to the election of United States Senator.

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

By Mr. Gillis, from the committee on County Courts—1. A bill appointing commissioners to run the dividing line between the counties of Campbell and Pendleton.

By same—2. A bill placing the control of the State road in Whitley county in the county court of said county.

By Mr. Grundy, from the committee on Propositions and Grievances—3. A bill to authorize the Calloway county court to change the State road from Aurora to Murray.

By Mr. Irvine, from the committee on Banks—4. A bill to prohibit the circulation, as money, of foreign notes of a less denomination than five dollars.

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

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

The 4th was amended.

Ordered, That said bills, the 4th as amended, be engrossed and read a third time.

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

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.
Mr. Walton, from the committee on Enrollments, reported that the committee had examined an enrolled bill which originated in the Senate, entitled,

An act providing for the election of Judge in the 7th judicial district.

And had found the same truly enrolled.

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 approval and signature.

After a short time the committee reported that they had discharged that duty.

The following bills were reported from select committees, viz:

By Mr. Read—1. A bill for the benefit of examining courts, in this Commonwealth, in criminal cases.

By Mr. Silvertooth—2. A bill for the benefit of common school district No. 20, in Fulton county.

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

The constitutional provision as to the second reading of said bills being dispensed with, the 1st was referred to the committee on the Judiciary, and the 2d was ordered to be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

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

Mr. Andrews, from a select committee, reported a bill to take the sense of the people as to the propriety of calling a convention for the purpose of changing the constitution.

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

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

Ordered, That the Public Printer print 150 copies thereof for the use of the General Assembly, and that it be made the special order of the day for Friday next.

Mr. Taylor moved the following resolution, viz:

Resolved, That one member of the Senate from each of the representative districts be appointed to prepare and bring in a bill dividing the State into thirty-eight senatorial districts, and apportioning the
representation in the Senate and House of Representatives, as required by the constitution.

Which was adopted.

Mr. Porter moved the following resolution, viz:

Resolved, That the committee on Finance be instructed to report a bill to the Senate providing for an appropriation of money sufficient to defray the expenses of removing the remains of the late Major Presley N. O'Bannon from the county of Henry to the Frankfort cemetery, and of erecting over the same a suitable monument.

Which was adopted.

Mr. Grover moved the following joint resolution, viz:

Be it resolved by the General Assembly of the Commonwealth of Kentucky, That they will, on the 5th day of January next, proceed, by a joint vote of the two Houses, to the election of the public officers of this Commonwealth.

Mr. Sudduth moved the following resolution, viz:

WHEREAS, it has pleased the Supreme Arbiter of our destinies, that our fellow Senator, Sylvester Harris, should go hence, and be known no more upon earth among men;

And, whereas, we esteemed him to be a man of a high order of talents, noble, generous and warm hearted; therefore,

Resolved by the Senate, That we offer our sincere condolence to his family and friends, and as an evidence of our respect for his memory, each Senator will wear crape on the left arm for thirty days.

Which was adopted.

Mr. Andrews moved the following resolution, viz:

Resolved, That the committee on the Judiciary inquire into the propriety of enacting a uniform mechanics' lien law, and report by bill or otherwise.

Which was adopted.

Mr. Andrews also moved the following resolution, viz:

Resolved, That the committee on County Courts inquire into the propriety of limiting the compensation of county judges, and report by bill or otherwise.

Which was adopted.

Mr. Silvertooth moved the following resolution, viz:

Resolved, That the Auditor be, and he is hereby, requested to furnish to the Senate a statement of the accounts between the Treasury and Transylvania University, as organized under the act of the last Legislature, and also a copy of the records or proceedings in an action of said University against him, determined by the appellate court of this Commonwealth.

Which was adopted.

Mr. Fisk moved the following resolution, viz:

Resolved, That the committee on the Library be, and hereby are, in-
structed to report what Statutes and Law Reports of the other States are now in the Library, giving the date of the last volumes, both of the Statutes and Reports, and upon the expediency of purchasing the current Statutes and Law Reports of all the States, as they may hereafter issue, which may not be donated to this Commonwealth, and report by bill or otherwise.

Which was adopted.

A message was received from the Governor by Mr. Bibb, Assistant Secretary of State, announcing that the Governor had approved and signed an enrolled bill which originated in the Senate, entitled,

An act providing for the election of Judge in the seventh judicial district.

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

On motion of Mr. Irvine—1. A bill to amend the law regulating the sale of spirituous, malt and vinous liquors, approved February 27th, 1856.

On motion of Mr. Haycraft—2. A bill to amend the laws concerning idiots.

On motion of Mr. Wait—3. A bill for the benefit of the Danville, Dix River and Lancaster Turnpike Road Company.

On motion of Mr. Grundy—4. A bill to incorporate the Lincoln Run and May's Creek Turnpike Road Company.

On motion of Mr. Wait—5. A bill to amend the act incorporating the Hustonsville and Coffey's Mill Turnpike Road Company.

On motion of same—6. A bill to incorporate the London and Waitsborough Turnpike Road Company.

On motion of same—7. A bill to amend the act incorporating the Hustonville, Liberty and Columbia Turnpike Road Company.

On motion of Mr. Edwards—8. A bill to regulate the trial of civil cases before justices of the peace in the city of Paducah.

On motion of Mr. Sudduth—9. A bill for the benefit of Thomas P. Smith.

On motion of Mr. Read—10. A bill declaring the office of county judge and common school commissioner incompatible.

On motion of Mr. Mallory—11. A bill to amend the charter of the South-Western Agricultural and Mechanical Association.

On motion of Mr. Matthewson—12. A bill to establish the 14th judicial district.

On motion of Mr. Edwards—13. A bill to amend the law in relation to settlements by guardians.

On motion of Mr. Walker—14. A bill to amend the 342d section of the Criminal Code.

The committee on Judiciary was directed to prepare and bring in the
1st, 8th and 12th; the committee on Propositions and Grievances the 2d; the committee on Internal Improvement the 3d, 4th, and 6th; the committee on County Courts the 9th and 13th; the committee on Education the 10th; the committee on Agriculture and Manufactures the 11th; the committee on the Code of Practice the 14th; Messrs. Wait, Bledsoe and Gillis were appointed a committee to prepare and bring in the 5th; Messrs. Wait, Burton and Gillis the 7th.

The Senate took up for consideration bills from the House of Representatives, of the following titles, viz:

1. An act to organize a second fire company in the city of Frankfort.
2. An act to change the time of holding the county courts in Garrard county.
3. An act for the benefit of E. P. Hill's administrators.
4. An act for the benefit of Jeff. Brown, late clerk of Union county court.
5. An act for the benefit of William Marshall, jailer of Bracken county.
6. An act for the benefit of Mrs. Eleanor Aberdeen.

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

The constitutional provision as to the second reading of said bills being dispensed with, the 1st and 6th were referred to the committee on the Judiciary; the 3d to the committee on Circuit Courts; the 2d, 4th, and 5th were ordered to be read a third time.

The constitutional provision as to the third reading of the 2d, 4th and 5th bills being dispensed with, and the same being engrossed,

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

At a quarter before 12 o'clock, M., Mr. Ripley moved an adjournment.

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

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

Those who voted in the affirmative were—

Mr. Speaker, (King,) James D. Headley, James Sudduth,
Landaff W. Andrews, Samuel Howard, Harrison Taylor,
Joseph S. Bledsoe, David Irvine, Cyrenius Wait,
James F. Buckner, Gibson Mallory, Walter C. Whitaker,
George T. Edwards, James McKee, John Williams,
William C. Gillis, Charles Ripley, George Wright—19.
Samuel Haycraft,
Those who voted in the negative were—

Jesse W. Burton,  
A. D. Cosby,  
W. S. Darnaby,  
John F. Fisk,  
Theo. T. Garrard,  
Asa P. Grover,
 Thomas S. Grundy,  
John P. Martin,  
Daniel Matthewson,  
William H. McBrayer,
 John P. Smith,  
E. D. Walker,  
William H. McBrayer,  
C. J. Walton,
 George W. Silvertooth,  
W. M. Wilson—17.

And then the Senate adjourned.

TUESDAY, DECEMBER 15, 1857.

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

An act to change the time of holding the court of claims in Henry county.

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

An act for the benefit of G. B. Broadus, late sheriff of Madison county.

An act for the benefit of John Friend, late Sheriff of Floyd county.

An act to amend an act, entitled, an act to incorporate the Kenton County Agricultural Society.

An act requiring county judges to keep their offices and records at their respective county seats.

An act to amend the laws allowing fees to justices.

An act to amend an act concerning officers' fees.

An act to incorporate the Adairville Lodge of Free and Accepted Masons.

In pursuance of a resolution heretofore offered by Mr. Taylor, in relation to an apportionment of the State, the Speaker announced the following as the committee referred to in said resolution, viz:

The Speaker laid before the Senate the response of the Auditor to a resolution offered by Mr. Silvertooth on yesterday, which is as follows, viz:

Auditor's Office, Ky.,
Frankfort, December 14, 1857.

Hon. John Q. A. King,
Speaker of the Senate:

Sir: In accordance with a resolution of the Senate of this date, I herewith submit a copy of the proceedings in the case of the Trustees of Transylvania University vs. the Auditor.

The amount paid previous to the decision was $12,000.
Amount paid since that time $6,000.

Total amount paid, $18,000.

I am respectfully,
THO. S. PAGE, Auditor.

KENTUCKY, FRANKLIN CIRCUIT COURT:

Before the Hon. Elijah F. Nuttall, Judge of the Court aforesaid, at the court-house in Frankfort, on the 14th day of July, 1857.

The Trustees of Transylvania University, Plaintiffs,

vs.

Tho. S. Page, Auditor of Public Accounts, Defendant.

Be it remembered, that on the 14th day of July, 1857, at a court held for the circuit aforesaid,

Came the plaintiffs by M. C. Johnson, their Attorney, and the defendant, by James Harlan, Attorney General, and presented to the Court an agreement of facts, which is ordered to be filed.

And thereupon the case was heard; and the Court being sufficiently advised, is of opinion that the proper construction of the act of Assembly referred to in the agreement aforesaid, is, that the appropriation of $12,000 was intended to be an annual appropriation. Whereupon it is ordered that a mandamus issue against the defendant, commanding him to issue a warrant on the treasury in favor of the plaintiffs for $6,000; and upon the motion of the defendant an appeal is granted to the Court of Appeals without the execution of a bond.

The agreement of facts is as follows:

Franklin Circuit Court.

The Trustees of Transylvania University, Plaintiffs,

vs.

Tho. S. Page, Auditor of Public Accounts, Defendant.

It is agreed that the defendant has refused to pay more than the sum of $12,000 to the plaintiffs, upon the requisition and order of the Superintendent of Public Instruction, under the 11th section of the act entitled "an act to reorganize Transylvania University, and establish
a school for teachers," approved March 10, 1856. That $12,000 have been paid; and the first annual session having expired, and a new one about to commence, the plaintiffs are entitled to the mandamus the plaintiffs move for, if the appropriation of $12,000 is an annual appropriation, and not confined to that sum as the only and total amount appropriated.

It is therefore agreed, that if the Court is of opinion that the appropriation is an annual appropriation of $12,000, that a mandamus shall be granted commanding defendant to issue his warrant in favor of the Treasurer of plaintiffs for the sum of $6,000; but if the Court is of opinion under that act no other sum than $12,000 can be paid for the purposes specified in the 11th section, the motion, or proceeding, for a mandamus shall be dismissed, with the right of appeal to each party.

M. C. JOHNSON,
Attorney for Plaintiffs.

J. HARLAN,
Attorney General, for Page.

M. C. Johnson states that the controversy presented in the above agreed case is real, and the proceeding in good faith to determine the rights of the parties.

M. C. JOHNSON.

Sworn to before me, by M. C. Johnson, July 14, 1857.

P. SWIGERT, C. F. C. C.

KENTUCKY, FRANKLIN CIRCUIT COURT:

I, Philip Swigert, Clerk of the Court aforesaid, do certify that the foregoing three pages contain a true, full, and complete transcript of the record and proceedings had in the case therein mentioned.

Witness my hand, this 4th day of August, 1857.

P. SWIGERT, C. F. C. C.

Fee for record 75 cents, charged to Auditor.

Auditor of Public Accounts, Appellant, vs. Transylvania University, Appellee.

This was a mandamus sued out by the Trustees of Transylvania University, against the Auditor, under the 11th section of the act of the last session of the Legislature for converting that institution into a Normal School.

The Auditor contends that under the 11th section he could only issue his warrant for $12,000, and that having been done, he could not issue it for more.

The Trustees contend that it clearly appears from the whole act, and indeed from the section itself, that the $12,000 is an annual appropriation.

1. The act is not limited as to time. It is, like other acts of the Legislature, intended to exist until repealed, and this right of repeal or modification is expressly reserved in the last sentence of the 12th section.

2. The act in its section provides or contemplates 116 pupils to be
sent as Normal Students, who are to receive $1.50 per week toward paying their board. The 4th section provides that in each year 40 weeks shall be the length of session, which would give $6,960 as the money to be paid to the students each year, so that the $12,000 would not carry on the Institution for the two years which intervene between the sessions of the Legislature, even were nothing paid out of this fund for salaries of professors and tutors. This fact repels all presumption of the Legislature intending to make this as the only appropriation until the Legislature again met.

3. Although the words "annually" or "per annum" are not in the sentence appropriating $12,000, the purposes expressed to which the sum is to be applied, supply those words. There is, also, language in the section showing that the sum is appropriated to be paid "half-yearly," and the appropriation is made from the "common school fund," which is an annual sum, though received "half-yearly."

4. The legitimate power of the court, in the construction of statutes in carrying the clear intention of the Legislature, even against its letter, is shown by the cases of Mason vs. Rogers, 4 Littell, 377, and Phillips vs. Pope's heirs, 10 B. Monroe, 172. It was also illustrated by the case of the Big Sandy Railroad Company vs. the City of Lexington, in which the court, from the general intent of the act, gave meaning to the sentence upon which the liability of the city depended, which the words of the sentence (owing to the accidental omission of some words) would not of itself bear.

5. By the most rigid rules in regard to supplying words by implication, the word "annually" can be supplied in the sentence appropriating $12,000. It is an absolutely necessary implication—without it the whole act is nullified. The Trustees are commanded out of it to pay sums to which, mathematically, and by addition and subtraction, the appropriation is wholly insufficient, unless you construe it as an annual appropriation.

In conclusion I would add, that in pursuance of this act, there are now near a hundred Normal Pupils in the University, and the Trustees are ordered to pay them $1.50 per week, and they have nothing to pay them with; bringing a practical illustration of the necessary implication in regard to the appropriation.

All of which is respectfully submitted.

M. C. JOHNSON.

KENTUCKY, Sct:

Court of Appeals, October 16, 1857.

Thomas S. Page, Auditor,

vs.

The Trustees of Transylvania University,

Appeal from the Franklin Circuit Court.

The court being fully advised, it seems to them there is no error in the judgment. It is therefore considered that said judgment be affirmed; which is ordered to be certified to said court.

A copy—Test:

JACOB SWIGERT, C. C. A.

Ordered, That the Public Printer print 150 copies thereof for the use of the General Assembly.
Mr. Buckner, from the committee on the Judiciary, asked to be discharged from the further consideration of a leave to them referred to bring in a bill allowing compensation to jurors on trials before justices of the peace, police courts, &c.

Which was granted.

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

By Mr. Edwards, from the committee on the Judiciary—
A bill to regulate trials of civil cases before justices of the peace in the city of Paducah.

By Mr. Fisk, from the same committee—
A bill to amend the charter of the city of Covington.

By Mr. Porter, from the committee on Circuit Courts—
A bill for the benefit of the clerks of the circuit and county courts of this Commonwealth.

By Mr. Grundy, from the committee on Propositions and Grievances—
A bill for the benefit of Jaques Guedin.

By same—
A bill to amend the laws concerning idiots.

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

The constitutional provision 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. Buckner, from the committee on the Judiciary to whom was referred—
A bill to incorporate the German Gymnastic Association of the city of Covington,
Reported the same without amendment.

Said bill reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That John B. Heltimes, John B. Winter, Daniel Deprez, Joseph Beiesle, George H. Veogelin, Louis Geisbaner, Jacob Greenwold, and their associates, of the city of Covington, Kentucky, and their successors, are hereby created a body politic and corporate, by the name and style of the German Gymnastic Association of Covington, Kentucky, and by that name are hereby vested with full power and authority to acquire, hold, use and enjoy real and personal estate to the amount of thirty-five thousand dollars, and to sell and convey, or otherwise dispose of the same, under such by-laws, rules and regulations as may be by them adopted: Provided, That such by-laws, rules and regulations be not contrary to the constitution or laws of this State, or of the
United States. And said corporation, by the name aforesaid, 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 and places whatsoever; and to have and use a common seal, and the same to alter at their pleasure. That the powers hereby granted shall not be used in doing anything not expressly granted by the provisions of this act.

§ 2. That the right of any future legislature to alter, amend or repeal this act is hereby reserved.

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

The constitutional provision as to the third reading of said bill 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. Andrews and Sudduth, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker, (King,) Thomas S. Grundy, Charles Ripley,
Joseph S. Bledsoe, Samuel Haycraft, H. M. Rust,
James F. Buckner, James D. Headley, George W. Silvertooth,
Jesse W. Burton, Samuel Howard, John P. Smith,
A. D. Cosby, David Irvine, James Sudduth,
William S. Darnaby, John P. Martin, Harrison Taylor,
George T. Edwards, Daniel Mathewson, Cyrenius Wait,
John F. Fisk, William H. McBrayer, E. D. Walker,
Asa P. Grover, William B. Read,

Those who voted in the negative, were—

Landaff W. Andrews, C. J. Walton, John Williams,
Gibson Mallory, Walter O. Whitaker, George Wright—7,
James McKee,

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

Mr. Buckner, from the same committee, to whom was referred A bill to incorporate Naomi Lodge, No. 129, I. O. O. F., Reported the same without amendment.

Said bill reads as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That Robert K. Sumerwell, John Todd, G. W. Marshall, D. B. Miller, James Spilman and J. W. Campbell, and their associates, be and they are hereby created a body corporate, by the name and style of Naomi Lodge, No. 129, of the Independent Order of Odd Fellows; and they, and their associates and successors, shall so continue and have perpetual succession, and by that name are made capable in law as natural persons, to sue and be sued, plead and be impleaded, contract and be contracted with, answer and be answered, in all courts of law and equity in this Commonwealth; to make, have and use a common seal, and the same to break, alter or amend at pleasure. They may make and
ordain regulations and by-laws for their government, and those now in force in said Lodge to alter when deemed proper, and may change and renew the same at pleasure, provided they be not in contravention of the constitution, laws and regulations of the Grand Lodge of the Independent Order of Odd Fellows, incorporated by an act approved February 16th, 1838, nor in contravention of the constitution and laws of the United States or of this State. The said corporation shall have power and authority to acquire and hold real and personal estate not exceeding twenty thousand dollars in value, and from time to time, if deemed expedient, sell and convey the same, or any part thereof, and to re-invest and dispose of the proceeds. The right to alter, amend or repeal this act is hereby reserved to the General Assembly.

Mr. Grover moved to amend said bill as follows, viz :

That said bill be recommitted to the committee on the Judiciary, and that they inquire into the fact whether the laws now in force are not sufficiently full to embrace all private incorporations in their provisions.

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

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

Those who voted in the affirmative, were—

Landaff W. Andrews, William C. Gillis, George W. Silvertooth,
Joseph S. Bledsoe, Asa P. Grover, James Sudduth,
John B. Bruner, Samuel Haycraft, Harrison Taylor,
James F. Buckner, James D. Headley, Cyrenius Wait,
Jesse W. Burton, David Irvine, C. J. Walton,
A. D. Cosby, Gibson Mallory, Walter C. Whitaker,
William S. Darnaby, William H. McBrayer, John Williams,
George T. Edwards, James McKee, George Wright—24.

Those who voted in the negative, were—

Mr. Speaker, (King,) John P. Martin, H. M. Rust,
John F. Fisk, Daniel Matthewson, John P. Smith,
Theo. T. Garrard, Thomas P. Porter, E. D. Walker,

Mr. Edwards, from the committee on Judiciary, to whom was referred bills from the House of Representatives, of the following titles, viz:

An act to amend an act, entitled, an act to amend the charter of the Winchester and Mt. Sterling Turnpike Road Company. An act for the benefit of certain clerks of this Commonwealth. Reported the same without amendment.

Ordered, That said bills be read a third time.
The constitutional provision as to the third reading of said bills being dispensed with,
Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Fisk, from the same committee, to whom was referred—
A bill to incorporate the Paraquet Springs Company,
Reported the same without amendment.
Ordered, That said bill be engrossed and read a third time.
The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,
Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Porter, from the committee on Circuit Courts, reported
A bill to change the time of holding the circuit, equity and criminal courts in the first judicial district.
Which was read the first time, and ordered to be read a second time.
The constitutional provision as to the second reading of said bill being dispensed with,
Ordered, That the Public Printer print 150 copies thereof for the use of the General Assembly, and that it be placed in the orders of the day.

The Speaker laid before the Senate the following report from the Directors of the State Agricultural Society, viz:

ROOM OF THE KENTUCKY STATE AGRICULTURAL SOCIETY,
Frankfort, December 15, 1857.

Hon. J. Q. King, Speaker of the Senate:

Dear Sir:—The thirteenth section of the act to incorporate the Kentucky State Agricultural Society, makes it the duty of the Board of Directors to make a report of the proceedings of the Society to the Legislature at each biennial session. That report, and accompanying documents, are accordingly transmitted herewith, and you will please lay them before that honorable body.

Most respectfully, &c.,

ROBERT W. SCOTT,
Cor. Sec. Ky. S. Ag. Society.

Gentlemen of the Senate and House of Representatives of the State of Kentucky:

In compliance with the thirteenth section of the act to incorporate the Kentucky State Agricultural Society, we would most respectfully report—
The Society was duly organized according to the charter, by a large
and respectable meeting at the Capitol of the State, on the 21st day of May, 1856. An able and efficient corps of officers was elected, composed of patriotic and intelligent gentlemen from the three great Agricultural Districts of the State, who (with but few changes) have continued to the present time, to render gratuitously, efficient and valuable services, except that the Recording Secretary and Treasurer receive each a small compensation.

A want of experience in the management of such an institution has been felt, and this course has to some extent hindered its greatest usefulness; and a season of great drought and of consequent scarcity was also to some extent a course of discouragement to its friends and patrons.

But the Society has been received with a spirit of kindness and sympathy, by citizens of all classes and professions; and a cordial cooperation has been manifested by sister associations, not only in Kentucky, but also various other States of the Union, for which the Society is deeply indebted, and which has contributed largely to secure the success and prosperity which have crowned the labors of her officers and members.

The various meetings of the Society and of her officers have been harmonious and pleasant; and on all occasions a sincere desire has been evinced to promote the general welfare, even at the expense of much personal care and trouble.

Two annual fairs of the Society have been held in different districts of the State, at each of which a sum exceeding five thousand dollars was offered in premiums for the reward and stimulus of skill, industry and enterprise in all the various business interests of the State. The premium lists were, on both occasions, widely distributed, so as to invite the remotest section of the State to enter the field of competition, and were so arranged as to embrace the interests and confer the benefits of the Society on all the varied business of all the different sections of the whole Commonwealth.

These exhibitions, especially considering the diversity of objects embraced, were the grandest occasions of their kind ever in the districts where they were held, and one of them was pronounced by many persons, competent to judge, as the greatest exhibition of fine stock ever witnessed by them in the west, or in the Union.

While these occasions have been so managed as prudently and fairly to dispense the bounty of the State, and so as to advance in a high degree her agricultural and other business interests, great care has been taken to guard them from all tendency to promote idleness and immorality; indeed, the association will hereafter be regarded as an occasion for high and refined social enjoyment to both ladies and gentlemen, where all sectional, religious and political prejudices are lost and forgotten in a grand scene of personal enjoyment and business improvement.

While the general welfare of the whole community has thus successfully been promoted, the pecuniary affairs of the Society have been placed also in a prosperous condition.

The field of usefulness of the Society has been enlarged by securing harmonious and concerted action among all the Agricultural and Mechanical Associations in the State. An interchange of publica-
tions, reports, and books, has been established, which, while it is highly gratifying to the State Society, will also be highly beneficial to the county societies themselves. The reports of these societies show the most decided progress and improvement which it is their object to promote, and in them much interesting and useful information is communicated for permanent record and for general diffusion.

By the establishment of the Kentucky State Agricultural Society, the respectful consideration of similar associations in other States has been secured, and we are greatly indebted to them for liberal supplies of the useful and interesting volumes which they annually publish and distribute. Copies of these and similar publications, have been preserved in the library of the State Society, and the others have been sent out to the various local societies in Kentucky, and they will in time constitute valuable libraries to each of these associations. This sphere of usefulness, it is hoped, greatly to enlarge as soon as the publication of our volume, the matter for which is herewith presented, shall give us something with which to reciprocate these valuable favors.

An effort has been partially successful also to receive reports from every county in the State, which shall, in a brief and business manner, set forth to the reader a plain statement of the agriculture, manufactures, minerals, and motive power of each. Many of these will be found to be highly interesting and practically useful; others still are yet expected, and when all shall be widely published, cannot fail to attract capital, population, industry and enterprise.

In furtherance of this important object, a cabinet has been established in the room of the Society which it is intended, shall be an exponent of the wealth and products of the State, by the careful arrangement and exhibition here of appropriate specimens of the crops, grasses and grains; the soils, minerals and fossils of every county in the Commonwealth. Here, also, the diseases which devastate our herds and flocks, and the insects which destroy our fruits and crops, may be illustrated and exhibited.

In the same room also has been established a department for the distribution of seeds, which has already been found highly useful, as a means of distribution from the National Patent Office (to which the Society is greatly indebted for numerous packages,) and also as a medium of interchange among the farmers themselves.

The Society has also essayed into a higher and still nobler field of usefulness, viz: the mental and moral elevation of the farmers and mechanics themselves. This, we regret to say, is a sphere of usefulness more neglected, and therefore still more needed, than any other connected with the labors of the Society. Man, with mental and moral culture, is but little lower than the Angels, but without these, he is but little higher than the brutes. With these views, several hundred dollars have been annually offered in premiums for the best essays on appropriate subjects connected with agriculture and the mechanic arts and many useful and creditable productions have been the pleasant results.

Two of the most gifted and eminent sons of the Commonwealth,
have also made addresses at the State Fairs, which have shed blessings on the Society and renown on the State.

This is a brief allusion to all which the Directors were able to do in the past, but it is hoped that the time is not far distant when the Kentucky State Agricultural Society will be required to take charge of an institution liberally endowed by the State, in which theoretical and practical agriculture and mechanics, and the sciences connected therewith, shall be taught to the sons of these professions, upon which all individual and national prosperity depend.

Full and detailed information upon all the subjects herein alluded to is contained in the various reports of the officers of the Society, and of others, which are herewith filed as parts of this communication, all of which we most respectfully request may be published for the information of our own people, and for exchange with kindred associations in our own and in other States.

All of which is most respectfully submitted, for

THE BOARD OF DIRECTORS,

By Robert W. Scott,
Cor. Sec. Ky. S. Ag. Society.

Ordered, That the Public Printer print 150 copies thereof for the use of the General Assembly, and that it be referred to the committee on Agriculture and Manufactures.

A message was received from the House of Representatives, by Mr. Combs, announcing that they were now ready to go into the election of a United States Senator to serve from the 4th of March, 1859.

The Senate took up, for consideration, the resolution of the House of Representatives in relation to the election of United States Senator.

Said resolution is as follows, viz:

Be it resolved by the General Assembly of the Commonwealth of Kentucky, That they will, on Tuesday, the 15th instant, proceed, by joint ballot, to the election of a United States Senator from Kentucky, to serve from the 4th day of March, 1859.

Mr. Andrews moved to strike out the 15th instant.

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

The yeas and nays being required thereon, it was decided in the affirmative.

Those who voted in the affirmative were:

Mr. Speaker, (King,) William C. Gillis, James Sudduth,
Landaff W. Andrews, Samuel Haycraft, Harrison Taylor,
Joseph S. Bledsoe, Samnel Howard, Cyrenius Wait,
John B. Bruner, David Irvine, Walter C. Whitaker,
James F. Buckner, Gibson Mallory, John Williams,
Jesse W. Burton, James McKee, George Wright—20.
George T. Edwards, Charles Ripley,
Those who voted in the negative were—


Mr. Andrews then moved to fill the blank with the 5th day of January next.

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

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

Those who voted in the affirmative, were—


Mr. Buckner 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. Buckner and Bledsoe, were as follows, viz:

Those who voted in the affirmative, were—


Those who voted in the negative, were—

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

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

Those who voted in the affirmative, were—


Those who voted in the negative, were—


Samuel Howard, Mr. Buckner moved to reconsider the vote by which said resolution was adopted.

Mr. Andrews 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. Buckner and Andrews, were as follows, viz:

Those who voted in the affirmative, were—


Those who voted in the negative, were—


James D. Headley, H. M. Rust, The question was then taken on reconsidering said vote, and it was decided in the negative.
The yeas and nays being required thereon by Messrs. Buckner and Andrews, were as follows, viz:

Those who voted in the affirmative, were—

A. D. Cosby, John P. Martin, H. M. Rust,
William S. Darnaby, Daniel Matthewson, George W. Silvertooth,
Theo. T. Garrard, William H. McBrayer, John P. Smith,
Thomas S. Grundy, Thomas P. Porter, E. D. Walker,

Those who voted in the negative, were—

Mr. Speaker, (King,) William C. Gillis, James Sudduth,
Landaff W. Andrews, Samuel Haycraft, Harrison Taylor,
Joseph S. Bledsoe, Samuel Howard, Cyrenius Wait,
John B. Bruner, David Irvine, C. J. Walton,
James F. Buckner, Gibson Mallory, Walter C. Whitaker,
Jesse W. Burton, James McKee, John Williams,
George T. Edwards, Charles Ripley, George Wright—22.

John F. Fisk,

Mr. Silvertooth moved the following resolution, viz:

Resolved, That the Speaker appoint a committee or one, or more, to inform the House of Representatives that the Senate is now ready to proceed to the election of a United States Senator, to serve six years from and after the 4th of March, 1859.

Mr. Martin moved the previous question.

Mr. Andrews, at 20 minutes before 2 o'clock, moved that the Senate do now adjourn.

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

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

Those who voted in the affirmative were—

Mr. Speaker, (King,) Samuel Haycraft, Harrison Taylor,
Landaff W. Andrews, Samuel Howard, Cyrenius Wait,
Joseph S. Bledsoe, David Irvine, Walter C. Whitaker,
John B. Bruner, Gibson Mallory, John Williams,
James F. Buckner, James McKee, George Wright—17.
William C. Gillis, Charles Ripley,

Those who voted in the negative were—

Jesse W. Burton, Thomas S. Grundy, H. M. Rust,
A. D. Cosby, James D. Headley, George W. Silvertooth,
W. S. Darnaby, John P. Martin, John P. Smith,
George T. Edwards, Daniel Matthewson, James Sudduth,
John F. Fisk, William H. McBrayer, E. D. Walker,
Theo. T. Garrard, Thomas P. Porter, C. J. Walton,
The question was then taken, shall the main question be now put? and it was decided in the affirmative.

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

Those who voted in the affirmative, were—

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<tr>
<th>Mr. Speaker, (King,)</th>
<th>Thomas S. Grundy,</th>
<th>H. M. Rust,</th>
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<td>Theo. T. Garrard,</td>
<td>Thomas P. Porter,</td>
<td>W. M. Wilson,</td>
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<tr>
<td>William C. Gillis,</td>
<td>William B. Read,</td>
<td>George Wright—38.</td>
</tr>
<tr>
<td>Asa P. Grover,</td>
<td>Charles Ripley,</td>
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</table>

In the negative—none.

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

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

Those who voted in the affirmative, were—

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<th>A. D. Cosby,</th>
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Those who voted in the negative, were—

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<td>Charles Ripley,</td>
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And then the Senate adjourned.
WEDNESDAY, DECEMBER 16, 1857.

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 Wm. B. White, William C. Gillis and Dempsey King.
- An act to amend the mechanics' lien law of Hickman and Graves counties.
- An act to incorporate the Union Coal and Oil Company.
- An act to amend the last named bill.

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

1. An act to amend an act, entitled, an act authorizing the county court of McLean to establish a ferry, or purchase the present ferry, over Green river, at Calhoun or Rumsey.
2. An act to incorporate the Odd Fellows Hall Association, of Lexington.
3. An act to change the law in relation to the tolls on the Kentucky river.
4. An act to repeal an act establishing the office of county treasurer for Bracken county.
5. An act for the benefit of William Williams, of Owsley county.
6. An act for the benefit of James Trimble, of Floyd county.
7. An act to incorporate the Alexandria Turnpike Road Company.
8. An act to repeal an act, entitled, an act to amend the road law.
9. An act for the benefit of school district No. 22, in Meade county.
10. An act to amend an act, entitled, an act incorporating the Springfield, Maxville and Willisburg Turnpike Road Company, in Washington county, approved March 3, 1856.
11. An act for the benefit of the Richmond and Lexington Turnpike Road Company.

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

The constitutional provision as to the second reading of said bills being dispensed with, the 1st, 2d and 6th were referred to the committee on the Judiciary; the 3d and 7th to the committee on Internal Improvement; the 4th, 5th, 8th, 9th, 10th and 11th were ordered to be read a third time.
The constitutional provision as to the third reading of the 4th, 5th, 8th, 9th, 10th and 11th bills being dispensed with,

Resolved, That said bills do pass, and that the titles of the 4th, 5th, 9th, 10th and 11th be as aforesaid, and that the title of the 8th be amended to read,

An act to amend the road law in Harrison county.

The Speaker laid before the Senate the report of the Auditor, of the Registration Report, which is as follows, viz:

AUDITOR'S OFFICE, KY.,
Frankfort, December 16, 1857.

Hon. John Q. A. King,
Speaker of the Senate:

Sir: I send the report of Births, Deaths and Marriages for 1855, returned in 1856. The report of 1856, returned in 1857, is now in the hands of the Printer, and will be furnished at an early day.

Very respectfully,

THO. S. PAGE, Auditor.

[For Reports—see Legislative Documents.]

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

By Mr. Grundy, from the committee on Propositions and Grievances—
A bill concerning ferries in Cumberland county.

By Mr. Grover, from the committee on Revised Statutes—
A bill to repeal section 2 of an act to authorize justices of the peace to hold inquests in certain cases.

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

The constitutional provision 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. Matthewson, from the committee on Internal Improvement, to whom was referred,
A bill to incorporate the Big Sandy Navigation Company,
Reported the same without amendment.

Said bill was then amended.

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

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

Resolved, That said bill do pass, and that the title thereof be as aforesaid.
Mr. Silvertooth, from the committee on Finance, to whom was referred,
A bill to amend the law in relation to taxing jacks, &c.,
Reported the same, with the expression of opinion that it ought not to pass.
And the question being taken on ordering said bill to be engrossed and read a third time, it was decided in the negative.
And so the said bill was rejected.
Mr. Silvertooth, from the same committee, to whom was referred a leave to bring in a bill for the benefit of the sheriff of Laurel county, asked to be discharged from the further consideration of the same.
Which was granted.
Also, from the consideration of a leave to bring in a bill for the relief of the present sheriff of Larue county.
Which was granted.
Mr. Silvertooth, from the same committee, to whom was referred
A bill for the benefit of the sheriff of Bath county,
Reported the same, with the expression of opinion that it ought not to pass.
And the question being taken on ordering said bill to be engrossed and read a third time, it was decided in the negative.
And so the said bill was rejected.
Mr. Silvertooth, from the same committee, to whom was referred
A bill exempting sheriffs from the payment of tolls on turnpike roads,
Reported the same, with the expression of opinion that it ought not to pass.
And the question being taken on ordering said bill to be engrossed and read a third time, it was decided in the negative.
And so the said bill was rejected.
Mr. Silvertooth, from the same committee, to whom was referred
A bill for the benefit of J. D. Mannen,
Reported the same, with an amendment.
Which was adopted.
Ordered, That said bill, as amended, be engrossed and read a third time.
The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,
The question was taken on the passage of said bill, and it was decided in the affirmative.
The yeas and nays being taken thereon, in pursuance of a provision of the constitution, were as follows, viz:
Those who voted in the affirmative, were—

Mr. Speaker, (King,) Samuel Haycraft, H. M. Rust,
Landaff W. Andrews, David Irvine, George W. Silvertooth,
Joseph S. Bledsoe, Gibson Mallory, John P. Smith,
James F. Buckner, John P. Martin, James Sudduth,
A. D. Cosby, Daniel Mathewson, Harrison Taylor,
George T. Edwards, William H. McBrayer, Cyrenius Wait,
John F. Fisk, James McKee, C. J. Walton,
William C. Gillis,

Those who voted in the negative, were—

Jesse W. Burton, James D. Headley, E. D. Walker,
William S. Darnaby, Samuel Howard, Walter C. Whitaker,
Asa P. Grover, Thomas P. Porter, John Williams,

Resolved, That the title of said bill be amended to read
A bill for the benefit of J. D. Mannin and J. R. Gordon.

Mr. Taylor, from the committee on Revised Statutes, to whom was referred
A bill to regulate certain fees,
Reported the same, with an amendment.
Which was adopted.

Ordered, That said bill, as amended, be engrossed and read a third time.
The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,
Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Taylor, from the same committee, to whom was referred leave to bring in a bill to amend chapter 70, article 1, of Revised Statutes, asked to be discharged from the further consideration of the leave.

Mr. Silvertooth moved to recommit said leave to the committee, with instructions to bring in a bill.
And the question being taken thereon, it was decided in the affirmative.

Mr. Grover, from the same committee, reported
A bill to amend an act, entitled, an act to regulate the duties of county and commonwealth's attorneys.
Which was read the first time as follows, viz:
§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That so much of section 1st of an act, entitled, an act to regulate the duties of county and commonwealth's attorneys, as requires county attorneys to assist the attorney for the commonwealth in the
prosecution, in the circuit court, of all infractions of the criminal and penal laws, and in the discharge of all other duties assigned to him by law, and allows the county attorneys, for such services, one-half of the fees and perquisites allowed by law to the commonwealth's attorneys, in their respective counties, be, and the same is hereby, repealed.

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

Ordered, That said bill be read a second time.

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

Mr. Gillis moved to amend said bill, as follows, viz:

§ 4. Be it further enacted, That so much of the act, entitled, an act to regulate the duties of county and commonwealth's attorneys, as allows to the commonwealth's attorney an annual salary of five hundred dollars, be so amended as hereafter to allow an annual salary of three hundred dollars.

Pending the consideration of which the hour for taking up the orders of the day arrived.

The Senate took up for consideration the resolution in relation to the election of the public offices.

Which was adopted.

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

An act to change the State road in McCracken county.
An act for the benefit of Marshall Baker, late sheriff of Greenup county.
An act to change the time of holding the court of claims in Henry county.
An act to amend title 7, chapter 4, of the Code of Practice.
An act to change the time of holding the county court of Campbell.
An act to change the time of holding justices' quarterly courts in Washington county.
And had found the same truly enrolled.

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 approval and signature.

After a short time Mr. Walton reported that the committee had discharged that duty.

The Senate took up for consideration bills from the House of Representatives of the following titles, viz:
1. An act for the benefit of G. B. Broadus, late sheriff of Madison county.

2. An act for the benefit of John Friend, late Sheriff of Floyd county.

3. An act to amend an act, entitled, an act to incorporate the Kenton County Agricultural Society.

4. An act requiring county judges to keep their offices and records at their respective county seats.

5. An act to amend the laws allowing fees to justices.

6. An act to amend an act concerning officers' fees.

7. An act to incorporate the Adairville Lodge of Free and Accepted Masons, No. 238.

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

The constitutional provision as to the second reading of said bills being dispensed with, the 1st, 2d, 3d and 7th were ordered to be read a third time; 4th was referred to the committee on County Courts, and the 5th and 6th to the committee on Revised Statutes.

The constitutional provision as to the third reading of the 1st, 2d, 3d and 7th of said bills being dispensed with,

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

The Senate then took up for consideration the amendments proposed by the House of Representatives to a bill from the Senate, entitled, An act to incorporate the Union Coal and Oil Company.

Which were twice read and concurred in.

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

An act to change the State road in McCracken county.
An act for the benefit of Marshall Baker, late sheriff of Greenup county.
An act to change the time of holding the court of claims in Henry county.
An act to amend title 7, chapter 4, of the Code of Practice.
An act to change the time of holding the county court of Campbell.
An act to change the time of holding justices’ quarterly courts in Washington county.

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

13
On motion of Mr. Irvine—1. A bill for the benefit of Thomas Patterson, of Madison county.

On motion of Mr. McBrayer—2. A bill for the benefit of common schools in Anderson county.

On motion of Mr. Rust—3. A bill more clearly to define the boundary line between Johnson and Lawrence counties.

On motion of Mr. Silvertooth—4. A bill to repeal an act, entitled, an act to create an equity and criminal court in the first judicial district, approved February 23, 1856.

The committee on Judiciary was directed to prepare and bring in the 1st; the committee on Circuit Courts the 4th; Messrs. McBrayer, Grover and Taylor were appointed a committee to prepare and bring in the 2d; Messrs. Rust, Martin and Andrews the 3d.

Mr. Read presented the petition of sundry citizens of this State, praying the passage of an act to authorize Benj. Myers to peddle without a license.

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

Mr. Haycraft moved the following resolution, viz:

Resolved, That the Auditor of Public Accounts be requested to report to the Senate:

1st. The amount of taxes paid by peddlers in this State, for one year previous to the 3d day of March, 1856.

2d. The amount paid by them for one year subsequent to the 3d day of March, 1856.

3d. The amount of taxes paid by merchants on stores, for the corresponding years above named—each year to be stated separately.

4th. The number of stores listed for taxation, in this State, for the present year; the aggregate tax paid thereon; and the average tax on each.

Which was adopted.

And then the Senate adjourned.
THURSDAY, DECEMBER 17, 1857.

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 amend the charter of the Louisville and Portland Canal Company.

An act for the benefit of common school district No. 20, in Fulton county.

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

An act for the benefit of Philip B. Thompson, of Mercer county.

An act amend an act to increase the powers of the trustees of the town of Eddyville.

An act for the benefit of B. D. Beall, late clerk of Campbell county and circuit courts.

An act for the benefit of James H. Parker, late clerk of Campbell county and circuit courts.

An act changing the time of holding the March term of the Oldham quarterly court.

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

The rule of the Senate being dispensed with, said message was then taken up and read, as follows, viz:

EXECUTIVE DEPARTMENT,

December 17th, 1857.

Gentlemen of the Senate and House of Representatives:

I have received a letter from the Secretary of State of the United States, enclosing copies of the Canadian Act for better giving effect to the 10th article of the Treaty between the United States and Great Britain of the 9th of August, 1842, which are herewith transmitted to you for such action as, in your judgment, will promote the public interest.

C. S. MOREHEAD.

DEPARTMENT OF STATE,

WASHINGTON, December 8th, 1857.

To His Excellency,

the Governor of the State of Kentucky:

Sir: In consequence of the difficulty which is often experienced in recovering fugitives from the justice of the United States, who have
escaped into Canada, arising from ignorance of the Canadian law on the subject, I have the honor to transmit to your Excellency, herewith, for the information of the citizens of your State, copies of the Canadian Act for better giving effect to the 10th article of the Treaty between the United States and Great Britain, of the 9th of August, 1842.

I have the honor to be

Your Excellency's obedient servant,

LEWIS CASS.

CANADIAN ACT.—XII VICT.—CAP. XIX.

An Act for better giving effect, within this province, to a treaty between Her Majesty and the United States of America, for the apprehension and surrender of certain offenders. [May 30, 1849.]

Whereas by the tenth article of a treaty between Her Majesty and the United States of America, signed at Washington, on the ninth day of August, in the year one thousand eight hundred and forty-two, the ratifications whereof were exchanged at London, on the thirtieth day of October, in the same year, it was agreed that Her Majesty and the said United States should, upon mutual requisitions by them or their ministers, officers, or authorities, respectively made, deliver up to justice all persons who, being charged with the crime of murder, or assault with intent to commit murder, or piracy, or arson, or robbery, or forgery, or the utterance of forged paper, committed within the jurisdiction of either of the high contracting parties, should seek an asylum or should be found within the territories of the other; provided, that this should only be done upon such evidence of criminality as, according to the laws of the place where the fugitive or person so charged should be found, would justify his apprehension and commitment for trial if the crime or offence had been there committed; and that the respective judges and other magistrates of the two governments should have power, jurisdiction, and authority, upon complaint made under oath, to issue a warrant for the apprehension of the fugitive or person so charged, so that he might be brought before such judges or other magistrates respectively, to the end that the evidence of criminality might be heard and considered; and, if on such hearing the evidence should be deemed sufficient to sustain the charge, it should be the duty of the examining judge or magistrate to certify the same to the proper executive authority, that a warrant might issue for the surrender of such fugitive, and that the expense of such apprehension and delivery should be borne and defrayed by the party making the requisition and receiving the fugitive; and it is by the eleventh article of the said treaty further agreed, that the tenth article herein before recited should continue in force until one or other of the high contracting parties should signify its wish to terminate it, and no longer; And whereas certain provisions of the act passed by the Parliament of the United Kingdom of Great Britain and Ireland, in the session held in the sixth and seventh years of Her Majesty's reign, for giving effect to the treaty aforesaid, and instituted, An act for giving effect to a treaty between Her
Majesty and the United States of America, for the apprehension of certain offenders, have been found inconvenient in practice in this Province, and more especially that provision which requires that, before any such offender as aforesaid shall be arrested, a warrant shall issue under the hand and seal of the person administering the government, to signify that such requisition as aforesaid hath been made by the authority of the United States for the delivery of such offender as aforesaid, and to require all justices of the peace, and other magistrates and officers of justice, within their several jurisdictions, to govern themselves accordingly, and to aid in apprehending the person so accused, and committing such person to jail for the purpose of being delivered up to justice according to the provisions of the said treaty, inasmuch as by the delay occasioned by compliance with the said provision an offender may have time afforded him for eluding pursuit: And whereas by the fifth section of the said act it is enacted, that if, by any law or ordinance to be thereafter made by the local legislature of any British colony or possession abroad, provision shall be made for carrying into complete effect, within such colony or possession, the objects of the said act, by the substitution of some other enactment in lieu thereof, then it shall be competent to Her Majesty, with the advice of Her Privy Council, (if to Her Majesty in Council it shall seem meet, but not otherwise,) to suspend the operation within any such colony or possession of the said act of the said Imperial Parliament, so long as such substituted enactment shall continue in force there, and no longer: And whereas it is expedient to make provision for carrying the objects of the said act and treaty into complete effect within this Province, by the substitution of other enactments in lieu of the said imperial act:

Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and of the Legislative Assembly of the Province of Canada, constituted and assembled by virtue of and under the authority of an act passed in the Parliament of the United Kingdom of Great Britain and Ireland, and entitled An Act to re-unite the Provinces of Upper and Lower Canada, and for the government of Canada; and it is hereby enacted by the authority of the same, That it shall be lawful for any of the judges of any of Her Majesty's superior courts in this province, or for any of Her Majesty's justices of the peace in the same, and they are hereby severally vested with power, jurisdiction, and authority, upon complaint, made under oath or affirmation, charging any person found within the limits of this province with having committed, within the jurisdiction of the United States of America, or of any of such States, any of the crimes enumerated or provided for by the said treaty, to issue his warrant for the apprehension of the person so charged, that he may be brought before such judge or such justice of the peace, to the end that the evidence of criminality may be heard and considered; and if, on such hearing, the evidence be deemed sufficient by him to sustain the charge according to the laws of this province if the offence alleged had been committed therein, it shall be his duty to certify the same, together with a copy of all the testimony taken before him, to the governor or lieutenant governor of this province, or to the person administering the government of the same for the time being, that a warrant may issue,
upon the requisition of the proper authorities of the said United States, or of any of such States, for the surrender of such person according to the stipulations of the said treaty; and it shall be the duty of the said judge or of the said justice of the peace to issue his warrant for the commitment of the person so charged to the proper gaol, there to remain until such surrender shall be made, or until such person shall be discharged according to law.

II. Provided always, and be it enacted, That in every case of complaint as aforesaid, and of a hearing upon the return of the warrant of arrest, copies of the depositions upon which an original warrant in any of the said United States may have been granted, certified under the hand of the person or persons issuing such warrant, or under the hand of the officer or person having the legal custody thereof, and attested upon the oath of the party producing them, to be true copies of the original depositions, may be received in evidence of the criminality of the person so apprehended.

III. And be it enacted, That it shall be lawful for the governor or lieutenant governor of this province, or the person administering the government of the same for the time being, upon a requisition made as aforesaid by the authority of the said United States, or of any of such States, by warrant under his hand and seal, to order the person so committed to be delivered to such person or persons as shall be authorized in the name and on the behalf of the said United States, or of any of such States, to be tried for the crime of which such person shall be so accused, and such person shall be delivered up accordingly; and it shall be lawful for the person or persons, authorized as aforesaid, to hold such person in custody, and to take him or her to the territories of the said United States, pursuant to the said treaty; and if the person so accused shall escape out of any custody to which he or she shall be committed, or to which he or she shall be delivered as aforesaid, it shall be lawful to retake such person, in the same manner as any person accused of any crime against the laws of this province may be retaken upon an escape.

IV. And be it enacted, That when any person who shall have been committed under this act and the treaty aforesaid, to remain until delivered up in pursuance of a requisition as aforesaid, shall not be delivered up pursuant thereto, and conveyed out of this province within two calendar months after such commitment, over and above the time actually required to convey the prisoner from the goal to which he or she may have been committed, by the readiest way out of this province, it shall, in every such case, be lawful for any of the judges of her Majesty's superior courts in this province, having power to grant a writ of habeas corpus, upon application made to him or them by or on behalf of the person so committed, and upon proof made to him or them that reasonable notice of the intention to make such application has been given to the provincial secretary, to order the person so committed to be discharged out of custody, unless sufficient cause shall be shown to such judge or judges why such discharge shall not be ordered.

V. And be it enacted, That this act shall come into force upon the day to be appointed for that purpose in any proclamation to be issued by the governor, lieutenant governor, or person administering the gov-
ernment of this province, for the purpose of promulgating any order of Her Majesty with the advice of her privy council suspending the operation of the imperial act hereinbefore cited within this province, and not before, and shall thereafter continue in force during the continuance of the 10th article of the said treaty and no longer.

C. A. P.

Ordered, That the Public Printer print 150 copies thereof for the use of the General Assembly, and that it be referred to the committee on Federal Relations.

1. Mr. Silvertooth presented the petition of sundry citizens of McCracken county, praying the passage of an act incorporating the South-Western Agricultural and Mechanical Association.

2. Mr. Matthewson presented the petition of sundry citizens of Eddyville, praying the passage of an act in relation to licenses to sell spirituous liquors.

3. Also, the remonstrance of sundry citizens of the town of Eddyville, remonstrating against the passage of such act.

4. Mr. Andrews presented the petition of sundry citizens of Carter county, praying that a portion of said county be attached to Rowan.

Which petitions and remonstrance were received, the reading dispensed with, and referred, the 1st to the committee on Agriculture and Manufactures; the 2d and 3d to the committee on the Judiciary, and the 4th to the committee on Propositions and Grievances.

Mr. Andrews moved a reconsideration of the vote by which the Senate, on yesterday, adopted the resolution in relation to the election of public officers.

Mr. Grover moved the previous question.

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

The question was then taken on reconsidering said vote, and it was decided in the affirmative.

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

Those who voted in the affirmative, were:

Mr. Speaker, (King,) William C. Gillis, George W. Silvertooth,
Landaff W. Andrews, Thomas S. Grundy, James Sudduth,
Joseph S. Bledsoe, Samuel Haycraft, Harrison Taylor,
John B. Bruner, Samuel Howard, Cyrenius Wait,
James F. Buckner, David Irvine, E. D. Walker,
Jesse W. Burton, Gibson Mallory, Walter C. Whitaker,
A. D. Cosby, Daniel Matthews, John Williams,
George T. Edwards, Thomas P. Porter,
Ordered, That said resolution be placed in the orders of the day.

The Senate resumed the consideration of a bill to amend an act, entitled, an act to regulate the duty of county and commonwealth's attorneys, with the pending amendment.

Said bill reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That so much of section 1st of an act, entitled, an act to regulate the duties of county and commonwealth's attorneys, as requires county attorneys to assist the attorney for the Commonwealth in the prosecution, in the circuit court, of all infractions of the criminal and penal laws, and in the discharge of all other duties assigned to him by law, and allows the county attorneys, for such services, one-half of the fees and perquisites allowed by law to the commonwealth's attorney, in their respective counties, be, and the same is hereby, repealed.

§ 2. That section 3d of said act be, and the same is hereby, repealed.

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

The amendment proposed by Mr. Gillis, on yesterday, reads as follows, viz:

§ 4. Be it further enacted, That so much of the act, entitled, an act to regulate the duties of county and commonwealth's attorneys, as allows to the commonwealth's attorney an annual salary of five hundred dollars, be so amended as hereafter to allow an annual salary of three hundred dollars.

Mr. Grover moved to amend said amendment, by adding thereto the following, viz:

Provided, further, That the salary of the Attorney General be reduced to three hundred dollars, and the fees now allowed by law.

Which was adopted.

The question was then taken on the adoption of the amendment, as amended, and it was decided in the negative.

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

Those who voted in the affirmative, were—

Joseph S. Bledsoe,  John P. Martin,  Cyrenius Wait,
Jesse W. Burton,  William B. Read,  E. D. Walker,
William C. Gillis,  H. M. Rust,  John Williams,
Samuel Howard,  John P. Smith,  George Wright—14
David Irvine,  James Sudduth,
Those who voted in the negative, were—

Mr. Speaker, (King,) Theo. T. Garrard, James McKee,
Landaff W. Andrews, Asa P. Grover, Thomas P. Porter,
John B. Bruner, Thomas S. Grundy, Charles Ripley,
James F. Buckner, Samuel Haycraft, George W. Silvertooth,
A. D. Cosby, James D. Headley, Harrison Taylor,
William S. Darnaby, Gibson Mallory, C. J. Walton,
George T. Edwards, Daniel Matthewson, Walter C. Whitaker,

Mr. Whitaker moved to amend said bill, as follows, viz:

Be it further enacted, That the law concerning fees of commonwealth's attorneys be so amended, that it shall not be lawful for any commonwealth's attorney to receive to his own use any portion of any fine, forfeiture, recognizance, or of any moneys collected by him as commonwealth's attorney, to a part of which he may be entitled, until he shall have collected and paid into the Treasury the first amount of such fine, forfeiture, recognizance or money due the Commonwealth of Kentucky, collected by him by law, unless the portion coming to the Commonwealth be remitted by the Governor thereof.

Ordered, That said bill and proposed amendment be referred to the committee on the Judiciary.

The following bills were reported from select committees, viz:

By Mr. Walton—1. A bill to amend the charter of the Kentucky State Medical Society.

By Mr. Silvertooth—2. A bill to amend an act, entitled, an act to establish equity and criminal courts in the first judicial district.

By Mr. Wait—3. A bill to amend the act incorporating the Hustonville and Columbia Turnpike Road Company.

By same—4. A bill to amend an act incorporating the Hustonville and Coffey's Mill Turnpike Road Company.

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

The constitutional provision as to the second reading of said bills being dispensed with, the 1st was ordered to be printed, and referred to the committee on Finance; the 2d was referred to the committee on Circuit Courts, and the 3d and 4th were ordered to be engrossed and read a third time.

The constitutional provision as to the third reading of the 3d and 4th bills being dispensed with, and the same being engrossed,

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

Mr. Martin moved the following resolution, viz:

Resolved, That the committee on Banks be instructed to put the fol-
lowing interrogatories to the proper officers of the various banks in this Commonwealth:

1. What has been the monthly average of specie in your bank for the last fiscal year?

2. What proportion of notes have you had in circulation during the same period, and what amount of notes have you in circulation of a less denomination than five dollars?

3. What have been the expenses of your bank for pay of officers, clerks, &c.?

4. What amount of capital have you employed in the purchase and sale of bills of exchange, and what amount given on distant points has been redeemed at your bank, or retained against the drawers of said bills?

5. What have been the gross profits realized (as shown by your books) on your capital stock, for the period of the last fiscal year?

And that the committee enter into an immediate correspondence, and report at their earliest possible convenience.

Ordered, That said resolution be made the special order of the day for to-morrow at 11 o'clock.

Mr. Rust moved the following resolution, viz:

Resolved, That the committee on Banks, acting through the chairman thereof, be instructed to open a correspondence with the proper officers of all those banks, in this commonwealth, whose charters authorize the issue of bills of less denomination than five dollars, and request of them their written assent to the passage of an act so amending their respective bank charters as to divest them, in future, of all power and authority to issue any bill of less denomination than five dollars.

The committee aforesaid shall report to this body at their earliest possible convenience.

Ordered, That said resolution, also, be made the special order of the day for to-morrow, at 11 o'clock.

Mr. Darnaby moved the following resolution, viz:

Whereas, The law now provides, that when, from any cause, the judge of the circuit court fails to attend, or, if in attendance, cannot properly preside in any cause or causes pending in such court, the attorneys of the court who are present, shall elect one of its members, then in attendance, to hold the court; and whereas, there are several criminal causes now pending before the circuit courts in this Commonwealth, where the circuit judge cannot properly preside, and a judge cannot be obtained to try the same, according to the provisions of the statutes now in force. Therefore,

Resolved, That the committee on the Judiciary be instructed to report a bill providing for the trial of causes when the circuit judge cannot properly preside, and a judge cannot be obtained to try the cause according to the laws now in force.

Ordered, That said resolution be referred to the committee on the Judiciary.
Mr. Mallory read and laid on the table the following joint resolution, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the Public Printer be authorized to print fifty copies of the report of the Kentucky State Agricultural Society, for the years 1856 and 1857, for the use of each of the members of the present General Assembly, one thousand copies for the use of the society, two hundred copies for the State library, ten copies for the use of each of the local societies in the State; and that the Auditor be directed to draw his warrant on the Treasurer for the necessary amount to pay the expense of printing said reports, out of any money in the treasury not otherwise appropriated.

On motion of Mr. Sudduth, leave of absence was granted Mr. McKee until Tuesday next.

On motion of Mr. Darnaby, Mr. Gillis was added to the committee on the Penitentiary.

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

On motion of Mr. Ripley—1. A bill to amend the charter of the Franklin Insurance Company, of Louisville.

On motion of same—2. A bill to provide for the election of special judges of the city court of Louisville, and to authorize the marshal of said court to appoint deputies.

On motion of Mr. Cosby—3. A bill for the erection of a suitable fire-proof room for the safe keeping of the records and files of the Land office.

On motion of Mr. Ripley—4. A bill to amend chapter 86 of the Revised Statutes.

On motion of same—5. A bill for the benefit of Eleanor G. Vance.

On motion of Mr. Grundy—6. A bill to amend the charter of the Bloomfield and Springfield Turnpike Road Company, &c.

On motion of Mr. Andrews—7. A bill to make persons liable for false representations in the sale or exchange of personal property.

On motion of Mr. Garrard—8. A bill for the improvement of the navigation of the Kentucky river.

On motion of same—9. A bill to amend the turnpike road law in Knox and Clay counties.

On motion of same—10. A bill to transfer the records of certain surveys from the county court clerks' offices of this Commonwealth, to the records of the surveyors' offices of the respective counties.

On motion of Mr. Fisk—11. A bill to incorporate the Campbell county Agricultural Society.

On motion of Mr. Edwards—12. A bill to incorporate the town of Rochester, in Butler county.
On motion of same—13. A bill requiring clerks of county courts to record the returns of assessors in well bound books.

The committee on Judiciary was directed to prepare and bring in the 1st, 3d, 4th, 5th, 7th, 11th and 12th; the committee on Public Buildings the 3d; the committee on Internal Improvement the 6th, 8th and 9th; the committee on County Courts the 10th and 11th.

And then the Senate adjourned.

FRIDAY, DECEMBER 18, 1857.

A message was received from the House of Representatives, announcing that they had passed a bill from the Senate, entitled, 
An act to incorporate the Paroquet Springs Company.
That they had passed bills of the following titles, viz :
1. An act for the benefit of William Mynhier, late sheriff of Morgan county.
2. An act repealing an act for the benefit of the trustees of Prestonsburg.
3. An act to amend an act, entitled, an act to amend an act incorporating the town of Raywick.
4. An act for the benefit of Samuel R. Reynolds.
5. An act for the benefit of S. D. Winterbower, late deputy sheriff of Hardin county.
6. An act for the benefit of Nimrod Harris and George W. Tompkins, late sheriffs of Mercer county.
7. An act for the benefit of school district No. 13, in the county of Oldham.
8. An act to amend the charter of the Harrod's Creek Academy.
9. An act to define the jurisdiction of the Louisville chancery court.
Which were read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, the 1st, 2d, 5th, 6th, 7th and 8th were ordered to be read a third time; and the 3d, 4th and 9th were referred to the com-
mittee on the Judiciary, with instructions to report the 4th and 9th tomorrow morning—the 4th at 10 o'clock, and the 9th at 10\(\frac{1}{2}\) o'clock.

The constitutional provision as to the third reading of the 1st, 2d, 5th, 6th, 7th and 8th of said bills being dispensed with,

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

The Speaker laid before the Senate the response of the Auditor, in pursuance of a resolution offered by Mr. Haycraft on the 16th instant, which is as follows, viz:

FRANKFORT, December 17, 1857.

HON. JOHN Q. A. KING,
Speaker of the Senate:

Sir: In obedience to a resolution of the Senate handed me this day, I submit the following statements. In making this statement I have adopted the end of the fiscal year instead of the dates named in the resolution, which I hope will be accepted by the Senate, as it would be almost impossible to take the dates named and make the statement as desired in due time.

**Statement of tax from pedlers:**

<table>
<thead>
<tr>
<th>Year</th>
<th>Taxes Received</th>
<th>Value</th>
<th>Tax</th>
</tr>
</thead>
<tbody>
<tr>
<td>1855</td>
<td>$5,947 89</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1856</td>
<td>5,826 72</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Statement of tax on merchants:**

<table>
<thead>
<tr>
<th>Year</th>
<th>Value</th>
<th>Tax</th>
</tr>
</thead>
<tbody>
<tr>
<td>1855</td>
<td>$10,674,248 00</td>
<td>18,146 22</td>
</tr>
<tr>
<td>1856</td>
<td>11,379,991 00</td>
<td>22,645 98</td>
</tr>
<tr>
<td>1857</td>
<td>13,322,145 00</td>
<td>26,644 29</td>
</tr>
</tbody>
</table>

Average tax on each store for the year 1857 about $6.07.

Very respectfully,

THO. S. PAGE, Auditor.

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

Mr. Garrard presented the petition of sundry citizens of the counties of Owsley, Clay, Perry and Breathitt, praying the passage of an act to establish a new county out of parts of the counties aforesaid.

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

Mr. Buckner, from the committee on the Judiciary, asked to be discharged from the further consideration of a leave to them referred to bring in a bill establishing the 14th judicial district.

Which was granted.

On motion of Mr. Andrews,
Ordered, That said leave be referred to the committee on Circuit Courts.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they were referred, viz:

By Mr. Porter, from the committee on the Judiciary—
An act for the benefit of Mrs. Eleanor Aberdeen.

By Mr. Darnaby, from the committee on Circuit Courts—
An act for the benefit of E. P. Hill's administrator.

With an amendment thereto.

Which was adopted.

Ordered, That said bills be read a third time.

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

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

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

By Mr. Porter, from the committee on the Judiciary—
A bill to amend the 42d chapter of the Revised Statutes.

By Mr. Gillis, from the committee on County Courts—
A bill for the benefit of Thomas P. Smith.

By Mr. Bledsoe, from the committee on Internal Improvement—
A bill to incorporate the Lincoln Run and Mays' Creek Turnpike Road Company, in Washington county.

By same—
A bill to incorporate the Buck Creek Bridge Company.

By Mr. Burton, from the same committee—
A bill for the benefit of the Danville, Dix River and Lancaster Turnpike Road Company.

By Mr. Walker, from the committee on Education—
A bill declaring the office of county judge and common school commissioner incompatible.

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

The constitutional provision 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.

The Senate, according to order, took up for consideration the resolution offered by Mr. Martin on yesterday, in relation to the banks. Said resolution was then amended.
The question was then taken on the adoption of said resolution, as amended, and it was decided in the affirmative.

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

The Senate also took up for consideration the resolution offered by Mr. Rust on yesterday.

Said resolution was then amended, as follows, viz:

Resolved, That the committee on Banks be instructed to ascertain and report to the Senate, at their earliest possible convenience, the number of banks, if any, in this Commonwealth, authorized by their charter to issue bills of less denomination than five dollars; also, what banks have been authorized by amendments to their charters to issue bills of less than five dollars.

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

Mr. Sudduth moved the following resolution, viz:

Resolved, That as a standing rule of the Senate during the present session, that when bills from the House of Representatives are taken up, they shall have their first and second readings by their titles, and be referred to appropriate committees.

This resolution, according to a rule of the Senate, lies one day on the table.

On motion of Mr. Walton, Mr. Haycraft was added to the committee on Enrollments.

The Senate took up for consideration a bill to take the sense of the people as to the propriety of calling a convention for the purpose of changing the constitution.

Said bill reads as follows, viz:

Whereas, it is represented to this General Assembly that many of the good citizens of this Commonwealth do verily believe that experience has pointed the necessity of calling a convention, with a view of amending the constitution of this State. Therefore,

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That it shall be the duty of the sheriffs of the several counties thereof, and other returning officers, at the August election for the year 1858, to open a poll for, and make a return to, the Secretary of State for the time being, of the names of all citizens entitled to vote for Representatives, who have voted for calling a convention.

§ 2. Be it further enacted, That any sheriff, or returning officer, failing to perform his duty, according to the first section of this act, shall be subject to a fine of one thousand dollars, to be recovered by civil action in the name of any person suing for the same, in any court having jurisdiction thereof, and also be subject, upon conviction of such failure, to removal from office.

§ 3. Be it further enacted, That it shall be the duty of the several sheriffs of this Commonwealth to read, or cause to be read publicly,
this act, at the several places of voting in their respective counties, at
the opening of the polls, at the August election, 1858, and in case of
failure to do so, they shall be subject to the same penalties, and recov­
erable in the same manner, as is prescribed in the second section of
this act.

§ 4. Be it further enacted, That the Public Printer shall, upon a se­
parate leaf or sheet, print hundred copies of this act, and deliver
the same to the Secretary of State, who shall transmit copies of the
same to each clerk of the county court of each county in the
State, and said clerks shall deliver the same to the sheriffs of their res­
pective counties. The Secretary of State shall transmit said copies as
the acts of the General Assembly are now directed by law to be
distributed.

§ 5. Be it further enacted, That it shall be the duty of the sheriffs
conducting the August election 1858, to propound distinctly to each
voter the following interrogatory: “Do you vote for calling a conven­
tion or not?” and if he answer in the affirmative, his name shall be re­
corded as having voted for calling a convention.

§ 6. Be it further enacted, That in case of the failure, by sickness,
death, absence, or resignation, of the sheriff of any county to attend
to compare the list of votes in his county, at the county seat, it shall
be the duty of the county clerk of such county to attend with the list
of votes of said county and make the comparison, and, in every respect,
perform the same duties which the sheriff would have to perform were
he acting; the clerk, thus acting, to receive the same compensation al­
lowed the sheriff for the same services, and shall be liable to the same
penalties for a failure to discharge the duties hereby imposed.

§ 7. Be it further enacted, That it shall be the duty of the assessors
of tax to open a column in their assessor’s book, and enroll therein
the name of each citizen entitled to vote for Representatives in the
year 1858; and they shall be governed, in all cases, in ascertaining
who is entitled to vote, by the laws now in force to prevent illegal
voting; and this column, written in a fair and legible hand, shall be
transmitted with the assessor’s book, to the Auditor of Public Ac­
counts, who shall make out a copy thereof, and deposit the same
in the office of the Secretary of State for the time being, who shall trans­
mit the same to the next Legislature, as a list of those who are enti­
tled to vote for Representatives, in order that the Legislature may
have the means to ascertain whether a majority of the citizens of the
State, entitled to vote for Representatives, have voted for a conven­
tion.

§ 8. Be it further enacted, That it shall be the duty of each as­
seessor of tax, as soon as he shall be advised of the passage of this act, to go
before a justice of the peace and take the following oath: “I do so­
lemnly swear that I will, to the best of my skill and judgment, fairly
ascertain the number of qualified voters in the county in which I was
appointed for the year 1858, and report the same with my book, made
as an assessor of tax.” A copy of said oath, together with the name
of the justice of the peace before whom it was taken, shall be trans­
scribed by the assessor in the book which he shall, as assessor, return
to the Auditor of Public Accounts.

§ 9. Be it further enacted, That any assessor who shall fail to dis­
charge any of the duties imposed by the last section of this act, shall be subject to a fine of five hundred dollars, to be recovered by petition in the circuit court of the county, in which he acts as assessor, in the name of any person who may institute an action against him.  § 10. Be it further enacted, That any assessor who shall willfully and knowingly place on the list of qualified voters for the year 1858, the name of any person who is not a qualified voter, shall be fined one thousand dollars, to be recovered by indictment, in the name of the Commonwealth, in the circuit court of the county in which he acts as assessor.  § 11. Be it further enacted, That the assessors of tax may, and they are hereby required to, examine, on oath, any person in relation to his right to vote for Representative, when he entertains doubts as to his right to vote, or when any person challenges his right to vote; and any person who shall knowingly swear falsely before the assessor, and shall therefor be convicted in the circuit court of the county having jurisdiction to try such an offense, shall be subject to all the pains and penalties of the crime of perjury.  § 12. Be it further enacted, That the assessor shall write the word "sworn" opposite to the name of each person who may be sworn by him.  § 13. Be it further enacted, That it shall be the duty of the Public Printer to print one thousand copies of this act, immediately after its passage, and deliver them to the Secretary of State for the time being, who shall transmit them forthwith to the county court clerks, to be delivered by them, without delay, to the assessors of tax for the year 1858.

Mr. Smith moved to lay said bill on the table.  And the question being taken thereon, it was decided in the affirmative.

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

Those who voted in the affirmative, were—

Joseph S. Bledsoe, Thomas S. Grundy, H. M. Rust,  
A. D. Cosby, James D. Headley, George W. Silvertoth,  
William S. Durnaby, John P. Martin, John P. Smith,  
George T. Edwards, Daniel Mathewson, E. D. Walker,  
John F. Fisk, William H. McBrayer, C. J. Walton,  
Asa P. Groover, William B. Read.

Those who voted in the negative, were—

Mr. Speaker, (King,) Samuel Haycraft, Harrison Taylor,  
Landaff W. Andrews, Samuel Howard, Cyrenius Wait,  
John B. Bruner, David Irvine, Walter C. Whitaker,  
James F. Buckner, Gibson Mallory, John Williams,  
Jesse W. Burton, Charles Ripley, George Wright—17,  
William C. Gillis, James Sadduth.
Bills from the House of Representatives of the following titles were severally read the first time, viz:

1. An act for the benefit of Philip B. Thompson, of Mercer county.
2. An act amend an act to increase the powers of the trustees of the town of Eddyville.
3. An act for the benefit of B. D. Beall, late clerk of Campbell county and circuit courts.
4. An act for the benefit of James H. Parker, late clerk of Campbell county and circuit courts.
5. An act changing the time of holding the March term of the Oldham quarterly court.

Ordered, That said bills be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, the 1st and 2d were referred to the committee on the Judiciary, and the 3d, 4th and 5th to the committee on County Courts.

The Senate then took up for consideration the resolution offered by Mr. Mallory, on yesterday, in relation to the printing of the report of the Kentucky State Agricultural Society.

Mr. Smith moved to amend said resolution, so as to print only one-half the number proposed.

Which was adopted.

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

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

Those who voted in the affirmative, were—

Mr. Speaker, (King,) Theo. T. Garrard, John P. Smith,
Landaff W. Andrews, William C. Gillis, James Sudduth,
Joseph S. Bledsoe, Thomas S. Grundy, Harrison Taylor,
John B. Bruner, Samuel Haycraft, Cyrenius Wait,
James F. Buckner, David Irvine, E. D. Walker,
Jesse W. Burton, Gibson Mallory, C. J. Walton,
A. D. Cosby, William H. McBrayer, Walter C. Whitaker,
William S. Darnaby, Thomas P. Porter, John Williams,
John F. Fisk, Charles Ripley,

Those who voted in the negative, were—

Asa P. Grover, Samuel Howard, George W. Silvertooth,
James D. Headley, Daniel Matthewson, George Wright—8.

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

On motion of Mr. Mallory—1. A bill to provide for obtaining infor-
information as the causes, and the best mode of treating, the disease known as hog cholera.

On motion of Mr. Silvertooth—2. A bill to prohibit negro preaching in this Commonwealth.

The committee on Agriculture and Manufactures was directed to prepare and bring in the 1st, and the committee on the Judiciary the 2d.

And then the Senate adjourned.

SATURDAY, DECEMBER 19, 1857.

Mr. Ripley presented the petition of sundry citizens of Louisville in relation to the chancery and circuit courts of said city.

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

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 placing the control of the State road in Whitley county in the county court of said county.

An act to authorize the Calloway county court to change the State road from Aurora to Murray.

An act for the benefit of the clerks of the circuit and county courts of this Commonwealth.

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

1. An act to incorporate Walton Lodge, No. 202, of Free and Accepted Masons.
2. An act to incorporate Bradford Lodge, No. 123, of Free and Accepted Masons.
3. An act to incorporate the Pocahontas Tribe, No. 3, of the Imperial Order of Red Men, at Newport.
4. An act for the benefit of Waynesburg Lodge, No. 328, of Ancient York Masons.
5. An act to change the time of holding the Bourbon county quarterly court.
6. An act changing the time of holding the Clay county quarterly court.
7. An act authorizing the election of police judge and marshal for the town of Washington, in Mason county.
8. An act to amend an act to reduce into one the several acts relating to the town of Taylorsville.
9. An act to amend the law of divorce.
10. An act for the benefit of Eliphus Preston of Johnson county.
11. An act to incorporate Forest Lodge, No. 308, of Free and Accepted Masons.
12. An act regulating the duties of constables after the expiration of their term of office.
13. An act to repeal the second section of an act, entitled, an act to authorize the trustees of Laurel county to sell the seminary lands of said county.
14. An act to create the office of inspector of imported lumber in the city of Louisville.
15. An act concerning proceedings in circuit and chancery courts.
16. An act to establish a police court in the town of Winchester.
17. An act to incorporate the Christian Church in Hustonville.
19. An act for the benefit of George Parker and A. J. M. Johnson, late sheriffs of Union county.
20. An act to amend the charter of the Maysville and Lexington Railroad Company.
21. An act to amend the charter of the Paris and Clintonville Turnpike Road Company.

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

The constitutional provision as to the second reading of said bills being dispensed with, the 1st, 2d, 4th, 7th, 8th, 14th, 16th and 20th were referred to the committee on the Judiciary; the 3d to the committee on Propositions and Grievances; the 5th and 6th to the committee on County Courts; the 9th, 11th, 15th, 18th and 21st to the committee on Circuit Courts; the 10th to the committee on Internal Improvement; the 12th to the committee on Revised Statutes; the 13th to the committee on Education; the 17th to the committee on Religion, and the 18th was ordered to be read a third time.

The constitutional provision as to the third reading of the 18th of said bills being dispensed with:

The following bills were read the third time, and ordered to be engrossed:

22. An act to authorize the trustees of Laurel county to sell the seminary lands of said county.
23. An act to create the office of inspector of imported lumber in the city of Louisville.
26. An act to amend the charter of the Maysville and Lexington Railroad Company.
27. An act to amend the charter of the Paris and Clintonville Turnpike Road Company.

Which were read the third time, and ordered to be engrossed.

The following bills were read the third time, and ordered to be engrossed:

28. An act to authorize the trustees of Laurel county to sell the seminary lands of said county.
29. An act to create the office of inspector of imported lumber in the city of Louisville.
30. An act concerning proceedings in circuit and chancery courts.
32. An act to amend the charter of the Maysville and Lexington Railroad Company.
33. An act to amend the charter of the Paris and Clintonville Turnpike Road Company.

Which were read the third time, and ordered to be engrossed.
Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Bills from the House of Representatives of the following titles, were reported, viz.:

By Mr. Buckner, from the committee on the Judiciary—

An act to define the jurisdiction of the Louisville chancery court.

By Mr. Porter, from the same committee—

An act for the benefit of Samuel R. Reynolds.

With an amendment to the last named bill.

Which was adopted.

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

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

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

Mr. Buckner, from the committee on Judiciary, to whom was referred a bill from the House of Representatives, entitled—

An act for the benefit of Philip B. Thompson.

Reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

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

The yeas and nays being taken thereon, in pursuance of a provision of the constitution, were as follows, viz.:

Those who voted in the affirmative, were—

Mr. Speaker, (King,) Thomas S. Grundy, George W. Silvertooth, John P. Smith,
Landaff W. Andrews, Samuel Hayerst, James Sadduth, Harrison Taylor,
Joseph S. Bledsoe, James D. Headley, E. D. Walker,
John B. Bruner, Samuel Howard, Cyrenius Wait,
James F. Buckner, David Irving, A. D. Cosby, Gibson Mallory,
A. D. Cosby, Gibson Mallory, William S. Darnaby, E. D. Walker,
George T. Edwards, William H. McBrayer, C. J. Walton,
John F. Fisk, Walter C. Whitaker, William S. Darnaby,
Theo. T. Garrard, Thomas P. Porter, Daniel Matthewson,
William C. Gillis, William B. Read, W. M. Wilson,
Asa P. Groover, Charles Rippley, George Wright—85.

In the negative—none.

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

Mr. Buckner, from the same committee, to whom was referred the
leave to bring in a bill to repeal all laws authorizing private banking, asked to be discharged from the further consideration thereof.

Which was granted.

By Mr. Gillis, from the committee on County Courts, to whom was referred a bill from the House of Representatives, entitled,

An act requiring county judges to keep their offices and records at their respective county seats.

Reported the same with an amendment.

Which was adopted.

Said bill was further amended.

Ordered, That said bill, as amended, be referred to the committee on Revised Statutes.

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

By Mr. Buckner from the committee on Judiciary—

1. A bill to make persons liable for false representations.

By Mr. Edwards, from the same committee—

2. A bill for the benefit of Thomas Patterson, of Madison county.

By Mr. Ripley, from the same committee—

3. A bill to provide for the election of special judges of the city court of Louisville, and to authorize the marshal of said court to appoint deputies.

By same—

4. A bill to amend the charter of the Franklin Insurance Company, of Louisville.

By Mr. Gillis, from the committee on County Courts—

5. A bill to transfer the records of certain surveys from the county court clerks' offices to the surveyors' offices.

By Mr. Edwards, from the committee on Judiciary—


By Mr. Rust, from a select committee—

7. A bill to change the time of holding the Greenup county quarterly court.

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

The constitutional provision as to the second reading of said bills being dispensed with, the 1st was ordered to be printed, and placed in the orders of the day, and the 2d, 3d, 4th, 5th, 6th and 7th were ordered to be engrossed and read a third time.

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

Mr. Fisk, from the committee on the Judiciary, to whom was referred
A bill for the benefit of examining courts in this Commonwealth in criminal cases,
Reported the same without amendment.
Said bill was then amended.
Ordered, That said bill be recommitted to the committee on the Judiciary.

Mr. Edwards, from the committee on the Judiciary, to whom was referred
A bill to regulate the duties of county and commonwealth's attorneys.
Reported the same without amendment.
Ordered, That said bill be engrossed and read a third time.
The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,
The question was taken on the passage of said bill, and it was decided in the affirmative.
The yeas and nays being required thereon by Messrs. Howard and Wright, were as follows, viz:

Those who voted in the affirmative were—
Landaff W. Andrews, Asa P. Grover, Charles Ripley,
James F. Buckner, Samuel Haycraft, George W. Silvertooth,
Jesse W. Burton, David Irvine, James Sudduth,
George T. Edwards, Gibson Mallory, Harrison Taylor,
John F. Fisk, William H. McBrayer, Cyrenius Wait,
Theo. T. Garrard, Thomas P. Porter, Walter C. Whitaker,

Those who voted in the negative were—
Mr. Speaker, (King,) James D. Headley, E. D. Walker,
Joseph S. Bledsoe, Samuel Howard, C. J. Walton,
A. D. Cosby, Daniel Matthewson, W. M. Wilson,
Thomas S. Grundy, John P. Smith, George Wright—12.

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

Mr. Ripley, from the same committee, reported
A bill to amend the 2d section of the 5th article of chapter 84 of the Revised Statutes.
Which was read the first time, and ordered to be read a second time.
The constitutional provision as to the second reading of said bill being dispensed with.

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

And so the said bill was rejected.

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

An act to incorporate the Paraquet Springs Company.
An act for the benefit of common school district No. 20, in Fulton county.
An act to amend the charter of the Louisville and Portland Canal Company.
An act to incorporate the Union Coal and Oil Company.
An act to amend the mechanics' lien law of Hickman and Graves counties.
An act for the benefit of Wm. B. White, William C. Gillis, and Dempsey King.
And, enrolled bills which originated in the House of Representatives of the following titles, viz:  

An act for the benefit of the Richmond and Lexington Turnpike Road Company.
An act to incorporate the Adaiville Lodge of Free and Accepted Masons No. 238.
An act for the benefit of G. B. Broadus, late sheriff of Madison county.
An act for the benefit of school district No. 22, in Meade county.
An act for the benefit of John Friend, late Sheriff of Floyd county.
An act to change the time of holding the county courts in Garrard county.
An act to repeal an act establishing the office of county treasurer for Bracken county.
An act for the benefit of William Marshall, jailer of Bracken county.
An act for the benefit of certain clerks of this Commonwealth.
An act to amend an act, entitled, an act incorporating the Springfield, Maxville and Willisburg Turnpike Road Company, in Washington county, approved March 8, 1856.
An act to amend an act, entitled, an act to amend the charter of the Winchester and Mt. Sterling Turnpike Road Company.
An act to repeal an act establishing the town of Rowena, in Russell county.
An act for the benefit of William J. Field, late sheriff of Carter county.

An act for the benefit of J. C. Oliver, late sheriff of Anderson county.

An act for the benefit of Jeff Brown, late clerk of Union county court.

An act to amend the charter of the Hickman and Graves county Plank Road Company.

An act to amend the laws relating to the county levy of Campbell county.

An act to amend an act, entitled, an act to incorporate the Kenton County Agricultural Society.

An act for the benefit of William Williams, of Owsley county.

An act to define the jurisdiction of the Louisville chancery court.

And had found the same truly enrolled.

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 approval and signature.

After a short time Mr. Walton reported that the committee had discharged that duty.

Mr. Bledsoe moved a reconsideration of the vote by which the Senate, on yesterday, laid on the table a bill to take the sense of the people as to the propriety of calling a convention for the purpose of changing the constitution.

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

Said bill was then taken up.

Ordered, That the further consideration of said bill be postponed until Monday next at 11 o'clock.

On motion of Mr. Porter, leave of absence was granted Mr. Darby until Tuesday next.

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

An act to incorporate the Paroquet Springs Company.

An act for the benefit of Wm. B. White, H. L. Tye, William C. Gillis and Dempsey King.

An act to amend the mechanics' lien law of Hickman and Graves counties.
An act to incorporate the Union Coal and Oil Company.
An act to amend the charter of the Louisville and Portland Canal Company.
An act for the benefit of common school district No. 20, in Fulton county.

On motion of Mr. Bledsoe, leave was given to bring in a bill to abolish the summer chancery and criminal term of the 6th judicial district.

Ordered, That the committee on Circuit Courts prepare and bring in said bill.

And then the Senate adjourned.

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MONDAY, DECEMBER 21, 1857.

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 for the benefit of Samuel R. Reynolds.
That they had passed bills of the following titles, viz:
An act establishing an additional voting place in Hardin county.
An act to amend an act, entitled, an act for the benefit of mechanics of the towns of Hickman and Frankfort.
An act to incorporate the Madison Female School.

Mr. Garrard presented the petition of sundry citizens upon the Kentucky river, in relation to Steel's dam on said river.

Mr. Fisk presented the petition of Robert Wallace, and others, praying the passage of an act authorizing the erection of a tollgate on the Covington and Taylorville turnpike road.

Which were received, the reading dispensed with, and referred, the 1st to the committee on the Judiciary, and the last to the committee on Internal Improvement.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they were referred, without amendment, viz:
By Mr. Gillis, from the committee on County Courts—
An act for the benefit of James H. Parker, late clerk of Campbell county and circuit courts.

By same—
An act changing the time of holding the March term of the Oldham quarterly court.

By Mr. Taylor, from the committee on Revised Statutes—
An act to amend the laws allowing fees to justices.

Ordered. That said bills be read a third time.

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

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

Mr. Taylor, from the committee on Revised Statutes, to whom was referred a bill from the House of Representatives, entitled,
An act to amend an act concerning officers' fees.

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

And the question being taken on ordering said bill to be read a third time, it was decided in the negative,

And so the said bill was disagreed to.

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

By Mr. Irvine, from the committee on County Courts—
1. A bill to amend the several acts giving to the county court of Madison power to subscribe stock in turnpike road companies in said county.

By Mr. Bledsoe, from the committee on Internal Improvement—
2. A bill to amend an act, entitled, an act to amend an act incorporating the Bloomfield and Springfield Turnpike Road Company, approved January 23, 1854.

By Mr. Bruner, from the committee on Education—
3. A bill for the benefit of common school district No. 18, in Larue county.

By Mr. Taylor, from the committee on Revised Statutes—
4. A bill to amend article I, chapter 70, of the Revised Statutes, in relation to occupying claimants.

By same—
5. A bill to amend the 42d chapter of the Revised Statutes.

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

The constitutional provision as to the second reading of said bills
being dispensed with, the 1st, 2d and 3d were ordered to be engrossed and read a third time; the 4th was ordered to be printed and made the special order of the day, in committee of the whole, for Saturday the 2d day of January next, at 11 o’clock; and the 5th was ordered to be printed and placed in the orders of the day.

The constitutional provision as to the third reading of the 1st, 2d and 3d 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. Taylor, from the committee on Revised Statutes, to whom was referred
A bill to amend article 18, chapter 27, of the Revised Statutes,
Reported the same, with an amendment.
Which was adopted.
Said bill was then further amended.
Ordered, That said bill, as amended, be made the special order of the day for Monday, the 4th day of January next, at 11 o’clock.

Mr. Walton, from the committee on Enrollments, reported that the committee had examined an enrolled bill, and resolution, which originated in the House of Representatives, of the following titles, viz:
An act for the benefit of Samuel R. Reynolds.
A resolution in relation to the election of United States Senator.
And had found the same truly enrolled.
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 approval and signature.

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

Mr. Read moved that a committee be appointed to wait upon the House of Representatives, asking leave to withdraw their announcement of the adoption of a resolution in relation to the printing of the report of the Kentucky State Agricultural Society.

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

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

Those who voted in the affirmative, were—

Joseph S. Bledsoe, Daniel Matthewson, Cyrenius Wait,
George T. Edwards, William B. Read, E. D. Walker,
John F. Fisk, H. M. Rust, C. J. Walton,

Those who voted in the negative, were—

Mr. Speaker, (King,) William C. Gillis, Thomas P. Porter,
Landaff W. Andrews, Thomas S. Grundy, James Sudduth,
John B. Bruner, Samuel Haycraft, Harrison Taylor,
James F. Buckner, Samuel Howard, Walter C. Whitaker,
Jesse W. Burton, David Irvine, John Williams—17.

The Senate, according to order, took up for consideration

A bill to take the sense of the people as to the propriety of calling
a convention for the purpose of changing the constitution.

Ordered, That the further consideration of said bill be postponed
until to-morrow, at 12 o'clock.

The Senate took up for consideration the resolution offered by Mr.
Sudduth on the 18th instant, in relation to the order of business.
Which was adopted.

Bills from the House of Representatives of the following titles were
severally read the first time, viz :

1. An act establishing an additional voting place in Hardin county.
2. An act to amend an act, entitled, an act for the benefit of me-
chanics of the towns of Hickman and Frankfort.
3. An act to incorporate the Madison Female School.

Ordered, That said bills be read a second time.

The constitutional provision as to the second reading of said bills be-
ing dispensed with, the 1st was referred to the committee on Privileges
and Elections; the 2d to the committee on Codes of Practice, and the
3d to the committee on Education.

The Speaker laid before the Senate the reports of the Keeper and
Physician of the Penitentiary, which are as follows, viz :

[For Reports—see Legislative Documents.]

Mr. Haycraft read and laid on the table the following joint resolu-
tion, viz :

Resolved by the General Assembly of the Commonwealth of Kentucky,
That when the two Houses adjourn on Wednesday next, the 23d in-
stant, that they adjourn to meet again on the first Monday in January,
1858.

The rule of the Senate requiring a joint resolution to lie one day on
the table being dispensed with,

Said resolution was then taken up.

Mr. Grundy moved to amend said resolution, as follows, viz :
Resolved by the General Assembly of the Commonwealth of Kentucky,
That when they adjourn on Wednesday next, they will adjourn to meet
again on Monday, the 28th instant, at 10 o'clock.

Mr. Walton moved to amend the amendment, as proposed by Mr.
Grundy, as follows, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky,
That when they adjourn on Thursday, the 24th instant, they adjourn to
meet on Saturday, the 26th, at 10 o'clock, A. M.

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

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

Those who voted in the affirmative, were—
Landaff W. Andrews, John F. Fisk, George W. Silvertooth,
Joseph S. Bledsoe, Theo. T. Garrard, E. D. Walker,
George T. Edwards, Daniel Matthewson,

Those who voted in the negative, were—
Mr. Speaker, (King,) Samuel Howard, James Sudduth,
James F. Buckner, David Irvine, Harrison Taylor,
Jesse W. Burton, Gibson Mullory, Cyrenius Wait,
William C. Gillis, Thomas P. Porter, Walter C. Whitaker,
Asa P. Grover, William B. Read, John Williams,
Thomas S. Grundy, H. M. Rust, W. M. Wilson,
Samuel Haycraft, John P. Smith, George Wright—21.

Mr. Taylor then moved to amend the amendment proposed by Mr.
Grundy, by striking out the 28th instant, and inserting in lieu thereof,
January the 2d, 1858.

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

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

Those who voted in the affirmative were—
Mr. Speaker, (King,) Samuel Haycraft, Harrison Taylor,
Landaff W. Andrews, James D. Headley, Cyrenius Wait,
Jesse W. Burton, Samuel Howard, W. M. Wilson,
George T. Edwards, David Irvine, George Wright—14.
William C. Gillis, James Sudduth.

Those who voted in the negative were—
Joseph S. Bledsoe, Thomas S. Grundy, George W. Silvertooth,
John B. Bruner, Gibson Mullory, John P. Smith,
James F. Buckner, Daniel Matthewson, E. D. Walker,
John F. Fisk, Thomas P. Porter, C. J. Walton,
Theo. T. Garrard, William B. Read, Walter C. Whitaker,
The question was then taken on the adoption of the amendment proposed by Mr. Grundy, and it was decided in the affirmative.

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

Those who voted in the affirmative, were—

J. S. Bledsoe, John B. Bruner, James F. Buckner, Jesse W. Burton, George T. Edwards, John F. Fisk, Theo. T. Garrard,

Asa P. Grover, Thomas S. Grundy, David Irvine, Daniel Mathewson, Thomas P. Porter, William B. Read,

George W. Silvertooth, John P. Smith, Cyrenius Wait, John Williams, W. M. Wilson, George Wright—10.

Those who voted in the negative, were—

Mr. Speaker, (King,) Samuel Howard, Landaff W. Andrews, William C. Gillis, Samuel Haycraft, James D. Headley,


The question was then taken on the adoption of the resolution, as offered by Mr. Haycraft, as amended, and it was decided in the negative.

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

Those who voted in the affirmative, were—

James F. Buckner, Jesse W. Burton, Asa P. Grover, Thomas S. Grundy, Samuel Howard,

David Irvine, Thomas P. Porter, William B. Read, John P. Smith, George W. Silvertooth,

Cyrenius Wait, John Williams, W. M. Wilson, George Wright—13.

Those who voted in the negative, were—

Mr. Speaker, (King,) William C. Gillis, Joseph S. Bledsoe, John B. Bruner, George T. Edwards, Theo. T. Garrard,


Mr. Andrews moved the following joint resolution:

Resolved by the Senate and House of Representatives, That when the two Houses adjourn on Thursday, the 24th instant, that they adjourn to meet on Monday, the 4th of January, at 10 o'clock, A. M.
The question was then taken on the adoption of the resolution, and it was decided in the negative.

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

Those who voted in the affirmative, were—

Mr. Speaker, (King,) James D. Headley, Harrison Taylor,
Landaff W. Andrews, David Irvine, Cyrenius Wait,
Jesse W. Burton, Gibson Mallory, W. M. Wilson,
Samuel Haycraft,

Those who voted in the negative, were—

Joseph S. Bledsoe, Thomas S. Grundy, George W. Silvertooth,
John B. Bruner, Samuel Howard, John P. Smith,
James F. Buckner, Daniel Matthewson, E. D. Walker,
George T. Edwards, Thomas P. Porter, C. J. Walton,
John F. Fisk, William B. Read, Walter C. Whitaker,
Asa P. Grover,

Mr. Grover moved the following resolution, viz:

Resolved, That the committee on the Penitentiary inquire into, and report to the Senate, the following facts touching that institution:

1st. What amount was paid into the Treasury by the Keeper of the Penitentiary, on or before the first day of March, 1856.

2d. The actual value of the rent of the Penitentiary, and the buildings attached, together with the machinery, fixtures and tools attached, and other things thereto belonging.

3d. Whether the annual rents have been regularly paid, as required by law.

4th. Whether the buildings, machinery, fixtures and tools are now in the same good order they were when received by the present Keeper.

5th. What buildings, machinery and fixtures have been erected, or attached, by the present Keeper, the costs of same, and under what laws the same was done.

6th. And in case additional buildings, &c., have been erected, or attached, what amount of the cost of erection, &c., has been charged to and paid by the State of Kentucky.

7th. What bonds of the present Keeper now remain in force; what ones have been cancelled; giving the dates, and amounts, and names of securities.

8th. Have the convicts been fed, clothed, and in all things treated as is now required by law.

9th. Have the necessary beds and bedding been furnished for the cells. And has the “liberation money” to the convicts released, and the physicians bills, been regularly paid.

10th. The responsibility of the securities of the present Keeper in his official bond.

And that said committee have leave to sit during the sitting of the
Senate. And further, that they report on or before the 4th day of January next.

Mr. Andrews moved to strike out the last clause of said resolution, requiring the committee to report on or before the 4th of January next.

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

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

And then the Senate adjourned.

TUESDAY, DECEMBER 22, 1857.

A message was received from the House of Representatives, announcing their disagreement to a bill from the Senate, entitled,

An act to amend the laws concerning idiots.

That they had concurred in the amendments proposed by the Senate to a bill from that House, entitled,

An act for the benefit of E. P. Hill's administrator.

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

An act to incorporate the German Gymnastic Association of the city of Covington,
An act to incorporate the Big Sandy Navigation Company.
An act to amend the charter of the city of Covington.
An act for the benefit of Jaques Guedin.
An act to repeal section 2 of an act to authorize justices of the peace to hold inquests in certain cases.
An act for the benefit of Thomas Patterson, of Madison county.
An act to provide for the election of special judges of the city court of Louisville, and to authorize the marshal of said court to appoint deputies.
An act to change the time of holding the Greenup county quarterly court.

That they had received official information from the Governor that
he had approved and signed enrolled bills which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of G. B. Broadus, late sheriff of Madison county.

An act for the benefit of the Richmond and Lexington Turnpike Road Company.

An act for the benefit of Wm. Williams, of Owsley county.

An act to amend an act, entitled, an act to incorporate the Kenton County Agricultural Society.

An act to amend the laws relating to the county levy of Campbell county.

An act to amend the charter of the Hickman and Graves county Plank road Company.

An act for the benefit of J. C. Oliver, late sheriff of Anderson county.

An act for the benefit of Wm. J. Field, late sheriff of Carter county.

An act to amend an act, entitled, an act incorporating the Springfield, Maxville and Willisburg Turnpike Road Company, in Washington county, approved March 3, 1856.

An act to amend the charter of the Winchester and Mt. Sterling Turnpike Road Company.

An act for the benefit of William Marshall, jailer of Bracken county.

An act for the benefit of certain clerks of this Commonwealth.

An act to repeal an act establishing the office of county treasurer for Bracken county.

An act for the benefit of John Friend, late Sheriff of Floyd county.

An act to repeal an act, entitled, an act to amend the road law of Harrison county.

An act for the benefit of school district No. 22, in Meade county.

An act to change the time of holding the county courts in Garrard county.

An act to incorporate the Adairville Lodge of Free and Accepted Masons, No. 238.

An act to repeal an act establishing the town of Rowena, in Russell county.

An act to define the jurisdiction of the Louisville chancery court.

An act for the benefit of Samuel R. Reynolds.

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

1. An act to prevent the destruction of fish in the Kentucky river and its tributaries.
2. An act to limit the time within which actions, suits and motions may be commenced to set aside sales made under decrees and executions.

3. An act for the benefit of James D. Ballard.


5. An act to change the county line between Perry and Letcher counties.

6. An act to establish an additional voting place in Knox county.

7. An act changing the place of voting in district No. 4, in Bullitt county.

8. An act creating an additional justices district and voting precinct in Crittenden county.


10. An act to amend an act, entitled, an act to establish a Sinking Fund for Clarke county, approved March 4, 1856.

11. An act to amend section 614 of the Code of Practice, in regard to depositions.

12. An act to amend chapter 86 of the Revised Statutes.

13. An act providing for the election of the marshal of the city of Louisville.

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

The constitutional provision as to the second reading of said bills being dispensed with, the 1st was referred to the committee on Internal Improvement; the 2d, 3d and 4th to the committee on County Courts; the 5th, 6th and 7th to the committee on Propositions and Grievances; the 8th and 12th to the committee on Revised Statutes; the 9th to the committee on Circuit Courts; the 10th to the committee on the Sinking Fund; the 11th to the committee on the Codes of Practice, and the 18th was ordered to be read a third time.

The constitutional provision as to the third reading of the 18th of said bills being dispensed with,

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

Mr. Irvine, from the committee on Banks, in pursuance of a resolution of the Senate, made the following report, viz:

The committee on Banks, to whom was referred a resolution passed by the Senate, directing said committee to "ascertain the number of Banks in this Commonwealth authorized, by their charters, to issue bills of less denomination than five dollars; also, what Banks have been authorized, by amendments to their charters, to issue bills of
less denomination than five dollars; have had the same under consideration, and ask leave to submit the following report:

That the Farmers Bank, Southern Bank, Commercial Bank, and Peoples Bank, all have the right, under their charters, to issue notes of a less denomination than five dollars.

The Bank of Kentucky, Bank of Louisville, and Northern Bank of Kentucky, by their charters, have not the right to issue notes of a denomination less than five dollars; but by an act of the General Assembly, passed the 21st of January, 1848, that right has been given to them, during the time of their respective charters, unless thereafter prohibited by an act of the Legislature.

The Bank of Ashland is restricted, by her charter, from issuing notes of a denomination less than five dollars, and there has been no legislative enactment allowing her to do so.

All of which is respectfully submitted,

DAVID IRVINE,
Chairman Senate committee on Banks.

DECEMBER 19TH, 1857.

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

Bills from the House of Representatives, of the following titles, were reported from the committee on the Judiciary, to whom they were referred, viz:

By Mr. Buckner—
An act to incorporate the Odd Fellows Hall Association, of Lexington.

By Mr. Edwards—
An act to incorporate Bradford Lodge, No. 123, of Free and Accepted Masons.

By same—
An act for the benefit of Waynesburg Lodge, No. 328, of Ancient York Masons.

By same—
An act to organize a second fire company in the city of Frankfort.

By Mr. Fisk—
An act to amend an act to reduce into one the several acts relating to the town of Taylorsville.

By same—
An act to incorporate Walton Lodge, No. 202, of Free and Accepted Masons.

By Mr. Edwards—
An act authorizing the election of police judge and marshal for the town of Washington, in Mason county.

With an amendment to the last named bill,
Which was adopted.

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

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

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

Mr. Edwards, from the committee on Judiciary, to whom was referred a bill from the House of Representatives, entitled,

An act to incorporate Telula Lodge, No. 70, I. O. O. F., in the town of Smithland.

Reported the same without amendment.

The Senate resolved itself into a committee of the Whole, Mr. Edwards in the Chair, on a bill from the House of Representatives, entitled, an act to incorporate Telula Lodge, No. 70, I. O. O. F., in the town of Smithland, and after some time spent therein, the Speaker resumed the Chair, when Mr. Edwards reported that the committee had had under consideration the bill aforesaid, and had instructed him to report the same without amendment; which he handed in at the Clerk's table.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

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

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

Those who voted in the affirmative, were—

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<td>Mr. Speaker, (King,)</td>
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<td>David Irvine</td>
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<td>Samuel Howard</td>
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Those who voted in the negative, were—

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<td>Landaff W. Andrews</td>
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<td>William S. Darnaby</td>
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<td>Gibson Mallory</td>
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<td>James F. Buckner</td>
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<td>William C. Gillis</td>
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<td>Charles Ripley</td>
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<td>Jesse W. Burton</td>
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<td>Asa P. Grover</td>
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<td>George Wright</td>
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<td>A. D. Cosby</td>
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Resolved, That the title of said bill be as aforesaid.
Mr. Fisk, from the committee on the Judiciary, to whom was referred
A bill to incorporate Naomi Lodge, No. 129, I. O. O. F.,
Reported the same without amendment.
Ordered, That said bill be engrossed and read a third time.
The constitutional provision as to the third reading of said bill being
dispensed with, and the same being engrossed,
Resolved, That said bill do pass, and that the title thereof be as
aforesaid.
Mr. Fisk, from the same committee, to whom was referred
A bill for the benefit of examining courts in this Commonwealth in
criminal cases,
Reported the same with an amendment.
Which was adopted.
Ordered, That the Public Printer print 150 copies thereof for the use
of the General Assembly, and that it be placed in the orders of the
day.
The following bills were reported from the committee on the Judi-
ciary, viz:
By Mr. Fisk—
A bill to incorporate the Campbell county Agricultural Society.
By same—
A bill providing a general mechanics' lien law.
Which were read the first time, and ordered to be read a second
time.
The constitutional provision as to the second reading of said bills
being dispensed with, the 1st was ordered to be engrossed and read a
third time, and the last was ordered to be printed and made the spe-
cial order of the day for the 6th day of January next.
The constitutional provision as to the third reading of the first bill
being dispensed with, and the same being engrossed,
Resolved, That said bill do pass, and that the title thereof be as
aforesaid.
Mr. Buckner, from the committee on the Judiciary, asked to be dis-
charged from the further consideration of a leave to them referred to
bring in a bill to amend the mechanics' lien law of Greenup county.
Which was granted.
Also, from the further consideration of a leave to bring in a bill to
amend the mechanics' lien law of the city of Covington.
Which was granted.
Also, from the further consideration of a leave to bring in a bill to
prohibit negro preaching in this Commonwealth.
Which was granted.

Also, from the further consideration of a petition of sundry citizens of the city of Louisville, in relation to the chancery and circuit courts of said city.

Which was granted.

Mr. Andrews, from a select committee, reported the following bills, viz:

A bill to incorporate the Paducah Southern Iron Works.
A bill to increase the salaries of certain officers.

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

The constitutional provision as to the second reading of said bills being dispensed with, the 1st was ordered to be engrossed and read a third time, and the 2d was ordered to be printed, and made the special order of the day for the 2d Monday in January next.

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

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

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

Resolved by the General Assembly of the Commonwealth of Kentucky, That when we adjourn on Thursday, the 24th instant, we adjourn to meet on Monday, the 28th, at 10 o'clock, A. M.

The rule of the Senate requiring a joint resolution to lie one day on the table being dispensed with,

Said resolution was then taken up.

Mr. Taylor then moved to amend said resolution, as follows, viz:

Strike out Thursday, the 24th, and insert in lieu thereof, Wednesday, the 23d; also strike out Monday, the 28th, and insert in lieu thereof, Wednesday, the 30th.

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

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

Those who voted in the affirmative, were—

Mr. Speaker, (King,) Samuel Howard, Harrison Taylor,
Landaff W. Andrews, David Irvine, Cyrenius Wait,
Jesse W. Burton, Gibson Mallory, Walter C. Whitaker,
William S. Darnaby, William H. McBryar, John Williams,
George T. Edwards, James McKee, W. M. Wilson,
William C. Gillis, James Sudduth, George Wright—19.
Samuel Haycraft,
Those who voted in the negative, were—
Joseph S. Bledsoe, Asa P. Grover, William B. Read,
John B. Bruner, Thomas S. Grundy, Charles Ripley,
James F. Buckner, James D. Headley, John P. Smith,
A. D. Cosby, Daniel Mathewson, E. D. Walker,
Theo. T. Garrard,

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

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

Those who voted in the affirmative, were—
Mr. Speaker, (King,) Samuel Howard, Harrison Taylor,
Landaff W. Andrews, David Irvine, Cyrenius Wait,
Jesse W. Burton, Gibson Mallory, W. C. Whitaker,
William S. Darnaby, William H. McBrayer, John Williams,
William C. Gillis, James McKee, W. M. Wilson,
Samuel Haycraft, James Sudduth, George Wright—18.

Those who voted in the negative, were—
Joseph S. Bledsoe, Theo. T. Garrard, William B. Read,
John B. Bruner, Asa P. Grover, Charles Ripley,
James F. Buckner, Thomas S. Grundy, John P. Smith,
A. D. Cosby, James D. Headley, E. D. Walker,
George T. Edwards, Daniel Mathewson, C. J. Walton—17.
John F. Fisk, Thomas P. Porter,

Mr. Mallory moved a reconsideration of the vote by which the committee on the Judiciary was discharged from the further consideration of a leave to bring in a bill to prohibit negro preaching in this Commonwealth.

Ordered, That said leave be recommitted to the committee on the Judiciary, with instructions to bring in a bill in pursuance of the leave.

The Senate, according to order, took up for consideration
A bill to take the sense of the people as to the propriety of calling a convention for the purpose of changing the constitution.

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

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

Those who voted in the affirmative, were—
Mr. Speaker, (King,) Samuel Howard, James Sudduth,
Landaff W. Andrews, David Irvine, Harrison Taylor,
John B. Bruner, Gibson Mallory, Cyrenius Wait,
Jesse W. Burton, James McKee, Walter C. Whitaker,
William C. Gillis, Charles Ripley, John Williams—16.
Samuel Haycraft,

On reconsideration of the vote by which the committee on the Judiciary was discharged from the further consideration of a leave to bring in a bill to prohibit negro preaching in this Commonwealth.

Ordered, That said leave be recommitted to the committee on the Judiciary, with instructions to bring in a bill in pursuance of the leave.

The Senate, according to order, took up for consideration
A bill to take the sense of the people as to the propriety of calling a convention for the purpose of changing the constitution.

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

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

Those who voted in the affirmative, were—
Mr. Speaker, (King,) Samuel Howard, James Sudduth,
Landaff W. Andrews, David Irvine, Harrison Taylor,
John B. Bruner, Gibson Mallory, Cyrenius Wait,
Jesse W. Burton, James McKee, Walter C. Whitaker,
William C. Gillis, Charles Ripley, John Williams—16.
Those who voted in the negative, were—

Joseph S. Bledsoe, Asa P. Grover, George W. Silvertooth,
James F. Buckner, Thomas S. Grundy, John P. Smith,
A. D. Cosby, James D. Headley, E. D. Walker,
William S. Darnaby, Daniel Mathewson, C. J. Walton,
George T. Edwards, William H. McBrayer, W. M. Wilson,
John F. Fisk, Thomas P. Porter, George Wright—20
Theo. T. Garrard, William B. Read,

And so the said bill was rejected.

On motion of Mr. Sudduth, leave of absence was granted to Mr. Haycraft from the 23d instant until the first Monday in January next.

On motion of Mr. Edwards, leave of absence was granted to Mr. Wright for an indefinite period.

On motion of Mr. Walker, leave of absence was granted to Mr. Howard until the 4th of January next.

A message was received from the House of Representatives, announcing that they had concurred in the resolution from the Senate in relation to a recess of the General Assembly.

Mr. Wright moved the following resolution, viz:

Resolved, That the committee on the Judiciary be requested to inquire into the expediency of dispensing with the publication of the arguments in cases before the appellate court, with the decisions of the same; and if they are of opinion that they should not be published, that they report by bill.

Which was adopted.

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

Resolved, That a committee of two of the Senate, and three of the House of Representatives, be appointed to examine the Lunatic Asylum at Lexington, with power to examine and report upon the fiscal condition, as well as other matters in reference to said institution.

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

On motion of Mr. Fisk—1. A bill to incorporate the Kentucky Mosely Iron Bridge Erecting Company.

On motion of same—2. A bill to amend an act, entitled, an act to amend the laws relating to the county levy of Kenton, approved February 3, 1856.

On motion of Mr. Bledsoe—3. A bill to incorporate Zion Baptist Church and Seminary, in Adair county.

On motion of Mr. Grover—4. A bill for the benefit of Lewis White, late resident of Owen county.

On motion of Mr. Bruner—5. A bill for the benefit of A. J. Fleming, of Livingston county.
On motion of Mr. Read—6. A bill to change the time of holding the winter term of the Nelson circuit court.

On motion of Mr. Walker—7. A bill for the benefit of John C. Townsend, of Grayson county.

On motion of Mr. Burton—8. A bill to amend the charter of the Springfield and Perryville Turnpike Road Company.


On motion of Mr. Taylor—10. A bill for the benefit of the personal representatives of William B. A. Baker, dec'd, late sheriff of Mason county.

The committee on the Judiciary was directed to prepare and bring in the 1st, 4th, 7th, 9th and 10th; the committee on County Courts the 2d; the committee on Religion the 3d; the committee on Education the 5th; the committee on Circuit Courts the 6th; and the committee on Internal Improvement the 8th.

And then the Senate adjourned.

WEDNESDAY, DECEMBER 23, 1857.

Mr. Speaker (King) being absent, the Senate was called to order by the Clerk.

On motion of Mr. Sudduth—
Mr. Andrews took the Chair.

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 amend the several acts giving to the county court of Madison power to subscribe stock in turnpike road companies in said county.

An act to amend an act, entitled, an act incorporating the Bloomfield and Springfield Turnpike Road Company, approved January 23, 1854.

An act to incorporate the Virginia and Kentucky Bridge Company.
That they had passed bills of the following titles, viz:  
An act to amend the act chartering sundry turnpike road companies in Madison county.
An act to amend an act, entitled, an act to amend the charter of the Versailles and Anderson Turnpike Road Company.
Mr. Ripley presented the petition of sundry citizens of the city of Louisville, praying the passage of an act repealing the act establishing the weight of stone coal, or for a change of the standard.
Which was received, the reading dispensed with, and referred to the committee on Agriculture and Manufactures.
Mr. Haycraft, from the committee on Circuit Courts, to whom was referred a bill from the House of Representatives, entitled, An act to incorporate Forest Lodge, No. 308, of Free and Accepted Masons.
Reported the same without amendment.
Ordered, That said bill be read a third time.
The constitutional provision as to the third reading of said bill being dispensed with,
Resolved, That said bill do pass, and that the title thereof be as aforesaid.
On motion of Mr. Buckner, leave of absence, during the day, was granted to Messrs. Garrard and Gillis.
On motion of Mr. Grundy, leave of absence was granted, for same time, to Mr. Darnaby.
On motion of Mr. Sudduth, leave of absence, for same time, was granted to Mr. Williams.
Mr. Grover moved that the Senate do now adjourn.
And the question being taken thereon, it was decided in the negative.
The yeas and nays being required thereon by Messrs. Bruner and Whitaker, were as follows, viz:
Those who voted in the affirmative, were—
Asa P. Grover, William B. Read,

Those who voted in the negative, were—
Landaff W. Andrews, Samuel Howard, Charles Ripley,
John B. Bruner, David Irvine, John P. Smith,
James F. Buckner, Gibson Mallory, James Sudduth,
Samuel Haycraft, Thomas P. Porter,

It appearing that a quorum was not present,
On motion of Mr. Whitaker—

Ordered, That there be a call of the Senate.

The call being made, the following Senators answered to their names, viz:

Landaff W. Andrews, Samuel Howard, William B. Read,
John B. Bruner, David Irvine, Charles Ripley,
James F. Buckner, Gibson Mallory, H. M. Rust,
John F. Fisk, William H. McBrayer, John P. Smith,
Asa P. Grover, James McKee, James Sudduth,
Samuel Haycraft,

The following Senators were absent on leave:

William S. Darnaby, William C. Gillis, George Wright—5.
Theo. T. Garrard, John Williams,

The following Senators were absent without leave:

Mr. Speaker, (King,) James D. Headley, Cyrenius Wait,
Joseph S. Bledsoe, John P. Martin, E. D. Walker,
Jesse W. Burton, Daniel Matthewson, C. J. Walton,
George T. Edwards, Harrison Taylor,

The doors were then closed, and the Sergeant-at-Arms directed to bring in the absent members.

After a short time the Sergeant-at-Arms returned, and reported that the absentees could not be found.

Mr. Martin was excused because of indisposition.

On motion of Mr. Whitaker—

Ordered, That further proceedings in relation to the call of the Senate be suspended.

And then the Senate adjourned.
WEDNESDAY, DECEMBER 30, 1857.

On assembling, it being evident that a quorum was not present,
On motion of Mr. Bruner—
A call of the Senate was made, and the following Senators were present, and answered to their names, viz:
Mr. Speaker, (King,) Theo. T. Garrard, James Sudduth,
Landaff W. Andrews, Thomas S. Grundy, Harrison Taylor,
John B. Bruner, David Irvine, E. D. Walker,
James F. Buckner, Thomas P. Porter, W. C. Whitaker,
John F. Fisk, H. M. Rust, John Williams—15.
On motion—
Ordered, That the doors of the Senate be closed, and the Sergeant-at-Arms be directed to bring in the absent members.
On motion of Mr. Buckner—
Ordered, That further proceedings under the call of the Senate be suspended.
Mr. Buckner moved that the Senate do now adjourn.
And the question being taken thereon, it was decided in the negative.
The yeas and nays being required thereon, by Messrs. Buckner and Garrard, were as follows, viz:

Those who voted in the affirmative, were—
James F. Buckner, John Williams—2.

Those who voted in the negative, were—
Mr. Speaker, (King,) Thomas S. Grundy, James Sudduth,
Landaff W. Andrews, David Irvine, Harrison Taylor,
John B. Bruner, Thomas P. Porter, E. D. Walker,
Theo. T. Garrard,
Mr. Andrews moved that the Senate take a recess until 12 o'clock.
And the question being taken thereon, it was decided in the negative.
On motion—
The Senate then adjourned.
THURSDAY, DECEMBER 31, 1857.

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

An act declaring the office of county judge and common school commissioner incompatible.

With an amendment thereto.

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

An act for the benefit of R. D. Murray, school commissioner of Hart county.

An act to regulate the expenditures of the proceeds of sales of vacant lands in the counties of Rockcastle and Laurel.

That they had received official information from the Governor that he had approved and signed an enrolled resolution, which originated in the House of Representatives, of the following title, viz:

Resolution in relation to the election of United States Senator.

1. Mr. Fisk presented the petition of sundry citizens of the city of Covington, praying the passage of an act increasing the jurisdiction of justices of the peace in said city.

2. Mr. Sudduth presented the petition of John W. King, infant, by George W. Williams, praying the passage of an act restricting the managers of the Paris and Clintonville Turnpike Road Company to the privilege given them by their charter.

3. Mr. Grundy presented the petition of the trustees of sundry school districts in Washington county, asking relief in relation to said schools.

Which were received, the reading dispensed with, and referred, the 1st to the committee on the Judiciary; the 2d to the committee on Circuit Courts, and the 3d to the committee on Education.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they were referred, viz:

By Mr. McBrayer, from the committee on County Courts—
An act to change the time of holding the Bourbon county quarterly court.

By same—
An act changing the time of holding the Clay county quarterly court.
By Mr. Irvine, from the same committee—
An act for the benefit of James D. Ballard.

By same—
An act for the benefit of John S. Adams.

By Mr. Garrard, from the committee on Internal Improvement—
An act for the benefit of Elihus Preston, of Johnson county.

By Mr. Bruner, from the committee on Education—
An act to incorporate the Madison Female School.

By Mr. Whitaker, from the committee on Circuit Courts—
An act for the benefit of George Parker and A. J. M. Johnson, late sheriffs of Union county.

By same—
An act for the benefit of B. D. Beall, late clerk of Campbell county and circuit courts.

With an amendments to the two last named bills.

Which were concurred in.

*Ordered*, That said bills, the two last as amended, be read a third time.

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

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

Mr. Grundy, from the committee on Propositions and Grievances, asked to be discharged from the further consideration of a petition to them referred, in relation to the creation of a new county out of parts of Owsley, Clay, Perry and Breathitt.

Which was granted.

Mr. Grundy, from the same committee, to whom was referred a bill from the House of Representatives, entitled,

An act to incorporate the Pocahontas Tribe, No. 3, of the Imperial Order of Red Men, at Newport.

Reported the same without amendment.

*Ordered*, That said bill be recommitted, with instructions to report, as amendment, a preamble setting forth the purposes and object of said corporation.

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

By Mr. McBrayer, from the committee on County Courts—
A bill to amend an act, entitled, an act to amend the laws relating to the county levy of Kenton county, approved February 5, 1856.

By Mr. Garrard, from the committee on Internal Improvement—
A bill to amend an act, entitled, an act to amend the laws regulating the Wilderness road.

By Mr. McBrayer, from a select committee—

A bill for the benefit of school districts Nos. 19 and 21, in Anderson county.

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

The constitutional provision as to the second reading of said bills being dispensed with, the 1st and 2d were ordered to be engrossed and read a third time, and the 3d was committed to the committee on Education.

The constitutional provision as to the third reading of the 1st and 2d 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. Fisk, from the committee on Enrollments, reported that the committee had examined enrolled bills which originated in the Senate, of the following titles, viz:

An act to amend the charter of the city of Covington.
An act for the benefit of Jaques Guedin.
And had found the same truly enrolled.

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 approval and signature.

After a short time Mr. Fisk reported that the committee had discharged that duty.

On motion of Mr. Rust, leave of absence was granted to Mr. Porter until Tuesday next.

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

On motion of Mr. Buckner—1. A bill to amend an act, entitled, an act to reduce into one the several acts in relation to the town of Hopkinsville.
On motion of Mr. Taylor—2. A bill to amend the laws in relation to the town of Vanceburg, in the county of Lewis.
On motion of same—3. A bill for the benefit of Benjamin F. Gambill.
On motion of Mr. Smith—4. A bill to move the place of voting in the Hendronsville precinct, in Henry county.
On motion of Mr. Fisk—5. A bill to change the times of holding courts in the 9th judicial district.
The committee on the Judiciary was directed to prepare and bring in the 1st, 2d and 3d; the committee on Propositions and Grievances the 4th, and Messrs. Fisk, Taylor and Andrews were appointed a committee to prepare and bring in the 5th.

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

Resolved, That the Auditor of Public Accounts inform the Senate what amount each county in the State pays into the school fund from the five cent tax; and what amount of said fund is paid to each county for common schools under existing laws. And, also, what amount of the Normal School appropriation is paid by each county out of the five cent tax.

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

The Senate then took up for consideration the amendments proposed by the House of Representatives to a bill from the Senate, entitled, An act declaring the office of county judge and common school commissioner incompatible,

Which were twice read and concurred in.

Also, bills from the House of Representatives of the following titles, viz:

1. An act to amend the act chartering sundry turnpike road companies in Madison county.
2. An act to amend an act, entitled, an act to amend the charter of the Versailles and Anderson Turnpike Road Company.
4. An act to regulate the expenditures of the proceeds of sales of vacant lands in the counties of Rockcastle and Laurel.

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

The constitutional provision as to the second reading of said bills being dispensed with, the 1st and 2d were referred to the committee on Internal Improvement; the 3d to the committee on Education, and the 4th to the committee on Circuit Courts.

And then the Senate adjourned.
FRIDAY, JANUARY 1, 1858.

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 incorporate the Lincoln Run and Mays' Creek Turnpike Road Company, in Washington county.

An act to amend the act incorporating the Hustonville and Columbia Turnpike Road Company.

An act to amend an act incorporating the Hustonville and Coffey's Mill Turnpike Road Company.

An act to incorporate the Buck Creek Bridge Company.

An act for the benefit of the Danville, Dix River and Lancaster Turnpike Road Company.

With an amendment to the last named bill.

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

1. An act to amend the charter of Bacon College.

2. An act to incorporate the Methodist Female College, at Covington, Ky.

3. An act to amend an act to incorporate the Union Agricultural and Improvement Association, of Mason and Bracken counties.

4. An act to amend article 18 of Revised Statutes.

5. An act to incorporate Ark Lodge, No. 86, I. O. O. F., at Caseyville.

6. An act vesting circuit and chancery courts with jurisdiction to confirm sales of infants' slaves, &c.

7. An act to amend the charter of the Kentucky River Turnpike Road Company.

8. An act to amend the 4th section of an act to amend the act to establish a Sinking Fund in Bourbon county, approved March 10th, 1856.

9. An act in relation to the fees of constables in Franklin county.

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

The constitutional provision as to the second reading of said bills being dispensed with, the 1st, 2d and 6th were referred to the committee on Circuit Courts; the 3d, 4th and 5th to the committee on Revised Statutes; the 7th to the committee on Internal Improvement, and the 8th and 9th to the committee on County Courts.
A message was received from the Governor by Mr. Bibb, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills which originated in the Senate, of the following titles, viz:

An act to amend the charter of the city of Covington.
An act for the benefit of Jaques Guedin.

Mr. Irvine presented the memorial of sundry citizens of Washington City, in relation to the bonds of the city of Maysville, issued by said city to the Maysville and Lexington Railroad Company.
Which was received, the reading dispensed with, and referred to the committee on the Judiciary.

Mr. Read, from the committee on Internal Improvement, to whom was referred a bill from the House of Representatives, entitled,
An act to amend the act chartering sundry turnpike road companies in Madison county.
Reported the same, with an amendment.

Ordered, That said bill, and amendment, be re-committed to the committee on Internal Improvement.

By Mr. Bruner, from the committee on Education, to whom was referred a bill from the House of Representatives, entitled,
An act to repeal the second section of an act, entitled, an act to authorize the trustees of Laurel county to sell the seminary lands of said county.
Reported the same without amendment.

Ordered, That said bill be made the special order of the day for the 2d Monday in January, instant, at 12 o'clock, M.

Mr. Bruner, from the committee on Education, reported
A bill for the benefit of common school districts in this Commonwealth.
Which was read the first time, and ordered to be read a second time.
The constitutional provision as to the second reading of said bill being dispensed with,
Mr. Sudduth moved to re-commit said bill, with instructions.

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

On motion of Mr. Buckner, Mr. Andrews was added to the committee on the Judiciary.

Mr. Mallory, from the committee on Agriculture and Manufactures, reported
A bill to incorporate the McCracken county Agricultural and Mechanical Association.

Which was read the first time, and ordered to be read a second time. The constitutional provision 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 motion of Mr. Buckner—1. A bill in regard to duties of trustees of the jury fund, and commonwealth's attorneys.

On motion of same—2. A bill to fix the times of holding circuit courts in the fifth judicial district.

On motion of Mr. Read—3. A bill for the benefit of Ralph Cotton and John Gardner, of Nelson county.

On motion of Mr. McBrayer—4. A bill to incorporate the town of Johnsonville, in Anderson county.

On motion of Mr. Darnaby—5. A bill to incorporate the town of Stamping Ground, in Scott county.

On motion of Mr. Andrews—6. A bill to define more specifically the county line between Fleming and Nicholas counties.

On motion of Mr. Sudduth—7. A bill to amend the law in reference to the election of substitute judges in the trial of criminal causes.

On motion of Mr. Fisk—8. A bill to amend the Revised Statutes, chapter 32, article 3, section 1, title Elections.

The committee on the Judiciary was directed to prepare and bring in the 1st and 5th; the committee on Circuit Courts the 2d; the committee on Propositions and Grievances the 4th; the committee on Revised Statutes the 7th and 8th; Messrs. Read, Walker and Rust were appointed a committee to prepare and bring in the 3d, and Messrs. Andrews, Taylor and Sudduth the 6th.

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

The rule of the Senate being dispensed with, said resolution was taken up and read as follows, viz:

Resolved, That the Auditor of Public Accounts transmit, for the use of the Senate, a statement showing—

1st. The number of free negroes who have been removed to Liberia from the State of Kentucky, by virtue of an act, entitled, "an act to aid in removing free negroes from this State to Liberia," approved March 3d, 1856.

2d. The counties from which they were removed.

3d. The amount paid out of the Treasury since the passage of said act, to aid in the removal of free negroes from this Commonwealth.

4th. To whom paid.

Which was adopted.
Mr. Fisk moved the following resolution, viz:

Resolved, That so much of the Governor's message as refers to the "assessment, for taxation, of the lands of this State," be referred to committee on the Judiciary, with instructions to inquire into the cause of the "loose mode of assessment," and to devise a remedy; and report by bill or otherwise.

Which was adopted.

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

An act to amend the several acts giving to the county court of Madison power to subscribe stock in turnpike road companies in said county.

An act to amend an act, entitled, an act incorporating the Bloomfield and Springfield Turnpike Road Company, approved January 23, 1854.

And had found the same truly enrolled.

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 approval and signature.

After a short time Mr. Fisk reported that the committee had discharged that duty.

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

An act for the benefit of the Danville, Dix River and Lancaster Turnpike Road Company.

Which was twice read and concurred in.

Also,

A bill to change the time of holding the circuit, equity and criminal courts in the first judicial district.

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

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

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

Also,

A bill to amend the 42d chapter of the Revised Statutes.

Mr. Sudduth moved to amend said bill.

Ordered, That said bill and proposed amendment be placed in the orders of the day.
Also,  
A bill for the benefit of examining courts in this Commonwealth in criminal cases,  
The question was then taken on ordering said bill to be engrossed and read a third time, it was decided in the affirmative,  
The yeas and nays being required thereon by Messrs. Irvine and Fisk, were as follows, viz:  

Those who voted in the affirmative, were—

Mr. Speaker, (King,) Thomas S. Grundy, H. M. Rust,  
James F. Buckner, David Irvine, John P. Smith,  
A. D. Cosby, William H. McBrayer, E. D. Walker,  
John F. Fisk, William B. Read,  

Those who voted in the negative, were—

John B. Bruner, Gibson Mallory, W. C. Whitaker,  
William C. Gillis, James Sudduth,  

Said bill was then placed in the orders of the day.  
Also, the resolution heretofore offered by Mr. Sudduth, in relation to the appointment of a committee to examine into the Lunatic Asylum, at Lexington.  
Which was twice read and adopted.  
And then the Senate adjourned.  

SATURDAY, JANUARY 2, 1858.  

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 S. I. M. Major.  
An act to change the time of holding the quarterly courts in Russell county.  
An act to change the magistrates’ district, No. 2, in Washington county.
An act to amend the charter of the People's Insurance Company.

1. Mr. Gillis presented the petition of sundry citizens of Whitley county, praying compensation for aiding in conducting a prisoner to the jail of said county.

2. Mr. Smith presented the petition of Wright Ray, and others, of Madison, Indiana, asking compensation for time and money spent attending the trial of Elijah Anderson, a free man of color, charged with abducting a slave from the county of Trimble.

3. Mr. Rust presented the petition of sundry citizens of the county of Greenup, asking a charter for the town of Catlettsburg.

Also, the remonstrance of sundry others against such action.

4. Mr. Ripley presented the petition of sundry merchants, capitalists, &c., asking a repeal of the usury laws, and the passage of a conventional interest bill.

5. Mr. Read presented the remonstrance of sundry citizens of the county of Nelson, remonstrating against a change in the time of holding the circuit courts in said county.

Which were received, the reading dispensed with, and referred, the 1st and 2d to the committee on Finance, the 3d and 4th to the committee on the Judiciary, and the 5th to the committee on Circuit Courts.

Mr. Buckner, from the committee on the Judiciary, to whom was referred a bill from the House of Representatives, entitled,

An act to amend the charter of the Maysville and Lexington Railroad Company.

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

And the question being taken on ordering said bill to be read a third time, it was decided in the negative,

And so the said bill was disagreed to.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they were referred, viz:

By Mr. Buckner, from the committee on the Judiciary—

An act to create the office of inspector of imported lumber in the city of Louisville.

By same—

An act to amend an act, entitled, an act to amend an act incorporating the town of Raywick.

By Mr. Gillis, from the committee on County Courts—

An act in relation to the fees of constables in Franklin county.
Ordered, That said bills be read a third time.

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

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

The following bills were reported, viz:

Mr. Fisk, from the committee on the Judiciary—
A bill to incorporate the Kentucky Mosely Iron Bridge Erecting Company.

By Mr. Andrews, from the same committee—
A bill for the benefit of Benjamin F. Gambill.

By Mr. Ripley, from the same committee—
A bill for the benefit of Eleanor G. Vance.

By Mr. Bruner, from the committee on Education—
A bill for the benefit of A. J. Fleming.

By Mr. Read, from a select committee—
A bill for the benefit of Ralph Cotton and John Gardner, of Nelson county.

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

The constitutional provision 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 foreshaid.

Mr. Bledsoe, from the committee on Religion, reported
A bill to incorporate Zion Baptist Church and Zion Baptist Seminary.

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

The constitutional provision as to the second reading of said bill being dispensed with, it was referred to the committee on the Judiciary.

Mr. Ripley read and laid on the table the following resolution.

The rule of the Senate being dispensed with, said resolution was taken up and read, as follows, viz:

The General Assembly has seen with concern that an attempt is about to be made, under the recommendation of the President of the United States and the Secretary of the Treasury, to bring all the banking institutions and railroad corporations of the country under the operation of a national bankrupt law; and regards such proposed legislation as a dangerous assumption of power by Congress over subjects properly within the control of the several States. Be it therefore,
Resolved by the General Assembly of the Commonwealth of Kentucky, That the people of Kentucky prefer keeping the control of their banks and railroads to themselves, and earnestly protest against the transfer of that control to the federal government.

Resolved, That the States have the power to enforce or not to enforce the forfeitures at any time incurred by their several banking institutions, by a suspension of specie payments, and this power should be so exercised as to promote the welfare of their citizens, and ought not to be invaded by Congress.

Resolved, That the passage by Congress of a national bankrupt act, applicable to the banks and railroads of the States, would be an odious and unwarrantable interference by Congress with the domestic institutions of the States.

Resolved, That a copy of these resolutions be transmitted to our Senators and Representatives in Congress, to be laid before that body.

Ordered, That the Public Printer print 150 copies thereof for the use of the General Assembly, and that it be made the special order of the day for Wednesday next, at 12 o'clock.

Mr. Andrews moved the following resolution, viz:

Resolved, That the committee on the Public Buildings inquire whether further legislation be necessary to secure the preservation of the public grounds and buildings, &c., &c.; and that they report by bill or otherwise.

Which was adopted.

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

An act to amend the several acts giving to the county court of Madison power to subscribe stock in turnpike road companies in said county.

An act to amend an act, entitled, an act incorporating the Bloomfield and Springfield Turnpike Road Company, approved January 23, 1854.

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

On motion of Mr. Ripley—1. A bill to amend section 241 of the Code of Practice.

On motion of Mr. Matthewson—2. A bill to authorize county judges to hold special terms of their courts in the county clerks' offices.

On motion of Mr. Wait—3. A bill for the benefit of Wm. M. Fox and John Crawford, of Pulaski county.

On motion of Mr. Ripley—4. A bill to amend section 756 of the Code of Practice.
On motion of same—5. A bill to incorporate the Louisville Marine Insurance Company.

On motion of Mr. Gillis—6. A bill authorizing the trustees of the town of London, in Laurel county, to close an alley in said town, and sell the ground.

On motion of same—7. A bill to appoint commissioners to re-locate the State road leading from London, in Laurel county, to the Tennessee State line.

On motion of same—8. A bill to change the place of voting in the Meadow creek district, in Whitley county.

On motion of Mr. Burton—9. A bill to amend the charter of the Danville and Hustonville Turnpike Road Company.

On motion of Mr. Grundy—10. A bill to incorporate certain turnpike road companies in Washington and Marion counties.

On motion of Mr. Buckner—11. A bill to define article 1st, section 1st, page 556, of the Revised Statutes, in reference to brokers.

The committee on the Codes of Practice was directed to prepare and bring in the 1st and 4th; the committee on County Courts the 2d 3d and 6th; the committee on the Judiciary the 5th; the committee on Internal Improvement the 7th, 9th and 10th; the committee on Privileges and Elections the 8th, and the committee on Revised Statutes the 11th.

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

An act placing the control of the State road in Whitley county in the county court of said county.

An act to authorize the Calloway county court to change the State road from Aurora to Murray.

An act for the benefit of the clerks of the circuit and county courts of this Commonwealth.

And enrolled bills which originated in the House of Representatives of the following titles, viz:

An act to incorporate Walton Lodge, No. 202, of Free and Accepted Masons.

An act to organize a second fire company in the city of Frankfort.

An act for the benefit of James H. Parker, late clerk of Campbell county and circuit courts.

An act changing the time of holding the March term of the Oldham quarterly court.

An act to amend an act to reduce into one the several acts relating to the town of Taylorsville.
An act for the benefit of school district No. 13, in the county of Oldham.
An act to amend the charter of the Harrod's Creek Academy.
An act repealing an act for the benefit of the trustees of Prestonsburg.
An act for the benefit of Mrs. Eleanor Aberdeen.
An act for the benefit of S. D. Winterbower, late deputy sheriff of Hardin county.
An act for the benefit of Nimrod Harris and George W. Tompkins, late sheriffs of Mercer county.
An act for the benefit of William Mynhier, late sheriff of Morgan county.
An act to incorporate Telula Lodge, No. 70, of I. O. O. F., of the town of Smithland.
An act for the benefit of Waynesburg Lodge, No. 328, of Ancient York Masons.
An act to incorporate Bradford Lodge, No. 123, of Free and Accepted Masons.
An act to amend the laws allowing fees to justices.
An act for the benefit of E. P. Hill's administrator.
An act for the benefit of Robert Bates, late sheriff of Letcher county.
An act to incorporate the Odd Fellows Hall Association, of Lexington.

And had found the same truly enrolled.
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 approval and signature.

After a short time Mr. Fisk reported that the committee had discharged that duty.

The Senate, according to order, resolved itself into a committee of the Whole, Mr. Grover in the Chair, on the bill to amend article 1, chapter 70, of the Revised Statutes, in relation to occupying claimants; and after some time spent therein, the Speaker resumed the Chair, when Mr. Grover reported that the committee had, according to order, had under consideration the bill aforesaid; that they had adopted sundry amendments, and had directed him to report the bill and amendments to the Senate.

Ordered, That said bill and amendments, be made the special order of the day for Monday next, at 11 o'clock.

And then the Senate adjourned.
MONDAY, JANUARY 4, 1858.

A message was received from the House of Representatives, announcing that they had concurred in the amendments proposed by the Senate, to bills from the House of Representatives, of the following titles, viz:

An act for the benefit of B. D. Beall, late clerk of Campbell county and circuit courts.

An act for the benefit of George Parker and A. J. M. Thompson, late sheriffs of Union county.

An act authorizing the election of police judge and marshal for the town of Washington, in Mason county.

That they had passed a bill from the Senate, entitled,

That they had concurred in the resolution from the Senate in relation to the appointment of a committee to examine into the Lunatic Asylum, at Lexington.

An act to incorporate Naomi Lodge, No. 129, I. O. O. F.

That they had passed a bill entitled,

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

The Speaker laid before the Senate the biennial report of the Visitors of the Blind Asylum at Louisville.

[For Report—see Legislative Documents.]

Ordered, That the Public Printer print 1,650 copies thereof for the use of the General Assembly.

On motion of Mr. Fisk, Mr. McBrayer was added to the committee on Enrollments.

Mr. Fisk, from the committee on Enrollments, reported that the committee had examined an enrolled bill which originated in the Senate, entitled,

An act to incorporate the Big Sandy Navigation Company.

And enrolled bills which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of Philip B. Thompson, of Mercer county.

An act providing for the election of the marshal of the city of Louisville.

And had found the same truly enrolled.
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 approval and signature.

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

1. Mr. Buckner presented the remonstrance of sundry citizens of Frankfort, against the passage of an act prohibiting the fishing in the Kentucky river with nets.

2. Also, the remonstrance of James Landrum, and others, remonstrating against the passage of an act amending the act establishing a free ferry across Green river, between the towns of Calhoun and Rumsey.

3. Mr. Rust presented the memorial of James R. Botts, of Carter county, praying the passage of an act allowing him compensation for conveying a lunatic to the Asylum at Lexington.

Which were received, the reading dispensed with, and referred, the 1st to the committee on Propositions and Grievances; the 2d to the committee on the Judiciary, and the 3d to the committee on Finance.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they were referred, viz:

By Mr. Burton, from the committee on Privileges and Elections—
An act establishing an additional voting place in Hardin county.

By Mr. Ripley, from the committee on the Codes of Practice—
An act to amend section 614 of the Civil Code of Practice, in regard to depositions.

By Mr. Burton, from the committee on Internal Improvement—
An act to incorporate the Alexandria Turnpike Road Company. With an amendment to the last named bill.

Which was adopted.

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

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

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

The following bills were reported, viz:

By Mr. Burton, from the committee on Privileges and Elections—
A bill to change the place of voting in the Meadow creek precinct, in Whitley county.
By Mr. Ripley, from the committee on the Codes of Practice—
A bill to amend section 754 of the Code of Practice.
By same—
A bill to amend section 241 of the Code of Practice.
Which were read the first time, and ordered to be read a second time.
The constitutional provision as to the second reading of said bills being dispensed with, the 1st and 2d were ordered to be engrossed and read a third time, and the 3d was ordered to be printed and placed in the orders of the day.
The constitutional provision as to the third reading of the 1st and 2d 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. Ripley, from the committee on the Codes of Practice, reported
A bill to amend 342d section of Criminal Code,
Which was read the first time, and ordered to be read a second time.
The constitutional provision as to the second reading of said bill being dispensed with,
Sundry amendments were proposed thereto.
Pending the consideration of which, the hour arrived for taking up the special order of the day.
The Senate, according to order, took up for consideration
A bill to amend article 18, chapter 27, of the Revised Statutes,
With the pending amendments.
Said bill reads as follows, viz:
§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That from and after the time this act takes effect, so much of article 18, chapter 27, of the Revised Statutes, and all others, as requires the presiding judge of the quarterly court to act as clerk of his own court, shall be and the same is hereby repealed.
§ 2. The clerks of the county courts shall be clerks of the quarterly courts in their respective counties; they shall keep the records, books, and papers of the quarterly court in the clerk's office of the county court; and the duties of the presiding judge, now prescribed by law as clerk of the quarterly court, shall be performed by the clerk of the county court, who, therefor, shall be entitled to the same fee now allowed by law to the presiding judge.
§ 3. The mode of commencing a civil action in the quarterly court shall be the same as that prescribed by chapter 1, title 4, of the Code of Practice, except where the matter in controversy does not exceed fifty dollars. All process returnable to said court shall be issued and signed by the clerk of the county court.
§ 4. The clerks of the several county courts shall, at each fall term of the circuit court of their respective counties, make a settlement, under oath, with the trustee of the jury fund of the county, of all taxes, fines, forfeitures, and other public moneys in his hands, or under his control, as clerk of the quarterly court, and pay the same over to said trustee, after deducting five per cent. on the whole amount for his compensation.

§ 5. The presiding judge of the quarterly court, having the custody of the records, books, and papers of said court when this act takes effect, shall deliver the same to the clerk of the county court, who shall receive the same, and carefully preserve them in his office. And if any such judge shall fail or refuse so to deliver the same, or any part thereof, within a reasonable time after written notice by the clerk or other person so to do, served upon him, he shall be fined in any sum not less than twenty, nor more than one hundred dollars, to be recovered by presentment or indictment in the circuit court.

§ 6. This act shall take effect on the first Monday in September, 1858.

The pending amendment proposed by the committee on the Revised Statutes, reads as follows, viz:

The county court, at the court of claims, shall make an allowance to the presiding judge out of the county levy, for his services in holding the quarterly courts.

The amendment to the amendment, proposed by Mr. Haycraft, reads as follows, viz:

*Be it further enacted*, that the several county courts shall annually, at the laying of the county levy, make an allowance to the county judge for sitting in quarterly, monthly, called, and examining courts, and for all other services for which no special clerk fee is allowed.

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

The question was then taken on the adoption of the amendment proposed by the committee, and it was decided in the affirmative.

Mr. Garrard moved further to amend said bill, by exempting from the provisions thereof the counties of Owale, Clay, Harlan, Letcher, Perry and Breathitt.

Mr. Whitaker moved to amend the amendment proposed by Mr. Garrard, by adding thereto the counties of Shelby and Spencer.

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

Mr. Grover then moved to amend the amendment proposed by Mr. Garrard, by adding thereto the counties of Owen, Grant and Pendleton.

And the question being taken thereon, it was decided in the negative.
Mr. Andrews then moved the following resolution in relation to said bill:

Resolved, That the bill and amendments be recommitted to the committee on the Revised Statutes, and that they inquire into the propriety of reporting a substitute repealing the quarterly courts.

Mr. McKee moved to lay said bill, amendment, and resolution on the table.

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

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

Those who voted in the affirmative, were—

Mr. Speaker, (King,) Thomas S. Grundy, John P. Smith,
Joseph S. Bledsoe, Samuel Haycraft, James Sudduth,
John B. Bruner, Daniel Matthews, Cyrenius Wait,
James F. Buckner, William H. McBrayer, E. D. Walker,
A. D. Cosby, James McKee, W. C. Whitaker,
Theo. T. Garrard, William B. Read, John Williams,

Those who voted in the negative, were—

Landaff W. Andrews, William C. Gillis, John P. Martin,
Jesse W. Burton, James D. Headley, H. M. Rust,
William S. Darnaby, Samuel Howard, Harrison Taylor,
George T. Edwards, David Irvine, C. J. Walton,

The Senate, also, took up for consideration the bill to amend article 1, chapter 70, of the Revised Statutes, in relation to occupying claimants, with the amendments adopted in committee of the whole, on the 2d inst.

Said bill reads as follows, viz:

§ 1 Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the fifth section of article first, chapter lxx., of the Revised Statutes, entitled, “occupying claimants,” be and the same is hereby amended as follows, viz:

After the jury shall have been sworn, it shall be their duty, from an examination of the premises, and upon such legal evidence as either party may produce,

1. To assess the damages, if any, which may have been done the land by cultivation and unnecessary waste of timber, stone, minerals, or other thing, upon the land, after the institution of the suit.

2. To assess the damages done the land by unnecessary waste of timber, stone, minerals, or other thing upon it done, or suffered to be done, by the occupant before the institution of the suit, and after he had actual notice of the claim of the successful party: Provided, however, That in no case shall the occupant be liable for such damages,
unless they accrued within five years next before the institution of the suit.
3. The rents and profits which have accrued from and after the institution of the suit.
4. The value of the improvements upon the land from which the occupant is to be evicted.

Which inquest and verdict shall be signed by the jurors.

§ 2. So much of said article as conflicts with the provisions of this act is hereby repealed.

The amendments adopted in committee of the whole, read as follows, viz:
In sub-section 2, in line 3, strike out “and,” and insert between the word “suit” and the word “after,” the following words, to-wit: “and up to the day of inquest.”
In sub-section 2, in last line, after the word “suit,” add the following: “and if no notice is proven, then the court shall enter judgment for the amount of the assessment under the first sub-section of this act.”
In 3d sub-section, line 1, between the words “profits” and “which,” insert the words “per annum.” And in same section, last line, after the word “suit,” add “up to the day of the inquest.”

The question was taken on the adoption of the amendments, and it was decided in the affirmative.

Mr. Andrews moved to lay said bill, as amended, on the table.
And the question being taken thereon, it was decided in the negative.

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

Those who voted in the affirmative were—
Landaff W. Andrews, Samuel Haycraft, John P. Smith,
Joseph S. Bledsoe, James D. Headley, James Sudduth,
John B. Bruner, David Irvine, Cyrenius Wait,
James F. Buckner, Gibson Mallory, W. O. Whitaker,
A. D. Cosby, James McKee, John Williams—17.
Asa P. Grover, George W. Silvertooth,

Those who voted in the negative were—
Mr. Speaker, (King,) William C. Gillis, Harrison Taylor,
Jesse W. Burton, Thomas S. Grundy, E. D. Walker,
William S. Darnaby, Samuel Howard, C. J. Walton,
George T. Edwards, Daniel Matthewson, W. M. Wilson,
Theo. T. Garrard, William B. Read,

The question was then taken on ordering said bill to be engrossed and read a third time.
And it was decided in the negative.
The yeas and nays being required thereon, by Messrs. Andrews and Garrard, were as follows, viz:
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Those who voted in the affirmative, were—

Mr. Speaker, (King,) Thomas S. Grundy, William B. Read,
Jesse W. Burton, Samuel Howard, Harrison Taylor,
W. S. Darnaby, John P. Martin, C. J. Walton,
John F. Fisk, Daniel Matthewson, W. M. Wilson,
William C. Gillis,

Those who voted in the negative, were—

Landaff W. Andrews, Samuel Haycraft, John P. Smith,
Joseph S. Bledsoe, James D. Headley, James Sudduth,
John B. Bruner, David Irvine, Cyrenius Wait,
James F. Buckner, Gibson Mallory, E. D. Walker,
A. D. Cosby, James McKee, W. C. Whitaker,
George T. Edwards, H. M. Rust, John Williams—20.
Asa P. Grover, George W. Silvertooth,

The Senate also took up for consideration an engrossed bill for the benefit of the examining courts of this Commonwealth.

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

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That justices of the peace, and all other officers who are authorized by law to examine, for commitment for trial, persons charged with having committed a public offense, shall be and they are hereby allowed the sum of one dollar for each examination; and where the examination lasts more than one day, one dollar per day, each day, during their attendance on such examination, to be paid out of the public treasury, in the same manner that constables' claims are now allowed and paid for apprehending persons charged with felony.

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. Garrard and McKee, were as follows, viz:

Those who voted in the affirmative, were—

Joseph S. Bléésoe, Samuel Haycraft, H. M. Rust,
John B. Bruner, James D. Headley, George W. Silvertooth,
James F. Buckner, Samuel Howard, John P. Smith,
Jesse W. Burton, David Irvine, E. D. Walker,
A. D. Cosby, John P. Martin, C. J. Walton,
William S. Darnaby, William H. McBryar, W. M. Wilson,
George T. Edwards, James McKee, George Wright—22
John F. Fisk,

Those who voted in the negative, were—

Mr. Speaker, (King,) Asa P. Grover, Harrison Taylor,
Landaff W. Andrews, Gibson Mallory, Cyrenius Wait,
Theo. T. Garrard, Daniel Matthewson, Walter C. Whitaker,
William C. Gillis, James Sudduth, John Williams—12.

Resolved, That the title of said bill be as aforesaid.
The Senate also took up for consideration, a bill to amend the 42d chapter of the Revised Statutes, with the amendment heretofore proposed by Mr. Sudduth.

Said bill reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That sections six, seven, and ten, of chapter 42, title gaming, be and the same are hereby repealed.

§ 2. Whoever shall set up, exhibit, or keep for himself or another, or shall procure to be set up, or exhibited, or kept, any faro bank, gaming table, machine, or contrivance used in betting, or other game of chance, the object of which is gaming, whereby money or other thing is, or may be, won or lost, shall be fined in any sum not exceeding five hundred dollars and costs, and imprisoned till the same is paid, or imprisoned not more than one year, or both so fined and imprisoned.

Any such bank, table, or machine, or article used for carrying on such game, together with all money or other thing staked or exhibited to allure persons to bet, may be seized by any magistrate, sheriff, constable, or police officer of a city or town, with or without a warrant, and upon conviction of the person setting up or keeping the game, such money or other thing shall be forfeited—one half for the use of the person making the seizure, and the other half for the use of the commonwealth; and such table, machine, and articles shall be publicly burnt or destroyed.

And though no person be convicted as the setter up or keeper of such table or game, yet, if a jury shall, in a summary proceeding, find that the money, table, or other things were used, or intended to be used, for the purpose of such gaming, they shall be condemned and forfeited.

§ 3. Whoever shall permit any such game or table, as is mentioned in the last section, to be set up, kept, or exhibited, in any house, boat, or float, or on any premises in his occupation or under his control, or shall lease the same, or any part thereof for that purpose, shall be fined from fifty to two hundred and fifty dollars and costs, and imprisoned till the same is paid.

If the offender be a tavern keeper, coffee house keeper, or other retailer of spirituous or malt liquors, under a State, city or county license, he shall be fined from fifty to five hundred dollars, forfeit his license, and not be again licensed within five years next after such conviction.

§ 4. Whoever shall suffer any game whatever, at which money or property is won or lost, to be played in a house, boat, or float, or on premises in his occupation or under his control, shall be fined from fifty to five hundred dollars for each offense.

The amendment proposed by Mr. Sudduth reads as follows, viz:

Add to the 3d section the following: “After proof of the setting up, keeping, or exhibiting of such table, or game, in any such house, boat, or, float, or place, it shall be presumed to have been with the permission of the person occupying or controlling the same, unless the contrary be proved.”
The question was then taken on the adoption of said amendment, and it was decided in the affirmative.

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

Those who voted in the affirmative, were—

Mr. Speaker, (King,)  
John B. Bruner,  
Jesse W. Burton,  
A. D. Cosby,  
Samuel Haycraft,  
Samuel Howard,  
David Irvine,  
Daniel Matthewson,  
Harrison Taylor,  
James McKee,  
H. M. Rust,  
John P. Smith,  
John Sudduth,  
Harrison Taylor,  
Cyrenius Wait,  
E. D. Walker,  
Walter C. Whitaker,  
William H. McBrayer,  
William B. Read,  
Charles Ripley,  
G. W. Silvertooth,  
C. J. Walton,  

Those who voted in the negative, were—

Landaff W. Andrews,  
Joseph S. Bledsoe,  
William S. Darnaby,  
George T. Edwards,  
John F. Fisk,  
Theo. T. Garrard,  
William C. Gillis,  
Asa P. Grover,  
Thomas S. Grundy,  
James D. Headley,  
Gibson Mallory,  
John P. Martin,  
William H. McBrayer,  
William B. Read,  
Charles Ripley,  
G. W. Silvertooth,  
C. J. Walton,  

The question was then taken on ordering said bill, as amended, to be engrossed and read a third time, and it was decided in the affirmative.

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

Those who voted in the affirmative, were—

Mr. Speaker, (King,)  
Jesse W. Burton,  
William S. Darnaby,  
John F. Fisk,  
Theo. T. Garrard,  
Asa P. Grover,  
Samuel Howard,  
David Irvine,  
James McKee,  
H. M. Rust,  
John P. Smith,  
James Sudduth,  
Harrison Taylor,  
Cyrenius Wait,  
E. D. Walker,  
C. J. Walton,  
Walter C. Whitaker,  
William H. McBrayer,  
William B. Read,  
Charles Ripley,  
G. W. Silvertooth,  
C. J. Walton,  

Those who voted in the negative, were—

Landaff W. Andrews,  
Joseph S. Bledsoe,  
John B. Bruner,  
James F. Buckner,  
A. D. Cosby,  
George T. Edwards,  
William C. Gillis,  
Thomas S. Grundy,  
Samuel Haycraft,  
James D. Headley,  
Gibson Mallory,  
John P. Martin,  
Daniel Matthewson,  
William H. McBrayer,  
Charles Ripley,  
George W. Silvertooth,  
W. M. Wilson—17.

The Senate also took up for consideration the resolution in relation to the election of public officers.

Said resolution reads as follows, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That they will on the 5th day of January next proceed, by joint vote
of the two Houses, to the election of the public officers of this Commonwealth.

Mr. Andrews moved to amend said resolution by striking out the words 5th day of January next, and insert in lieu thereof the words 20th day of the present month.

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

The yeas and nays being required theron by Messrs. Grover and Walton, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker, (King,) William C. Gillis, H. M. Rust,
Landaff W. Andrews, Asa P. Grover, John P. Smith,
Joseph S. Bledsoe, Samuel Haycraft, James Sudduth,
John B. Bruner, Samuel Howard, Harrison Taylor,
James F. Buckner, David Irvine, Cyrenius Wait,
Jesse W. Burton, Gibson Mallory, C. J. Walton,
A. D. Cosby, John P. Martin, W. C. Whitaker,
William S. Darnaby, Daniel Matthewson, John Williams,
George T. Edwards, James McKee, George Wright—28.

John F. Fisk,

Those who voted in the negative, were—

Theo. T. Garrard, William H. McBrayer, George W. Silvertooth,
Thomas S. Grundy, William B. Read, E. D. Walker,

And the question being taken on the adoption of said resolution, as amended, it was decided in the affirmative.

Mr. Fisk moved to reconsider the vote adopting said resolution, and it was decided in the negative.

Bills from the House of Representatives of the following titles, were severally read the first time, viz:

1. An act for the benefit of S. I. M. Major.
2. An act to change the time of holding the quarterly courts in Russell county.
3. An act to change the magistrates' district, No. 2, in Washington county.
4. An act to amend the charter of the People's Insurance Company.
5. An act to change the voting place in district No. 2, in Ballard county.

The committee on Finance was directed to prepare and bring in the 1st; the committee on County Courts the 2d, 3d and 5th, and the committee on the Judiciary the 4th.

And then the Senate adjourned.
TUESDAY, JANUARY 5, 1858

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 amend an act, entitled, an act to regulate the duties of county and commonwealth's attorneys.

An act for the benefit of Thomas P. Smith.

An act to amend the charter of the Franklin Insurance Company, of Louisville.

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

An act to authorize railroad companies to make certain contracts with each other.

An act to allow John Gearin, of Calloway county, to peddle in said county without license.

An act for the benefit of R. P. Fox and Carter White of Madison county.

An act for the benefit of Gideon Barnes and Christopher Boone.

An act for the benefit of the estate of Samuel Long, of Oldham county.

An act for the benefit of Thomas Blackburn.

An act to amend the charter of the German Insurance company of the city of Louisville.

An act for the benefit of Thomas Linley, of Livingston county.

An act creating a police judge and town marshal in the town of Canton, Trigg county.

An act to incorporate the Star Fire Company, of Frankfort.

That they had received official information from the Governor that he had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of Philip B. Thompson, of Mercer county.

An act providing for the election of the marshal of the city of Louisville.

Mr. Andrews presented the petition of sundry citizens of Lawrence county, praying the passage of an act authorizing a change of the boundary lines of school district No. 7, in said county.

Which was received, the reading dispensed with, and referred to the committee on Education.
A message was received from the Governor by Mr. Bibb, Assistant Secretary of State, announcing that the Governor had approved and signed an enrolled bill which originated in the Senate, of the following title, viz:

An act to incorporate the Big Sandy Navigation Company.

The Senate resumed the consideration of the unfinished report from the committee on the Codes of Practice, of the bill to amend 342d section of Criminal Code,

With the pending amendments.

The said bill reads as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the 342d section of the Criminal Code be so amended as to give the Court of Appeals appellate jurisdiction in prosecutions for misdemeanors when the judgment is for a fine of, or exceeding, fifty dollars.

Mr. Rust moved to amend said bill by striking out fifty, and inserting in lieu thereof twenty.

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

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

Those who voted in the affirmative, were—


Those who voted in the negative, were—


Mr. Andrews moved to amend said bill, as amended, by striking out all after the enacting clause, and inserting in lieu thereof the following, viz:

That the 342d section of the Criminal Code be so amended as to give the Court of Appeals appellate jurisdiction in prosecutions for misdemeanors in all cases when the judgment below is final.

And the question being taken thereon, it was decided in the affirmative.
The yeas and nays being required thereon by Messrs. Andrews and Bledsoe, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker, (King,) William C. Gillis, William B. Read,
Landaff W. Andrews, Thomas S. Grundy, H. M. Rust,
Joseph S. Bledsoe, James D. Headley, G. W. Silvertooth,
Jesse W. Burton, John P. Martin, E. D. Walker,
William S. Darnaby, William H. McBryer, C. J. Walton,

Those who voted in the negative, were—

John B. Bruner, Samuel Howard, James Sudduth,
James F. Buckner, David Irvine, Harrison Taylor,
A. D. Cosby, Gibson Mallory, Cyrenius Wait,
George T. Edwards, Daniel Mathewson, William M. Wilson,
Asa P. Grover, James McKee, George Wright—17.

Samuel Haycraft, John P. Smith,

Ordered, That said bill be engrossed and read a third time.
The question was then taken on dispensing with the third reading, and it was decided in the negative.

Mr. Porter, from the committee on Circuit Courts, to whom was referred a bill from the House of Representatives, entitled,
An act concerning proceedings in circuit and chancery courts.
Reported the same without amendment.

Ordered, That said bill be placed in the orders of the day.
The following bills were reported from select committees, viz:
By Mr. Matthewson—
A bill to amend the charter of Paducah.
By Mr. Edwards—
A bill for the benefit of the Baptist Church in Russellville.
Which were read the first time, and ordered to be read a second time.
The constitutional provision 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. Buckner, from the committee on the Judiciary, asked to be discharged from the further consideration of the resolution requesting an inquiry into the expediency of dispensing with the publication of the arguments before, and decisions of the appellate court.
Which was granted.

Also, to be discharged from the further consideration of a petition of sundry citizens upon the Kentucky river, in relation to Steel's dam
upon said river, and that it be referred to the committee on Internal Improvement.

Which was granted.

Also, from the further consideration of the petition of sundry citizens of the city of Covington, in relation to the extension of the jurisdiction of justices of the peace in said city.

Which was granted.

Mr. Buckner, from the same committee, to whom was referred a bill from the House of Representatives, entitled,

An act to establish a police court in the town of Winchester.

Reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

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

The following bills were reported from the committee on the Judiciary, viz:

By Mr. Buckner—

1. A bill for the benefit of the personal representatives of W. B. A. Baker, deceased.

By same—

2. A bill in regard to the duties of trustees of the jury fund and commonwealth's attorneys.

By Mr. Andrews—

3. A bill to prevent the loss of the public books.

By same—

4. A bill in relation to commissioners, their appointment and duties.

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

The constitutional provision as to the second reading of said bills being dispensed with, the 1st was ordered to be engrossed and read a third time, and the 2d, 3d and 4th were ordered to be printed and placed in the orders of the day.

The constitutional provision as to the third reading of the 1st of said bills 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 motion of Mr. Andrews—1. A bill to incorporate the Elizaville and Blue Lick Turnpike Road Company.
On motion of Mr. Porter—2. A bill to incorporate the Woodford Landing and Anderson Turnpike Road Company.

On motion of Mr. Mallory—3. A bill to incorporate the Louisville and Cane Run Plank Road Company.

On motion of Mr. Howard—4. A bill to incorporate the Christian Church in Ghent, Carroll county.

On motion of Mr. Taylor—5. A bill for the benefit of the personal representatives of William B. A. Baker, deceased, late sheriff of Mason county.

On motion of same—6. A bill to amend article 6, chapter 27, title Courts, of the Revised Statutes.

On motion of same—7. A bill to incorporate DeKalb Lodge, No. 12, I. O. O. F.

On motion of Mr. Haycraft—8. A bill to prevent the sale of intoxicating drinks to minors.

On motion of Mr. Burton—9. A bill to amend the charter of the Ewing Female Institute, at Perryville.

On motion of Mr. Whitaker—10. A bill providing for carrying out the discipline of colleges.

On motion of Mr. Edwards—11. A bill amending section 180, title 8, of the Code of Practice.

On motion of Mr. Rust—12. A bill to amend the law in relation to justices' courts.

On motion of Mr. Gillis—13. A bill for the benefit of William H. Randall, of Laurel county.


The committee on Internal Improvement was directed to prepare and bring in the 1st and 2d; the committee on Agriculture and Manufactures the 3d; the committee on Religion the 4th; the committee on the Judiciary the 5th, 7th and 11th; the committee on the Court of Appeals the 6th; the committee on Revised Statutes the 8th and 12th; the committee on Education the 9th; to the committee on Circuit Courts the 10th, and to the committee on County Courts the 13th and 14th.

Mr. Howard presented the following resolutions, adopted at a meeting of the citizens of Carroll county, in relation to banks, &c., viz:

At a meeting of the citizens of Carroll county, held in Carrollton on Saturday, the 19th day of December, 1857, Hon. H. Cox presiding, the following preamble and resolutions were read, and after being discussed, were unanimously adopted:
Whereas, the object contemplated by the legislature, in enacting charters for banking corporations, was to afford to manufacturers, merchants, traders, and business men of every description, proper and necessary facilities for obtaining money, and at the same time to afford to capitalists a fair compensation for the use of their capital; but some of the banks in Kentucky have violated the will of the legislature, and disappointed the expectations of the people, by using their funds in an illegitimate trade in bills of exchange, to the almost entire exclusion of appropriate business, and thereby compelling the business men of the country either to transact their business without bank facilities, or to accept those facilities by selling to the banks bills payable in remote southern or eastern cities, at rates of exchange both exorbitant and oppressive.

Resolved, That we regard the course pursued by the banks, as indicated in the foregoing preamble, as being an effort on their part to evade the operation of the usury laws of Kentucky, and to secure such rates of interest, for the use of money, as the wants of the borrower will compel him to pay.

Resolved, That we regard it as being within the scope of legislative power to declare, by statutory enactment, all such exorbitant rates of exchange to be usury, and to define what it takes to constitute a legitimate bill of exchange, and to affix such penalties upon those who may violate such laws as will deter them from it, and save the country from the relentless grasp of those who are managing the banking institutions of the country.

Resolved, That we hold that the banks present a clear case of the evasion of the usury laws, by refusing accommodations, unless it be upon bills payable in remote eastern cities at exorbitant rates of exchange, and having but a short time to run, at which cities the seller can have no funds to meet such bills at maturity, except by buying eastern funds from bankers, and paying therefor a premium both exorbitant and oppressive.

Resolved, That relying as we do upon the wisdom and patriotism of the present legislature, we look with confidence to its action for a certain and efficient remedy against bank oppression.

Resolved, That we respectfully request our Senator and Representative to lay before their respective branches of the legislature the foregoing preamble and resolutions, and to secure, if possible, the passage of a law which will relieve the people of Kentucky from the burthen thrown upon them by the grasping course of the managers of the banks of the state.

Resolved, That the proceedings of this meeting be signed by the chairman, and placed in the hands of our Senator and Representative.

H. COX, Chairman.

Ordered, That said resolutions be printed and referred to the committee on Banks.

The hour having arrived for the execution of the joint order of the day, the election of a United States Senator,

Mr. Silvertooth moved that a committee be appointed to inform the
House of Representatives that the Senate was now ready to proceed to the election of United States Senator.

Whereupon Messrs. Silvertooth and Bruner were appointed said committee.

A message was received from the House of Representatives, by Messrs. Machen and Combs, announcing that they were now ready to proceed to the execution of the joint order of the day—the election of a United States Senator.

The Speaker announced that nominations for the office of Senator were then in order.

Whereupon Mr. Silvertooth nominated for that office, the Hon. Lazarus W. Powell.

Mr. Bruner nominated, for the same office, the Hon. Garrett Davis.

Mr. Burton nominated the Hon. John B. Thompson.

Messrs. Edwards and Walker were appointed a committee to inform the House of Representatives of the nominations made in the Senate.

A message was received from the House of Representatives, by Mr. Huston, announcing that the Hon. L. W. Powell and Hon. Garrett Davis had been put in nomination, in that House, for the office of United States Senator.

Mr. Burton withdrew the nomination of the Hon. John B. Thompson.

Whereupon Mr. Sudduth was requested to inform the House of such withdrawal.

The vote was then taken, which resulted as follows, viz:

Those who voted for Mr. Powell, were—

A. D. Cosby,
William S. Darnaby,
John F. Fisk,
Theo. T. Garrard,
Asa P. Grover,
Thomas S. Grundy,
James D. Headley,
John P. Martin,
Daniel Matthewson,
William H. McBrayer,
Thomas P. Porter,
William B. Read,
H. M. Rust,
George W. Silvertooth,
John P. Smith,
E. D. Walker,
C. J. Walton,

Those who voted for Mr. Davis, were—

Mr. Speaker, (King,) Landaff W. Andrews,
Joseph S. Bledsoe,
John B. Bruner,
James F. Buckner,
George T. Edwards,
William C. Gillis,
Samuel Haycraft,
Samuel Howard,
David Irvine,
Gibson Mallory,
James McKee,
Charles Ripley,
James Sudduth,
Harrison Taylor,
Cyrenius Wait,
Walter C. Whitaker,
John Williams,
George Wright—19.

For Mr. Thompson—Jesse W. Burton—1.
Messrs. Ripley and Porter were appointed a committee on the part of the Senate, to confer with a similar committee appointed on the part of the House of Representatives, to ascertain the joint vote, and report the same to the Senate.

After a short time the committee reported that they had discharged the duty assigned them, and on comparison of the vote of the two Houses, found that the Hon. Lazarus W. Powell had received 80 votes; the Hon. Garrett Davis 54 votes, and the Hon. John B. Thompson 1 vote.

Whereupon the Hon. L. W. Powell was declared duly elected Senator of the State of Kentucky, to serve for six years from and after the 4th day of March, 1859.

On motion of Mr. Silvertooth—

Order, That a committee of two be appointed on the part of the Senate, to act in conjunction with a similar committee appointed on the part of the House of Representatives, to inform the Hon. L. W. Powell of his election to the office of United States Senator.

Whereupon Messrs. Silvertooth and Taylor were appointed said committee.

The Speaker laid before the Senate the response of the Auditor to the requisition contained in a resolution offered by Mr. Grover, in relation to the removal of free negroes to the State of Liberia, which is follows, viz:

Auditor's Office,
Frankfort, January 5, 1858.

Hon. J. Q. A. King,
Speaker of the Senate:

Sir: In obedience to a resolution of the Senate, I report: There has been issued only one warrant under the act of the General Assembly entitled, an act to aid in removing free negroes from this State to Liberia, approved March 3, 1856. This warrant is for seventy dollars, and was to pay the expenses of Mary Elizabeth Gordon, a free woman of color, of Franklin county, Kentucky; and the same was paid to Alex. M. Cowan, agent of the Kentucky Colonization Society, upon the order of the Board constituted by said act of Assembly.

Very respectfully,

THO. S. PAGE, Auditor.

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

An act to extend the time of the Morgan circuit court.
An act for the benefit of French G. Slaughter, of Nelson county.

1. Mr. Bledsoe presented the petition of Nathan W. Curry, of Cumberland county, praying the passage of an act declaring his residence to be in the county of Adair.

2. Mr. Grundy presented the memorial of H. W. Derby, proposing to supply the State the report of the Court of Appeals from 1st Bibb to 14th Ben. Monroe, at a reduced price.

3. Mr. Rust presented the petition of the trustees of school district No. 16, in Lawrence county, praying the passage of an act authorizing them to receive the school fund for the years 1852 and 1853.

4. Mr. Taylor presented the petition of W. S. Rand, asking compensation for his services as commissioner for the State of Kentucky at the exhibition of the industry of all nations.

5. Mr. Matthewson presented the remonstrance of William Robertson, and others, of Crittenden county, remonstrating against the passage of an act taking any part of said county for the formation of a new county.

Which were received, the reading dispensed with, and referred, the 1st and 5th to the committee on Propositions and Grievances; the 2d was ordered to be printed and referred to the committee on the Judiciary; the 3d was referred to the committee on Education, and the 4th to the committee on Finance.

Mr. Buckner, from the committee on the Judiciary, reported a bill to amend and reduce into one the several acts in relation to the town of Hopkinsville.

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

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

Said bill was then amended.

Ordered, That said bill, as amended, be engrossed and read a third time.
The constitutional provision as to the third reading of said bill being
dispensed with, and the same being engrossed,
Resolved, That said bill do pass, and that the title thereof be as afore-
said.

Mr. Edwards, from the same committee, reported
A bill to establish the town of Rochester, in Butler county.
Which was read the first time and ordered to be read a second
time.
The constitutional provision 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 motion of Mr. Taylor, Messrs. Bruner and Smith were added to
the committee on Apportionment.

Mr. Porter, from the committee on Circuit Courts, asked to be dis­
charged from the further consideration of the petition of the members
of the bar of the first judicial district in relation to the creation of the
14th judicial district.
Which was granted.

By Mr. Porter, from the same committee, to whom was referred a
bill from the House of Representatives, entitled,
An act to amend the law of divorce,
Reported the same without amendment.
Said bill reads as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky,
That fleeing from the State to avoid a prosecution for crime, leaving
a wife in this State, shall be deemed an abandonment of her, accord­
ing to the provisions of article 3, chapter 47, of the Revised Statutes.

Mr. Whitaker moved to amend said bill by adding thereto the fol­
lowing proviso:

Provided. That said absence from the State amounts to one year;
and this law shall apply to husbands whose wives shall flee in like
manner.

Mr. Grover moved to lay said bill and amendment on the table.
And the question being taken thereon, it was decided in the affirm­
tive.
The yeas and nays being required thereon by Messrs. Grover and
Wright, were as follows, viz:

Those who voted in the affirmative, were—

Landaff W. Andrews,  Samuel Haycraft,  G. W. Silvertooth,
Joseph S. Bledsoe,     James D. Headley,  Harrison Taylor,
A. D. Cosby,          David Irvine,     Cyrenius Wait,
George T. Edwards,    Gibson Mallory,  C. J. Walton,
Theo. T. Garrard, John P. Martin, W. C. Whitaker,
William C. Gillis, William H. McBrayer, John Williams,
Asa P. Grover, James McKee, George Wright—22.
Thomas S. Grundy,

Those who voted in the negative, were—
Mr. Speaker, (King,) Samuel Howard, H. M. Rust,
John B. Bruner, Daniel Matthewson, John P. Smith,
William S. Darnaby, Thomas P. Porter, James Sudduth,

Mr. Porter, from the same committee, to whom was referred
A bill to amend an act, entitled, an act to establish equity and criminal courts in the first judicial district,
Reported the same with an amendment.
Which was concurred in.

Ordered, That said bill, as amended, be engrossed and read a third time.
The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,
Resolved, That said bill do pass, and that the title thereof be as aforesaid.

A message, in writing, was received from the Governor, by Mr. Bibb, Assistant Secretary of State.
The rule of the Senate being dispensed with, said message was taken up and read, as follows, viz:

EXECUTIVE DEPARTMENT,

January 6th, 1858.

Gentlemen of the Senate and House of Representatives:

I herewith transmit a copy of the bond of James H. Garrard, Treasurer, which I am required by law to lay before you. Deeming the security ample, from an examination of the tax lists in the Auditor's office, I have approved the bond, and the oath of office has been duly administered. I also transmit a copy of the settlement made by the Auditor and Secretary of State with the late Treasurer, and the receipt in full of the present Treasurer for the money on hand, &c.

C. S. MOREHEAD.

Whereas, James H. Garrard, of the county of Boyle, was, at the general election held the first Monday in August, A. D., one thousand eight hundred and fifty-seven, duly elected Treasurer of the State of Kentucky; now we, James H. Garrard principal, and the other subscribers hereto as his sureties in this the official bond of said Garrard, do hereby bind ourselves, jointly and severally, to the Commonwealth of Kentucky, that the said James H. Garrard, as Treasurer as aforesaid, shall faithfully and diligently discharge all the duties appertaining to said office.

In witness whereof, the said James H. Garrard and the other subscribers hereto as his sureties, have set their respective hands, at
Frankfort, this 4th day of January, in the year one thousand eight hundred and fifty eight, [1858], being the first Monday of said month.

J. H. GARRARD.

T. T. GARRARD, by T. S. Page, his attorney in fact.
DANIEL GARRARD, by T. S. Page, his attorney in fact.
M. G. HORTON, by T. S. Page, his attorney in fact.
FELIX G. GILBERT, by T. S. Page, his attorney in fact.
GEO. W. HERD, by T. S. Page, his attorney in fact.
WM. CHESTNUT, Jr., by T. S. Page, his attorney in fact.
A. G. TALBOTT, by T. S. Page, his attorney in fact.
D. W. JONES, by T. S. Page, his attorney in fact.
JOHN R. FORD, by T. S. Page, his attorney in fact.
P. B. MASON, by T. S. Page, his attorney in fact.
SAMUEL S. MOORE, by T. S. Page, his attorney in fact.
J. A. BURTON, by T. S. Page, his attorney in fact.
SAMUEL MESSICK, by T. S. Page, his attorney in fact.
J. KINCAID, by T. S. Page, his attorney in fact.
M. J. DURHAM, by T. S. Page, his attorney in fact.
A. J. JAMES, by T. S. Page, his attorney in fact.
MILFORD ELLIOTT, by T. S. Page, his attorney in fact.
R. C. HARRIS, by T. S. Page, his attorney in fact.
J. S. KENDRICK, by T. S. Page, his attorney in fact.
J. M. PERKINS, by T. S. Page, his attorney in fact.
JENKINS VECKERY, by T. S. Page, his attorney in fact.
WM. WOODCOCK, by T. S. Page, his attorney in fact.
WM. M. FOX, by T. S. Page, his attorney in fact.
A. L. ALCORN, by T. S. Page, his attorney in fact.
J. G. LAIR, by T. S. Page, his attorney in fact.
JOHN CRAWFORD, by T. S. Page, his attorney in fact.
J. A. LYTLLE, by T. S. Page, his attorney in fact.
JOHN CRAIG, by T. S. Page, his attorney in fact.
A. M. FELAND, by T. S. Page, his attorney in fact.
J. H. SHANKS, by T. S. Page, his attorney in fact.
H. S. WITHERS, by T. S. Page, his attorney in fact.
M. S. PEYTON, by T. S. Page, his attorney in fact.
JOHN ENGLEMAN, by T. S. Page, his attorney in fact.
B. MAGOFFIN, by T. S. Page, his attorney in fact.

COMMONWEALTH OF KENTUCKY.

Franklin County Sct.

I certify that James H. Garrard, Treasurer elect of this Commonwealth, personally appeared before the subscriber and took the oath required by section 1, of article 8, of the constitution of Kentucky, and also the oath required in section 13, of chapter 71, of the Revised Statutes.

Given under my hand this 4th day of January, 1858.

Z WHEAT, Chief Justice of Kentucky.

This bond is approved by me. January 4, 1858.

C. S. MOREHEAD.

I, the undersigned, hereby authorize and empower Thomas S. Page, Esq., of Frankfort, Kentucky, to sign my name as surety to the offi-
cial bond of James H. Garrard, as Treasurer of Kentucky, and hereby ratify and confirm whatever my said attorney may lawfully do in the premises.

Given under my hand and seal, this 27th day of October, 1857.

E. MAGOFFIN.

We, the undersigned, hereby authorize and empower Tho. S. Page, Esq., of Frankfort, Kentucky, to sign our names as sureties to the official bond of James H. Garrard, as Treasurer of Kentucky, and hereby ratify and confirm whatever our said attorney may lawfully do in the premises.

Given under our hands and seals this 15th day of October, 1857.

T. T. GARRARD,
DANIEL GARRARD,
M. G. HORTON,
FELIX G. GILBERT,
GEORGE W. HERD,
WM. CHESTNUT, Jr.

We, the undersigned, hereby authorize and empower Tho. S. Page, Esq., of Frankfort, Kentucky, to sign our names as sureties to the official bond of James H. Garrard, as Treasurer of Kentucky, and hereby ratify and confirm whatever our said attorney may lawfully do in the premises.

Given under our hands and seals this 20th day of October, 1857.

A. G. TALBOTT,
D. W. JONES,
JOHN R. FORD,
P. B. MASON,
SAMUEL S. MOORE,
J. A. BURTON,
SAMUEL MESSICK,
J. KINCAID,
M. J. DURHAM.

We, the undersigned, hereby authorize and empower Tho. S. Page, Esq., of Frankfort, Kentucky, to sign our names as sureties to the official bond of James H. Garrard, as Treasurer of Kentucky, and hereby ratify and confirm whatever our said attorney may lawfully do in the premises.

Given under our hands and seals this 2d day of November, 1857.

J. A. LYTLE,
JOHN CRAIG,
A. M. FELAND,
J. H. SHANKS,
H. S. WITHERS,
M. S. PEYTON,
JOHN ENGLEMAN.

We, the undersigned, hereby authorize and empower Tho. S. Page, Esq., of Frankfort, Kentucky, to sign our names as sureties to the official bond of James H. Garrard, as Treasurer of Kentucky, and hereby
ratify and confirm whatever our said attorney may lawfully do in the premises.

Given under our hands and seals this 20th day of October, 1857.

A. J. JAMES,
MILFORD ELLIOTT,
R. C. HARRIS,
JOHN S. KENDRICK,
J. M. PERKINS,
JENKINS VECKERY,
WM. WOODCOCK,
WM. M. FOX,
A. L. ALCORN,
J. G. LAIR,
JOHN CRAWFORD.

AUDITOR'S OFFICE,
Frankfort, Ky., January 4th, 1858.

I, Thomas S. Page, auditor of public accounts, do certify that upon settlement this day with R. C. Wintersmith, treasurer, there remains in his hands, due the State of Kentucky, $430,719 59, viz:
Revenue department, - - - - - $419,718 98
Sinking Fund department, - - - - - 11,000 61

$430,719 59

Say four hundred and thirty thousand, seven hundred and nineteen dollars and fifty-nine cents.

THO. S. PAGE, Auditor.

We, Thomas S. Page, Auditor, and Mason Brown, Secretary of State, have this day examined the accounts of R. C. Wintersmith, late Treasurer, and find that the above statement, signed by Tho. S. Page, Auditor, is a correct settlement of the accounts of the said Richard C. Wintersmith, as late Treasurer of Kentucky.

Given under our hands this 4th of January, 1858.

THO. S. PAGE, Auditor.
MASON BROWN, Secretary of State.

Frankfort, January 4th, 1858.

I have this day received of R. C. Wintersmith, late Treasurer of Kentucky, the sum of four hundred and thirty thousand, seven hundred and nineteen dollars and fifty-nine cents, the amount due from him to the Commonwealth of Kentucky, upon settlement this day made with him by the Auditor and Secretary of State.

$430,719 59.

J. H. GARRARD, Treasurer.

Test: THO. S. PAGE, Auditor.
MASON BROWN, Secretary of State.

Inventory of fixtures belonging to the treasury department of the State of Kentucky, January 4th, 1858, and this day handed over to Col. J. H. Garrard, viz:

One iron safe,
One desk,
One book case,
One sofa,
One wood box,
Three spitoons,
Three chairs,
One lot law books,
Two maps,
One carpet,
Four window blinds,
Desk furniture,
One pair shovel and tongs,
One pair andirons.

J. H. GARRARD, Treasurer,

Ordered, That said message and accompanying documents be referred to the committee on Finance.

The Speaker laid before the Senate the report of the President of the Kentucky and Louisville Mutual Insurance Company, which is as follows, viz:

A general report of the business of the Kentucky and Louisville Mutual Insurance Company, up to and including the 30th November, 1857.

The whole number of Policies issued on real estate, since the 24th April, 1839, is 2,774, insuring property to the amount of $6,845,126 50
Deduct the amount insured by Policies which have expired,
4,924,499 30
Leaving at risk on Real Estate, Dec. 1, 1857,
2,620,627 20

There also have been issued Policies on Merchandise, since the 27th January, 1844, to the number of 57, insuring Merchandise to the amount of
$126,010 0
Deduct the amount insured by Policies expired,
79,170 0
Leaving at risk, December 1, 1857,
$ 46,840 0

The whole amount of Premium Notes taken is
$586,013 67
Deduct amount of Premium Notes discharged is
284,830 31
Leaving in force as a fund liable to assessment,
$221,183 36

Amount received for premium and fees for Policies on Real Estate,
$48,734 68
Amount received for premium and fees for Policies on Merchandise,
3,679 74
Amount received for extra premium for increased risks,
1,195 77
Amount received for assessments on premium notes,
50,938 07
Amount due to agents,
41 98

$135,590 24

Paid for expenses since April, 1839,
35,785 25
Paid for losses,
39,986 36
Paid for commissions to agents,
1,360 44
Due from agents and others,
511 67
Cash balance,
3,405 52

$135,590 24

OFFICE OF THE KY. AND LOUISVILLE MUTUAL INSURANCE COMPANY.
LOUISVILLE, January 5, 1858.

To the Honorable the President of the Senate of the State of Kentucky:

Sir: In obedience to the requisition of the 22d section of the charter of this company, 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 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 yours, &c.,

THOMAS COLEMAN, Pres't.

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

On motion of Mr. Irvine, a message was sent to the House of Representatives, asking leave to withdraw the announcement of the Senate, of their disagreement to a bill from the House of Representatives, entitled,

An act to amend the charter of the Maysville and Lexington Railroad Company.

After a short time the messenger returned with said bill, Which was then then taken up.

Mr. Irvine moved to reconsider the vote refusing to order said bill to be read a third time.

Which was decided in the affirmative.

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

The Senate, according to order, took up for consideration
A bill providing a general mechanics' lien law.

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

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

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

Also, a resolution as to a national bankrupt law for banks and railroads.

Ordered, That said resolution be referred to the committee on Federal Relations, and that they report the same back to the Senate on Wednesday, the 13th instant.

Also, an engrossed bill, entitled,

An act to amend the 42d chapter of the Revised Statutes.

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. Silvertooth and Irvine, were as follows, viz:

Those who voted in the affirmative were—

Mr. Speaker, (King,) Samuel Haycraft, H. M. Rust,
Landaff W. Andrews, James D. Headley, James Sudduth,
William S. Darnaby, Samuel Howard, Harrison Taylor,
Resolved, That the title of said bill be as aforesaid.
Also, an engrossed bill, entitled,
An act to amend the 342d section of the Criminal Code.
The said bill reads as follows, viz:

**Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the 342d section of the Criminal Code be so amended as to give the Court of Appeals appellate jurisdiction in prosecutions for misdemeanors in all cases when the judgment below is final.**

Mr. Ripley moved to amend said bill, by means of an engrossed rider, as follows, viz:

Add to the bill: “for all sums exceeding fifty dollars.”
And the question being taken on the adoption of said amendment, it was decided in the negative.

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

Those who voted in the affirmative, were—

John B. Bruner,
A. D. Cosby,
Asa P. Grover,
Samuel Haycraft,
David Irvine,
Gibson Mallory,

Daniel Matthewson,
James McKee,
Asa P. Grover,
William B. Read,
James Sudduth,
William H. McBrayer,

Cyrenius Wait,
E. D. Walker,
John Williams,
W. M. Wilson,
George Wright—17.

Those who voted in the negative, were—

Mr. Speaker, (King,)  
Landaff W. Andrews,  
Joseph S. Bledsoe,  
W. S. Darnaby,  
George T. Edwards,  
John F. Fisk,  
Theo. T. Garrard,

William C. Gillis,
Thomas S. Grundy,
James D. Headley,
Samuel Howard,
John P. Martin,
William H. McBrayer,

Thomas P. Porter,
William B. Read,
H. M. Rust,
George W. Silvertooth,
C. J. Walton,
W. C. Whitaker—19.

Mr. Walker moved to postpone the further consideration of said bill until Saturday next.
And the question being taken thereon, it was decided in the negative.
Mr. Haycraft moved to amend said bill, by means of an engrossed Ryder, as follows, viz:

Add to the bill: “for all sums exceeding forty dollars.”

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

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

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

Those who voted in the affirmative, were—


Those who voted in the negative, were—


Mr. Ripley moved to reconsider of the vote by which said bill was rejected.

Which was decided in the affirmative.

Mr. Porter moved to reconsider the vote by which the third reading of said bill was dispensed with.

Which was decided in the affirmative.

Mr. Andrews moved to reconsider the vote by which said bill was ordered to be read a third time.

Which was decided in the affirmative.

Mr. Andrews, also, moved to reconsider the vote adopting the amendment heretofore proposed by Mr. Rust.

And it was decided in the affirmative.

Ordered, That said bill be placed in the orders of the day.

The Speaker, in pursuance of the provisions of a joint resolution heretofore adopted in relation to the examination of the Lunatic Asylum at Lexington, appointed Messrs. Sudduth and Cosby as the committee therein required.

On motion of Mr. Matthewson, leave of absence was granted to Mr. Smith for an indefinite period.
On motion of Mr. Rust, leave of absence was granted to Mr. Burton for an indefinite period.

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

On motion of Mr. Fisk—1. A bill to amend the charter of the city of Newport.

On motion of same—2. A bill to amend an act, entitled, an act for the benefit of the Methodist Episcopal Church, at Alexandria.

On motion of same—3. A bill to amend an act, entitled, an act authorizing the presiding judge of Kenton county to hold quarterly terms in Covington.

On motion of same—4. A bill to amend the Revised Statutes, chapter 99, article 2, title Licensed Merchants.

On motion of same—5. A bill to incorporate the German Gymnastic Association of Newport.

On motion of Mr. Whitaker—6. A bill for the relief of A. McDonald.

On motion of Mr. Grundy—7. A bill to reduce into one the several acts relating to the town of Lebanon.

On motion of Mr. Sudduth—8. A bill to repeal all laws authorizing divorces, except for adultery and conviction of crime.

On motion of Mr. Grover—9. A bill to repeal an act, entitled, an act to aid in removing free negroes from this State to Liberia, approved March 3, 1856.

On motion of Mr. Mallory—10. A bill to incorporate the Kentucky Farmers' Mutual Insurance Company.

On motion of Mr. Sudduth—11. A bill increasing the jurisdiction of the Court of Appeals in civil cases.

The committee on the Judiciary was directed to prepare and bring in the 1st, 2d, 5th and 7th; the committee on County Courts the 3d; the committee on Revised Statutes the 4th, 8th and 9th; the committee on Propositions and Grievances the 6th; the committee on Agriculture and Manufactures the 10th, and the committee on the Court of Appeals the 11th.

Mr. Fisk moved the following resolution, viz:

Resolved, That the committee on Circuit Courts be instructed to inquire into the necessity and expediency of establishing chancery and criminal courts throughout the entire State, or in those parts of the State where the business requires additional courts.

Which was adopted.

A message, in writing, was received from the Governor, by Mr. Bibb, Assistant Secretary of State.
The rule of the Senate being dispensed with, said message was taken up and read, as follows, viz:

EXECUTIVE DEPARTMENT,
January 6th, 1858.

Gentlemen of the Senate and House of Representatives:

I herewith transmit you the reports of the Eastern and Western Lunatic Asylums.

C. S. MOREHEAD.

[For Reports—see Legislative Documents.]

Ordered, That the Public Printer print the usual number of copies thereof.

It not having been understood that the Speaker, on the occasion of his absence from the Senate on the 23d ultimo, had authorized and requested Senator Andrews to preside over the Senate on that day, the journal of that day should be so corrected as to show that fact.

And then the Senate adjourned.

THURSDAY, JANUARY 7, 1858.

A message was received from the House of Representatives, announcing that they had passed a bill from the Senate, entitled, An act to prohibit the circulation, as money, of foreign notes of a less denomination than five dollars.

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

An act remunerating William L. Sutton, &c.

An act to amend the 2d section of article 63 of the Revised Statutes, entitled limitations of actions and suits.

Resolution in relation to firing a salute on the 8th instant and 22d of February.

1. Mr. Grundy presented the remonstrance of sundry citizens of the county of Union, remonstrating against the taking of any portion of said county for the formation of a new county.

2. Mr Bruner presented the remonstrance of sundry citizens residing within the limits of the proposed new county, out of parts of Hop-
kins, Crittenden and Caldwell, remonstrating against the formation of
such county.
3. Mr. Silvertooth presented the petition of J. B. Husbands, and
others, praying the passage of an act authorizing the conveyance of a
certain lot of land in the town of Paducah.
4. Mr. Fisk presented the petition of sundry members of the bar of
Covington, and the presiding judge of the court of Kenton county,
praying the abolition of the quarterly courts.
Which were received, the reading dispensed with, and referred, the
1st and 2d to the committee on Propositions and Grievances; the 3d
to the committee on the Judiciary, and the 4th to the committee on
County Courts.
Mr. Porter, from the committee on Circuit Courts, asked to be dis­
charged from the further consideration of the leave to them referred,
to bring in a bill to change the time of holding the winter term of the
Nelson circuit court.
Which was granted.
Bills from the House of Representatives, of the following titles,
were reported from the several committees to whom they were referred,
viz:
By Mr. Darnaby, from the committee on Circuit Courts—
An act to amend an act, entitled, an act for the benefit of Joshua
Oaks.
By Mr. Whitaker, from same committee—
An act to amend the charter of Bacon College.
By Mr. Gillis, from the committee on County Courts—
An act to amend the 4th section of an act to amend the act to
establish a Sinking Fund in Bourbon county, approved March 10th,
1856.
By same—
An act to change the time of holding the quarterly courts in Russell
county.
By Mr. Wright, from the committee on Religion—
An act to incorporate the Christian Church, in Hustonville.
By Mr. Bledsoe, from the committee on Internal Improvement—
An act to amend an act, entitled, an act to amend the charter of
the Versailles and Anderson Turnpike Road Company.
By same—
An act to amend the charter of the Kentucky River Turnpike
Road Company.
By Mr. Silvertooth, from the committee on Finance—
An act for the benefit of S. I. M. Major.
By Mr. Darnaby, from the committee on Circuit Courts—
An act to incorporate the Methodist Female College, at Covington, Ky.

By Mr. Garrard, from the committee on Internal Improvement—
An act to change the law in relation to the tolls on the Kentucky river.
With amendments to the two last named bills.
Which were concurred in.
Ordered, That said bills, the two last as amended, be read a third time.

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

The following bills were reported, viz:
By Mr. Gillis, from the committee on County Courts—
A bill authorizing the trustees of the town of London to sell an alley in said town.
By same—
A bill for the benefit of W. M. Fox and John Crawford.
By Mr. Grundy, from the committee on Propositions and Grievances—
A bill to establish and incorporate the town of Johnsonville, in Anderson county.
By Mr. Wright, from the committee on Religion—
A bill to incorporate the Christian Church of Ghent, Carroll county.
Which were read the first time, and ordered to be read a second time.

The constitutional provision 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. Gillis, from the committee on County Courts, to whom was referred a bill from the House of Representatives, entitled,
An act to change the voting place in district No. 2, in Ballard county.
Reported the same without amendment.
Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,
The question was then taken on the passage of said bill, and it was decided in the affirmative.
The yeas and nays being required thereon by Messrs. Bruner and Wright, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker, (King,) James D. Headley, H. M. Rust,
Landaff W. Andrews, Samuel Howard, G. W. Silvertooth,
Joseph S. Bledsoe, David Irvine, John P. Smith,
James F. Buckner, Gibson Mallory, James Sudduth,
A. D. Cosby, John P. Martin, Harrison Taylor,
George T. Edwards, Daniel Matthewson, Cyrenius Wait,
John F. Fisk, William H. McBrayer, E. D. Walker,
Theo. T. Garrard, James McKee, C. J. Walton,
William C. Gillis, Thomas P. Porter, W. C. Whitaker,
Asa P. Grover, William B. Read, W. M. Wilson—32,
Thomas S. Grundy, Charles Ripley,

Those who voted in the negative, were—

John B. Bruner, Samuel Haycraft, George Wright—4,
William S. Darnaby,

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

Mr. Grundy, from the committee on Propositions and Grievances, to whom was referred a bill from the House of Representatives, entitled,

An act to incorporate the Pocahontas Tribe, No. 3, of the Improved Order of Red Men, at Newport.

Reported the same, with an amendment.

Which was concurred in.

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

The constitutional provision as to the third reading of said bill being dispensed with,

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

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

Those who voted in the affirmative, were—

Mr. Speaker, (King,) Thomas S. Grundy, H. M. Rust,
Landaff W. Andrews, Samuel Haycraft, George W. Silvertooth,
Joseph S. Bledsoe, James D. Headley, John P. Smith,
John B. Bruner, Samuel Howard, James Sudduth,
James F. Buckner, John P. Martin, Harrison Taylor,
William S. Darnaby, Daniel Matthewson, Cyrenius Wait,
William C. Gillis, William H. McBrayer, E. D. Walker,
George T. Edwards, James McKee, C. J. Walton,
Asa P. Grover, Thomas P. Porter, Walter C. Whitaker,
William C. Gillis, William B. Read, W. M. Wilson—32,
Asa P. Grover, Charles Ripley,
Those who voted in the negative, were—

David Irvine, John Williams, George Wright—4.

Gibson Mallory,

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

Mr. Grundy, from the committee on Propositions and Grievances, asked to be discharged from the further consideration of a leave to them referred, to bring in a bill in relation to tavern rates.

Which was granted.

Also, from the further consideration of the remonstrance of sundry citizens of Frankfort, remonstrating against the passage of an act prohibiting fishing in the Kentucky river with nets.

Which was granted.

Ordered, That said remonstrance be referred to the committee on Internal Improvement.

Mr. Silvertooth, from the committee on Finance, asked to be discharged from the further consideration of a leave to them referred, to bring in a bill to amend the laws in relation to vending spirituous liquors.

Which was granted.

Also, from the further consideration of the petition of sundry citizens of Whitley county, praying compensation for aiding in conducting a Commonwealth's prisoner to the jail of said county.

Which was granted.

Mr. Bruner, from the committee on Education, to whom was referred leave to bring in a bill to amend the school law of this Commonwealth, asked to be discharged from the same.

Mr. Bledsoe moved to recommit said leave, with instructions to bring in a bill so as to embrace in its provisions all children between the ages of six and twenty years.

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

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

Those who voted in the affirmative, were—

Mr. Speaker, (King,) James D. Headley, George W. Silvertooth,
Joseph S. Bledsoe, Samuel Howard, John P. Smith,
James F. Buckner, David Irvine, James Sudduth,
George T. Edwards, Gibson Mallory, Cyrenius Wait,
John F. Fisk, John P. Martin, C. J. Walton,
Theo. T. Garrard, James McKee, Walter C. Whitaker,
William C. Gillis, Thomas P. Porter, W. M. Wilson,
Thomas S. Grundy, Charles Ripley, George Wright—25
Samuel Haycraft.
Those who voted in the negative, were—
Landaff W. Andrews, Asa P. Grover, Harrison Taylor,
John B. Bruner, Daniel Mathewson, E. D. Walker,
William S. Darnaby, William B. Read,
Mr. Rusk, from the committee on Finance, reported,
A bill for the benefit of George W. Kouns, of Carter county.
Which was read the first time and ordered to be read a second
time.
The constitutional provision as to the second reading of said bill be­
ing dispensed with,
Ordered, That said bill be recommitted to the committee on Finance.
Mr. Buckner moved a reconsideration of the vote by which the Senate, on yesterday, passed a bill, entitled,
An act to amend and reduce into one the several acts in relation to the town of Hopkinsville.
And the question being taken thereon, it was decided in the affirm­
ative.
Also, to reconsider the vote dispensing with the third reading of said bill.
And it was decided in the affirmative.
Also, to reconsider the vote by which said bill was ordered to be eng­
grossed and read a third time.
And it was decided in the affirmative.
Also, the vote by which the amendment proposed by Mr. Fisk, on yesterday, was adopted.
And it was decided in the affirmative.
Said bill was then amended.
Ordered, That said bill, as amended, be engrossed and read a third
time.
The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,
Resolved, That said bill do pass, and that the title thereof be as aforesaid.
Mr. Martin moved to dispense with the rule requiring the joint res­olution from the House of Representatives, ordering the firing of a salute on the 8th instant and 22d of February, to lie one day on the table.
And the question being taken thereon, it was decided in the affirm­ative.
The yeas and nays being required thereon, by Messrs. Grover and Edwards, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker, (King,) Samuel Haycraft, H. M. Rust,
Landaff W. Andrews, James D. Headley, George W. Silvertooth,
Joseph S. Bledsoe, Samuel Howard, John P. Smith,
John B. Bruner, David Irvine, Harrison Taylor,
James F. Buckner, Gibson Mallory, Cyrenius Wait,
W. S. Darnaby, John P. Martin, E. D. Walker,
George T. Edwards, Daniel Matthewson, C. J. Walton,
John F. Fisk, William H. McBrayer, W. C. Whitaker,
Theo. T. Garrard, James McKee, John Williams,
William C. Gillis, Thomas P. Porter, W. M. Wilson,
Thomas S. Grundy, Charles Ripley,

Those who voted in the negative, were—

James Sudduth—1.

Said resolution was then amended.

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

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

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

EXECUTIVE DEPARTMENT,
January 7th, 1858.

Gentlemen of the Senate and House of Representatives:
I herewith transmit the monthly statements of the condition of the Northern Bank of Kentucky and branches, for the year 1857; the statement of the condition of the Bank of Kentucky and branches, on the 1st of December, 1857; the statement of the condition of the Bank of Louisville and branches on the same day; the statement of the condition of the Commercial Bank of Kentucky and branches on the same day; and the statement of the condition of the Farmers Bank and branches on same day. Also, a statement of the condition of the following Deposit Banks, viz: Deposit Bank of Paris, Central Bank of Kentucky, Deposit Bank of Springfield, Deposit Bank of Lancaster, Agricultural Deposit Bank of Lexington, and the Deposit Bank of Cynthiana.

C. S. MOREHEAD.

[For Statements—see Legislative Documents.]

Ordered, That the Public Printer forthwith print 150 copies thereof, for the use of the members of the General Assembly, and that it be referred to the committee on Banks.

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 that House, ordering the firing of a salute on the 8th instant and 22d of February.

On motion of Mr. Gillis—

Ordered, That the bill from the House of Representatives, entitled, An act to repeal the second section of an act, entitled, an act to authorize the trustees of Laurel county to sell the seminary lands of said county,

Now in the orders of the day, be taken up and referred to the committee on Education, and that they report the same to the Senate on the 11th instant.

Mr. Walton, from the committee on Enrollments, reported that the committee had examined an enrolled resolution which originated in the House of Representatives, entitled, Resolution ordering the firing of a salute on the 8th instant and on the 22d of February.

And had found the same truly enrolled.

Said resolution 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 approval and signature.

After a short time Mr. Walton reported that the committee had discharged that duty.

Mr. Andrews moved the following resolution, viz:

Resolved, That when the Senate adjourns to-day, it adjourn to meet again on Saturday, the 9th instant, at 10 o'clock, A.M.

Which was adopted.

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

On motion of Mr. Mallory—1. A bill to amend the charter of the Louisville and Taylorsville Turnpike Road Company.

On motion of Mr. Smith—2. A bill to equalize the county levy in Henry county.

On motion of Mr. Walker—3. A bill to incorporate the Ohio county Agricultural, Mechanical and Domestic Society.

On motion of Mr. Garrard—4. A bill to change the time of holding the circuit courts in the 12th judicial district.

On motion of Mr. Read—5. A bill to amend the common school law of this Commonwealth.

The committee on Agriculture and Manufactures was directed to prepare and bring in the 1st and 3d; the committee on Propositions and Grievances the 2d; the committee on Circuit Courts the 4th, and the committee on Education the 5th.
Bills from the House of Representatives of the following titles were severally read the first time, viz:

1. An act remunerating W. L. Sutton and others.
2. An act to amend the 2d section of article 63, of the Revised Statutes, entitled limitations of actions and suits.
3. An act to extend the time of the Morgan circuit court.
5. An act to authorize railroad companies to make certain contracts with each other.
6. An act to allow John Gearin, of Calloway county, to peddle in said county without license.
7. An act for the benefit of R. P. Fox and Galen White, of Madison county.
8. An act for the benefit of Gideon Barnes and Christopher Boone.
10. An act for the benefit of Thomas Blackburn.
11. An act to amend the charter of the German Insurance company of the city of Louisville.
12. An act for the benefit of Thomas Linley, of Livingston county.
13. An act creating a police judge and town marshal in the town of Canton, Trigg county.

The committee on the Finance was directed to prepare and bring in the 1st and 9th; the committee on Revised Statutes the 2d; the committee on Circuit Courts the 3d, 7th, 11th and 14th; the committee on the Judiciary the 4th and 12th; the committee on Internal Improvement the 5th and 8th; the committee on Religion the 6th; the committee on Privileges and Elections the 10th, and the committee on County Courts the 13th.

And then the Senate adjourned.
SATURDAY, JANUARY 9, 1858.

1. Mr. Bruner presented the petition of Charles Hambleton, and others, praying the passage of an act exempting them from the responsibility, as sureties of Simeon F. Southern, for the return of arms borrowed from the State by said Southern.

2. Mr. Read presented the petition of W. H. Middleton and others, praying the passage of an act authorizing the county court of Larue to grant coffee house license in a particular case.

3. Mr. Silvertotth presented the petition of David Browder and others, of school district No. 4, in Fulton county, in relation to the school fund for the year 1857.

4. Mr. Walker presented the petition of sundry citizens of the county of McLean, in relation to a free ferry across Green river, at Calhoun and Rumsey.

Which were received, the reading dispensed with, and referred, the 1st to the committee on Finance; the 2d to the committee on Propositions and Grievances; the 3d to the committee on Education, and the 4th to the committee on the Judiciary.

On motion—
Leave of absence was granted, for an indefinite period, to Messrs. Bledsoe and McBrayer.

Mr. Bruner, from the committee on Education, to whom was referred,
A bill for the benefit of common school districts in this Commonwealth.

Reported the same without amendment.

Said bill was then amended.

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

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

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

Mr. Bruner, from the same committee, to whom was referred
A bill to repeal an act re-organizing Transylvania University and establishing a school for teachers,

Reported the same without amendment.
Said bill reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That an act, entitled, an act to reorganize Transylvania University and establish a school for teachers, approved March 10, 1856, be and the same is hereby repealed.

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

Mr. Fisk moved that the bill be recommitted to the committee, with the following instructions, viz:

That the committee amend the bill, so as to make the appropriation out of the general fund for two years, and provide for a submission of the question of further appropriation to a vote of the people.

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

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

Those who voted in the affirmative, were—
Mr. Speaker, (King,) Samuel Howard, Charles Ripley, James Sudduth, Harrison Taylor, W. C. Whitaker, John Williams—16.
Landaff W. Andrews, David Irvine, James McKee, Thomas P. Porter,
James F. Buckner, Gibson Mallory, Theo. T. Garrard,
William S. Darnaby, James F. Buckner, Gibson Mallory, Theo. T. Garrard,
John F. Fisk, James F. Buckner, Gibson Mallory, Theo. T. Garrard,
Theo. T. Garrard, James F. Buckner, Gibson Mallory, Theo. T. Garrard,

Those who voted in the negative, were—
John B. Bruner, James D. Headley, John P. Smith, Cyrenius Wait,
George T. Edwards, Daniel Matthewson, E. D. Walker, C. J. Walton,
William C. Gillis, William H. McBrayer, W. M. Wilson, George Wright—18,
Asa P. Grover, William H. McBrayer, W. M. Wilson, George Wright—18,
Thomas S. Grundy, H. M. Rust, George Wright—18,
Samuel Haycraft, G. W. Silvertooth, George Wright—18.

Mr. Fisk moved the following amendment, viz:

Add to the first section of the bill: That only so much as makes the annual appropriation of twelve thousand dollars from the school fund be repealed.

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

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

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

Those who voted in the affirmative, were—
Mr. Speaker, (King,) James D. Headley, George W. Silvertooth, John P. Smith,
John B. Bruner, David Irvine, Cyrenius Wait,
George T. Edwards, Daniel Matthewson, E. D. Walker, C. J. Walton,
John F. Fisk, William H. McBrayer, E. D. Walker, C. J. Walton,
William C. Gillis, Thomas P. Porter, C. J. Walton,
Ordered, That said bill have its third reading on Thursday, the 14th instant, at 11 o'clock.

The Speaker laid before the Senate the response of the Auditor to a resolution offered by Mr. Irvine, in relation to the school fund, which is as follows, viz:

**AUDITOR'S OFFICE, FRANKFORT, KY.,**

January 9th, 1858.

Hon. John Q. A. King,
Speaker of the Senate:

In obedience to a resolution of the Senate I submit the following statement, viz:

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<th>COUNTIES</th>
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<th>Amount drawn from school fund</th>
<th>Proportion paid to Normal School</th>
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THO. S. PAGE, Auditor.

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

Mr. Mallory, from the committee on Agriculture and Manufactures, reported the following bills—

A bill to incorporate the Louisville and Cane Run Plank Road Company.

A bill to incorporate the Ohio county Agricultural, Mechanical and Domestic Society.

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

The constitutional provision 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.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they were referred, viz:

By Mr. Walker, from the committee on the Sinking Fund—

An act to amend an act, entitled, an act to establish a Sinking Fund for Clarke county, approved March 4, 1856.

By Mr. Taylor, from the committee on Revised Statutes—

An act to incorporate Ark Lodge, No. 86, I. O. O. F., at Caseyville.

By same—

An act to amend an act to incorporate the Union Agricultural and Improvement Association, of Mason and Bracken counties.

By same—

An act regulating the duties of constables after the expiration of their term of office.

Ordered, That said bills be read a third time.
The constitutional provision as to the third reading of said bills being dispensed with,
Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Matthewson moved that a message be sent to the House of Representatives, asking leave to withdraw the announcement of the Senate, of the passage of a bill from the House of Representatives, entitled, An act to amend the charter of Bacon College.
And the question being taken thereon, it was decided in the negative.

The Senate took up for consideration, A bill to amend the 342d section of the Criminal Code.
Also, A bill to amend section 241 of the Code of Practice.
Ordered, That saids bill be engrossed and read a third time.
The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,
Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

The Senate, also took up for consideration, A bill to prevent the loss of the public books.
Said bill was then amended.
The question was then taken on ordering said bill to be engrossed and read a third time, it was decided in the negative,
So the said bill was rejected.

Mr. Buckner moved a reconsideration of the vote by which the Senate refused to order said bill to be engrossed and read a third time.
The Senate, also, took up for consideration, A bill in relation to commissioners, their appointment and duties.
Ordered, That said bill be referred to the committee on Revised Statutes.
Also, A bill in regard to the duties of trustees of the jury fund and commonwealth's attorneys.
Ordered, That said bill be engrossed and read a third time.
The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,
Resolved, That said bill do pass, and that the title thereof be as aforesaid.
Mr. Ripley read and laid on the table the following joint resolution, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That our Senators and Representatives in Congress be requested to use their efforts for the passage of a law for the holding the United States circuit court for the Kentucky district, in the city of Louisville.

Mr. Read moved the following resolution, viz:

Resolved, That the committee on Propositions and Grievances be instructed to prepare and introduce a bill providing for taking the vote of the qualified voters of this Commonwealth, at the next August election, as to the propriety of moving the seat of government.

Mr. Porter moved to amend said resolution, as follows, viz:

And that it be located at the town of Mortonsville, in Woodford county.

Mr. Andrews, at 10 minutes after 2 o'clock, moved that the Senate do now adjourn.

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

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

Those who voted in the affirmative, were—


Those who voted in the negative, were—


Mr. Andrews moved to lay said resolution and amendment on the table.

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

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

Those who voted in the affirmative, were—

Mr. Speaker, (King,) David Irvine, James Sudduth, Landaff W. Andrews, Gibson Mallory, Harrison Taylor, John B. Bruner, James McKee, C. J. Walton,

Those who voted in the negative, were—


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

On motion of Mr. Haycraft—1. A bill to amend the charter of the Louisville and Nashville Railroad Company.
On motion of Mr. Silv éttooth—2. A bill to incorporate the Fulton county Agricultural and Mechanical Association.
On motion of same—3. A bill for the benefit of A. J. Warden, of Hickman county.
On motion of Mr. Whitaker—5. A bill for the relief of the Spencer and Nelson Turnpike Road.
On motion of Mr. Buckner—6. A bill to incorporate the Little river Baptist Church, in Christian county.
On motion of Mr. Garrard—7. A bill to amend the common school law.
On motion of Mr. Fisk—8. A bill to amend an act, entitled, an act to change the 32d chapter, 2d article, 3d section, of the Revised Statutes.
On motion of Mr. Mallory—9. A bill to amend the charter of the Jefferson county and Brownsborough Turnpike Road Company.
On motion of Mr. Fisk—10. A bill to incorporate the Citizens Fire Company, No. 3, of Covington.
On motion of Mr. Taylor—11. A bill for the benefit of the judge and commonwealth's attorney for the 9th judicial district.
On motion of Mr. Sadduth—12. A bill to repeal the 126th, 128th, and part of the 129th section of the 4th chapter of the Civil Code of Practice.
On motion of Mr. Andrews—13. A bill to amend the charter of the Maysville, Flemingsburg and Mt. Sterling Turnpike Road Company.
On motion of Mr. Whitaker—14. A bill for the benefit of the Shelbyville and Mt. Eden Turnpike Road Company.

Messrs. Haycraft, Ripley and Edwards were appointed a committee to prepare and bring in the 1st; the committee on the Judiciary was directed to prepare and bring in the 2d, 6th, 10th and 11th; the com-
committee on Education the 3d and 7th; the committee on the Revised Statutes the 4th, 8th and 13th; the committee on Propositions and Grievances the 5th and 14th; the committee on Agriculture and Manufactures the 9th, and the committee on the Codes of Practice the 12th.

And then the Senate adjourned.

MONDAY, JANUARY 11, 1858.

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

An act making Lucinda Anderson the lawful heir of Parker Williamson.

An act to incorporate the Preachers' Aid Society of the Louisville Conference of the Methodist Episcopal Church South.

An act to incorporate the Methodist Church at Clinton, in Hickman county.

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

An act for the benefit of John J. Miller, of Boone county.

An act for the benefit of Samuel Thomas, of Monroe county.

An act to incorporate the Maxville, Thompsonville and Springfield Turnpike Road Company.

An act to incorporate the New Castle and Carrollton Turnpike Road Company.

An act to incorporate the Raywick Turnpike Road Company.

An act entitled an act to incorporate the Lebanon and Raywick Turnpike Road Company.

An act to incorporate the Pleasant Hill and Jessamine Turnpike Road Company.

An act to incorporate the Maxville and Pleasant Run Turnpike Road Company.

An act to establish a sinking fund for the city of Lexington.

An act to authorize the appointment of commissioners of a sinking fund, and to provide for the payment of the public debt of Fayette county.

An act to amend an act to incorporate the North Middletown and Levee Turnpike Road Company.
An act to change the voting place in district No. 4, in Larue county.

An act allowing the county court of Estill county to lay an additional ad valorem tax on the property in said county.

An act for the benefit of Sampson M. Johnson.

An act for the benefit of the county clerk of Morgan county.

An act to incorporate the Bardstown and Chaplin ton Turnpike Road Company.

An act to incorporate the Bardstown and Bloomfield Turnpike Road Company.

An act to incorporate Martin Institute.

An act to incorporate the Highland Coal Company.

An act to change the October term of the Warren quarterly court.

An act to extend the time of holding the Henderson circuit court.

That they had received official information from the Governor that he had approved and signed enrolled bills, and a resolution, which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of William Mynhier, late sheriff of Morgan county.

An act to incorporate Telula Lodge, No. 70, of I. O. O. F., of the town of Smithland.

An act for the benefit of Waynesburg Lodge, No. 328, of Ancient York Masons.

An act to incorporate Bradford Lodge, No. 123, of Free and Accepted Masons.

An act to amend the laws allowing fees to justices.

An act to incorporate the Odd Fellows Hall Association, of Lexington.

An act for the benefit of E. P. Hill's administrator.

An act to change the April and October terms of the Clarke county court.

An act for the benefit of Robert Bates, late sheriff of Letcher county.

An act placing the control of the State road in Whitley county in the county court of said county.

An act to organize a second fire company in the city of Frankfort.

An act changing the time of holding the March term of the Oldham quarterly court.

An act for the benefit of James H. Parker, late clerk of Campbell county and circuit courts.
An act to amend an act to reduce into one the several acts relating to the town of Taylorsville.
An act for the benefit of school district No. 13, in the county of Oldham.
An act to amend the charter of the Harrod's Creek Academy.
An act to incorporate Walton Lodge, No. 202, of Free and Accepted Masons.
An act for the benefit of S. D. Winterbower, late deputy sheriff of Hardin county.
An act for the benefit of Mrs. Eleanor Aberdeen.
An act repealing an act for the benefit of the trustees of Prestonburg.

Resolution requesting the Governor to have a salute fired on the 8th of January, and 22d of February.

An act for the benefit of the clerks of the circuit and county courts of this Commonwealth.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they were referred, viz:

By Mr. Taylor, from the committee on Revised Statutes—
1. An act creating an additional justices' district and voting precinct in Crittenden county.

By same—
2. An act requiring county judges to keep their offices and records at their respective county seats.

By same—
3. An act to amend chapter 86 of the Revised Statutes.

By Mr. Buckner, from the committee on Judiciary—
4. An act for the benefit of James Trimble, of Floyd county.

By same—
5. An act to amend the charter of the People's Insurance Company. With an amendment to the second named bill.

Which was concurred in.

Ordered, That the 1st, 4th and 5th of said bills be read a third time, the 2d be placed in the orders of the day, and that the 3d be printed and placed in the orders of the day.

The constitutional provision as to the third reading of 1st, 4th and 5th of said bills being dispensed with,

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

Mr. Taylor, from the committee on Revised Statutes, to whom was referred a bill from the House of Representatives, entitled,
An act to amend article 18 of Revised Statutes. Reported the same, with the expression of opinion that it ought not to pass.

And the question being taken on ordering said bill to be read a third time, it was decided in the negative.

And so the said bill was disagreed to.

The following bills were reported, viz:

By Mr. Taylor—
1. A bill to amend section 1, article 3, chapter 32, title Elections, of the Revised Statutes.
Mr. Buckner, from the committee on the Judiciary,
2. A bill to amend section 9, chapter 24, title Conveyances, Revised Statutes.

By same—
3. A bill for the benefit of John C. Townsend.

By same—
4. A bill to incorporate DeKalb Lodge, No. 12, I. O. O. F.
By Mr. Fisk, from the committee on the Judiciary—
5. A bill to amend an act, entitled, an act for the benefit of the Methodist Episcopal Church at Alexandria.

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

The constitutional provision as to the second reading of said bills being dispensed with, the 1st was ordered to be printed and placed in the orders of the day, and the 2d, 3d, 4th and 5th were ordered to be engrossed and read a third time.

The constitutional provision as to the third reading of the 2d, 3d, 4th and 5th 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. Buckner, from the committee on the Judiciary, in pursuance of instructions from the Senate, reported,

A bill to prohibit negro preaching.

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

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

Ordered, That said bill be referred to a select committee, consisting of Messrs. Silvertooth, Walton and Mallory.

The Senate, according to order, took up for consideration
A bill to increase the salaries of certain officers.
Said bill reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, The officers hereafter named, shall, respectively, receive an annual salary, to be paid out of the treasury quarterly, as follows:

The governor three thousand five hundred dollars.
The judges of the court of appeals each two thousand five hundred dollars.
The judges of the circuit courts each two thousand dollars.
The auditor of public accounts three thousand dollars.
The chancellor of the Louisville chancery court two thousand five hundred dollars, and the chancellor of the equity and criminal courts of the first circuit two thousand dollars.
The treasurer three thousand dollars.

§ 2. This act to take effect, as to the salary of the governor, upon the inauguration of the successor of the present governor; and as to the other officers named the 30th of March, 1858.

Mr. Fisk moved to commit said bill to the committee on the Court of Appeals, with the following instructions:

That the committee inquire into the necessity and expediency of further increasing the salary of the judges of the court of appeals, and requiring them to sit a longer time at each term of the court.

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

The Senate then took up for consideration the amendment proposed by the House of Representatives, to a bill from the Senate, entitled, An act to prohibit the circulation, as money, of foreign notes of a less denomination than five dollars.

Ordered, That said bill and amendment be referred to the committee on Banks.

Also, the reconsideration of the vote moved by Mr. Buckner on the 9th instant.

And the question being taken on reconsidering said vote, it was decided in the affirmative.

Ordered, That said bill be committed to the committee on the Revised Statutes.

Also, the resolution offered by Mr. Ripley on the 9th instant, in relation to the holding of the United States district court of Kentucky, at Louisville.

Mr. Silvertooth moved to amend said resolution, by striking out Louisville and inserting in lieu thereof Columbus.

Ordered, That said resolution and amendment be placed in the orders of the day.

Mr. Andrews, from the committee on the Court of Appeals, reported
A bill to increase the jurisdiction of the court of appeals in civil cases.

Which was read the first time as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That in all civil causes hereafter decided by the circuit and chancery courts of this commonwealth, either party shall have the right to an appeal to the court of appeals, from all final orders and judgments, when the matter in controversy amounts to fifty dollars and upwards, exclusive of costs only. All laws in conflict with this act are hereby repealed.

Ordered, That said bill be read a second time.

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

Mr. Gillis moved to amend said bill by striking out fifty, and inserting in lieu thereof the word twenty.

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

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

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

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

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

Those who voted in the affirmative, were—

Mr. Speaker, (King,) Samuel Haycraft, John P. Smith,
Landaff W. Andrews, James D. Headley, James Sadduth,
John B. Bruner, Samuel Howard, Harrison Taylor,
A. D. Cosby, Gibson Mallory, Cyrenius Wait,
William S. Darnaby, John P. Martin, E. D. Walker,
George T. Edwards, Daniel Matthewson, C. J. Walton,
John F. Fisk, James McKee, W. C. Whitaker,
Theo. T. Garrard, William B. Read, John Williams,
William C. Gillis, Charles Riple, W. M. Wilson,
Asa P. Grover, H. M. Rust, George Wright—32.

Those who voted in the negative, were—

James F. Buckner, David Irvine—2.

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

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

On motion of Mr. Fisk—1. A bill to provide for holding quarterly courts of Kenton county in the city of Covington.

On motion of Mr. Matthewson—2. A bill to charter Murray Lodge of Free and Accepted Masons.
On motion of Mr. Silvertooth—3. A bill in relation to the new Kentucky Justice.

On motion of Mr. Grover—4. A bill to repeal an act, entitled, an act to amend an act authorizing the county court of Pendleton to appoint a county treasurer, approved February 24th, 1842.

On motion of Mr. Ripley—5. A bill to incorporate the American Insurance Company.

On motion of Mr. Headley—6. A bill to amend the charter of the Providence, Mining, Manufacturing and Shipping Company.

On motion of Mr. Ripley—7. A bill to charter the Kentucky Locomotive Works.

On motion of Mr. Andrews—8. A bill to incorporate the Elizaville and Fairview Turnpike Road Company.

On motion of Mr. Garrard—9. A bill for the benefit of Julius Hacker, late sheriff of Owsley county.

On motion of Mr. Ripley—10. A bill to establish the Merchants' Deposit Bank.

On motion of Mr. Silvertooth—11. A bill to furnish the various counties in this Commonwealth with certain books.

On motion of Mr. Grundy—12. A bill amending the law requiring the county seal to be affixed to certain licenses.

On motion of Mr. Gillis—13. A bill authorizing the county court of Laurel to ratify the sale of, and make title to, the public well in the town of London.


On motion of Mr. Edwards—15. A bill amending the act approved March 10th, 1856, incorporating the town of Morgantown, in Butler county.


The committee on the Judiciary was directed to prepare and bring in the 1st, 3d, 5th, 7th and 16th; the committee on Circuit Courts the 2d; the committee on Revised Statutes the 4th and 12th; Messrs. Headley, Garrard and McBrayer were appointed a committee to prepare and bring in the 6th; the committee on Internal Improvement was directed to prepare and bring in the 8th; the committee on County Courts the 9th, 13th and 14th; the committee on Banks the 10th; the committee on Finance the 11th, and the committee on Education the 16th.

Mr. Haycraft read and laid on the table the following joint resolution, viz:
The rule of the Senate being dispensed with, said message was taken up and read as follows, viz:

Whereas, the people of the United States, under the blessing of Heaven, are in possession of a territory more extensive and diversified than any other country now known; her lofty mountains, fertile plains, noble rivers, abundant productions of all that is necessary to man, abounding in the fruits of nearly every clime, and enjoying almost every temperature, from the frigid to the torrid zone—rendering it the most appropriate location on earth for the abode of freemen. In addition to all this, we enjoy a system of government unequalled in its wisdom and fitness to render man free, noble and happy; and remembering that this grand structure was founded, not only in the wisdom, but in the blood of our ancestors—boasting at once of a country and government without a parallel in history, ancient or modern, we should abound in gratitude, and at the same time watch well, with a jealous eye, any infringement upon our rights, and remember the saying of the immortal Jefferson, that "The price of liberty is eternal vigilance." The people are the source of sovereign power, and the will and behests of this great nation are expressed through the ballot-box, and from which there is no appeal. Therefore, in order to preserve our form of government, and the permanency of our Union, the elective franchise should be strictly guarded and faithfully protected.

Our form of government in all its workings, in the nice and delicate distinctions between the general and state governments, are so complete as to show the hands of the able and finished workman in its construction; but it is a science too deep to be at once understood by the novice, or to be seen through by an unpractised eye. To understand it well, and to appreciate its beauty, strength, and wisdom, a man should grow with its growth and become familiar with all its complicated yet perfect machinery; and experience having shown that the period of probation now fixed by the laws of the United States for citizenship is too short for a foreigner rightly to understand, and properly appreciate, our system of government and laws. Therefore, it is

Resolved by the General Assembly of the Commonwealth of Kentucky,

1. That our Senators in Congress be instructed, and our Representatives requested, to endeavor to extend the time required by the present law for the naturalization of foreigners.

2. Also, that our Senators in Congress be instructed, and our Representatives requested, to urge upon Congress to submit to the several States an amendment to the constitution of the United States, by which the several States shall be prohibited from allowing any inhabitant thereof, not a citizen of the United States, to vote for President and Vice President of the United States, or members of Congress.

Resolved, That a copy of the foregoing resolutions be forwarded to each of our Senators and Representatives in Congress.

Ordered, That the Public Printer print 150 copies thereof for the use of the General Assembly, and that they be referred to the committee on Federal Relations.
The Senate took up for consideration,
A bill to make persons liable for false representations.
Pending the consideration of which,
The Senate adjourned.

TUESDAY, JANUARY 12, 1858.

A message was received from the House of Representatives, announcing their disagreement to a bill from the Senate, entitled,
An act concerning ferries in Cumberland county.
That they had passed a bill, and concurred in a resolution, from the Senate, of the following titles, viz.:
An act for the benefit of Benjamin F. Gambill.
Resolution in relation to the election of public officers.
That they had passed bills of the following titles, viz.:
An act to establish the county of Jackson.
An act to change the time of holding the courts in the third judicial district.
An act for the benefit of James E. Secrest, late sheriff of Nicholas county.

Mr. Darnaby presented the petition of sundry citizens of Scott county, praying the repeal of an act, entitled, an act to amend the road law applicable to Scott and Fayette counties.
Which was received, the reading dispensed with, and referred to the committee on Internal Improvement.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they were referred, viz.:
By Mr. Gillis, from the committee on County Courts—
1. An act to change the magistrates' district, No. 2, in Washington county.

By Mr. Grundy, from the committee on Propositions and Grievances—
2. An act changing the place of voting in district No. 4, in Bullitt county.
By same—
3. An act to establish an additional voting place in Knox county.
By same—
4. An act to change the county line between Perry and Letcher counties.
By Mr. Bruner, from the committee on Education—
5. An act for the benefit of R. D. Murray, school commissioner of Hart county.
By Mr. Bledsoe, from the committee on Internal Improvement—
6. An act to amend the act chartering sundry turnpike road companies in Madison county.
With amendments to the three last named bills.
Which were concurred in.
Ordered, That said bills be read a third time.
The constitutional provision as to the third reading of said bills being dispensed with,
Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Taylor, from the committee on Revised Statutes, to whom was referred a bill from the House of Representatives, entitled,
An act for the benefit of Thomas Blackburn.
Reported the same, with the expression of opinion that it ought not to pass.
And the question being taken on ordering said bill to be read a third time, it was decided in the negative.
So the said bill was disagreed to.
Also, a bill from the House of Representatives, entitled,
An act to amend the 2d section of article 63 of the Revised Statutes, entitled limitations of actions and suits.
Reported the same, with the expression of opinion that it ought not to pass.
And the question being taken on ordering said bill to be read a third time, it was decided in the negative.
So the said bill was disagreed to.

Mr. Taylor, from the same committee, asked to be discharged from the further consideration of leaves to bring in the following bills, viz: 
A bill to amend the law on the subject of divorces.
A bill to amend the law in relation to peddlers.
A bill to define article 1st, section 1st, page 556, of the Revised Statutes, in reference to brokers.
Which was granted.
The following bills were reported, viz:
By Mr. Grundy, from the committee on Propositions and Grievances—
A bill for the benefit of the Spencer and Nelson Turnpike Road.
By Mr. Burton, from the committee on Internal Improvement—
A bill to amend an act, entitled, an act to incorporate the Danville and Hustonville Turnpike Road Company.
By same—
A bill to amend an act to incorporate the Springfield, Perryville and Danville Turnpike Road Company.
By Mr. Mallory, from the committee on Agriculture and Manufactures—
A bill to amend the charter of the Jefferson and Brownsborough Turnpike Road.
By same—
A bill to amend the charter of the Louisville and Taylorsville Turnpike Road.
By Mr. Taylor, from the committee on Revised Statutes—
A bill for the benefit of the Maysville and Mt. Sterling Turnpike Road Company.
By Mr. Grover, from the same committee—
A bill to repeal an act, entitled, an act to amend an act authorizing the county court of Pendleton to appoint a county treasurer, and regulating the duties of the sheriff of said county.
By Mr. Haycraft, from a select committee—
A bill to amend the charter of the Louisville and Nashville Railroad Company.
By same—
A bill to amend the charter of the Bardstown and Louisville Railroad Company.
Which were read the first time, and ordered to be read a second time.

The constitutional provision 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. Garrard, from the committee on Internal Improvement, reported
A bill to improve the navigation of the Kentucky river.
Which was read the first time, and ordered to be read a second time.

The constitutional provision as to the second and third readings of said bill being dispensed with, and the same being engrossed,
The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being taken thereon, in pursuance of a provision of the constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker, (King,) Asa P. Grover, William B. Read,
Landaff W. Andrews, Thomas S. Grundy, H. M. Rust,
James F. Buckner, Samuel Haycraft, John P. Smith,
Jesse W. Burton, David Irvine, James Sudduth,
A. D. Cosby, Gibson Mallory, Harrison Taylor,
William S. Darnaby, William H. McBrayer, Walter C. Whitaker,
George T. Edwards, James McKee, John Williams,
William C. Gillis,

Those who voted in the negative, were—

Joseph S. Bledsoe, Samuel Howard, E. D. Walker,
John B. Bruner, Daniel Matthewson, C. J. Walton,
John F. Fisk, George W. Silvertooth, George Wright—11.
James D. Headley, Cyrenius Wait,

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

Mr. Bruner, from the committee on Education, in pursuance of the instructions of the Senate, reported

A bill to amend the common school law of this Commonwealth.

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

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

Ordered, That said bill be read a third time.

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

Ordered, That said bill be placed in the orders of the day.

Mr. Taylor, from the committee on Revised Statutes, reported the following bills, viz:

A bill to amend chapter 86 of the Revised Statutes.
A bill to repeal in part, and amend in part, the 10th section of the 13th chapter of the Revised Statutes.

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

The constitutional provision as to the second reading of said bills being dispensed with, they were ordered to be printed and placed in the orders of the day.

Mr. Taylor, from the same committee, to whom was referred

A bill in relation to commissioners, their appointment and duties,
Reported the same, with sundry amendments.
Which were concurred in.

Ordered, That said bill, as amended, be printed and placed in the orders of the day.

Mr. Irvine, from the committee on Banks, to whom was referred a bill of the Senate, entitled,
An act to prohibit the circulation, as money, of foreign notes of a less denomination than five dollars,
With the amendment proposed thereto by the House of Representatives, reported the same, with the expression of opinion that said amendment should be adopted as a substitute therefor.

And the question being taken on concurring with the committee, it was decided in the affirmative.

Said bill was then amended.

Said bill, as amended, reads as follows:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That from and after the first day of January next, it shall not be lawful for any person or persons to pass, or offer to pass, or circulate, within this commonwealth, any foreign bank bill or note, or other thing purporting to be money, whether it be the issue of a bank or other corporation or individual, of a less denomination than five dollars. And any person or persons so offending shall, upon conviction thereof before any county court judge, police judge, or justice of the peace of the county in which the offense is committed, be fined a sum not less than two, nor more than five times the amount of the bill, note, or other thing purporting to be money, or circulated as money, so passed, or attempted to be passed or circulated, together with the costs of trial.

§ 2. That upon information given to any one of the officers named in the first section of this act, of a violation of the provisions thereof, it shall be the duty of said officer to issue his warrant, directed to any constable, sheriff, or town marshal of his county, commanding him or them to arrest said offender or offenders, and bring him or them before him, or some other officer authorized herein to try the cause, forthwith; and the case shall be proceeded with as in other penal offenses, except that no jury shall be necessary. The federal, circuit, equity and criminal courts, shall have concurrent jurisdiction with inferior courts, of all prosecutions under this act; and it shall be the duty of each circuit judge, at each term of their respective courts, to give this act in charge to the grand juries of the several counties.

§ 3. One-half of the fines imposed under this act shall be paid to the trustee of the jury fund of the county, and the other to the person giving information.

Mr. Buckner moved further to amend said bill, by striking out January and inserting in lieu thereof June.

And the question being taken thereon, it was decided in the affirmative.
The yeas and nays being required thereon, by Messrs. Buckner and Bledsoe, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker, (King,) George T. Edwards, James Sudduth,
Joseph S. Bledsoe, William C. Gillis, Cyrenius Wait,
John B. Bruner, Thomas S. Grundy, E. D. Walker,
James F. Buckner, Samuel Haycraft, C. J. Walton,
Jesse W. Burton, James D. Headley, W. C. Whitaker,
A. D. Cosby, Daniel Matthewson, George Wright—20.
W. S. Darnaby, George W. Silvertooth,

Those who voted in the negative, were—

Landaff W. Andrews, Gibson Mallory, H. M. Rust,
John F. Fisk, William H. McBrayer, John P. Smith,
Theo. T. Garrard, James McKee, Harrison Taylor,
Asa P. Grover, Thomas P. Porter, John Williams,
David Irvine, Charles Ripley,

Mr. Sudduth moved a reconsideration of the vote adopting said amendment.

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

Mr. Irvine moved the previous question.

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

The question was then taken on the adoption of the amendment heretofore proposed by Mr. Buckner, and it was decided in the affirmative.

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

Those who voted in the affirmative, were—

Mr. Speaker, (King,) George T. Edwards, James Sudduth,
Joseph S. Bledsoe, William C. Gillis, Cyrenius Wait,
John B. Bruner, Thomas S. Grundy, E. D. Walker,
James F. Buckner, James D. Headley, C. J. Walton,
Jesse W. Burton, Daniel Matthewson, W. C. Whitaker,
A. D. Cosby, George W. Silvertooth, George Wright—19.
William S. Darnaby,

Those who voted in the negative, were—

Landaff W. Andrews, David Irvine, Charles Ripley,
John F. Fisk, Gibson Mallory, H. M. Rust,
Theo. T. Garrard, William H. McBrayer, John P. Smith,
Asa P. Grover, James McKee, Harrison Taylor,
Samuel Haycraft, Thomas P. Porter, John Williams,

The question was then taken on ordering said bill to be engrossed and read a third time, it was decided in the affirmative.
Mr. Fisk moved to amend said bill, by way of engrossed reader, as follows, viz:

That the counties of Kenton and Campbell be exempt from the provisions of this act for two years from and after its passage.

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

Mr. Wright then moved to amend said bill, by way of engrossed reader, as follows, viz:

Be it further enacted, That if any person or persons shall circulate any foreign bank notes within this state, of any denomination, with a view and knowledge of said banks' inability or intention not to redeem said bills or notes, he shall be deemed guilty of a felony, and upon conviction shall be punished as such by confinement in the penitentiary, not less than one year nor more than five years, at the discretion of a jury.

Mr. Buckner moved the previous question.

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

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

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

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

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

Those who voted in the affirmative, were—

Mr. Speaker, (King,) William C. Gillis, William B. Read, George W. Silvertooth, John P. Smith,
Landaff W. Andrews, Asa P. Grover, James D. Headley, E. D. Walker,
Joseph S. Bledsoe, Thomas S. Grundy, Cyrenius Wait,
John B. Bruner, Samuel Haycraft, Harrison Taylor,
James F. Buckner, James Howard, C. J. Walton,
Jesse W. Burton, David Irvine, George Wright—32,
A. D. Cosby, Daniel Matthewson, Walter C. Whitaker,
William S. Darnaby, William H. McBrayer, W. M. Wilson,
George T. Edwards, James McKee,
John P. Fisk, Thomas P. Porter,
Theo. T. Garrard,

Those who voted in the negative, were—

Gibson Mallory, James Sudduth, John Williams—4.
Charles Ripley,

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

On motion of Mr. Wilson, Mr. Bledsoe was added to the committee on Banks.
Leave was granted to bring in the following bills, viz:

On motion of Mr. Irvine—1. A bill to charter a turnpike road in Madison county to connect the Richmond and Lancaster Turnpike Road with the Kirksville and Kentucky river Turnpike Road.

On motion of same—2. A bill to incorporate the Cumberland and Nashville Coal and Lumber Company.

On motion of Mr. Porter—3. A bill to amend an act, entitled, an act to incorporate the town of Versailles.


On motion of Mr. Grundy—5. A bill for the benefit of the sheriffs of Washington county.


On motion of Mr. Wilson—7. A bill to establish the Planters' Bank of Kentucky.

On motion of same—8. A bill to incorporate Bear Wallow Lodge, No. 231, of Free and Accepted Masons.

On motion of Mr. Grundy—9. A bill to incorporate the Springfield and Marion county line Turnpike Road Company, in Washington county.

On motion of Mr. Burton—10. A bill to charter a turnpike road in Boyle and Marion counties.

On motion of same—11. A bill to charter a turnpike road from Hustonville, in Lincoln county, to Bradfordsville, in Marion county.

On motion of Mr. Fisk—12. A bill to allow sheriffs' sales at the court house in Newport.

The committee on Internal Improvement was directed to prepare and bring in the 1st, 2d, 9th, 10th and 11th; the committee on the Judiciary the 3d, 4th, 6th and 12th; the committee on Propositions and Grievances the 5th and 8th, and the committee on Banks the 7th.

And then the Senate adjourned.
WEDNESDAY, JANUARY 13, 1858.

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

An act to amend the charter of the Kentucky State Agricultural Society.

Mr. Sudduth presented the petition of William Grimes, asking the passage of an act authorizing the sale of a portion of his slaves.

Mr. Silvertooth presented the petition of D. Jackson and others, of Hickman county, praying the passage of an act abolishing civil district No. 6 in said county.

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

The Speaker laid before the Senate the report of the President of the Louisville Turnpike Road, which is as follows, viz:

An abstract of the receipts and expenditures of the Louisville Turnpike Company, from the first day of July, 1856, to the first day of July, 1857, inclusive, to-wit:

<table>
<thead>
<tr>
<th>Receipts</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>To amount of tolls received at the two toll-gates, and permits, stages, &amp;c., during that time,</td>
<td>$12,789 25</td>
</tr>
<tr>
<td>By two dividends of 3 per cent. each on the capital stock of said company, say $100,000, for (Jan. and July,) 1857,</td>
<td>6,000 00</td>
</tr>
<tr>
<td>By amount for president and treasurer, and two gate keepers salaries, same time,</td>
<td>1,250 00</td>
</tr>
<tr>
<td>By cash paid for repairs on said road for same time, and superintendent's salary,</td>
<td>5,530 16</td>
</tr>
</tbody>
</table>

To the Honorable General Assembly of the State of Kentucky:

The above is a correct statement of the receipts and disbursements of the Louisville Turnpike Company, for the period therein stated, and is forwarded in obedience to the charter.

Yours, respectfully,

LEVI TYLER,
President and Treasurer.

LOUISVILLE, January 12, 1858.
Hon. JOHN Q. A. KING,
Speaker of the Senate:

Sir: Please lay the foregoing statement before the Legislature of Kentucky, and oblige,

Yours respectfully,

LEVI TYLER,
President of the Louisville Turnpike Company.

January 12, 1858.

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

Mr. Buckner, from the same committee, to whom was referred a bill from the House of Representatives, entitled,

An act for the benefit of French G. Slaughter, of Nelson county. Reported the same, with the expression of opinion that it ought not to pass.

And the question being taken on ordering said bill to be read a third time, it was decided in the negative,

And so the said bill was disagreed to.

Mr. Buckner, from the committee on the Judiciary, to whom was referred a bill from the House of Representatives, entitled,

An act to amend an act, entitled, an act authorizing the county court of McLean to establish a ferry, or purchase the present ferry, over Green river, at Calhoon or Rumsey.

Reported the same with the expression of opinion that it ought not to pass.

On motion of Mr. Walker—

Ordered, That said bill be referred to the committee on County Courts.

Mr. Buckner, from the same committee, to whom was referred a bill from the House of Representatives, entitled,

An act for the benefit of Thomas Linley, of Livingston county. Reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

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

Mr. Buckner, from the same committee, asked to be discharged from the further consideration of a leave to them referred, to bring in a bill to reduce into one the several acts relating to the town of Lebanon.

Which was granted.

Mr. Andrews, from the same committee, asked to be discharged from the further consideration of the petition of J. B. Husbands.

Which was granted.
The following bills were reported, viz:

By Mr. Buckner, from the committee on the Judiciary—
1. A bill to incorporate the Little River Baptist Church, in Christian county.

By same—
2. A bill to authorize the trial of common law cases at special terms of the Christian circuit court.

By Mr. Edwards, from the same committee—
3. A bill amending an act approved March 10th, 1856, in relation to police judge and marshal in the town of Morgantown, Butler county.

By same—
4. A bill to amend section 150, chapter 1, title 8, of the civil Code of Practice.

By Mr. Fisk, from the same committee—
5. A bill to incorporate the Citizens' Fire Company, No. 3, of Covington.

By same—
6. A bill to amend an act to amend the law regulating the sale of spirituous, malt and vinous liquors.

By same—
7. A bill to incorporate the German Gymnastic Association of Newport.

By Mr. Edwards, from the same committee—
8. A bill to incorporate the Fulton county Agricultural and Mechanical Association.

By Mr. Darnaby—
9. A bill to fix the time of holding circuit courts in the 5th judicial district.

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

The constitutional provision as to the second reading of said bills being dispensed with, the 1st, 2d, 3d, 5th, 7th, 8th and 9th were ordered to be engrossed and read a third time, the 4th was placed in the orders of the day, and the 6th was ordered to be printed and placed in the orders of the day.

The constitutional provision as to the third reading of the 1st 2d, 3d, 5th, 7th, 8th and 9th 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. Andrews, from the committee on the Judiciary, reported
A bill to incorporate the Maysville Insurance Company.
Which was read the first time, and ordered to be read a second
time.

The constitutional provision as to the second reading of said bill be-
ing dispensed with,

Mr. Fisk moved to amend said bill, by striking out the 6th section,
which reads as follows, viz:

§ 6. That it shall be lawful for said company, at any time, to invest
and reinvest any part of their capital stock, money, funds or other
property, in any stock or funded debt created, or hereafter crea-
ted, in any of the States of the United States, or in the stocks of any
bank, and the same to sell and transfer at pleasure; or they may loan
the same to individuals or corporate bodies, upon real or personal se-
curity, upon such terms as may be required by the president and di-
rectors, not in violation of law; and said company shall have the
right to employ any portion of their capital stock, or surplus funds on
hand, in the purchase or discount of foreign and domestic bills of ex-
change and promissory notes made payable at the office of said com-
pany or elsewhere; and any of the promissory notes purchased or
discounted by said company shall be, and they are hereby placed on
the same footing with foreign bills of exchange, and remedy may be
had thereon jointly or severally against the drawers, acceptors and
endorsers, and with like effect. And said company may sell and buy
bankers' and bank checks, and may receive deposits of money payable
on demand, or at some fixed rate, and issue certificates therefor, which
certificates shall only be transferable by endorsement; and the com-
pany may contract to pay interest on such deposits, or any of them.

And the question being taken thereon, it was decided in the affirm-
ative.

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

Those who voted in the affirmative, were—

Jesse W. Burton, Daniel Matthewson, John P. Smith,
A. D. Cosby, William H. McBrayer, Cyrenius Wait,
William S. Darnaby, James McKee, E. D. Walker,
John F. Fisk, Thomas P. Porter, C. J. Walton,
Theo. T. Garrard, William B. Read, John Williams,
John P. Martin, G. W. Silvertooth,

Those who voted in the negative, were—

Mr. Speaker, (King,) William C. Gillis, Charles Ripley,
Landaff W. Andrews, Thomas S. Grundy, James Sudduth,
Joseph S. Bledsoe, Samuel Haycraft, Harrison Taylor,
John B. Bruner, Samuel Howard, W. C. Whitaker,
George T. Edwards,
Ordered, That said bill be recommitted to the committee on the Judiciary.

On motion—
Leave of absence was granted to Mr. Williams until Monday next.

A message was sent to the House of Representatives, asking leave to withdraw the announcement of the Senate, of their disagreement to a bill from the House of Representatives, entitled,

An act to amend the 2d section of article 63, of the Revised Statutes, entitled limitations of actions and suits.

In a short time the messenger handed in said bill at the clerk's table. The question was then taken on reconsidering the vote by which the Senate refused to order said bill to be read a third time, and it was decided in the affirmative.

Ordered, That said bill be placed in the orders of the day.

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

An act to provide for the election of special judges of the city court of Louisville, and to authorize the marshal of said court to appoint deputies.

An act for the benefit of Thomas Patterson, of Madison county.

An act to repeal section 2 of an act to authorize justices of the peace to hold inquests in certain cases.

An act to change the time of holding the Greenup county quarterly court.

An act to incorporate the German Gymnastic Association of the city of Covington.

An act to incorporate the Virginia and Kentucky Bridge Company.

An act to amend an act, entitled, an act to regulate the duties of county and commonwealth's attorneys.

An act for the benefit of Thomas P. Smith.

An act to amend the charter of the Franklin Insurance Company, of Louisville.

An act to incorporate Naomi Lodge, No. 129, I. O. O. F.

An act to incorporate the Buck Creek Bridge Company.

An act for the benefit of the Danville, Dix River and Lancaster Turnpike Road Company.

An act to amend an act incorporating the Hustonville and Coffey's Mill Turnpike Road Company.

An act to incorporate the Lincoln Run and Mays' Creek Turnpike Road Company, in Washington county.
An act to amend the act incorporating the Hustonville, Liberty and Columbia Turnpike Road Company.

An act declaring the office of county judge and common school commissioner incompatible.

Resolution in relation to the appointment of a committee to examine the Lunatic Asylum at Lexington.

And enrolled bills which originated in the House of Representatives of the following titles, viz:

An act to incorporate Forest Lodge, No. 308, of Free and Accepted Masons.

An act for the benefit of Eliphus Preston, of Johnson county.

An act for the benefit of John S. Adams.

An act for the benefit of James D. Ballard.

An act changing the time of holding the Clay county quarterly court.

An act to change the time of holding the Bourbon county quarterly court.

An act authorizing the election of police judge and marshal for the town of Washington, in Mason county.

An act for the benefit of George Parker and A. J. M. Thompson, late sheriffs of Union county.

An act to establish a police court in the town of Winchester.

An act establishing an additional voting place in Hardin county.

An act to amend section 614 of the Civil Code of Practice, in regard to depositions.

An act to create the office of inspector of imported lumber in the city of Louisville.

An act in relation to the fees of constables in Franklin county.

An act for the benefit of B. D. Beall, late clerk of Campbell county and circuit courts.

An act to amend an act, entitled, an act to amend an act incorporating the town of Raywick.

And had found the same truly enrolled.

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 approval and signature.

After a short time Mr. Walton reported that the committee had discharged that duty.

On motion of Mr. Grundy, Mr. Read was added to the committee on Propositions and Grievances.
Leave was given to bring in the following bills, viz:

On motion of Mr. McKee—1. A bill to change the time of holding the quarterly courts in Clarke county.

On motion of Mr. Mallory—2. A bill to amend the law of set off.

On motion of Mr. Ripley—3. A bill to incorporate the Republic Insurance Company.

The committee on County Courts was directed to prepare and bring in the 1st, and the committee on the Judiciary the 2d and 3d.

Mr. Read moved the following resolution, viz:

Resolved, That the committee on Proposals and Grievances be requested to inquire into the propriety of bringing in a bill to repeal all laws prohibiting the importation of slaves into the State of Kentucky from her sister States, as merchandise, and report by bill or otherwise.

Which was adopted.

Mr. Taylor moved the following resolution, viz:

Resolved, That the committee on the Judiciary be instructed to inquire into the propriety of amending the execution laws of this State, in relation to the levy and sale of partnership property under execution for the separate debt of one of the partners.

And 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. Read and Andrews, were as follows, viz:

Those who voted in the affirmative were—


Those who voted in the negative were—


Bills from the House of Representatives of the following titles were severally read the first time, viz:

1. An act to amend the charter of the Kentucky State Agricultural Society.

2. An act making Lucinda Anderson the lawful heir of Parker Williamson.
3. An act to incorporate the Preachers' Aid Society of the Louisville Conference of the Methodist Episcopal Church South.
4. An act to incorporate the Methodist Church at Clinton, in Hickman county.
5. An act for the benefit of the sheriff of Marion county.
6. An act for the benefit of John J. Miller, of Boone county.
7. An act for the benefit of Samuel Thomas, of Marion county.
8. An act to incorporate the Maxville, Thompsonville and Springfield Turnpike Road Company.
9. An act to incorporate the New Castle and Carrollton Turnpike Road Company.
10. An act to incorporate the Raywick Turnpike Road Company.
11. An act, entitled, an act to incorporate the Lebanon and Raywick Turnpike Road Company.
12. An act to incorporate the Pleasant Hill and Jessamine Turnpike Road Company.
13. An act to incorporate the Maxville and Pleasant Run Turnpike Road Company.
15. An act to authorize the appointment of commissioners of a sinking fund, and to provide for the payment of the public debt of Fayette county.
16. An act to amend an act to incorporate the North Middletown and Levee Turnpike Road Company.
17. An act to change the voting place in district No. 4, in Larue county.
18. An act allowing the county court of Estill county to lay an additional ad valorem tax on the property in said county.
19. An act for the benefit of Sampson M. Johnson.
20. An act for the benefit of the county clerk of Morgan county.
21. An act to incorporate the Bardstown and Chaplinton Turnpike Road Company.
22. An act to incorporate the Bardstown and Bloomfield Turnpike Road Company.
23. An act to incorporate Martin Institute.
25. An act to change the October term of the Warren quarterly court.
26. An act to extend the time of holding the Henderson circuit court.
27. An act to establish the county of Jackson.
28. An act to change the time of holding the courts in the 3d judicial district.
29. An act for the benefit of James E. Secrest, late sheriff of Nicholas county.

Ordered, That said bills be read a second time.

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

The 1st was referred to the committee on Agriculture and Manufactures; the 2d to the committee on the Judiciary; the 3d and 4th to the committee on Religion; the 5th, 6th, 7th, 17th, 18th, 20th, 25th and 29th to the committee on County Courts; the 8th, 9th, 10th, 11th, 12th, 13th, 16th, 21st, 22d and 24th to the committee on Internal Improvement; the 14th and 15th to the committee on the Sinking Fund; the 19th, 26th and 28th to the committee on Circuit Courts; the 23d to the committee on Education, and the 27th to the committee on Privileges and Elections.

And then the Senate adjourned.

THURSDAY, JANUARY 14, 1858.

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

An act imposing a tax upon billiard tables.

Mr. Andrews, from the committee on the Judiciary, to whom was referred the memorial of John France and others, bond holders of the city of Maysville, reported the following preamble and resolutions in relation thereto:

The committee on the Judiciary, to whom was referred the memorial of John France and others respectfully report:

That the memorialists represent they are the holders of about fifty-five thousand dollars of bonds issued by the city of Maysville to pay its subscription of stock in the Lexington and Maysville Railroad Company. That the interest of those bonds was regularly paid until the first of January in the year 1857, when, by an act of a majority of the city council, the law levying the taxes for the payment due the first of July, 1857, and subsequently accruing, was repealed, leaving the interest unprovided for.

The memorialists assume the ground that the Legislature, in delegating its power to a city, with authority to enter into obligations and
incurred responsibilities which it otherwise would be unable to do, imparts to it and delegates a part of the credit of the State; and thus enables the city to accomplish the object under the power and credit delegated, the State measurably becoming bound for the execution of the law. Under these impressions, the memorialists ask the General Assembly to take such action in the premises as will tend to relieve the State from the stain of repudiation, and secure the memorialists in their investments.

Whilst the committee regret that the city of Maysville has failed to provide for the payment of interest on its bonds, they have been unable to perceive the grounds upon which the integrity of the State of Kentucky is involved. The city of Maysville is a corporation, having the usual powers delegated to it for municipal purposes. By special acts of the General Assembly, to which the memorialists refer, that city was authorized, as a corporation, to subscribe stock in the Lexington and Maysville Railroad Company, and pay for the same in bonds to be executed by the city authorities. And to secure the payment of the interest and principal thereof, authority was given to levy an annual tax on the property of its citizens within the city limits. If the city authorities have failed to perform their duty in that respect, the memorialists have their remedy in the courts of justice by the appropriate legal proceedings.

The government of the State of Kentucky cannot exercise any power or control over corporations created by its laws. It never assumed, directly or impliedly, to pay the debts of the corporations within its limits. The credit of the State was not pledged that the bonds which the city of Maysville might issue to pay for the stock it subscribed in said Railroad should be paid. It was a matter in which the State had no more control or interest than in the private transactions of its citizens. The debts of the corporations of this State cannot, in any sense, be regarded as the debts of the State. When therefore the memorialists ask the General Assembly "to take such action in the premises as will tend to relieve the State from the stain of repudiation," they assume a position unfounded in fact, in law, and in morals. The word "repudiation" is wholly inapplicable to the case, when applied to the State. The failure of a municipal corporation to comply with its pecuniary obligations may be regarded as repudiation by the corporation, but for which the State government is in no wise responsible.

That any city of the State should fail to meet promptly its pecuniary obligations, cannot be otherwise than a matter of deep mortification and regret to every good citizen who values the fame and reputation of the State for high-toned public honor and integrity. The delinquency of the city of Maysville, in the instance complained of, is aggravated by the fact, that the debt now repudiated was the deliberate and well considered act of her whole population and was contracted by the unanimous vote of her people. Her power of taxation to meet both principal and interest of the debt is unlimited, and although the burden upon her people may be for a time somewhat oppressive, every obligation of honor and good faith requires that they should bear it without murmur or complaint. The public faith, the integrity of the citizens who created the debt by their votes, ought never to be weigh-
ed against a few dollars and cents. No sum of money saved, no exemp-
tion from the payment of a few dollars in the shape of taxes, will
ever compensate for the sacrifice of the public honor, or of the indivi-
dual integrity of the citizens; and it is to be hoped that the people of
Maysville, upon further reflection, will not persist in a course which
reflects such deep dishonor upon the city, and disgrace upon them.
The power of the courts to enforce the payment of the debt, is un-
doubted, and protracted litigation, while it will not relieve the city
from “the stain of repudiation,” can only result in the imposition of hea-
vier burdens upon the people.

The committee submit the following resolution:
Resolved, That the committee on the Judiciary, to whom was refer-
red the memorial of John France and others, of the District of Colum-
bia, claiming to be the holders of fifty-five thousand dollars of the
bonds of the city of Maysville, and praying the General Assembly to
compel said city to pay the interest thereon, be discharged from the
further consideration thereof.

Ordered, that the Public Printer print 150 copies of said preamble
and resolutions, and that they be made the special order of the day for
Monday next.

Mr. Andrews, from the same committee, reported
A bill to amend the charter of the city of Newport.

Mr. Ripley, from the same committee, reported
A bill to incorporate the Louisville Marine Insurance Company.
Which were read the first time, and ordered to be read a second
time.

The constitutional provision 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. Bruner, from the committee on Propositions and Grievances, re-
ported
A bill for the benefit of Alexander McDonald.
Which was read the first time, and ordered to be read a second
time.

The constitutional provision as to the second and third readings of
said bill being dispensed with, and the same being engrossed,
The question was then taken on the passage of said bill, and it was
decided in the affirmative.
The yeas and nays being taken thereon, in pursuance of a provi-
on of the constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker, (King,) Theo. T. Garrard, William H. McBrayer,
Landaff W. Andrews, William C. Gillis, James McKee,
John B. Bruner, Asa P. Grover, George W. Silvertooth,
Resolved, That the title of said bill be as aforesaid.

Mr. Porter, from the committee on Circuit Courts, to whom was referred a bill from the House of Representatives, entitled,

An act to incorporate the Star Fire Company, of Frankfort.

Reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

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

The Senate, according to order, took up for consideration an engrossed bill, entitled,

An act to repeal an act re-organizing Transylvania University and establishing a school for teachers.

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

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That an act, entitled, an act to reorganize Transylvania University, and establish a school for teachers, approved March 10, 1856, be and the same is hereby repealed.

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

Mr. Sudduth moved to amend said bill, by way of engrossed ryder, as follows, viz:

Strike out all after the enacting clause, and insert—

That the surplus which the counties of Fayette and Bourbon pay annually into the school fund, shall be, and the same is hereby set apart for the support of the normal school at Lexington, instead of the appropriation of twelve thousand dollars now provided for by law.

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

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

Those who voted in the affirmative were—

Landaff W. Andrews, Samuel Howard, Charles Ripley,
James F. Buckner, David Irvine, James Sudduth,
Jesse W. Burton,
William S. Darnaby,
Theo. T. Garrard,

Gibson Mallory,
James McKee,

Harrison Taylor,
W. C. Whitaker—13.

Those who voted in the negative were—

Mr. Speaker, (King,) Thomas S. Grundy, H. M. Rust,
Joseph S. Bledsoe, Samuel Haycraft, George W. Silvertooth,
John B. Bruner, John P. Martin, John P. Smith,
A. D. Cosby, Daniel Matthewson, Cyrenius Wait,
George T. Edwards, William H. McBryer, C. J. Walton,
John F. Fisk, Thomas P. Porter, W. M. Wilson,

Asa P. Grover,

Mr. Andrews moved the following resolution, viz:

Resolved. That said bill be recommitted to the committee on Education, with instructions to inquire into the propriety of making an appropriation out of the treasury to support said school.

Pending the consideration of which,

The Senate took up for consideration an engrossed bill, entitled,

A bill to amend the common school law of this Commonwealth.

Said bill reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That so much of the Revised Statutes, chapter 68, article 8, as fixes the common school age from six to eighteen years of age, be and the same is hereby repealed; and that from and after the passage of this act the school age for the common schools of this Commonwealth shall be from six to twenty years of age.

§ 2. This act shall take effect at the commencement of the common school year in 1858.

Mr. Walton moved to amend said bill, by means of engrossed ryder, by adding to the first section the following: And that the common school month shall be twenty-one days.

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

Mr. Whitaker moved to amend the bill by means of engrossed ryder, by striking out twenty-one, and inserting in lieu thereof thirty days.

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

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

Those who voted in the affirmative were—

Mr. Speaker, (King,) Samuel Howard, James Sudduth,
Landaff W. Andrews, Gibson Mallory, Harrison Taylor,
John B. Bruner, William H. McBryer, Cyrenius Wait,

Asa P. Grover,
Those who voted in the negative, were—

Joseph S. Bledsoe, William C. Gillis, George W. Silvertooth, Joseph S. Bledsoe, George W. Silvertooth,
Jesse W. Burton, James D. Headley, John P. Smith, Jesse W. Burton, John P. Smith,
A. D. Cosby, David Irvine, C. J. Walton, A. D. Cosby, C. J. Walton,
W. S. Darnaby, Daniel Matthewson, W. M. Wilson, W. S. Darnaby, W. M. Wilson,
John F. Fisk, William B. Read, Mr. Gillis moved to amend said bill by striking out twenty-one, and inserting in lieu thereof: twenty-one and two-thirds.

Mr. Whitaker moved to amend the amendment proposed by Mr. Gillis, by striking out twenty-one and two-thirds, and insert in lieu thereof twenty-six days.

Mr. Andrews moved to lay the bill and amendment on the table.

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

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

Those who voted in the affirmative, were—

Mr. Speaker, (King,) A. D. Cosby, Daniel Matthewson,
Landaff W. Andrews, William S. Darnaby, William H. McBrayer,
Jesse W. Burton, Gibson Mallory,

Those who voted in the negative, were—

Joseph S. Bledsoe, James D. Headley, John P. Smith,
James F. Buckner, Samuel Howard, James Sudduth,
George T. Edwards, David Irvine, James Sudduth,
John F. Fisk, James McKee, Cyrenius Wait,
Theo. T. Garrard, Thomas P. Porter, E. D. Walker,
William C. Gillis, William B. Read, C. J. Walton,
Thomas S. Grundy, H. M. Rust, W. C. Whitaker,
Samuel Haycraft, George W. Silvertooth, W. M. Wilson,

Mr. Wright moved the previous question.

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

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

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

Those who voted in the affirmative, were—

Mr. Speaker, (King,) Asa P. Grover, James Sudduth,
Landaff W. Andrews, Thomas S. Grundy, Harrison Taylor,
John B. Bruner, Samuel Howard, Cyrenius Wait,
Theo. T. Garrard,
Those who voted in the negative, were—

Joseph S. Bledsoe, James D. Headley, H. M. Rust,
Jesse W. Burton, David Irvine, George W. Silvertooth,
William S. Darnaby, Daniel Matthewson, John P. Smith,
George T. Edwards, William H. McBrayer, C. J. Walton,
John F. Fisk, James McKee, W. M. Wilson,
Samuel Haycraft, William B. Read.

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

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

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

Those who voted in the affirmative, were—

Joseph S. Bledsoe, James D. Headley, James Sudduth,
George T. Edwards, Samuel Howard, Cyrenius Wait,
John F. Fisk, David Irvine, C. J. Walton,
Theo. T. Garrard, James McKee, W. C. Whitaker,
William C. Gillis, H. M. Rust, George Wright—17.
Thomas S. Grundy, John P. Smith,

Those who voted in the negative, were—

Mr. Speaker, (King,) William S. Darnaby, Thomas P. Porter,
Landaff W. Andrews, Asa P. Grover, William B. Read,
John B. Bruner, Samuel Haycraft, G. W. Silvertooth,
James F. Buckner, Gibson Mallory, Harrison Taylor,
Jesse W. Burton, Daniel Matthewson, E. D. Walker,

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

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

COMMONWEALTH OF KENTUCKY,
EXECUTIVE DEPARTMENT,
January 14, 1858.

Gentlemen of the Senate and House of Representatives:

I herewith transmit to you a copy of the settlement made by me with the surviving commissioners appointed under an act, entitled, an act to provide for paying debts due to the contractors of the Western Lunatic Asylum, approved March 10, 1856, with my action endorsed thereon.

C. S. MOREHEAD.
To His Excellency, C. S. Morehead,  
Governor of the Commonwealth of Kentucky:

The undersigned, building commissioners of the Western Lunatic Asylum, report, that under the provisions of an act, entitled "an act to provide for paying debts due to the contractors of the Western Lunatic Asylum," there came to their hands the sum of $17,325.91, which they have paid out as follows:

<table>
<thead>
<tr>
<th>Contractor</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ducker, Pemberton &amp; Co.</td>
<td>$3,500.16</td>
</tr>
<tr>
<td>John B. Gibson</td>
<td>3,908.74</td>
</tr>
<tr>
<td>H. Cummings, (2 receipts)</td>
<td>2,660.00</td>
</tr>
<tr>
<td>Ambos &amp; Lennox</td>
<td>4,725.40</td>
</tr>
<tr>
<td>David Anderson</td>
<td>2,522.17</td>
</tr>
<tr>
<td>L. Harred</td>
<td>9.00</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>17,325.47</strong></td>
</tr>
</tbody>
</table>

Receipts are filed herewith for the above sums, which are the several balances reported in favor of the several parties in the report and settlement herefore made by the undersigned with the former building committee, under the provisions of an act passed at the session of 1853-4—session acts, page 173.

The balance of forty-four cents, for which the Treasurer's receipt is presented, grows out of the fact that H. Cummings assigned his claim to two persons, and in the transfers limited the sums to be paid, so that the transfers did not cover his claim by forty-four cents. Mr. Cummings is a non-resident, and has no agent in Kentucky; consequently the small balance could not be paid over, and has never been demanded.

Mr. Z. Glass, one of the commissioners appointed with the undersigned, has departed this life since the foregoing payments were made.

The commissioners have discharged all the duties imposed by the act of 1853-4, above cited, as well as all duties required by the act of 1855-6—session acts 124-5, and ask that their bonds be surrendered and cancelled. All which is respectfully submitted.

JOHN STITES,
By R. McKEE,

R. McKEE,

Surviving Com'rs.

January 13, 1858.

A copy, attest: T. P. Atticus Bibb, Assistant Se'cy.

Under an act to provide for paying debts due to the contractors of the Western Lunatic Asylum, approved March 10th, 1856, the surviving commissioners, Rob't. McKe and John Stites, have produced to me the foregoing account, accompanied by receipts specifying for what each sum was paid, and showing the payment of the sum of money due to the contractors respectively, whereupon, in pursuance of said act, I do hereby order the bond executed by said commissioners to be cancelled, and delivered to them.

C. S. MOREHEAD.

A copy attest:
T. P. Atticus Bibb, Assistant Se'cy.
Ordered, That the Public Printer print 150 copies thereof for the use of the General Assembly, and that it be referred to the committee on Finance.

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

On motion of Mr. Rust—1. A bill to amend the charter of the Ashland Cemetery Company.

On motion of same—2. A bill to amend the act incorporating the town of Ashland.

On motion of same—3. A bill to amend the charter of the Ashland Female Seminary.

On motion of same—4. A bill to amend the charter of the Ashland Fire, Marine and Life Insurance Company.

On motion of same—5. A bill to amend the charter of the Kentucky Iron, Coal and Manufacturing Company.

On motion of same—6. A bill to incorporate the Kentucky Coal Mining and Iron and Oil Manufacturing Company.

On motion of same—7. A bill to repeal the act authorizing the Bank of Kentucky, Bank of Louisville, and Northern Bank, to issue bills of a less denomination than five dollars.

On motion of Mr. Irvine—8. A bill granting further powers to the trustees of the town of Richmond.


On motion of Mr. Wait—10. A bill to incorporate the town of Waynesburg, in Lincoln county.

On motion of Mr. Fisk—11. A bill to amend the charter of the Commercial Bank of Kentucky.

On motion of Mr. Grundy—12. A bill for the benefit of the town of Lebanon.

On motion of Mr. McBrayer—13. A bill to charter the Munday’s Landing and Harrodsburg Turnpike Road Company.

On motion of Mr. Wait—14. A bill to define and explain the law of costs in prosecutions for vagrancy.

On motion of Mr. Wilson—15. A bill for the benefit of Isaac Smith, former sheriff of Barren county.

On motion of Mr. Silvertooth—16. A bill for the benefit of the heirs of W. T. Walker, deceased, of Hickman county.

On motion of Mr. Wright—17. A bill amending the 846th section, article 1, chapter 3, of the Civil Code of Practice.

On motion of same—18. A bill to increase the compensation of processioners of land.

On motion of Mr. Edwards—19. A bill amending the laws of costs.
On motion of same—20. A bill authorizing the establishment of a ferry across the Ohio river from the Kentucky shore to Cairo.

On motion of Mr. Taylor—21. A bill authorizing the judges to sign certain orders and records that remain unsigned.

On motion of Mr. Whitaker—22. A bill to amend the charter of the Bank of Ashland.

The committee on the Judiciary was directed to prepare and bring in the 1st, 2d, 4th, 5th, 10th and 12th; the committee on Education the 3d; the committee on Agriculture and Manufactures the 6th; the committee on Banks the 7th, 11th and 22d; the committee on Circuit Courts the 8th; the committee on the Penitentiary the 9th; the committee on Internal Improvement the 13th; the committee on Religion the 14th; the committee on County Courts the 15th and 20th; the committee on Finance the 16th; the committee on Codes of Practice the 17th, and the committee on Revised Statutes the 18th, 19th and 21st.

Mr. Sudduth moved the following resolution, viz:

Resolved by the Senate, That the Auditor be requested to furnish the Senate with a report of all money paid on account of the geological survey since the last session of the Legislature, together with the account current of the principal geologist for the same time.

Which was adopted.

Mr. Sudduth, also, moved the following resolution, viz:

Resolved by the Senate, That Dr. D. D. Owen, principal geologist for Kentucky, be requested to report to the Senate what amount he, as such principal geologist, has drawn from the treasury of Kentucky for the purpose of prosecuting the geological survey of Kentucky, and how much thereof has been expended, and for what purposes. And that he further report how many days he and his assistants have been engaged in the prosecution of said survey since the last session of the Legislature, and what portion of the time in field service.

Which was adopted.

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

Whereas, it is represented to the General Assembly that there is in the library of the late Captain Samuel Daviess, of Mercer county, complete sets of the Journals of the Senate and House of Representatives of the State of Kentucky, from 1792 up to a recent date. And, whereas, by the burning of the State capitol, and the books and public documents therein contained, many of the Journals of both branches of the Legislature have been lost to the State; and their loss deeply felt. Therefore, be it

Resolved by the General Assembly of the Commonwealth of Kentucky, That the committee on the Library be directed to open a correspondence with Major William Daviess, the son of the late Captain Sam-
uel Daviess, of Mercer county, for the purpose of ascertaining whether full sets of the Journals which were destroyed by the burning of the capitol are to be found in the library of the late Captain Daviess, and if so, upon what terms and conditions said Journals can be procured for the use of the State Library; and that they report by bill or otherwise.

And then the Senate adjourned.

FRIDAY, JANUARY 15, 1858.

A message was received from the House of Representatives announcing their disagreement to bills from the Senate of the following titles, viz:

An act for the benefit of common school district No. 18, in Larue county.
An act for the benefit of A. J. Fleming.
That they had passed bills of the following titles, viz:
A act to amend section 5, chapter 672, of the Revised Statutes.
An act to amend an act incorporating the Simpson Seminary.
An act in relation to school districts Nos. 3 and 21, in Campbell county.
An act to incorporate the Newport Printing Company.
An act to amend the charter of the Eminence High School.
An act to incorporate Montgomery Library Association.
An act to prevent the sale of liquors, &c., to cadets of the Kentucky Military Institute.
An act to incorporate the Presbyterian Church at Lebanon.
An act to incorporate Madison Lodge, No. 14, I. O. O. F.
An act for the benefit of school district, No. 12, in Spencer county.
An act to incorporate the Bourbon Academy.
Mr. Walton, from the committee on Enrollments, reported that the committee had examined an enrolled bill and resolution which originated in the Senate, of the following titles, viz:
An act for the benefit of Benjamin F. Gambill.
Resolution in relation to the election of public officers.
And enrolled bills which originated in the House of Representatives, of the following titles, viz:

- An act to incorporate Ark Lodge, No. 86, I. O. O. F., at Caseyville.
- An act to incorporate the Madison Female School.
- An act to change the voting place in district No. 2, in Ballard county.
- An act to change the time of holding the quarterly courts in Russell county.
- An act to amend an act, entitled, an act to establish a Sinking Fund for Clarke county, approved March 4, 1856.
- An act regulating the duties of constables after the expiration of their term of office.
- An act to amend the charter of the Kentucky River Turnpike Road Company.
- An act to incorporate the Christian Church, in Hustonville.
- An act to amend the charter of Bacon College.
- An act for the benefit of S. I. M. Major.
- An act to amend the 4th section of an act to amend the act to establish a Sinking Fund in Bourbon county, approved March 10th, 1856.
- An act to amend an act, entitled, an act for the benefit of Joshua Oaks.
- An act to amend an act, entitled, an act to amend the charter of the Versailles and Anderson Turnpike Road Company.
- An act to amend an act to incorporate the Union Agricultural and Improvement Association, of Mason and Bracken counties.
- An act creating an additional justices' district and voting precinct in Crittenden county.
- An act for the benefit of James Trimble, of Floyd county.

And had found the same truly enrolled.

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 approval and signature.

After a short time Mr. Walton reported that the committee had discharged that duty.

On motion—

Leave of absence was granted to Messrs. Rust, Martin and Burton for an indefinite period.
Mr. Andrews presented the memorial of C. A. Wickliffe, in relation to the publication of the Revised Statutes.

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

Mr. Haycraft moved a reconsideration of the vote by which the Senate, on yesterday, rejected a bill to amend the common school law of this Commonwealth.

Mr. Read moved the previous question.

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

The question was then taken on reconsidering said vote, and it was decided in the negative.

The yeas and nays being required theron by Messrs. Andrews and Smith, were as follows, viz:

Those who voted in the affirmative, were—

Joseph S. Bledsoe, James D. Headley, James Sudduth,
George T. Edwards, Samuel Howard, Cyrenius Wait,
John F. Fisk, David Irvine, C. J. Walton,
Theo. T. Garrard, James McKee, W. C. Whitaker,
William C. Gillis, John P. Smith, George Wright—15.

Those who voted in the negative, were—

Mr. Speaker, (King,) Asa P. Grover, William B. Read,
Landaff W. Andrews, Samuel Haycraft, Charles Ripley,
John B. Bruner, Gibson Mallory, George W. Silvertooth,
James F. Buckner, Daniel Matthewson, Harrison Taylor,
Jesse W. Burton, William H. McBrayer, E. D. Walker,
William S. Darnaby,

The following bills were reported, viz:

By Mr. Ripley, from the committee on the Judiciary—
A bill to incorporate the American Insurance Company.

By Mr. Buckner, from the same committee—
A bill to establish the American Printing House for the Blind.
Which were read the first time, and ordered to be read a second time.

The constitutional provision 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. Andrews, from the committee on the Court of Appeals, to whom was referred
A bill to increase the salaries of certain officers.
Reported the same without amendment.
Ordered. That said bill be made the special order of the day for Tuesday next, the 19th instant, at 11 o'clock.

Mr. Andrews, from the same committee, reported, a bill to increase the terms of the appellate court.

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

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

Ordered, That said bill be made the special order of the day for Tuesday, the 19th instant, at 11½ o'clock.

Mr. Porter, from the committee on Circuit Courts, reported a bill to repeal part of an act, entitled, an act regulating the time of holding circuit courts, approved March 5, 1856.

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

The constitutional provision as to the second reading of said bill being dispensed with.

Said bill was then amended.

Ordered, That said bill, as amended, be recommitted to the committee on Circuit Courts.

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

**Condition of the Commercial Bank of Kentucky and Branches, December 31, 1857:**

<table>
<thead>
<tr>
<th>MEANS</th>
<th>$291,786 32</th>
</tr>
</thead>
<tbody>
<tr>
<td>Notes discounted,</td>
<td>782,265 32</td>
</tr>
<tr>
<td>Bills of exchange,</td>
<td>1,004,070 64</td>
</tr>
<tr>
<td>Due from banks,</td>
<td>36,816 66</td>
</tr>
<tr>
<td>Due from funds in transit,</td>
<td>444 08</td>
</tr>
<tr>
<td>Due from suspended debt,</td>
<td>33,503 56</td>
</tr>
<tr>
<td>Due from protest account,</td>
<td>75 36</td>
</tr>
<tr>
<td>Due from cost account,</td>
<td>71 45</td>
</tr>
<tr>
<td>Real estate—in banking houses,</td>
<td>43,659 12</td>
</tr>
<tr>
<td>Real estate—for debt,</td>
<td>1,636 00</td>
</tr>
<tr>
<td>Cash on hand, to wit:</td>
<td>314,949 19</td>
</tr>
<tr>
<td>Gold and silver,</td>
<td>247,990 18</td>
</tr>
<tr>
<td>Exchange on New York and Boston,</td>
<td>24,120 92</td>
</tr>
<tr>
<td>Notes of other banks,</td>
<td>32,888 00</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>LIABILITIES</th>
<th>$1,434,230 97</th>
</tr>
</thead>
<tbody>
<tr>
<td>Capital stock,</td>
<td>500,000 00</td>
</tr>
<tr>
<td>Notes in circulation,</td>
<td>647,040 00</td>
</tr>
<tr>
<td>Individual depositors,</td>
<td>90,506 95</td>
</tr>
<tr>
<td>Banks—this sum,</td>
<td>48,258 14</td>
</tr>
<tr>
<td>Unclaimed dividends—this sum,</td>
<td>1,183 07</td>
</tr>
<tr>
<td>Contingent fund—this sum,</td>
<td>$5,000 00</td>
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<tr>
<td>Profit and loss,</td>
<td>143,237 81</td>
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$1,434,230 97
Profit and loss and contingent fund as above, $147,237.51
Deduct dividend No. 10 of five per cent., declared on capital stock this day, 25,000.00
Leaves contingent fund and profit and loss on 31st December, 1857, $122,237.51

PADUCAH, KY., Jan. 5th, 1858.

Ordered, that the Public Printer Print 150 copies thereof for the use of the General Assembly, and that it be referred to the committee on Banks.

A message was received from the House of Representatives, asking leave to withdraw their announcement of the passage of a bill from that House, entitled,

An act to amend the charter of the Kentucky State Agricultural Society.

Said bill being in the possession of the committee on Agriculture and Manufactures,

Mr. Grover moved that the committee be directed to return said bill to the Senate.

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

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

Those who voted in the affirmative, were—

Mr. Speaker, (King,) Asa P. Grover, George W. Silvertouch, John P. Smith, Harrison Taylor, Cyrenius Wait, E. D. Walker, W. M. Wilson, George Wright—26.


Those who voted in the negative, were—


James F. Buckner, Samuel Howard, Gibson Mallory, Thomas P. Porter, William B. Read,

William C. Gillis, Gibbon Mallory, Thomas P. Porter, William B. Read,

Said bill was then returned to the House of Representatives.

The Senate took up for consideration the bill, entitled,

An act to repeal an act re-organizing Transylvania University and establishing a school for teachers,

With the resolution heretofore proposed by Mr. Andrews.

Pending the consideration of which,

The Senate adjourned.
SATURDAY, JANUARY 16, 1858.

A message was received from the House of Representatives, announcing that they had passed a bill from the Senate, entitled, An act to establish the American Printing House for the Blind.

The following bills were reported, viz:
By Mr. Andrews, from the committee on the Judiciary—
A bill to amend the charter of the Kentucky Iron, Coal and Manufacturing Company.

By same—
A bill to amend the charter of the Ashland Fire, Marine and Life Insurance Company.

By same—
A bill to amend an act, entitled, an act to incorporate the town of Ashland.

By same—
A bill to amend the charter of the Ashland Cemetery Company.

By Mr. Suddeth, from the committee on Education—
A bill to amend an act, entitled, an act to incorporate the Ashland Female Seminary.

By Mr. Porter, from the committee on Circuit Courts—
A bill for the benefit of W. P. Turpin, of Larue county.

By same—
A bill to incorporate Murray Lodge, No. 105, of Free and Accepted Masons.

By Mr. Gillis, from the committee on County Courts—
A bill to change the time of holding the quarterly courts of Clarke county.

By same—
A bill to amend an act, approved December 20th, 1851, entitled, an act to authorize the presiding judge of Kenton county to hold quarterly terms in Covington.

By same—
A bill for the benefit of Julius Hacker and Asa Gilbert.

By Mr. Grundy, from the committee on Propositions and Grievances—
A bill to incorporate Bear Wallow Lodge of Free and Accepted Masons.
By same—
A bill for the benefit of the sheriff of Washington county.

By same—
A bill for the benefit of the Shelbyville and Mt. Eden Turnpike Company.

By same—
A bill to equalize the county levy in Hart county.

By same—
A bill to change the place of voting in Hendronsville precinct, in Henry county.

By Mr. Bledsoe, from the committee on Internal Improvement—
A bill to incorporate the Cumberland and Nashville Coal and Lumber Company.

By Mr. Bruner, from the committee on Finance—
A bill for the benefit of Charles Hamilton and others.

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

The constitutional provision 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. Silvertooth, from the committee on Finance, reported
A bill for the benefit of Wright Ray and others.
Which was read the first time, and ordered to be read a second time.

The constitutional provision as to the second and third readings of said bill being dispensed with, and the same being engrossed,
The question was then taken on the passage of said bill, and it was decided in the affirmative.
The yeas and nays being taken thereon, in pursuance of a provision of the constitution, were as follows, viz:

Those who voted in the affirmative, were—

| Mr. Speaker, (King,) | William C. Gillis, | William B. Read, |
| Joseph S. Bledsoe, | Asa P. Grover, | George W. Silvertooth, |
| John B. Bruner, | Thomas S. Grundy, | John P. Smith, |
| James F. Buckner, | James D. Headley, | James Sudduth, |
| A. D. Cosby, | David Irvine, | Harrison Taylor, |
| George T. Edwards, | Daniel Mathewson, | E. D. Walker, |
| John F. Fisk, | James McKee, | Walter C. Whitaker, |

Those who voted in the negative, were—

| Samuel Howard, | Cyrenius Wait—2. |
Resolved, That the title of said bill be as aforesaid.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they were referred, viz:

By Mr. Porter, from the committee on Circuit Courts—
An act to extend the terms of the Morgan circuit court.
By same—
An act to amend the charter of the German Insurance company of the city of Louisville.
By same—
An act for the benefit of R. P. Fox and Galen White, of Madison county.
By Mr. Gillis, from the committee on County Courts—
An act for the benefit of the sheriff of Marion county.
By same—
An act for the benefit of Samuel Thomas, of Monroe county.
By same—
An act to change the October term of the Warren quarterly court.
By same—
An act to change the voting place in district No. 4, in Larue county.
By same.
An act allowing the county court of Estill county to lay an additional *ad valorem* tax on the property in said county.
By same—
An act for the benefit of the county clerk of Morgan county.
By same—
An act for the benefit of John J. Miller, of Boone county.
By Mr. Wright, from the committee on Religion—
An act to incorporate the Preachers' Aid Society of the Louisville Conference of the Methodist Episcopal Church South.
By same—
An act to incorporate the Methodist Church at Clinton, in Hickman county.
By Mr. Bledsoe, from the committee on Internal Improvement—
An act to incorporate the Maxville and Pleasant Run Turnpike Road Company.
By same—
An act entitled an act to incorporate the Lebanon and Raywick Turnpike Road Company.
By same—
An act to incorporate the New Castle and Carrollton Turnpike Road Company.
By same—
An act to amend an act to incorporate the North Middletown and
Levee Turnpike Road Company.

By Mr. Mathewson, from the committee on County Courts—
An act creating a police judge and town marshal in the town of
Canton, Trigg county.

By Mr. Bledsoe, from the committee on Internal Improvement—
An act to incorporate the Maxville, Thompsonville and Springfield
Turnpike Road Company.

With amendments to the two last named bills.

Which were concurred in.

Ordered, That said bills, the two last as amended, be read a third
time.

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

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

Mr. Porter, from the committee on Circuit Courts, to whom was re­
ferred a bill from the House of Representatives, entitled,

An act to limit the time within which actions, suits and motions
may be commenced, to set aside sales made under decrees and execu­
tions.

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

And the question being taken on ordering said bill to be read a
third time, it was decided in the negative,

So the said bill was disagreed to.

Mr. Porter, from the same committee, to whom was referred a bill
from the House of Representatives, entitled,

An act vesting circuit and chancery courts with jurisdiction to
confirm sales of infants' slaves, &c.

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

And the question being taken on ordering said bill to be read a third
time, it was decided in the negative.

So the said bill was disagreed to.

Mr. Porter, from the same committee, to whom was referred a bill
from the House of Representatives, entitled,

An act to amend the charter of the Paris and Clintonville Turn­
pike Road Company.

Reported the same with the expression of opinion that it ought not
to pass.
And the question being taken on ordering said bill to be read a third time, it was decided in the negative,
And so the said bill was disagreed to.

Mr. Gillis, from the committee on County Courts, asked to be discharged from the further consideration of the petition of sundry members of the bar and presiding judge of the Kenton county court in relation to abolishing the quarterly courts of this commonwealth.
Which was granted.

Mr. Grundy, from the committee on Propositions and Grievances, asked to be discharged from the further consideration of the petitions and remonstrances of sundry citizens of the counties of Hopkins, Union, Caldwell and Crittenden, in relation to the creation of a new county out of parts of said counties.
Which was granted.

Also, from the further consideration of the petition of sundry citizens of Hodgenville, asking the passage of an act authorizing the licensing of coffee houses.
Which was granted.

Also, from the further consideration of the petition of sundry citizens of this commonwealth, asking the passage of an act authorizing Benjamin Myers to peddle without license.
Which was granted.

Ordered, That said petition be referred to the committee on Revised Statutes.

Mr. Wright, from the committee on Religion, to whom was referred a bill from the House of Representatives, entitled,
An act to allow John Gearin, of Calloway county, to peddle in said county without license.
Reported the same with the expression of opinion that it ought not to pass.
Sundry amendments were proposed to said bill.
Ordered, That said bill and proposed amendments be referred to the committee on Revised Statutes.

On motion—
Leave of absence was granted to Messrs. Haycraft, Ripley and Darnaby.

On motion of Mr. Sudduth, Mr. Wait was, in his place, appointed one of the committee to examine into the Lunatic Asylum at Lexington.

The Speaker laid before the Senate the response of the Auditor in
pursuance of a resolution introduced heretofore by Mr. Sudduth, which is as follows, viz:

[For Response—see Legislative Documents.]

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

Also, the response of the Auditor in pursuance of a resolution offered by Mr. Sudduth, in relation to the geological survey, which is as follows, viz:

[For Response—see Legislative Documents.]

Ordered, That the Public Printer print 150 copies thereof for the use of the General Assembly, and that it be referred to the committee on the Geological Survey.

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

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

Executive Department,
January 16, 1858.

Gentlemen of the Senate and House of Representatives:

I herewith submit the report of the Commissioners for the Extension of the State Prison.

C. S. Morehead.

Report of the Board of Commissioners for the extension, &c., of the State Prison.

Under an act of the Legislature, approved the 10th of March, 1856, making an appropriation for, and authorizing an extension of, the area of the state prison, building new cell-house and hospital, the board was formed, and entered at once upon the duties required of them. Their first act was to examine, with care, the interior and exterior grounds of the prison, as well as those immediately adjoining the same. In this survey they found it would be necessary to purchase a part of a street and two lots, in order to get the ground required for such an extension as they deemed sufficient.

They accordingly purchased the street from the city of Frankfort, and the two lots from private individuals, the whole cost being $3,700. Plans and specifications for new cell buildings, hospital, and outer wall were solicited from competent and experienced architects of various parts of the Union—a printed circular, containing the acts of the Legislature, having been sent them for the purpose of showing what the State wished to accomplish. Plans were received, but it was soon apparent to the commissioners that the $20,000, with the proceeds of the rent of the institution for two years, were wholly inadequate to the erection of the buildings contemplated by the act of the Legislature. They therefore determined to make the improvements come
Within the appropriation, at the same time having regard to durability, permanency, and economy.

Sealed bids, for the construction of the work, were called for by advertisements in the papers published in this city, dividing the work to be done into five parts, to induce competition between bidders, and afford an opportunity for all to come in who chose. The bids, at the appointed time, were opened and duly considered. Zeb Ward being "the lowest and best bidder," the whole work, as proposed, was given to him at the sum of $20,500. In this bid Mr. Ward agreed to take the old wall at $500, and to remove all rubbish, &c., after its removal, thus reducing his bid to the round sum of $20,000.

The commissioners believe that they have accomplished all they designed in the erection of the outer wall. For strength and superior workmanship it surpasses any other portion of the old wall, and may be regarded as far superior to any work ever yet done about the prison. Its length is — feet long, about twenty one feet high, five feet base, capped with flat stone wide enough to cover the top, all laid in good lime and sand cement.

In the erection of the hospital elegance of superstructure was not attempted. Our aim was strength, durability, fitness of design for the purposes for which it is intended. It is made of hammered stone, so laid as to form almost a solid rock. It is two stories high, with iron roof, grated doors and windows, having all the advantages of light, ventilation, warmth, and convenience. It is 40 by 60 feet in the clear, and built of the best materials throughout, and done in the most superior order. The lower room is designed for a hospital, to be furnished with 15 iron bedsteads, and every other article necessary for the comfort of the sick or disabled inmates. In the upper story there is a room 40 feet square, to be used as a female prison; adjoining this is another room 40 by 20, designed for the use of the guards, to be connected by doors and gang-ways to the cell buildings.

Finding the appropriation inadequate to the erection of new cell buildings our attention was drawn to the expediency of repairing the old cell department. We accordingly had the dirt floor raised near a foot with broken stone, then grouted with lime and covered with cement. This procedure has produced the desired result—the floor being now dry, easily kept clean, and free from the dampness heretofore rendering the apartment so filthy and uncomfortable. The lower tier of cells on each side of the block were found damp and unsuited to the purposes for which they were intended; by removing the old rotten wooden floors, and substituting grouting and cement they are now rendered both healthy and comfortable. The want of light and free ventilation was another desideratum in this department. This has, we believe, been remedied by cutting down, in the outer walls, ten long windows, with glass doors in each, thus affording light and air, in warm weather, and keeping the apartments sufficiently warm in the winter. The gang-ways to the cells were found to be too narrow for the safe passing of persons, and were accordingly made wider. The upper tier of cells, on each side, had never been occupied, because of the want of safety in their construction. To remedy this we had the entire block covered on top with oak timbers six inches thick, one and
a half inch oak plank, nailed transversely across the same, rendering escape in that way difficult, if not impossible.

We have had placed in each cell an iron bedstead, so constructed that it can be raised and fastened to the side wall, thus adding greatly to the neatness and comfort of the inmate and his apartment. By this arrangement the keeper is enabled to keep each convict to himself, there being ample cell room for the number now in confinement.

The commissioners believe that these additions and improvements have rendered this department amply comfortable, and sufficient for the health and safety of the inmates now in confinement, and for those who may be committed for several years to come. If additional cell room should be needed at any future time, another tier, containing 84 cells, can, at a comparatively trifling cost, be erected over the present.

In their investigations into the wants of the institution they felt that a sewer, of sufficient capacity to drain the yard of its accumulated filth, was greatly needed, and they accordingly had a survey and estimates for its construction made; not feeling, however, fully satisfied as to the propriety of using the states fund in that way, without more direct authority upon the subject, they deferred its erection. They now urge the necessity of its early construction, believing that it will add more to the health, comfort, and decency of the institution than any improvement ever yet made. As a sanitary measure it is of the utmost importance. The filth necessarily and unavoidably accumulating, from the confinement and maintenance of about 250 men, is very great, and when it is remembered that there is not now, nor ever has been, any means of removing this constantly accumulating mass of dead matter, the only wonder is that it has not long since resulted in the most disastrous consequences. The funds which will remain in our hands, after the completion of the improvements now in course of erection, may be adequate to the building of this sewer. If it is not—and we propose to erect it on the most substantial and economical plan—we suggest that a sufficiency be allowed, out of the next year's rent of the institution, to pay any balance required for its construction.

The following sums have been disbursed, by drafts drawn on the treasury, for the use of the prison extension, &c.:

1856.
August. To N. C. Cook, for plans, specifications, and estimates, $ 45 00
Oct. 4. To Peter Smith, purchase of his residence, 2,000 00
Nov. 12. To J. Dudly, for purchase of his lot, 1,200 00
To J. W. Kerr, of Pittsburg, for plans, &c., 28 00

1857.
March 6. To Z. Ward, on contract for work, 8,333 33
August 4. To J. S. Evans, for survey, &c., sewer, 15 00
To Z. Ward, on contract, 6,000 00
Sep. 15. To G. W. Gwin, mayor, for part of a street, 400 00
Sep. 15. To C. E. Dollmatch, for laying lines outer wall, 5 00
Sep. 15. To Z. Ward, on contract, 2,000 00

Amount carried forward, $15,026 38
<table>
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<tr>
<th>Date</th>
<th>Description</th>
<th>Amount</th>
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<tr>
<td>Oct. 15</td>
<td>To W. C. Sneed, for services</td>
<td>$120.00</td>
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<tr>
<td>Oct. 22</td>
<td>To R. A. Brawner, for services as superintendent</td>
<td>$360.00</td>
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<td>Nov. 24.</td>
<td>To Z. Ward, on contract</td>
<td>$3,500.00</td>
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<td>Nov. 24.</td>
<td>To San Goins, for ditch and culvert</td>
<td>$20.00</td>
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<td>Dec. 22.</td>
<td>To R. A. Brawner, for chimney, &amp;c.,</td>
<td>$59.45</td>
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<td>To H. R. Miller, for tin gutter of outer wall</td>
<td>$5.00</td>
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<td></td>
<td>To A. H. Rennick, extracts and recording deeds</td>
<td>$5.80</td>
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<td></td>
<td>In all</td>
<td>$21,096.58</td>
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<tr>
<td>Jan. 1</td>
<td>To Z. Ward, on contract</td>
<td>$2,000.00</td>
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Making in all, $21,096.58

There has been paid to Zeb Ward, in cash, $16,833.33
Old wall, $500.00
Making in all, $17,333.33

On the first of March next there will be due to him the balance on his contract of $3,166.67; also a bill for extra work required to be done, the amount of which is not yet ascertained, though it is not large. There is also due the sum of $100 to Davis' heirs, for their interest in the right of a part of the street purchased of the city of Frankfort. There remains several small jobs yet unfinished in the hospital, &c., which are in Ward's contract. These will doubtless be done by the time the house is fit for use.

In conclusion we would state, that in order to a complete finish of what we have done we propose several small additions: 1st. We deem it important to run a cross-wall from the hospital, at the northeast corner, to the new outer wall, in order to separate a yard from the main yard for the use of the female prisoners. 2nd. A paved ditch along the south side of the cell buildings, to lead off the waste water from the same. 3d. The removal of the east end wall of the cell buildings, and the extension of the roof, and finishing of that building up to the hospital.

If we are permitted to express an opinion, we would say that for so large a job, a more substantial, faithful, and honest price of work, we believe, has never been done for this institution before. For proof of which we most cordially invite your careful and rigid examination. All of which is most respectfully submitted:

C. S. MOREHEAD, Chairman,
A. W. DUDLEY,
R. J. SPURR,
W. C. SNEED.

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

A message was received from the Governor by Mr. Bibb, Assistant Secretary of State, announcing that the Governor had approved and
signed enrolled bills, and a resolution, which originated in the Senate, of the following titles, viz:

An act to amend the charter of the Franklin Insurance Company, of Louisville.

An act to amend an act, entitled, an act to regulate the duties of county and commonwealth's attorneys.

An act for the benefit of Thomas P. Smith.

An act to incorporate the German Gymnastic Association of the city of Covington.

An act to repeal section 2 of an act to authorize justices of the peace to hold inquests in certain cases.

An act to change the time of holding the Greenup county quarterly court.

An act to provide for the election of special judges of the city court of Louisville, and to authorize the marshal of said court to appoint deputies.

An act for the benefit of Thomas Patterson, of Madison county.

An act to incorporate the Virginia and Kentucky Bridge Company.

An act for the benefit of the Danville, Dix River and Lancaster Turnpike Road Company.

An act to incorporate the Buck Creek Bridge Company.

An act to amend an act incorporating the Hustonville and Coffey's Mill Turnpike Road Company.

An act to incorporate the Lincoln Run and Mays' Creek Turnpike Road Company, in Washington county.

An act declaring the office of county judge and common school commissioner incompatible.

An act to amend the act incorporating the Hustonville, Liberty and Columbia Turnpike Road Company.

Resolution in relation to the appointment of a committee to examine the Lunatic Asylum at Lexington.

A message was received from the House of Representatives, asking leave to withdraw the announcement of their disagreement to bills from the Senate, entitled,

An act for the benefit of common school district No. 18, in Larue county.

An act for the benefit of A. J. Fleming.

Which was granted.

The Senate took up for consideration the bill, entitled,
A bill to repeal an act to reorganize Transylvania University and establish a school for teachers.
With the resolution in relation thereto offered by Mr. Andrews.

Ordered, That the further consideration of said bill and resolution be postponed until Thursday next, 21st instant, at 11 o'clock, A.M.

Bills from the House of Representatives of the following titles were severally read the first time, viz:

1. An act imposing a tax upon billiard tables.
2. An act to amend section 5, chapter 67, of the Revised Statutes.
3. An act to amend the act incorporating the Simpson Seminary.
4. An act in relation to school districts Nos. 3 and 21, in Campbell county.
5. An act to incorporate the Newport Printing Company.
6. An act to amend the charter of the Eminence High School.
8. An act to prevent the sale of liquors, &c., to cadets of the Kentucky Military Institute.
9. An act to incorporate the Presbyterian Church at Lebanon.
10. An act to incorporate Madison Lodge, No. 14, I. O. O. F.
11. An act for the benefit of school district, No. 12, in Spencer county.
12. An act to incorporate the Bourbon Academy.

Ordered, That said bills be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, they were referred,

To the committee on the Judiciary the 1st; to the committee on Revised Statutes the 2d and 8th; to the committee on Education the 3d, 4th, 6th, 11th, and 12th; to the committee on County Courts the 5th; to the committee on the Library the 7th; to the committee on Religion the 9th, and to the committee on Circuit Courts the 10th.

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

On motion of Mr. Sudduth—1. A bill to incorporate the Paris and Clintonville Turnpike Road Company.

On motion of Mr. Taylor—2. A bill to amend the charter of the city of Maysville.

On motion of same—3. A bill providing for the transfer of the corporate privileges of the Lexington and Maysville Railroad Company.

On motion of Mr. Porter—4. A bill to charter the Ford's Mill Turnpike Road Company, in Woodford county.

On motion of Mr. Mallory—5. A bill for the benefit of Margaret Brayles, of Jefferson county.

On motion of Mr. Walton—6. A bill to amend the law in relation to county commissioners.
On motion of Mr. Matthewson—7. A bill to incorporate Benton Lodge, No. 205, of Free and Accepted Masons.

On motion of Mr. Grover—8. A bill to amend the 846th section of the Civil Code of Practice.


On motion of Mr. Gillis—10. A bill to amend an act chartering the Williamsburg, Cumberland river and Tennessee Railroad.

On motion of Mr. Bledsoe—11. A bill to allow the town of Russellville a police judge and town marshal.

On motion of Mr. Edwards—12. A bill to amend the 450th section of the Civil Code of Practice.

On motion of Mr. Fisk—13. A bill to incorporate the German Workman Association of Covington.

The committee on Internal Improvement was directed to prepare and bring in the 1st, 4th, 10th and 11th; the committee on the Revised Statutes the 2d; committee on the Judiciary the 3d, 5th and 13th; the committee on County Courts the 6th and 9th; the committee on Circuit Courts the 7th, and the committee on the Codes of Practice the 8th and 12th.

Mr. Fisk moved the following resolution, viz:

Resolved, That whenever a bill shall be ordered to be printed and made the special order for any given day, and a given hour of that day, the Clerk shall note the same on the back of the bill, and the Public Printer shall so print the same as to designate the day and the hour fixed for its consideration by the Senate.

Which was adopted.

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

Resolved by the General Assembly of the Commonwealth of Kentucky, That an appropriation of two hundred dollars be made to Austin W. Vallandingham, of the city of Frankfort, for the purpose of prosecuting a suit against the mayor of Indianapolis, Indiana, for false imprisonment. When said suit shall have been prosecuted, then the Auditor shall draw his warrant upon the Treasurer in favor of said Vallandingham for said amount.

Mr. Rust presented the remonstrance of sundry citizens of Carter county, remonstrating against the passage of any act requiring any portion of said county to be attached to Rowan.

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

And then the Senate adjourned.
MORNING, JANUARY 18, 1858.

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

1. An act to amend the charter of the Kentucky State Agricultural Society.  
2. An act concerning the Penitentiary.  
3. Mr. Taylor presented the petition of sundry citizens of Bracken, praying the passage of an act authorizing the control of the Bracken Academy fund to be placed in the county court of said county.  
4. Also, the remonstrance of the trustees of said academy, remonstrating against the passage of said act.  
5. Mr. Garrard presented the petition of sundry citizens of Owsley county, praying the establishment of an additional precinct in said county.  

Which petitions and remonstrance were received, the reading dispensed with, and referred, the 1st and 2d to the committee on Education, and the 3d to the committee on Propositions and Grievances.  

The following bills were reported, viz:  

1. By Mr. Matthewson, from the committee on Education—A bill for the benefit of schools in Paducah.  
2. By Mr. Bledsoe, from the committee on Internal Improvement—A bill to incorporate the Paris and Clintonville Turnpike Road Company.  
4. By same—A bill to incorporate the Cranetown Turnpike Road Company.  
5. By same—A bill to incorporate the Hustonville and Bradfordsville Turnpike Road Company.  
6. By Mr. Matthewson, from the same committee—A bill to incorporate the Elizaville and Blue Lick Turnpike Road Company.  
7. By Mr. Walton, from the committee on Privileges and Elections—A bill to amend an act, entitled, an act to prevent the pernicious practice of betting on elections.
Which were read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, the 1st, 3d, 4th, 5th and 6th were ordered to be engrossed and read a third time, the 2d was placed in the orders of the day, and the 7th was ordered to be printed and placed in the orders of the day.

Bills from the House of Representatives of the following titles were reported from the committee on Internal Improvement, viz:

By Mr. Bledsoe—
An act to prevent the destruction of fish in the Kentucky river and its tributaries.

By same—
An act to authorize railroad companies to make certain contracts with each other.

By same—
An act to incorporate the Raywick Turnpike Road Company.

By same—
An act to incorporate the Bardstown and Bloomfield Turnpike Road Company.

By same—
An act to incorporate the Highland Coal Company.

By Mr. Matthewson, from the same committee—
An act to incorporate the Pleasant Hill and Jessamine Turnpike Road Company.

By same—
An act to incorporate the Bardstown and Chaplin town Turnpike Road Company.

Ordered, That said bills be read a third time.

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

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

Mr. Bledsoe, from the committee on Internal Improvement, to whom was referred a bill from the House of Representatives, entitled,
An act for the benefit of Gideon Barnes and Christopher Boone.
Reported the same without amendment.

And the question being taken on ordering said bill to be read a third time, it was decided in the negative.

So the said bill was disagreed to.
The Speaker laid before the Senate the report of the President of the Board of Internal Improvement, which is as follows, viz:

[For Report—see Legislative Documents.]

Ordered, That the Public Printer print the usual number of copies thereof for the use of the General Assembly, and that it be referred to the committee on Internal Improvement.

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

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

**EXECUTIVE DEPARTMENT,**

*January 12th, 1858.*

**Gentlemen of the Senate:**

I nominate for your advice and consent the following persons as Notaries Public for the counties named, viz:

- James I. Dozier, for Jefferson county.
- P. J. O'Bannon, for Jefferson county.
- David S. Chambers, for Jefferson county.
- O. F. Stirman, for Jefferson county.
- Thomas Smith, for Jefferson county.
- S. B. Smith, for Jefferson county.
- J. Anthony, for Jefferson county.
- S. M. Barner, for Livingston county.
- William Greif, for McCracken county.
- J. A. Edwards, for Woodford county.
- William H. Cunningham, for Henderson county.
- Paul Longmore, for Kenton county.
- J. W. Kinnard, for Knox county.
- J. B. Payne, for Campbell county.
- R. K. Summers, for Bullitt county.
- Henry Strong, for Jefferson county.
- W. C. Anderson, for Boyle county.
- William Gordon, for Livingston county.
- W. W. Penny, for Anderson county.
- C. R. McElroy, for Washington county.
- E. F. Burns, for Owen county.
- J. B. Hamilton, for Jefferson county.
- C. O. Green, for Jefferson county.
- John W. Tydings, for Jefferson county.
- William Means, for Greenup county.
- J. B. Lyne, for Henderson county.
- J. G. Wilson, for Jefferson county.
- W. C. Whitaker, for Shelby county.
- W. H. Goodloe, for Henderson county.
- H. F. Smith, for Jefferson county.
- A. Irwin Lampton, for Jefferson county.
- N. S. Ray, for Marion county.
- R. M. Haydock, for Livingston county.
J. M. Hewitt, for Jefferson county.
W. W. Metcalfe, for Nelson county.
L. S. Guthrie, for Jefferson county.
J. A. Wallace, for Christian county.
J. K. Goodloe, for Woodford county.
Samuel S. Bush, for Jefferson county.
J. P. Hansen, for Jefferson county.
H. P. Rutter, for Jefferson county.
W. S. Hatch, for Scott county.
L. O. Todd, for Fayette county.
Thomas Mitchell, for Fayette county.
Robert Garrett, for Caldwell county.
Charles L. Thomason, for Jefferson county.
D. D. Sublett, for Morgan county.
C. P. Buck, for Fulton county.
Alexander Cassidy, for Jefferson county.
L. H. Rausseau, for Jefferson county.
C. M. Webb, for McCracken county.
George E. Hamilton, for Kenton county.
W. P. Johnston, for Jefferson county.
F. P. Holloway, for Woodford county.
William Gordon, for Jefferson county.
E. P. Bowman, for Franklin county.
Nicholas J. Bashe, for Jefferson county.
W. K. Baal, for Greenup county.
J. W. Peck, for Harrison county.
Moses Kram, for Jefferson county.
F. J. Huber, for Jefferson county.
D. W. Kavanaugh, for Anderson county.
T. B. Smith, for Fleming county.
James Harlan, Jr., for Mercer county.
W. G. Barbour, for Scott county.
F. E. Congleton, for Bath county.
Valentine H. Smith, for Jefferson county.
D. H. Hughes, for Union county.
S. B. Vance, for Henderson county.
B. A. C. Martin, for Shelby county.
F. Jay McLean, for McLean county.
J. J. Perrin, for Jefferson county.
William M. Miller, for Harrison county.
Alexander H. McKay, for Jefferson county.
F. Canterberry, for Lawrence county.
H. L. Pope, for Jefferson county.
J. S. Withers, for Harrison county.
J. P. Hall, for Shelby county.
F. G. Robins for Jefferson county.
A. S. Berry, for Campbell county.
P. B. Poindexter, for Jefferson county.
C. R. Tyler, for Daviess county.
William T. Barnes, for Jefferson county.
T. H. Miles, for Nelson county.
Resolved, That the Senate advise and consent to said appointments.

Mr. Garrard, from the committee on Internal Improvement, asked to be discharged from the further consideration of the petition of sundry citizens upon the Kentucky river, in relation to Steele's dam upon said river.

Which was granted.

The committee on Federal Relations, in pursuance of instructions, reported the resolutions to them referred as to a national bankrupt law for banks and railroads.

Mr. Rusk moved to amend said resolutions.

Ordered, That the further consideration of said resolutions and amendments be postponed until to-morrow at 10½ o'clock, A. M.

The Senate then took up for consideration a bill from the House of Representatives, entitled,

An act concerning the Penitentiary.

Which was read the first time as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the keeper of the penitentiary shall be elected by the legislature on joint ballot, and shall hold his office for four years, subject to the liabilities, terms, and conditions, and entitled to the rights, privileges, and advantages as prescribed in this act, to-wit:

First. The commissioners of the sinking fund shall loan to the keeper ten thousand dollars in raw materials (to be received by the state from the out-going keeper,) and in money during his term of office, for which he shall pay to them, annually, interest at the rate of six per cent. per annum, until the principal is returned; and for the payment of the principal and interest shall execute bond to said commissioners with sufficient sureties, to be approved by them.
J. M. Hewitt, for Jefferson county.
W. W. Metcalfe, for Nelson county.
L. S. Guthrie, for Jefferson county.
J. A. Wallace, for Christian county.
J. K. Goodloe, for Woodford county.
Samuel S. Bush, for Jefferson county.
J. P. Hauser, for Jefferson county.
H. P. Rutter, for Jefferson county.
W. S. Hatch, for Scott county.
L. O. Todd, for Fayette county.
Thomas Mitchell, for Fayette county.
Robert Garrett, for Caldwell county.
Charles L. Thomason, for Jefferson county.
D. D. Sublett, for Morgan county.
C. P. Buck, for Fulton county.
Alexander Cassidy, for Jefferson county.
L. H. Rausseau, for Jefferson county.
C. M. Webb, for McCracken county.
George E. Hamilton, for Kenton county.
W. P. Johnstone, for Jefferson county.
F. P. Holloway, for Woodford county.
William Gordon, for Jefferson county.
E. P. Bowman, for Franklin county.
Nicholas J. Bashe, for Jefferson county.
W. K. Baal, for Greenup county.
J. W. Peek, for Harrison county.
Moses Kram, for Jefferson county.
F. J. Huber, for Jefferson county.
D. W. Kavanaugh, for Anderson county.
T. B. Smith, for Fleming county.
James Harlan, Jr., for Mercer county.
W. G. Barbour, for Scott county.
F. E. Congleton, for Bath county.
Valentine H. Smith, for Jefferson county.
D. H. Hughes, for Union county.
S. B. Vance, for Henderson county.
B. A. C. Martin, for Shelby county.
F. Jay McLean, for McLean county.
J. J. Perrin, for Jefferson county.
William M. Miller, for Harrison county.
Alexander H. McKay, for Jefferson county.
F. Canterberry, for Lawrence county.
H. L. Pope, for Jefferson county.
J. S. Withers, for Harrison county.
J. P. Hall, for Shelby county.
F. G. Robbins for Jefferson county.
A. S. Berry, for Campbell county.
P. B. Poindexter, for Jefferson county.
C. R. Tyler, for Daviess county.
William T. Barnes, for Jefferson county.
T. H. Miles, for Nelson county.
John Q. A. King, for McCracken county.
John O'Brien, for Daviess county.
William B. Fairman, for Green county.
Charles W. Stewart, for Kenton county.
W. S. Simmons, for Grant county.
Marcus E. Browning, for Fayette county.
C. H. Webb, for Livingston county.
John H. Bonde, for Bracken county.
Ben. Keiser, for Fayette county.
Isaac T. Handlin, for Livingston county.
George W. Barclay, for Jefferson county.
Dexter W. Wells, for Jefferson county.
O. S. Poston, for Mercer county.
John Richard McCarroll, for Christian county.
James McCallen, for Logan county.
J. R. Hallam, for Campbell county.
C. R. Tyler, for Daviess county.

C. S. MOREHEAD

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

Mr. Garrard, from the committee on Internal Improvement, asked to be discharge from the further consideration of the petition of sundry citizens upon the Kentucky river, in relation to Steele's dam upon said river.

Which was granted.

The committee on Federal Relations, in pursuance of instructions, reported the resolutions to them referred as to a national bankrupt law for banks and railroads.

Mr. Rusk moved to amend said resolutions.

Ordered, That the further consideration of said resolutions and amendments be postponed until to-morrow at 10½ o'clock, A. M.

The Senate then took up for consideration a bill from the House of Representatives, entitled,

An act concerning the Penitentiary.

Which was read the first time as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the keeper of the penitentiary shall be elected by the legislature on joint ballot, and shall hold his office for four years, subject to the liabilities, terms, and conditions, and entitled to the rights, privileges, and advantages as prescribed in this act, to-wit:

First. The commissioners of the sinking fund shall loan to the keeper ten thousand dollars in raw materials (to be received by the state from the out-going keeper,) and in money during his term of office, for which he shall pay to them, annually, interest at the rate of six per cent. per annum, until the principal is returned; and for the payment of the principal and interest shall execute bond to said commissioners with sufficient sureties, to be approved by them.
Second. The keeper shall have the use and control of the penitentiary and all the buildings attached thereto, together with all the machinery, fixtures, tools, and other property of the state therein, and receive and have all the proceeds of the labor of the convicts therein, and all the profits and emoluments from the operations of the penitentiary, and shall be bound to keep in good order all the buildings, machinery, fixtures, tools, and other property, and return all the property so received by him in as good order as when the same shall have been received by him, unavoidable accidents by fire, as respects the buildings and machinery only, excepted.

Third. The keeper shall be bound to pay into the treasury, to the credit of the sinking fund, at the end of each year of his term of office, the sum of eight thousand dollars.

Fourth. In the event of a fire occurring in the institution, without any fault on the part of the keeper, his assistants, or guards, the general assembly, if in session, and if not, the commissioners of the sinking fund, shall cause to be erected, as soon as practicable, such other permanent and suitable buildings as they may deem best for the interest of the state, not exceeding in cost ten thousand dollars, to be paid out of any money in the treasury to the credit of the sinking fund; and the commissioners of the sinking fund shall make such deduction from the annual sum to be paid by the keeper as they may deem equitable and just for the loss of the use of the buildings; and their decision shall be subject to the ratification of the legislature. The cost of erecting the necessary temporary buildings shall be borne by the keeper, and no allowance is to be made to him therefor.

Fifth. If, during the term of office of the keeper, the commissioners of the sinking fund shall deem it necessary to cause additional machinery to be erected, the state shall not, under any circumstances, be chargeable with a sum therefor exceeding ten thousand dollars; and the keeper shall give bond, with adequate security, to be approved by the governor, that he will return the machinery so erected in as good order as when erected, and will pay the state annually six per cent. per annum interest on the amount expended in erecting such machinery. The state reserves to itself the right of purchasing from the keeper of the penitentiary, at the termination of his term of office, at a fair cash value, any machinery which he may erect at his own cost in the penitentiary.

Sixth. If any of the amounts herein required to be paid by the keeper of the penitentiary shall remain unpaid for ten days after the same shall become due and payable, it shall be the duty of the commissioners of the sinking fund to cause a judgment to be rendered against the keeper and his sureties, at the next or any succeeding term of the Franklin circuit court, for the amount so due and unpaid, by motion, in the manner, and with like penalties that judgments are, or shall be rendered against defaulting sheriffs or other collectors of the public money.

Seventh. The said keeper, in addition to the payment of said sums of money, shall, at his own expense, furnish the necessary guards, feed and clothe the convicts, appoint his own clerk and pay him for his services, furnish all necessary beds and bedding for the cells, pay
the liberation money to the convicts, all necessary physicians' bills, and all the necessary expenses in maintaining and carrying on said institution, and save the state harmless of all expense connected with the management of the same during his term of office.

**Eighth.** The governor shall appoint three inspectors of the penitentiary, one of whom shall be a practicing physician, who shall hold their offices for two years, unless sooner removed by the governor. It shall be the duty of the inspectors to examine into all matters connected with the government, discipline, and police of the penitentiary, and make a report thereof every three months to the governor. The penitentiary shall be visited at least once each week, by two of said inspectors, and as much oftener as shall be prescribed by the governor or commissioners of the sinking fund. Each inspector shall receive one hundred dollars per annum for his services, payable out of any money in the treasury to the credit of the sinking fund. No inspector of the penitentiary shall become interested, directly or indirectly, in the profits thereof, or of its management.

**Ninth.** The keeper shall employ one or more reputable physicians, whose duty it shall be to examine into the health and situation of each convict, and report to the governor whether any convict is engaged in any work which is injurious to his health, or whether any convict is kept at work when, from disease, he is unfit for labor; whereupon it shall be the duty of the governor to cause said convict to be changed to other work, or relieved from work until said physician shall pronounce his health sufficiently restored for labor. The keeper shall give written information to the governor of his employment of a physician, and of each change of employment.

**Tenth.** If the keeper of the penitentiary fail or refuse to comply with the obligations imposed on him by this act, or shall be guilty of any malfeasance in office, the governor shall have full power, and it shall be his duty, to remove him forthwith.

**Eleventh.** In the event of the death or removal from office of the keeper of the penitentiary, the governor, secretary of state, and auditor shall make a contract with a suitable person to take charge of the penitentiary, according to the provisions of this act, until the next ensuing meeting of the general assembly, and until a new keeper be elected and qualified.

**Twelfth.** Before the penitentiary shall be placed in the charge of the keeper who shall be elected by the legislature, he shall execute bond, with sufficient sureties, to be approved by the governor, to the commonwealth, for his faithful performance of the duties of his office, and compliance with the provisions of this act.

**Thirteenth.** All laws relating to the penitentiary, in conflict with the provisions of this act, are repealed; and all laws not inconsistent with its provisions shall remain in full force, until changed by the legislature. Nothing herein contained shall prevent the legislature from passing such laws as may be deemed necessary to the welfare and reformation of the convicts.

§ 2. The raw materials which may be on hand at the expiration of the keeper's term of office, not exceeding eight thousand dollars in value, and which shall be suitable for the manufactures conducted in
the penitentiary, may be received by the state, at a fair wholesale cash valuation, in payment of so much of the loan to said keeper, and shall be delivered to the in-coming keeper at the same valuation, in part of the ten thousand dollars directed to be loaned to him by the first sub-division of section one. The valuation shall be made by three competent and disinterested persons, one selected by the out-going keeper, one by the in-coming keeper, and one by the sinking fund commissioners, who shall be duly sworn to discharge their duties fairly and impartially, and to the best of their skill and judgment, before proceeding to make the valuation. Both the out-going and in-coming keepers shall have a right to be present at the valuation. If either keeper fail to select a valuer, the commissioner of the sinking fund shall make the selection in his stead.

§ 3. In order to determine the condition in which the machinery, fixtures, tools, and other property may be when received, and when returned by the keeper, a valuation of the same, at the commencement and at the termination of the keeper's term of office, shall be made by three skillful and disinterested persons, selected by the commissioners of the sinking fund, who shall be duly sworn to discharge their duties fairly and impartially, and to the best of their skill and judgment, before making the valuation. The out-going and in-coming keeper shall be entitled to be present at the valuation.

§ 4. The clothing of the convicts, the bed and bedding of the cells, and other necessary furniture of the penitentiary, shall, in like manner, be valued at the commencement and termination of the keeper's term of office, by appraisers appointed by the commissioners of the sinking fund; and the keeper shall be bound to leave, at the termination of his office, an equal value of clothing, beds, and bedding, and other necessary furniture, with that he received at the commencement of his term of office. If there is a deficiency the keeper shall pay the deficiency in cash; if there is an excess, then the keeper may withdraw the excess, or the commissioners of the sinking fund may allow him a cash credit for the value of such excess. The appraisers shall be sworn, and both keepers shall have the right of being present, as provided in the preceding section.

§ 5. In the event of the death or removal from office of the keeper, valuations shall be made of all the articles of property named in the three preceding sections, by appraisers appointed by the commissioners of the sinking fund, who shall be sworn as provided in said sections, before making said valuations. The valuations prescribed in this and the preceding sections shall be written out, and the articles so enumerated or described as to be identified, subscribed by the appraisers, and filed with the commissioners of the sinking fund, and by them preserved.

§ 6. The provisions of the first section of this act shall not apply to the present keeper and lessee, whose rights, duties, and responsibilities shall be determined by the laws in force before the passage of this act, and the contract of lease entered into between him and the commissioners of the sinking fund. Sections two, three, four and five shall, so far as their provisions relate to the out-going keeper, apply to him, so far as they shall not be in conflict with the terms of his lease,
which terms are not intended to be impaired or violated by any provisions of this act.

Ordered. That said bill be read a second time.

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

Mr. Ripley moved to amend said bill in the 3d sub-section of the 1st section, by striking out eight and inserting twelve.

At 2 o'clock, P. M., Mr. Headley moved an adjournment.

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

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

Those who voted in the affirmative, were—

Theo. T. Garrard,   James D. Headley,   George W. Silvertooth,
Thomas S. Grundy,     H. M. Rust,

Those who voted in the negative, were—

Mr. Speaker, (King,) Samuel Howard,   John P. Smith,
Landaff W. Andrews,  David Irvine,       James Sudduth,
Joseph S. Bledsoe,   Gibson Mallory,     Harrison Taylor,
John B. Bruner,      Daniel Matthewson,  E. D. Walker,
James F. Buckner,   William H. McBrayer,  W. C. Whitaker,
John F. Fisk,       James McKee,         W. M. Wilson,
William C. Gillis,   Thomas P. Porter,   George Wright—23.
Samuel Haycraft,   Charles Ripley,

Mr. Ripley then called for the reading of a paper which he said had reference to the bill under consideration, and which he supposed to be on the Clerk's table.

Such paper had not then been in the possession of the Senate, but was by one of the Pages of the Senate handed in at the Clerk's table.

A discussion as to the fact whether such paper had come into the possession of the Senate as authorized by the 48th rule of the Senate, (which reads as follows: "Petitions, memorials, and other papers addressed to the Senate, or Legislature, shall be presented by the Speaker, or by a member in his place: a brief statement of the contents thereof shall be made by the introducer before received or disposed of;") was had, and the Speaker appealed to to decide whether, by the rule, such paper was properly in the possession of, and at the disposal of the Senate.

The Speaker decided, that according to the rule, (as above cited,) the paper in question not having been presented by any Senator, nor its contents in any way adverted to, was not in the possession of the
Senate, and could not be read unless by the direction or consent of a majority of the Senate, and to the Senate he felt disposed to refer the matter for its decision, and did so.

Mr. Irvine moved the previous question.

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

The question was then taken whether the paper in question should then be read or not, and it was decided in the affirmative.

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

Those who voted in the affirmative, were—

Mr. Speaker, (King,) William C. Gillis, Charles Ripley.
Joseph S. Bledsoe, Samuel Howard, Harrison Taylor.
John B. Bruner, David Irvine, W. C. Whitaker.
James F. Buckner, Gibson Mallory, George Wright—17.
George T. Edwards, James McKee.

Those who voted in the negative, were—

John F. Fisk, Daniel Matthewson, George W. Silvertooth.
James D. Headley, H. M. Rust.

The paper was then read as follows, viz:

*Gentlemen of the General Assembly of Kentucky:*

As the bill fixing the terms of the lease of the Kentucky Penitentiary for the next four years, from March, 1859, comes up to-day I feel it my privilege to make you a proposition for the lease of the same. I am willing to pay into the Treasury of the State of Kentucky twelve thousand dollars per annum, for the use of the Kentucky Penitentiary for the next four years, from March, 1859, and be governed by the bill now before your honorable body. I have paid out considerable money in repairing the machinery of the institution, besides the improvements made by the appropriation of your honorable body two years since, which makes the institution worth much more than when I first took charge of it.

Very respectfully,

ZEB. WARD.

*Frankfort, January 18, 1858.*

Mr. Rust moved the previous question.

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

Mr. Fisk moved a division of the question.

And the question being taken on striking out eight thousand dollars, it was decided in the affirmative.
The yeas and nays being required theron by Messrs. Andrews and Wright, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker, (King,) William C. Gillis, Charles Ripley,
Landaff W. Andrews, Samuel Haycraft, James Rudduth,
Joseph S. Bledsoe, Samuel Howard, Harrison Taylor,
John B. Bruner, David Irvine, W. C. Whitaker,
James F. Buckner, Gibson Mallory, George Wright—17.
George T. Edwards, James McKee,

Those who voted in the negative, were—

John F. Fisk, Daniel Matthewson, George W. Silvertooth,
Theo. T. Garrard, William H. McBryer, John P. Smith,
Asa P. Grover, Thomas P. Porter, E. D. Walker,
Thomas S. Grundy, William B. Read, C. J. Walton,

The question was then taken on inserting twelve thousand dollars, and it was decided in the affirmative.

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

Those who voted in the affirmative, were—

Mr. Speaker, (King,) William C. Gillis, Charles Ripley,
Landaff W. Andrews, Samuel Haycraft, James Rudduth,
Joseph S. Bledsoe, Samuel Howard, Harrison Taylor,
John B. Bruner, David Irvine, W. C. Whitaker,
James F. Buckner, Gibson Mallory, George Wright—17.
George T. Edwards, James McKee,

Those who voted in the negative, were—

John F. Fisk, Daniel Matthewson, George W. Silvertooth,
Theo. T. Garrard, William H. McBryer, John P. Smith,
Asa P. Grover, Thomas P. Porter, E. D. Walker,
Thomas S. Grundy, William B. Read, C. J. Walton,

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

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

Those who voted in the affirmative, were—

Mr. Speaker, (King,) John F. Fisk, James McKee,
Landaff W. Andrews, William C. Gillis, Charles Ripley,
Joseph S. Bledsoe, Samuel Haycraft, James Rudduth,
John B. Bruner, Samuel Howard, Harrison Taylor,
James F. Buckner, David Irvine, W. C. Whitaker,
George T. Edwards, Gibson Mallory, George Wright—18.
Those who voted in the negative, were—

Theo. T. Garrard, William H. McBrayer, John P. Smith,
Asa P. Grover, Thomas P. Porter, E. D. Walker,
Thomas S. Grundy, William B. Read, C. J. Walton,
Daniel Matthewson, G. W. Silvertooth,

At 3 o'clock, P. M., Mr. Fisk moved an adjournment.
And the question being taken thereon, it was decided in the negative.
The yeas and nays being required thereon by Messrs. Andrews and Walker, were as follows, viz:

Those who voted in the affirmative were—

George T. Edwards, Daniel Matthewson, George W. Silvertooth,
John F. Fisk, William H. McBrayer, John P. Smith,
Theo. T. Garrard, Thomas P. Porter, E. D. Walker,
Asa P. Grover, William B. Read, C. J. Walton,
James D. Headley,

Those who voted in the negative were—

Mr. Speaker, (King,) Samuel Haycraft, Charles Ripley,
Landaff W. Andrews, Samuel Howard, James Sudduth,
Joseph S. Bledsoe, David Irvine, Harrison Taylor,
John B. Bruner, Gibson Mallory, W. C. Whitaker,
James F. Buckner, James McKee, George Wright—16.
William C. Gillis,

Ordered, That said bill be read a third time at 10½ o'clock to-morrow, the 19th instant.

At 3½ o'clock, P. M., Mr. Walton moved an adjournment.
And the question being taken thereon, it was decided in the negative.
The yeas and nays being required thereon by Messrs. Porter and Walker, were as follows, viz:

Those who voted in the affirmative, were—

James F. Buckner, James D. Headley, Charles Ripley,

Those who voted in the negative, were—

Mr. Speaker, (King,) Samuel Haycraft, G. W. Silvertooth,
Landaff W. Andrews, Samuel Howard, John P. Smith,
Joseph S. Bledsoe, David Irvine, James Sudduth,
John B. Bruner, Gibson Mallory, Harrison Taylor,
George T. Edwards, William H. McBrayer, E. D. Walker,
John F. Fisk, James McKee, Walter C. Whitaker,
Theo. T. Garrard, Thomas P. Porter, W. M. Wilson,
Asa P. Grover,
Mr. Smith moved a reconsideration of the vote by which the Senate, on Saturday last, postponed the further consideration of the bill to repeal an act reorganizing Transylvania University and establishing a school for teachers, until the 21st instant.

After some discussion had thereon, Mr. Smith withdrew his motion.

And then the Senate adjourned.

TUESDAY, JANUARY 19, 1858.

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 amend the act chartering sundry turnpike road companies in Madison county.

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

An act to incorporate the Campbell county Agricultural Society.
An act for the benefit of A. J. Fleming.
An act to amend an act, entitled, an act to amend the laws regulating the Wilderness road.
An act to incorporate the Kentucky Mosely Iron Bridge Erecting Company.
An act for the benefit of Ralph Cotton and John Gardner, of Nelson county.

That they had received official information from the Governor that he had approved and signed enrolled bills which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of George Parker and A. J. M. Thompson, late sheriffs of Union county.
An act authorizing the election of police judge and marshal for the town of Washington, in Mason county.
An act to establish a police court in the town of Winchester.
An act to incorporate Forest Lodge, No. 308, of Free and Accepted Masons.
An act establishing an additional voting place in Hardin county.
An act to amend section 614 of the Civil Code of Practice, in regard to depositions.

An act to create the office of inspector of imported lumber in the city of Louisville.

An act in relation to the fees of constables in Franklin county.

An act for the benefit of John S. Adams.

An act for the benefit of Eliphus Preston, of Johnson county.

An act to change the time of holding the Bourbon county quarterly court.

An act changing the time of holding the Clay county quarterly court.

An act for the benefit of James D. Ballard.

An act to amend an act, entitled, an act to amend an act incorporating the town of Raywick.

An act for the benefit of B. D. Beall, late clerk of Campbell county and circuit courts.

An act to amend the charter of Bacon College.

An act to amend the charter of the Kentucky River Turnpike Road Company.

An act to amend an act, entitled, an act to establish a Sinking Fund for Clarke county, approved March 4, 1856.

An act regulating the duties of constables after the expiration of their term of office.

An act to amend the 4th section of an act to amend the act to establish a Sinking Fund in Bourbon county, approved March 10th, 1856.

An act for the benefit of S. I. M. Major.

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

An act to change the time of holding the quarterly courts in Russell county.

An act to amend an act to incorporate the Union Agricultural and Improvement Association, of Mason and Bracken counties.

An act to amend an act, entitled, an act to amend the charter of the Versailles and Anderson Turnpike Road Company.

An act to amend an act, entitled, an act for the benefit of Joshua Oaks.

An act for the benefit of James Trimble, of Floyd county.

An act creating an additional justices’ district and voting precinct in Crittenden county.

An act to incorporate Ark Lodge, No. 86, I. O. O. F., at Caseyville.
That they had passed bills of the following titles, viz:

1. An act empowering the trustees of the Columbia Quarterly Conference of the Methodist Episcopal Church South, to convey real estate.

2. An act incorporating Neatsville Lodge, No. 172, of Free and Accepted Masons.

3. An act for the benefit of the clerk of the Boyle circuit court.


5. An act to authorize the citizens of the town of Warsaw to elect a police judge and marshal.

6. An act to incorporate Dunavan Lodge, No. 282, of Free and Accepted Masons.

7. An act to incorporate Col. Clay Lodge, No. 159, of Free and Accepted Masons.

8. An act for the benefit of the town of Waynesburg.


10. An act to amend the charter of the North Middletown, Mount Ida and Mt. Sterling Turnpike Road Company.

11. An act for the benefit of A. S. Trimble, late sheriff of Morgan county.

12. An act to change the place of voting in the first election precinct in Estill county.

13. An act to incorporate the Mount Sterling and Howardsville Turnpike Road Company.

14. An act to incorporate the Canton, Cadiz and Hopkinsville Turnpike Road Company.

15. An act to incorporate the Manchester Turnpike Road Company.

16. An act to incorporate the Old Frankfort Turnpike Road Company.

17. An act to regulate the appointment of a toll-gate keeper and overseer on the Crab Orchard fork of the Wilderness road.

18. An act to repeal an act, entitled, an act to require turnpike, tollbridge and plank road companies to declare semi-annual dividends, and to amend the Revised Statutes, title revenue and taxation.

19. An act to postpone the January term of the Franklin circuit court.

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

The constitutional provision as to the second reading of said bills being dispensed with, the eighteen first named were referred,
The 1st, 2d and 3d to the committee on Circuit Courts; the 4th, 5th, 11th and 17th to the committee on County Courts; the 6th and 16th to the committee on the Judiciary; the 7th and 8th to the committee on the Code of Practice; the 9th to the committee on Finance; the 10th, 13th, 14th and 15th to the committee on Internal Improvements; the 12th to the committee on Privileges and Elections; the 18th to the committee on Revised Statutes, and the 19th was ordered to be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

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

The Speaker laid before the Senate the Registration Report for 1856, which is as follows, viz:

AUDITOR'S OFFICE,
Frankfort, January 19, 1858.

Hon. J. Q. A. King,
Speaker of the Senate:

Sir: I submit the Registration Report for 1856, reported by the assessors for 1857.

Respectfully, your ob't serv't,

THO. S. PAGE, Auditor.

[For Report—see Legislative Documents.]

Ordered, That the Public Printer print the usual number of copies thereof for the use of the General Assembly.

1. Mr. Ripley presented the petition of sundry merchants of the city of Louisville, asking the passage of a law authorizing any citizen of the State to sell goods from a wagon, by the package, to any merchant in the State.

2. Mr. Garrard presented the petition of Nicholas Combs, of Perry county, asking the passage of a law allowing him further time to collect arrearages as sheriff, &c.

3. Mr. Haycraft presented the memorial of C. D. Shean, in relation to the Louisville and Nashville Turnpike Road.

4. Mr. Gillis presented the memorial of the Laurel county court and trustees of the board, in relation to the Laurel county Seminary.

5. Mr. Silvertooth presented the memorial of the citizens of the city of Hickman, praying an extension of the corporate limits of said city.

6. Mr. Garrard presented the petition of the trustees of school district No. 15, in Breathitt county, asking allowance for children not reported in 1857 in said district.

7. Mr. Matthewson presented the remonstrance of sundry citizens of
the city of Hickman, remonstrating against the passage of an act extending the limits of the city of Hickman.

8. Mr. Mallory presented the memorial of the trustees of the Kentucky Institution for the Education of the Blind.

Which petitions, memorials and remonstrance were received, the reading dispensed with, and referred—

The 1st to the committee on Revised Statutes; the 2d and 4th to the committee on Education; the 3d and 8th to the committee on Finance—the 8th having been ordered to be printed; the 5th and 7th to the committee on the Judiciary, and the 6th to the committee on County Courts.

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

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

EXECUTIVE DEPARTMENT,

January 19th, 1858.

Gentlemen of the Senate and House of Representatives:

I nominate J. A. Grinstead and C. S. Bodley to be managers of the Eastern Lunatic Asylum, and George Poindexter and Thomas Green to be managers of the Western Lunatic Asylum—the latter for the unexpired term of C. M. Callis, resigned.

C. S. MOREHEAD.

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

Mr. Rusk, from the committee on Finance, to whom was referred A bill for the benefit of George W. Kouns, of Carter county, Reported the same without amendment.

Mr. Rusk proposed to amend said bill.

Pending the consideration of which, the hour arrived for taking up a special order of the day.

The Senate, according to order, resumed the consideration of the bill from the House of Representatives, entitled, An act concerning the Penitentiary.

Which was read a third time.

Mr. Smith moved to amend said bill as follows, by way of engrossed rider, viz:

In section 1, sub-section 7, line 3, after the word convicts, insert the words, "giving them coffee at least once every day."

Mr. Wright moved the previous question.

And the question being taken, shall the main question be now put? it was decided in the affirmative.
The yeas and nays being required thereon by Messrs. Rust and Mallory, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker, (King,) Thomas S. Grundy, H. M. Rust,
Landaff W. Andrews, Samuel Haycraft, George W. Silvertooth,
Joseph S. Bledsoe, James D. Headley, John P. Smith,
John B. Bruner, Samuel Howard, James Sudduth,
James F. Buckner, David Irvine, Harrison Taylor,
A. D. Cosby, Gibson Mallory, Cyrenius Wait,
William S. Darnaby, Daniel Matthewson, E. D. Walker,
George T. Edwards, William H. McBrayer, C. J. Walton,
John F. Fisk, James McKee, W. C. Whitaker,
Theo. T. Garrard, Thomas P. Porter, John Williams,
William C. Gillis, William B. Read, W. M. Wilson,
Asa P. Grover, Charles Ripley, George Wright—36.

In the negative—none.

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

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

Those who voted in the affirmative, were—

Mr. Speaker, (King,) Samuel Haycraft, George W. Silvertooth,
Landaff W. Andrews, Samuel Howard, John P. Smith,
Joseph S. Bledsoe, David Irvine, James Sudduth,
John B. Bruner, Gibson Mallory, Harrison Taylor,
James F. Buckner, William H. McBrayer, Cyrenius Wait,
A. D. Cosby, James McKee, E. D. Walker,
William S. Darnaby, Thomas P. Porter, W. C. Whitaker,
George T. Edwards, William B. Read, W. M. Wilson,

Those who voted in the negative, were—

John F. Fisk, James D. Headley, C. J. Walton,
William C. Gillis, Daniel Matthewson, John Williams—7
Asa P. Grover,

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

The yeas and nays being taken thereon, in pursuance of a provision of the constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker, (King,) William C. Gillis, James Sudduth,
Landaff W. Andrews, Samuel Haycraft, Harrison Taylor,
Joseph S. Bledsoe, Samuel Howard, Cyrenius Wait,
John B. Bruner, David Irvine, E. D. Walker,
Resolved, That the title of said bill be as aforesaid.

The Senate, according to order, also took up for consideration the resolutions as to a national bankrupt law for banks and railroads, with the amendment offered by Mr. Rust on yesterday.

Ordered, That the amendment be printed, and that the resolutions and amendment be made the special order of the day for to-morrow, (the 20th instant), at 20 minutes after 10 o'clock, A. M.

Mr. Grover moved the following resolution, viz:

Resolved, That the committee on Agriculture and Manufactures be requested to furnish the Senate with a copy of the report of the Treasurer of the State Agricultural Society for the year 1857.

Which was adopted.

Mr. Read moved the following resolution, viz:

Resolved, That the committee on Military Affairs be, and they are hereby requested to inquire into the expediency of re-organizing the militia of Kentucky; and that they report by bill or otherwise.

Which was adopted.

Mr. Fisk moved the following resolution, viz:

Resolved, That committee on the Judiciary be instructed to inquire into the question of relations marrying each other, and to report within what degrees of consanguinity marriages ought to be prohibited by law.

Which was adopted.

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

On motion of Mr. Ripley—1. A bill to amend article 21 of chapter 28 of the Revised Statutes.

On motion of same—2. A bill to incorporate the Lumbermen and Builders' Planing Mill Company.

On motion of same—3. A bill to provide for the appointment of a post mortem examiner.

On motion of same—4. A bill to amend the charter of the Franklin Savings institution.

On motion of Mr. Edwards—5. A bill to amend and reduce into one the several acts relating to the town of Russellville.
On motion of Mr. Fisk—6. A bill to amend the charter of the Covington and Cincinnati Bridge Company.

On motion of Mr. Wilson—7. A bill to change, the time of holding the quarterly courts in Monroe county.

On motion of Mr. Read—8. A bill for the benefit of the Bardstown and Louisville Railroad Company.

On motion of Mr. Bruner—9. A bill to incorporate the Bridgeport Female Institute.

On motion of Mr. Matthewson—10. A bill to revive the laws in regard to lands west of the Tennessee river.

On motion of Mr. Bledsoe—11. A bill to charter the Poplar Mountain Coal and Mining Company, in Clinton county.


On motion of Mr. Grover—13. A bill to authorize the sale of public land belonging to the State in Pendleton county.


On motion of Mr. Grundy—15. A bill to incorporate the Hardin's Creek Turnpike road Company, to build a road from Fredericksburg, by way of Mantua, to Chicago, in Marion county.

On motion of Mr. Whitaker—16. A bill amending the 4th section of article 6, Revised Statutes, changing the time of taking in lists of taxable property.

On motion of same—17. A bill providing for making a cross-alphabet for the Shelby circuit court office.

The committee on the Judiciary was directed to prepare and bring in the 1st, 2d, 3d, 5th, 6th and 10th; the committee on Banks the 4th; the committee on County Courts the 7th; the committee on Internal Improvement the 8th, 11th, 13th, 14th and 15th; the committee on Circuit Courts the 9th, and 17th; the committee on the Revised Statutes the 12th, and the committee on Finance the 16th.

A message was received from the House of Representatives, asking leave to withdraw their announcement of the passage of a bill from the Senate, entitled,

An act to amend an act, entitled, an act to amend the laws regulating the Wilderness road.

Which was granted.

And then the Senate adjourned.
WEDNESDAY, JANUARY 20, 1858.

The Speaker laid before the Senate the statement of the Auditor, showing the receipts and expenditures of the Eastern and Western Lunatic Asylums, which is as follows, viz:

AUDITOR'S OFFICE,
Frankfort, January 19, 1858.

Hon. J. Q. A. King,
Speaker of the Senate:

Sir: I submit statements showing the receipts and expenditures of the Eastern and Western Lunatic Asylums, for 1856 and 1857.

Respectfully, your ob't serv't,

THO. S. PAGE, Auditor.

[For Statements—see Legislative Documents.]

Ordered, That the Public Printer print the usual number of copies thereof for the use of the General Assembly.

1. Mr. Garrand presented the petition of George Stevenson, late sheriff of Clay county, asking the passage of an act granting him further time to collect his taxes, &c.

2. Mr. Buckner presented the memorial of Robert McKee, one of the commissioners appointed to settle the accounts of the building committee of the Western Lunatic Asylum.

3. Mr. Howard presented the memorial of the president and directors of the Carrollton and Eagle Creek Turnpike Road Company, asking an amendment of their charter.

4. Mr. Mallory presented the petition of sundry citizens of the county of Jefferson, asking the passage of an act authorizing W. H. Young to peddle without license.

Which petitions and memorials were received, the reading dispensed with, and referred—

The 1st to the committee on County Courts; the 2d to the committee on Finance; the 3d to the committee on Internal Improvement, and the 4th to the committee on Revised Statutes.

The Senate resumed the consideration of the unfinished report from the committee on Finance, it being

A bill for the benefit of George W. Kouns, of Carter county.

With the amendment proposed by Mr. Rust.
Said bill reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the Auditor of Public Accounts be, and he is hereby directed to draw his warrant on the Treasury in favor of George W. Kouns, for work and labor done on the Owingsville and Big Sandy turnpike road, for the sum of three hundred dollars, to be paid out of any money in the Treasury not otherwise appropriated.

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

The amendment proposed by Mr. Rust was, to strike out three hundred dollars, and insert in lieu thereof four hundred dollars.

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

Pending the consideration of the bill aforesaid, the hour arrived for taking up the special order of the day.

The Senate, according to order, took up for consideration the resolutions in relation to a national bankrupt law for banks and railroads, with the amendment offered by Mr. Rust.

Pending the consideration of which,

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

Mr. Andrews moved to dispense with the rule requiring the message to lie one day on the table.

And the question being taken thereon, it was decided in the negative, two-thirds not voting therefor.

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

Those who voted in the affirmative, were—


Those who voted in the negative, were—


A message was received from the House of Representatives, by Mr. Machen and others, announcing that the House of Representatives
was now ready to proceed to the execution of the joint order of the day—the election of the public officers.

Mr. Grundy moved that a committee be appointed to inform the House of Representatives that the Senate was now ready to proceed to the execution of the joint order of the day.

Mr. Fisk 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. Martin and Read, were as follows, viz:

Those who voted in the affirmative, were—

A. D. Cosby, James D. Headley, John P. Smith,
William S. Darnaby, John P. Martin, E. D. Walker,
Theo. T. Garrard, H. M. Rust,

Those who voted in the negative, were—

Mr. Speaker, (King,) Samuel Haycraft, George W. Silvertooth,
Landaff W. Andrews, Samuel Howard, James Sudduth,
Joseph S. Bledsoe, David Irvine, Harrison Taylor,
John B. Bruner, Gibson Mallory, Cyrenius Wait,
James F. Buckner, Daniel Matthewson, W. C. Whitaker,
George T. Edwards, William H. McBrayer, John Williams,
William C. Gillis, James McKee, W. M. Wilson,
Thomas S. Grundy, Charles Ripley,

The question was then taken on the motion made by Mr. Grundy, and it was decided in the negative.

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

Those who voted in the affirmative were—

A. D. Cosby, James D. Headley, H. M. Rust,
William S. Darnaby, John P. Martin, George W. Silvertooth,
John F. Fisk, Daniel Matthewson, John P. Smith,
Theo. T. Garrard, William H. McBrayer, E. D. Walker,
Asa P. Grover, Thomas P. Porter, C. J. Walton,

Those who voted in the negative were—

Mr. Speaker, (King,) Samuel Haycraft, James Sudduth,
Landaff W. Andrews, Samuel Howard, Harrison Taylor,
Joseph S. Bledsoe, David Irvine, Cyrenius Wait,
John B. Bruner, Gibson Mallory, W. C. Whitaker,
James F. Buckner, James McKee, John Williams,
George T. Edwards, Charles Ripley, George Wright—19.
Said bill reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the Auditor of Public Accounts be, and he is hereby directed to draw his warrant on the Treasury in favor of George W. Kouns, for work and labor done on the Owingsville and Big Sandy turnpike road, for the sum of three hundred dollars, to be paid out of any money in the Treasury not otherwise appropriated.

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

The amendment proposed by Mr. Rust was, to strike out three hundred dollars, and insert in lieu thereof four hundred dollars.

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

Pending the consideration of the bill aforesaid, the hour arrived for taking up the special order of the day.

The Senate, according to order, took up for consideration the resolutions in relation to a national bankrupt law for banks and railroads, with the amendment offered by Mr. Rust.

Pending the consideration of which, a message, in writing, was received from the Governor, by Mr. Bibb, Assistant Secretary of State.

Mr. Andrews moved to dispense with the rule requiring the message to lie one day on the table.

And the question being taken thereon, it was decided in the negative, two-thirds not voting therefor.

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

Those who voted in the affirmative, were—

Mr. Speaker, (King,) John F. Fisk, Charles Ripley,
Landaff W. Andrews, William C. Gillis, James Sudduth,
Joseph S. Bledsoe, Samuel Haycraft, Harrison Taylor,
John B. Bruner, Samuel Howard, Cyrenius Wait,
James F. Buckner, David Irvine, W. C. Whitaker,
A. D. Cosby, Gibson Mallory, John Williams,
William S. Darnaby, Daniel Matthewson, George Wright—23.
George T. Edwards, James McKee,

Those who voted in the negative, were—

Theo. T. Garrard, William H. McBrayer, John P. Smith,
Asa P. Grover, Thomas P. Porter, E. D. Walker,
Thomas S. Grundy, William B. Read, C. J. Walton,
John P. Martin, George W. Silvertooth,

A message was received from the House of Representatives, by Mr. Machen and others, announcing that the House of Representatives
was now ready to proceed to the execution of the joint order of the
day—the election of the public officers.

Mr. Grundy moved that a committee be appointed to inform the
House of Representatives that the Senate was now ready to proceed
to the execution of the joint order of the day.

Mr. Fisk 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. Martin and
Read, were as follows, viz:

Those who voted in the affirmative, were—

| A. D. Cosby | James D. Headley | John P. Smith |
| William S. Darnaby | John P. Martin |
| John F. Fisk | William B. Read |
| Theo. T. Garrard | H. M. Rust |

Those who voted in the negative, were—

| Mr. Speaker, (King,) | Samuel Haycraft | George W. Silvertooth |
| Landaff W. Andrews | Samuel Howard | James Sudduth |
| Joseph S. Bledsoe | David Irvine | Harrison Taylor |
| John B. Bruner | Gibson Mallory | Cyrenius Wait |
| James F. Buckner | Daniel Matthewson | W. C. Whitaker |
| George T. Edwards | William H. McBrayer | John Williams |
| William C. Gillis | James McKee | W. M. Wilson |
| Asa P. Grover | Thomas P. Porter | George Wright—26 |
| Thomas S. Grundy | Charles Ripley |

The question was then taken on the motion made by Mr. Grundy,
and it was decided in the negative.

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

Those who voted in the affirmative were—

| A. D. Cosby | James D. Headley | H. M. Rust |
| William S. Darnaby | John P. Martin | George W. Silvertooth |
| John F. Fisk | Daniel Matthewson | John P. Smith |
| Asa P. Grover | Thomas P. Porter | C. J. Walton |
| Thomas S. Grundy | William B. Read | W. M. Wilson—18 |

Those who voted in the negative were—

| Mr. Speaker, (King,) | Samuel Haycraft | James Sudduth |
| Landaff W. Andrews | Samuel Howard | Harrison Taylor |
| Joseph S. Bledsoe | David Irvine | Cyrenius Wait |
| John B. Bruner | Gibson Mallory | W. C. Whitaker |
| James F. Buckner | James McKee | John Williams |
| George T. Edwards | Charles Ripley | George Wright—19 |
| William C. Gillis |


It was again moved to dispense with the rule requiring the message of the Governor to lie one day on the table.

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

Said message was then taken up and read as follows, viz:

EXECUTIVE DEPARTMENT, January 20th, 1858.

Gentlemen of the Senate:

On the 15th instant a joint resolution, which originated in the Senate, fixing this, the 20th day of the month, for the election of the public officers of this Commonwealth, was presented to me for my approval and signature.

Construing the resolution to embrace the election of a Keeper of the Penitentiary, I am, with very great reluctance, constrained, by a sense of duty, to return it to the House in which it originated, with my objections to it.

By an act, entitled, "an act in relation to the Kentucky Penitentiary," approved March 10th, 1856, the Commissioners of the Sinking Fund were authorized to make a contract with the Keeper at a fixed and stipulated sum of money, to be paid in annual instalments, and in that event, by a provision of that act, "all laws relating to the Penitentiary, in conflict with the provisions of that act, and the lease made in virtue thereof, are repealed." It is known to you that such a contract was made, and all the provisions of the law carried fully into effect. This act expires with the lease authorized by it, and the question arises as to what law would govern the liability, prescribe the duties, or fix the compensation of the Keeper. If, by construction, the law of the Revised Statutes should be deemed to be in force, it would revive the partnership feature so universally condemned by the action of both Houses of the General Assembly, and which, according to my own settled conviction, would be detrimental to the best interest of the State.

But the doubt about what law would be applicable to the Keeper now elected, is a sufficient reason for me to withhold my approval of the resolution. I have held it up until this time in the confident expectation that the bill passed by the House of Representatives, and concurred in by the Senate with an amendment, would be finally acted on in time to authorize me to approve the resolution. This not having been done, the provision of the constitution requiring "every order, resolution or vote in which the concurrence of both Houses may be necessary, except on a question of adjournment, to be presented to the Governor, and before it shall take effect, to be approved by him; or, being disapproved, shall be re-passed by a majority of all the members elected to both Houses, according to the rules and limitations prescribed in case of a bill:" has made it my duty to judge of the propriety of such resolution; and believing as I do, that the election of a Keeper of the Penitentiary, without some law defining the terms of the contract between him and the Commonwealth, would give rise to difficult and perplexing questions which could not fail to result in in-
jury to the State, I am compelled to withhold my assent to this reso-

C. S. MOREHEAD.

The resolution referred to in the message of the Governor reads as

Resolved by the General Assembly of the Commonwealth of Kentucky, 
That they will on the 20th day of the present month proceed, by joint 
vote of the two Houses, to the election of the public officers of this 
Commonwealth.

And the question being taken, Shall the resolution be adopted, the 
veto of the Governor to the contrary notwithstanding? it was decided 
in the negative.

The yeas and nays being taken thereon, in pursuance of a provis-

Those who voted in the affirmative, were—


Those who voted in the negative, were—


Mr. Silvertooth then moved that a committee be appointed to inform 
the House of Representatives that the Senate was now ready to pro-
ceed to the election of Public Printer and State Librarian.

And the question being taken thereon, it was decided in the affirm-

Those who voted in the affirmative, were—

Those who voted in the negative, were—

Joseph S. Bledsoe,  Samuel Howard,  Harrison Taylor,
John B. Bruner,     David Irvine,     Cyrenius Wait,
James F. Buckner,   Gibson Mallory,   W. C. Whitaker,
Samuel Haycraft,    James Sudduth,    

Whereupon Messrs. Edwards and Matthewson were appointed said committee.

A message was received from the House of Representatives, by Mr. Barbee and others, informing the Senate that the House was now ready to proceed to the election of Public Printer and State Librarian, and that Messrs. A. G. Hodges and John B. Major were in nomination for the office of Public Printer.

Mr. Porter nominated Mr. John B. Major as a suitable person to fill the office of State printer.

Mr. Bledsoe nominated Mr. A. G. Hodges for the same office.

Messrs. Bledsoe and Silvertooth were appointed a committee to inform the House of Representatives that A. G. Hodges and John B. Major were in nomination for the office of Public Printer.

The vote was then taken on the nominations made, which resulted as follows:

Those who voted for Mr. Hodges, were—

Mr. Speaker, (King,)  William C. Gillis,  Harrison Taylor,
Landaff W. Andrews,  Samuel Haycraft,    Cyrenius Wait,
Joseph S. Bledsoe,   Samuel Howard,     W. C. Whitaker,
John B. Bruner,      David Irvine,      John Williams,
James F. Buckner,    James McKee,       George Wright—17.
George T. Edwards,   James Sudduth,     

Those who voted for Mr. Major, were—

A. D. Cosby,         James D. Headley,   H. M. Rust,
William S. Darnaby,  John P. Martin,    George W. Silvertooth,
John F. Fisk,        Daniel Matthewson,  John P. Smith,
Theo. T. Garwood,    William H. McBrayer, E. D. Walker,
Asa P. Grover,       Thomas P. Porter,   C. J. Walton,

Messrs. Buckner and Rust were appointed a committee to act in conjunction with a similar committee on the part of the House of Representatives, to compare the joint vote of the two Houses.

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

For Hodges,  46
For Major,  78

Mr. John B. Major having received a majority of all the votes cast,
was declared duly elected Public Printer for the State of Kentucky, for two years from and after the 1st Monday in August next.

Mr. Silvertooth nominated Mr. A. W. Vallandingham as a suitable person to fill the office of State Librarian.

Mr. Andrews nominated Mr. W. H. Sneed for the same office.

Messrs. McBrayer and Gillis were appointed a committee to inform the House of Representatives that A. W. Vallandingham and W. H. Sneed were in nomination for the office of State Librarian.

A message was received from the House of Representatives, by Mr. Richardson and others, announcing that A. W. Vallandingham and W. H. Sneed were in nomination in that House for the office of State Librarian.

The vote was then taken on the nominations made, which resulted as follows:

Those who voted for Mr. Sneed, were—

Mr. Speaker, (King,) Samuel Haycraft, James Sudduth,
Landaff W. Andrews, Samuel Howard, Harrison Taylor,
Joseph S. Bledsoe, David Irvine, Cyrenius Wait,
John B. Bruner, Gibson Mallory, W. C. Whitaker,
James F. Buckner, James McKee, John Williams,
George T. Edwards, Charles Ripley, George Wright—19.
William C. Gillis,

Those who voted for Mr. Vallandingham, were—

A. D. Cosby, James D. Headley, H. M. Rust,
W. S. Darnaby, John P. Martin, G. W. Silvertooth,
John F. Fisk, Daniel Matthewson, John P. Smith,
Theo. T. Garrard, William H. McBrayer, E. D. Walker,
Asa P. Grover, Thomas P. Porter, C. J. Walton,

Messrs. Garrard and McKee were appointed a committee, to act in conjunction with a similar committee on the part of the House of Representatives, to compare the joint vote of the two Houses.

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

For W. H. Sneed, — — — — — — — 46
For A. W. Vallandingham, — — — — — — 78

Mr. Vallandingham was then declared duly elected State Librarian for two years.

And then the Senate adjourned.
A message was received from the House of Representatives, announcing their disagreement to the first, and concurrence in the second amendment proposed by the Senate to a bill from the House of Representatives, entitled,
An act concerning the Penitentiary.
Also, their disagreement to an amendment proposed by the Senate, to a bill from the House of Representatives, entitled,
An act to incorporate the Pocahontas Tribe, No. 3, of the Improved Order of Red Men, at Newport.
That they had concurred in the amendments proposed by the Senate, to bills from the House of Representatives, of the following titles, viz:
An act to change the county line between Perry and Letcher counties.
An act for the benefit of R. D. Murray, school commissioner of Hart county.
An act creating a police judge and town marshal in the town of Canton, Trigg county.
An act to incorporate the Maxville, Thompsonville and Springfield Turnpike Road Company.
An act to incorporate the Alexandria Turnpike Road Company.
An act to incorporate the Methodist Female College, at Covington, Ky.
That they had passed bills from the Senate of the following titles, viz:
An act to incorporate the Paducah Southern Iron Works Company.
An act to incorporate the McCracken county Agricultural and Mechanical Association.
An act to amend the charter of the Louisville and Taylorsville Turnpike Road Company.
An act to incorporate the Fulton county Agricultural and Mechanical Association.
An act for the benefit of Schools in Paducah.
An act to amend the charter of the Kentucky Iron, Coal and Manufacturing Company.
With an amendment to the last named bill.
That they had passed a bill entitled,
An act to repeal an act, entitled, an act to reorganize Transylvania
University and establish a school for teachers.

Mr. Buckner presented the memorial of Dr. Samuel Annan, for
compensation for services as physician of the Western Lunatic Asylum.

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

Mr. Grundy, from the committee on Propositions and Grievances,
to whom was referred a bill from the House of Representatives, enti-
tled,

An act to establish the county of Jackson.
Reported the same without amendment.
Pending the consideration of which, the hour arrived for taking up
the special order of the day.
The Senate, according to order, took up for consideration the pre-
amble and resolutions as to a national bankrupt law for banks and
railroads, with the amendment proposed by Mr. Rust.

Mr. Wright moved the previous question.
And the question being taken, shall the main question be now put?
it was decided in the affirmative.
The question was then taken on the adoption of the amendment
proposed by Mr. Rust, as a substitute for the original resolutions, and
it was decided in the negative.

Said substitute reads as follows, viz:

1. Resolved by the General Assembly of the Commonwealth of Kentucky,
That the constitution of the United States most clearly gives to Con-
gress the power to establish uniform laws on the subject of bankrupt-
cies throughout the United States.

2. Be it further resolved, That the question is one of expediency
alone; and, as Congress has attempted to pass no law on the subject,
and, as we believe, will pass none, it is therefore useless for us to dis-
cuss the question at this time.

3. Resolved, That no State can, without a change of the constitution
of the United States, transfer to the federal government the exercise of
any power which, by that instrument, is reserved to the States in their
separate, independent and sovereign capacity.

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

Those who voted in the affirmative, were—

A. D. Cosby,          James D. Headley,          George W. Silvertooth,
William S. Darnaby,   Daniel Mathewson,         John P. Smith,
John F. Fisk,         William H. McBrayer,       E. D. Walker,
Theo. T. Garrard,  
Asa P. Grover,  
Thomas S. Grundy,  

Those who voted in the negative, were—

Mr. Speaker, (King,)  
Landaff W. Andrews,  
Joseph S. Bledsoe,  
John B. Bruner,  
James F. Buckner,  
William C. Gillis,  

The question was then taken on the adoption of the first resolution proposed by Mr. Ripley, and it was decided in the affirmative.

Said resolution reads as follows, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the people of Kentucky prefer keeping the control of their banks and railroads to themselves, and earnestly protest against the transfer of that control to the federal government.

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

Those who voted in the affirmative, were—

Mr. Speaker, (King,)  
Landaff W. Andrews,  
Joseph S. Bledsoe,  
John B. Bruner,  
James F. Buckner,  
Theo. T. Garrard,  
William C. Gillis,  

Those who voted in the negative, were—

A. D. Cosby,  
W. S. Darnaby,  
John F. Fisk,  
Asa P. Grover,  
Thomas S. Grundy,  
James D. Headley,  

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

Said resolution reads as follows, viz:

Resolved, That the States have the power to enforce, or not to enforce, the forfeitures at any time incurred by their several banking institutions, by a suspension of specie payments; this power should be so exercised as to promote the welfare of their citizens, and ought not to be invaded by Congress.

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

Mr. Speaker, (King,) Samuel Haycraft, James Sudduth,
Landaff W. Andrews, Samuel Howard, Harrison Taylor,
Joseph S. Bledsoe, David Irvine, Cyrenius Wait,
John B. Bruner, Gibson Mallory, W. C. Whitaker,
James F. Buckner, James McKee, John Williams,
William C. Gillis,

Those who voted in the negative, were—

A. D. Cosby, Daniel Matthewson, George W. Silvertooth,
William S. Darnaby, William H. McBrayer, John P. Smith,
John F. Fisk, Thomas P. Porter, E. D. Walker,
Asa P. Grover, William B. Read, C. J. Walton,
James D. Headley,

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

Said resolution reads as follows, viz:

Resolved, That the passage, by Congress, of a national bankrupt law, applicable to the banks and railroads of the States, would be an odious and unwarrantable interference, by Congress, with the domestic institutions of the States.

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

Those who voted in the affirmative were—

Mr. Speaker, (King,) Samuel Haycraft, James Sudduth,
Landaff W. Andrews, Samuel Howard, Harrison Taylor,
Joseph S. Bledsoe, David Irvine, Cyrenius Wait,
John B. Bruner, Gibson Mallory, W. C. Whitaker,
James F. Buckner, James McKee, John Williams,
William C. Gillis, Charles Ripley, George Wright—18.

Those who voted in the negative were—

A. D. Cosby, James D. Headley, George W. Silvertooth,
William S. Darnaby, Daniel Matthewson, John P. Smith,
John F. Fisk, William H. McBrayer, E. D. Walker,
Theo. T. Garrard, Thomas P. Porter, C. J. Walton,
Thomas S. Grundy, H. M. Rust,

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

Said resolution reads as follows, viz:

Resolved, That a copy of these resolutions be transmitted to our Senators and Representatives in Congress, to be laid before that body.
The yeas and nays being required thereon by Messrs. Bruner and Howard, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker, (King,) Samuel Haycraft, Samuel Howard, John B. Bruner, James F. Buckner, William C. Gillis, James Sudduth, Harrison Taylor, Cyrenius Wait, W. C. Whitaker, John Williams, George Wright—18.

Those who voted in the negative, were—


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

Said preamble reads as follows, viz:

Whereas, the General Assembly has seen with concern that an attempt is about to be made, under the recommendation of the President of the United States, and of the Secretary of the Treasury, to bring all the banking institutions and railroad corporations of the country under the operation of a national bankrupt law, and regarding such proposed legislation as a dangerous assumption of power by Congress, over subjects properly within the control of the several States. Be it, therefore, &c.

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

Those who voted in the affirmative, were—

Mr. Speaker, (King,) Samuel Haycraft, Samuel Howard, David Irvine, Gibson Mallory, James McKee, Charles Ripley, James Sudduth, Harrison Taylor, Cyrenius Wait, W. C. Whitaker, John Williams, George Wright—18.

Those who voted in the negative were—


Mr. Fisk, from the committee on Enrollments, reported that the
committee had examined an enrolled bill which originated in the Senate, entitled,
An act to amend the charter of the Kentucky Iron, Coal and Manufacturing Company.
Said bill 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 approval and signature.
After a short time Mr. Fisk reported that the committee had discharged that duty.
A message was received from the Governor by Mr. Bibb, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills which originated in the Senate of the following titles, viz:
An act for the benefit of Benjamin F. Gambill.
An act to amend the charter of the Kentucky Iron, Coal and Manufacturing Company.
And then the Senate adjourned.

FRIDAY, JANUARY 22, 1858.
A message was received from the House of Representatives announcing their concurrence in the amendments proposed by the Senate, to the amendments proposed by the House of Representatives, to a bill from the Senate entitled,
An act to prohibit the circulation, as money, of foreign notes of a less denomination than five dollars.
That they had concurred in the amendments proposed by the Senate to a bill from the House of Representatives, entitled,
An act to change the law in relation to the tolls on the Kentucky river.
That they had passed bills from the Senate of the following titles, viz:
An act to incorporate the Ohio county Agricultural, Mechanical and Domestic Society.
An act to amend an act, entitled, an act to amend the laws regulating the Wilderness road.
With an amendment to the last named bill.
That they had passed bills of the following titles, viz:
An act to amend the charter of the Agricultural Deposit Bank of Lexington.
An act requiring tax assessors to furnish statistical agricultural information.
Which were read the first time, and ordered to be read a second time.
The constitutional provision as to the second reading of said bills being dispensed with, they were referred,
The 1st to the committee on Banks, and the 2d to the committee on Agriculture and Manufactures.
Mr. Bledsoe, from the committee on Internal Improvement, reported
A bill to extend State aid to internal improvements.
Which was read the first time, and ordered to be read a second time.
The constitutional provision as to the second reading of said bill being dispensed with,
Ordered, That the Public Printer forthwith print 150 copies thereof, for the use of the members of the General Assembly, and that it be placed in the orders of the day.
The Speaker laid before the Senate the response of the Treasurer of the State Agricultural society, to a resolution heretofore introduced by Mr. Grover. which is as follows, viz:

[For Response—see Legislative Documents.]

Ordered, That the Public Printer print 150 copies thereof for the use of the General Assembly, and that it be referred to the committee on Agriculture and Manufactures.
Mr. Walton, from the committee on Enrollments, reported that the committee had examined enrolled bills which originated in the House of Representatives, of the following titles, viz:
An act to authorize railroad companies to make certain contracts with each other.
An act to postpone the January term of the Franklin circuit court.
And had found the same truly enrolled.
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 approval and signature.
After a short time, Mr. Walton reported that the committee had performed that duty.

The Senate resumed the consideration of the unfinished report from the committee on Propositions and Grievances, of the bill from the House of Representatives, entitled,

An act to establish the county of Jackson.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

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

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

Those who voted in the affirmative, were—

Landaff W. Andrews, Samuel Haycraft, G. W. Silvertooth, John P. Smith,
Joseph S. Bledsoe, James D. Headley, James Sudduth,
John B. Bruner, Samuel Howard, Cyrenius Wait,
James F. Buckner, David Irvine, E. D. Walker,
A. D. Cosby, Gibson Mallory, C. J. Walton,
William S. Darnaby, William H. McBrayer, Walter C. Whitaker,
George T. Edwards, James McKee, John Williams,
John F. Fisk, Thomas P. Porter, W. M. Wilson,
William C. Gillis, H. M. Rust,
Thomas S. Grundy,

Those who voted in the negative, were—

Mr. Speaker, (King,) Daniel Matthewson, Harrison Taylor—4.
Asa P. Grover,

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

The Senate, according to order took up for consideration an engrossed bill, entitled,

An act to repeal an act reorganizing Transylvania University and establish a school for teachers,

With the resolution in relation thereto, heretofore offered by Mr. Andrews.

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

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the act, entitled, an act to reorganize Transylvania University and establish a school for teachers, approved March 10th, 1856, be and the same is hereby repealed.

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

The resolution heretofore offered by Mr. Andrews was withdrawn.

Mr. Andrews then moved the following resolution, viz:

Resolved, That the bill be recommitted to the committee on Education, with instructions to report a bill to provide for taking the sense
of all the qualified voters of this Commonwealth on the question of repealing the normal school act.

Mr. Fisk moved to lay said bill and resolution on the table.

Mr. Fisk then moved the previous question.

And the question being taken, shall the main question be now put? It was decided in the affirmative.

The question was then taken on laying said bill and resolution on the table, and it was decided in the negative.

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

Those who voted in the affirmative, were—

Landaff W. Andrews, Samuel Haycraft, Charles Ripley,
James F. Buckner, James D. Headley, James Sudduth,
William S. Darnaby, Samuel Howard, Harrison Taylor,
John F. Fisk, Gibson Mallory, Walter C. Whitaker,

Those who voted in the negative, were—

Mr. Speaker, (King,) Thomas S. Grundy, John P. Smith,
Joseph S. Bledsoe, David Irvine, Cyrenius Wait,
John B. Bruner, Daniel Matthewson, E. D. Walker,
A. D. Cosby, William H. McBrayer, C. J. Walton,
George T. Edwards, Thomas P. Porter, W. M. Wilson,
Asa P. Grover, George W. Silvertooth,

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

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

Those who voted in the affirmative, were—

Mr. Speaker, (King,) Theo. T. Garrard, Charles Ripley,
Landaff W. Andrews, Samuel Howard, James Sudduth,
James F. Buckner, David Irvine, Harrison Taylor,
William S. Darnaby, Daniel Matthewson, W. C. Whitaker,
John F. Fisk, Gibson Mallory, John Williams—15.

Those who voted in the negative, were—

Joseph S. Bledsoe, Samuel Haycraft, John P. Smith,
John B. Bruner, James D. Headley, Cyrenius Wait,
A. D. Cosby, Daniel Matthewson, E. D. Walker,
George T. Edwards, William H. McBrayer, C. J. Walton,
William C. Gillis, Thomas P. Porter, William M. Wilson,
Thomas S. Grundy, G. W. Silvertooth,

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. Walker and Walton, were as follows, viz:

Those who voted in the affirmative, were—


Those who voted in the negative, were—


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

Mr. Irvine moved a reconsideration of the vote by which said bill was passed.

The Senate took up for consideration a bill from the House of Representatives, entitled,

An act to repeal an act, entitled, an act to reorganize Transylvania University and establish a school for teachers.

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

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

Ordered, That the Public Printer print the usual number of copies thereof for the use of the General Assembly, and that it be referred to the committee on Education.

Mr. Whitaker moved the following resolution, viz:

Resolved, That during the residue of the present session of the General Assembly, the Senate will meet at 9½ o'clock, A. M.

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

Mr. Darnaby moved the following resolution, viz:

Resolved, That the committee on the Judiciary be instructed to inquire into the necessity of passing a law carrying out the constitutional provision in relation to the election of the clerk of the court of appeals.

Which was adopted.

Mr. Haycraft read and laid on the table the following joint resolution, viz:
Whereas, there is no directory in this Commonwealth to enable the citizens thereof to know at all times who the officers of the State are, executive, legislative, judicial and ministerial, nor their places of residence. For remedy whereof,

Resolved by the General Assembly of the Commonwealth of Kentucky, That the Public Printer shall print in the acts of the General Assembly, in the beginning thereof, the offices named in the preamble, the names of the incumbents, and their postoffices; when their terms begin and end, that the citizens of the State may at all times be informed upon the subject.

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

An act to incorporate the Paducah Southern Iron Works Company.

Which was twice read and concurred in.

1. Mr. Buckner presented the petition of Miss Maria Hopkins, and other ladies of southern Kentucky, asking permission to have a bowling saloon set up at White Sulphur Springs.

2. Also, the petition of Dr. Thomas J. Johns on the same subject.

3. Mr. Wait presented the petition of sundry citizens of the counties of Whitley, Pulaski and Wayne, praying for the formation of a county out of portions of Whitley, Pulaski and Wayne.

4. Mr. Darnaby presented the remonstrance of sundry citizens of Scott county, remonstrating against the repeal of an act exempting shareholders in certain turnpike roads in said county from work on roads.

5. Mr. Sudduth presented the petition of R. H. Stanhope, praying for the passage of an act declaring him a citizen of Woodford county.

6. Mr. Wait presented the petition of sundry citizens, praying for the formation of a new county out of parts of Pulaski, Wayne, Whitley and Laurel.

7. Mr. Porter presented the remonstrance of sundry citizens of the town of Richmond, remonstrating against the passage of an act granting further powers to the trustees of Richmond.

Which petitions and remonstrances were received, the reading dispensed with, and referred—

The 1st and 2d to the committee on the Judiciary; the 3d, 5th and 6th to the committee on Propositions and Grievances; the 4th to the committee on Internal Improvement, and the 7th to the committee on Circuit Courts.

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

On motion of Mr. Irvine—1. A bill authorizing the county court of Madison to levy a tax to improve the poor house lands in said county.

On motion of Mr. Silvertooth—2. A bill to amend the charter of the city of Hickman, in Fulton county.
On motion of Mr. Smith—3. A bill for the benefit of district No. 13, in Henry county.

On motion of Mr. McBrayer—4. A bill to amend an act incorporating the Harrodsburg and Cornishville Turnpike Road Company, approved March 4, 1856.

On motion of Mr. Howard—5. A bill to increase the jurisdiction of the police judge, &c., of Ghent.

On motion of Mr. Buckner—6. A bill to make compensation for losses by riots in the city of Louisville.

On motion of Mr. Gillis—7. A bill to establish an additional magistrates' district and voting precinct in Laurel county.

On motion of Mr. Fisk—8. A bill for the benefit of the German Methodist Episcopal Church of Newport.


On motion of Mr. Edwards—10. A bill to incorporate the Russellville and Logan county Agricultural and Mechanical Stock Association.

On motion of Mr. Darnaby—11. A bill to incorporate the Scott Female Institute.

On motion of Mr. Taylor—12. A bill to amend the law in relation to the sales of real estate of married women.

On motion of Mr. Porter—13. A bill to amend the charter of the Versailles and Harrodsburg Turnpike Road Company.

On motion of Mr. Andrews—14. A bill to create an additional justices' district in Rowan county.

On motion of Mr. Grundy—15. A bill to incorporate the Maxville, Willisburg and Beech Fork Turnpike Road Company, in Washington county.

On motion of Mr. Sudduth—16. A bill authorizing the re-granting of the lands which have been or may hereafter be forfeited to the State.

The committee on County Courts was directed to prepare and bring in the 1st, 7th and 14th; the committee on the Judiciary the 2d, 5th, 6th, 8th, 9th, 10th and 15th; the committee on Education the 3d; the committee on Internal Improvement the 4th and 15th; the committee on Circuit Courts the 11th and 13th, and the committee on the Revised Statutes the 12th.

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

The rule of the Senate being dispensed with, said message was taken up and read, as follows, viz:
Gentlemen of the Senate:

I nominate for your advice and consent Urbin E. Ewing and Richard Knott, to be directors on the part of the State of the Bank of Kentucky.

Madison C. Johnson and Henry T. Duncan, directors on the part of the State of the Northern Bank of Kentucky.

R. W. Courts, David King and George W. Ewing, to be directors on the part of the State of the Southern Bank of Kentucky.

Philip Swigert and Madison C. Johnson, to be directors on the part of the State of the Lexington and Frankfort Railroad.

C. S. Morehead.

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

And then the Senate adjourned.

SATURDAY, JANUARY 23, 1858.

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

An act for the benefit of W. M. Fox and John Crawford.

An act to authorize the trial of common law cases at special terms of the Christian circuit court.

An act to fix the time of holding circuit courts in the 5th judicial district.

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

An act to relieve school districts not regularly reported.

An act to incorporate the North Kentucky Agricultural Association.

An act in relation to the records and papers in the Rockcastle circuit court.

An act for the benefit of Samuel W. Owens, clerk of the Mason circuit court.

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

An act to incorporate the McCracken county Agricultural and Mechanical Association.

An act to amend the charter of the Louisville and Taylorsville Turnpike Road Company.

An act to incorporate the Fulton county Agricultural and Mechanical Association.

An act for the benefit of Schools in Paducah.

An act to incorporate the Campbell county Agricultural Society.

An act to incorporate the Kentucky Mosely Iron Bridge Erecting Company.

An act for the benefit of Ralph Cotton and John Gardner, of Nelson county.

An act for the benefit of A. J. Fleming.

An act to establish the American Printing House for the Blind.

And enrolled bills which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the New Castle and Carrollton Turnpike Road Company.

An act to change the county line between Perry and Letcher counties.

An act for the benefit of R. D. Murray, school commissioner of Hart county.

An act to incorporate the Pleasant Hill and Jessamine Turnpike Road Company.

An act for the benefit of Thomas Linley, of Livingston county.

An act to incorporate the Madison Female School.

An act to change the law in relation to the tolls on the Kentucky river.

An act changing the place of voting in district No. 4, in Bullitt county.

An act to establish an additional voting place in Knox county.

An act to change the magistrates' district, No. 4, in Washington county.

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

An act to incorporate the Alexandria Turnpike Road Company.

An act to incorporate the Highland Coal Company.

An act to incorporate the Star Fire Company, of Frankfort.

An act to amend an act to incorporate the North Middletown and Levee Turnpike Road Company.

An act for the benefit of the sheriff of Marion county.
An act allowing the county court of Estill county to lay an additional ad valorem tax on the property in said county.

An act for the benefit of the county clerk of Morgan county.

An act for the benefit of John J. Miller, of Boone county.

An act for the benefit of R. P. Fox and Carter White, of Madison county.

An act for the benefit of Samuel Thomas, of Monroe county.

An act to change the October term of the Warren quarterly court.

An act to incorporate the Methodist Church at Clinton, in Hickman county.

An act to amend the charter of the German Insurance company of the city of Louisville.

An act to extend the terms of the Morgan circuit court.

An act to change the voting place in district No. 4, in Larue county.

An act to incorporate the Maxville and Pleasant Run Turnpike Road Company.

An act entitled an act to incorporate the Lebanon and Raywick Turnpike Road Company.

An act to amend the act chartering sundry turnpike road companies in Madison county.

An act to incorporate the Bardstown and Bloomfield Turnpike Road Company.

An act to incorporate the Bardstown and Chaplinton Turnpike Road Company.

An act to incorporate the Raywick Turnpike Road Company.

And had found the same truly enrolled.

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 approval and signature.

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

Mr. Fisk presented the petition of Mr. Ludlow, praying the passage of an act requiring the removal of a toll gate on the Covington and Dry Creek turnpike road.

Mr. Taylor presented the petition of sundry citizens of the town of Concord, in Lewis county, praying an act of incorporation for said town.

Which were received, the reading dispensed with, and referred to the committee on the Judiciary.
The Speaker laid before the Senate the report of the receipts and expenditures of the managers of the Asylum for the Blind, which reads as follows, viz:

**Auditor's Office,**
Frankfort, January 23, 1858.

Sir: I submit the receipts and expenditures of the Blind Asylum for 1856 and 1857.

Respectfully, your ob't serv't,

THO. S. PAGE, Auditor.

The receipts and expenditures for the building and other improvements in 1856 and 1857, have been as follows:

<table>
<thead>
<tr>
<th>Item</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Paid for carpenter work</td>
<td>2,619.84</td>
</tr>
<tr>
<td>2. Hand rails and banisters</td>
<td>247.05</td>
</tr>
<tr>
<td>3. Lumber</td>
<td>2,705.51</td>
</tr>
<tr>
<td>4. Painting $363.61—paints, oil, &amp;c., $313.14</td>
<td>676.75</td>
</tr>
<tr>
<td>5. Plumbing, gas pipe, water pipe, &amp;c.</td>
<td>697.53</td>
</tr>
<tr>
<td>6. Iron girders $132.63—grates for cellar windows $137.73</td>
<td>270.42</td>
</tr>
<tr>
<td>7. Locks, bells, pulleys, sash weights, nails, hinges, &amp;c.</td>
<td>1,462.14</td>
</tr>
<tr>
<td>8. Working plans, &amp;c.</td>
<td>591.50</td>
</tr>
<tr>
<td>9. Roofing tin, copper and galvanized iron</td>
<td>496.00</td>
</tr>
<tr>
<td>10. Roofing, cornice and water spouts</td>
<td>69.00</td>
</tr>
<tr>
<td>11. Lightning rods</td>
<td>1,506.94</td>
</tr>
<tr>
<td>12. Plastering and terra cotta work</td>
<td>1,065.35</td>
</tr>
<tr>
<td>13. Bricks $422.60—bricklaying $300.50</td>
<td>723.10</td>
</tr>
<tr>
<td>14. Lime $60—caps and bases for columns $40.83</td>
<td>100.53</td>
</tr>
<tr>
<td>15. Cut stone work</td>
<td>2,780.53</td>
</tr>
<tr>
<td>16. Fence, glass, oven, advertising, &amp;c.</td>
<td>338.14</td>
</tr>
<tr>
<td>17. Excavations for sewer $98.55—building sewer $398.75</td>
<td>437.20</td>
</tr>
<tr>
<td>Foundation for steps and portico</td>
<td>302.50</td>
</tr>
<tr>
<td>18. Grading, trees and planting trees</td>
<td>1,409.07</td>
</tr>
<tr>
<td>19. Four cisterns and stills</td>
<td>1,065.35</td>
</tr>
<tr>
<td>20. Cash to building committee, December 31st, 1855</td>
<td>653.99</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>20,000.00</strong></td>
</tr>
</tbody>
</table>

We have examined the accounts and vouchers of the building committee appointed by the Board of Visitors of the Kentucky Institution for the Blind. The above statement shows the receipts and expenditures and the balance to the credit of the building fund. There is a voucher for every item of expenditure.

BLAND BALLARD,
W. T. BODLEY,
Committee.

**Kentucky Institution for the Blind,**

*In account with John Milton, Treasurer:*

1855.

December 31. To balance, as per last settlement with the Board of said Asylum, $1.68
To cash received from Treasurer of the State of Kentucky, to defray current expenses, 15,966.89
**Total** $16,068.57

1857.

December 31. By cash paid current expenses, for two years, as per vouchers herewith, 15,959.71

Leaving balance in Treasury, 31st December, 1857, **$17,777**

The above account has been examined with the vouchers filed in this office, and is found to be correct, and the balances are in the hands of the Treasurer of the Asylum.

THO. S. PAGE, Auditor.
Ordered, that the Public Printer print the usual number of copies thereof for the use of the General Assembly.

A message was received from the House of Representatives, asking leave to withdraw the announcement of their disagreement to an amendment proposed by the Senate to a bill from the House of Representatives, entitled,

An act concerning the Penitentiary.

Which was granted.

Mr. Irvine, from the committee on Banks, reported

A bill to extend the charters of the Bank of Louisville, Bank of Kentucky and Northern Bank.

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

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

Ordered, That the Public Printer forthwith print 150 copies thereof, for the use of the members of the General Assembly, and that it be made the special order of the day for Tuesday, the 26th instant, at 11 o'clock, A. M.

Also,

A bill to incorporate the Planter's Bank.

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

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

Ordered, That the Public Printer print 150 copies thereof for the use of the General Assembly, and that it be made the special order of the day, in committee of the Whole, for Thursday next, the 28th instant, at 11 o'clock, A. M.

Also, a report of the committee in relation to the Banks, with a response of the Banks to certain interrogatories propounded to them by the Senate at the present session.

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

Also, a condensed report of the financial affairs of the Banks.

Ordered, That the Public Printer print 150 copies thereof for the use of the General Assembly, and 500 for the use of the Senate.

The Senate resumed the consideration of the unfinished report from the committee on Finance, of

A bill for the benefit of George W. Kouns, of Carter county.

Said bill reads as follows:
§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the Auditor of Public Accounts be, and he is hereby directed to issue his warrant on the Treasury in favor of George W. Kouns, (for work and labor done on the Owingsville and Big Sandy turnpike road,) for the sum of three hundred dollars, to be paid out of any money in the treasury not otherwise appropriated.

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

Mr. Taylor offered the following amendment as a substitute for said bill.

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That it shall and may be lawful for George W. Kouns of Carter county, to institute in the Franklin circuit court the proper action against the State of Kentucky, for the recovery of damages which he claims to have sustained in consequence of an alleged violation by the State of a contract made by the President of the Board of Internal Improvement with said Kouns, dated 13th of October, 1852, in relation to the Owingsville and Big Sandy turnpike road.

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

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

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

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

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

Those who voted in the affirmative, were—

Joseph S. Bledsoe, Asa P. Grover, William B. Read;
John B. Bruner, Samuel Haycraft, John P. Smith;
James F. Buckner, James D. Headley, Harrison Taylor;
A. D. Cosby, David Irvine, E. D. Walker;
William S. Darnaby, Gibson Mallory, C. J. Walton;
George T. Edwards, Daniel Matthewson, W. C. Whitaker;
John F. Fisk, James McKee, W. M. Wilson;

Those who voted in the negative were—

Mr. Speaker, (King,) Samuel Howard, James Sudduth,
Landaff W. Andrews, H. M. Rust, Cyrenius Wait,

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

The Senate took up for consideration

A bill to increase the terms of the appellate court.

Said bill was then amended.

38
Ordered, That said bill, as amended, be engrossed and read a third time.

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

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

The Senate, also took up for consideration,

A bill to increase the salaries of certain officers.

Said bill reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the officers hereafter named shall respectively receive an annual salary, to be paid out of the treasury quarterly, as follows:
1. The governor three thousand five hundred dollars.
2. To the judges of the court of appeals, each, two thousand five hundred dollars.
3. To the judges of the circuit courts, each, two thousand dollars.
4. The auditor of public accounts three thousand dollars.
5. The chancellor of the Louisville chancery court two thousand five hundred dollars, and the chancellor of the equity and criminal courts of the first circuit two thousand dollars.
6. The treasurer three thousand dollars.

§ 2. This act to take effect, as to the salary of the governor, upon the inauguration of the successor of the present governor, and as to the other officers named, the 30th of March, 1858.

Mr. Andrews proposed to amend the first section of the bill by adding thereto the following:

The attorney general seven hundred and fifty dollars.

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

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

Those who voted in the affirmative, were—

A. D. Cosby, James D. Headley,

Those who voted in the negative, were—

David Irvine,
Mr. Porter moved to amend said bill as follows:
In section 1, sub-section 5, strike out five hundred.
And the question being taken thereon, it was decided in the affirmative.

Mr. Edwards moved to amend said bill as follows:
In section 1, sub-section 1, strike out five hundred.
And the question being taken thereon, it was decided in the negative.

Mr. Walker moved to amend said bill as follows:
In section 1, sub-section 1, strike out three.
And the question being taken thereon, it was decided in the negative.

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

Those who voted in the affirmative were—

Joseph S. Bledsoe, David Irvine, E. D. Walker,
John B. Bruner, Daniel Matthewson, C. J. Walton,
George T. Edwards, James McKee, John Williams,
William C. Gillis, John P. Smith, W. M. Wilson,
Samuel Howard, Cyrenius Wait, George Wright—15.

Those who voted in the negative were—

Mr. Speaker, (King,) Theo. T. Garrard, Thomas P. Porter,
Landaff W. Andrews, Asa P. Grover, H. M. Rust,
James F. Buckner, Thomas S. Grundy, George W. Silvertooth,
A. D. Coeby, Samuel Haycraft, James Sudduth,
William S. Darnaby, James D. Headley, Harrison Taylor,

Mr. Walker moved to amend said bill as follows:
In section 1, sub-section 2, strike out five hundred.
And the question being taken thereon, it was decided in the negative.

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

Those who voted in the affirmative were—

Joseph S. Bledsoe, James McKee, C. J. Walton,
William C. Gillis, John P. Smith, John Williams,
James D. Headley, Cyrenius Wait, W. M. Wilson,

Those who voted in the negative were—

Mr. Speaker, (King,) John F. Fisk, Thomas P. Porter,
Landaff W. Andrews, Theo. T. Garrard, H. M. Rust,
John B. Bruner, Asa P. Grover, George W. Silvertooth,
Mr. Walker moved to amend said bill as follows:
In section 1, strike out 3d sub-section.

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

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

Those who voted in the affirmative, were—

Joseph S. Bledsoe, David Irvine, C. J. Walton,
John B. Bruner, James McKee, John Williams,
William C. Gillis, John P. Smith, W. M. Wilson,
James D. Headley, Cyrenius Wait, George Wright—14.
Samuel Howard, E. D. Walker,

Those who voted in the negative, were—

Mr. Speaker, (King,) Theo. T. Garrard, Thomas P. Porter,
Landaff W. Andrews, Asa P. Grover, H. M. Rust,
James F. Buckner, Thomas S. Grundy, G. W. Silvertooth,
A. D. Cosby, Samuel Haycraft, James Sudduth,
William S. Darnaby, Gibson Mallory, Harrison Taylor,
George T. Edwards, Daniel Matthewson, C. J. Walton,
John F. Fisk.

Mr. Walker then moved to amend said bill as follows:
In section 1, sub-section 4, strike out three.
Pending the consideration of which,
At 2½ o'clock, Mr. Andrews moved that the Senate do now adjourn.

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

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

Those who voted in the affirmative, were—

Landaff W. Andrews, Thomas S. Grundy, G. W. Silvertooth,
James F. Buckner, Samuel Haycraft, James Sudduth,
A. D. Cosby, Gibson Mallory, Harrison Taylor,
William S. Darnaby, Daniel Matthewson, C. J. Walton,
Theo. T. Garrard, Thomas P. Porter, Walter C. Whitaker,

Those who voted in the negative, were—

Mr. Speaker, (King,) William C. Gillis, John P. Smith,
Joseph S. Bledsoe, James D. Headley, Cyrenius Wait,
John B. Bruner, Samuel Howard, E. D. Walker,
George T. Edwards, David Irvine, W. M. Wilson,
John F. Fisk, James McKee, George Wright—15.
A message was received from the House of Representatives, announcing that they had receded from their disagreement to the first amendment proposed by the Senate, to a bill from the House of Representatives, entitled,

An act concerning the Penitentiary.

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

An act to incorporate the Philadelphian Literary Society of the Columbian High School.
An act to provide a police judge for the town of Florence, in Boone county.
An act concerning the town of Union, in Boone county.
An act to change the boundary line of school district No. 15, in Crittenden county.
An act to create a Sinking Fund for the city of Frankfort.
An act for the benefit of John Cummins, late sheriff of Rockcastle county.
An act to incorporate the Russellville and Springfield Turnpike Road Company.
An act to increase the pay of the night-watchmen of the Jefferson county and Louisville jail.
An act legalizing certain acts and sales of the marshal of Brandenburg.
An act to incorporate Highland Lodge, No. 34, of Free and Accepted Masons, in the town of West Liberty.
An act for the benefit of Miles Kash, adm'r of Wm. Adams, dec'd, of Morgan county.
An act for the benefit of A. B. Patrick, clerk of the circuit court of Breathitt county.
An act for the benefit of Alney McLean's heirs.
An act providing for a State road from Greenville, in Muhlenburg county, to Bowlinggreen, in Warren county.
An act to impose a tax upon dogs in Shelby and Hardin counties.
An act directing the school commissioners to divide school district No. 22, of Trigg county.
An act changing Morganfield district, in Union county.
An act relating to the Craddock Fund.
An act to repeal an act, entitled, an act for the benefit of Steel and Lane.

Resolution in relation to the remains of the deceased Governors.

That they had received official information from the Governor that he had approved and signed enrolled bills which originated in the House of Representatives, of the following titles, viz:

An act to authorize railroad companies to make certain contracts with each other.

An act to postpone the January term of the Franklin circuit court.

Mr. Silvertooth presented the petition of sundry citizens of the city of Covington and vicinity, protesting against chartered privileges.

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

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

Resolved. That the two Houses of the General Assembly of Kentucky do proceed, on Thursday the 28th instant, at the hour of 12 o'clock, by joint ballot, to the election of a Keeper of the Penitentiary.

On motion of Mr. Walker, leave of absence was granted to Mr. Haycraft until to-morrow.

Mr. Irvine, from the committee on Banks, presented the report of the Commercial Bank of Kentucky.

Ordered, That said report be printed and made special order with the reports from the other Banks, on to-morrow at 11 o'clock.

Bills from the House of Representatives of the following titles were reported from the committee on Internal Improvement, viz:

By Mr. Bledsoe—
An act to amend the charter of the North Middletown, Mount Ida and Mt. Sterling Turnpike Road Company.

By Mr. Matthewson—
An act to incorporate the Mount Sterling and Howard's Mill Turnpike Road Company.

Ordered, That said bills be read a third time.

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

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

Mr. Silvertooth, from the committee on Finance, reported

A bill for the benefit of William T. Walker's heirs, of Hickman county.
Which was read the first time as follows, viz:

Whereas, it is represented to this General Assembly that William T. Walker, deceased, in his life, paid to the Commonwealth upon a treasury land warrant for 540 acres of land in Oldham county, the sum of twenty-seven dollars; and that afterwards, by legal proceeding in the Trimble circuit court against R. W. Walker and Susan Walker, (now Susan Moore,) heirs of said William T. Walker, dec'd, recovery was had against them upon superior title. Therefore,

§ 1. **Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the auditor of public accounts draw his warrant on the treasury in favor of George W. Silvertooth, attorney in fact for R. W. Walker and Susan Moore, for the sum of twenty-seven dollars, to be paid out of any money in the treasury not otherwise appropriated.**

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

Ordered, That said bill be read a second time.

The constitutional provision as to the second and third readings of said bill being dispensed with, and the same being engrossed, The question was then taken on the passage of said bill, and it was decided in the affirmative.

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

Those who voted in the affirmative, were—

Mr. Speaker, (King,) Thomas S. Grundy, James Sudduth,
Landaff W. Andrews, James D. Headley, Harrison Taylor,
Joseph S. Bledsoe, David Irvine, Cyrenius Wait,
John B. Bruner, Daniel Matthewson, E. D. Walker,
James F. Buckner, James McKee, C. J. Walton,
A. D. Cosby, Thomas P. Porter, W. C. Whitaker,
George T. Edwards, William B. Read, John Williams,
John F. Fisk, H. M. Rust, W. M. Wilson,
William C. Gillis, John P. Smith,

Those who voted in the negative, were—

Samuel Howard—1.

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

Mr. Silvertooth, from the same committee, to whom was referred a bill from the House of Representatives, entitled,

**An act for the benefit of the estate of Samuel Long, of Oldham county,**

Reported the same without amendment.

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

**Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the estate of Samuel Long of Oldham county, a lunatic, be and the same is hereby released from the payment of the sum of two hundred dollars, now due from the estate of said Long to the Lunatic Asylum at Lexington.**
The question was then taken on the passage of said bill, and it was
decided in the affirmative.

The yeas and nays being taken thereon, in pursuance of a provi-
sion of the constitution, were as follows, viz :

Those who voted in the affirmative, were—

Landaff W. Andrews, Thomas P. Porter, Harrison Taylor,
Joseph S. Bledsoe, William B. Read, Cyrenius Wait,
A. D. Cosby, Charles Ripley, E. D. Walker,
Theo. T. Garrard, H. M. Rust, John Williams,
William C. Gillis, G. W. Silvertooth, William M. Wilson,
David Irvine, John P. Smith, George Wright—20.
James McKee, James Sudduth,

Those who voted in the negative, were—

Mr. Speaker, (King,) John F. Fisk, Daniel Matthewson,
John B. Bruner, Thomas S. Grundy, C. J. Walton,
George T. Edwards, Samuel Howard,

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

Mr. Silvertooth, from the same committee, to whom was referred
A bill to amend the charter of the Kentucky Medical Society.

Reported the same without amendment.

Said bill reads as follows, viz :

§ 1. Be it enacted by the General Assembly of the Commonwealth of Ken-
tucky, That the charter of the State Medical Society be and it is here-
by so amended, as to make it the duty of the president and secretary
of said society, to forward to the executive or state department, for
publication with the other state documents, the proceedings of their
annual meetings, with all essays, reports, and other papers, read and
received by said society at their annual meetings.

§ 2. Be it further enacted, That each member of said society shall be
entitled to two copies of said report, and that the balance be distributed
with the other public documents.

§ 3. Be it further enacted, That if the president and secretary fail to
furnish said reports, within three months after their annual meetings,
they shall be fined in the sum of fifty dollars, recoverable as other fines
and penalties.

§ 4. Be it further enacted, That the provisions of this law shall in-
clude such reports, &c., unpublished, as are now in the hands of said
society.

Mr. Fisk proposed to amend said bill as follows, viz :

Add to the first section of the bill: “Or such of them as they may
deem of special importance to the profession and to the people of
Kentucky.

Mr. Sudduth proposed to amend the amendment, by adding thereto
the following proviso:
Provided, That the first publication shall not exceed the sum of three hundred dollars, and annually thereafter two hundred and fifty dollars.

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

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

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

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

The question was then taken on the passage of said bill, and it was decided in the negative, the constitutional majority not having voted therefor.

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

Those who voted in the affirmative, were—

Landaff W. Andrews, John F. Fisk, James Sudduth, John P. Smith,
Joseph S. Bledsoe, David Irvine, Harrison Taylor, Cyrenius Walt,
John B. Bruner, Gibson Mallory, C. J. Walton, E. D. Walker,

Those who voted in the negative, were—

Mr. Speaker, (King,) Samuel Howard, John P. Smith,
George T. Edwards, Daniel Matthewson, Cyrenius Walt,
Theo. T. Garrard, Thomas P. Porter, E. D. Walker,
James D. Headley, George W. Silvertooth.

Mr. Andrews moved a reconsideration of the vote by which said bill was rejected.

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

Ordered, That the further consideration of said bill be postponed until to-morrow, at 10½ o'clock.

The following bills were reported from the committee on Banks:

By Mr. Irvine—

A bill authorizing an increase of the capital stock of the Commercial Bank of Kentucky, and the establishment of additional branches.

By Mr. Taylor—

A bill to amend the charter of the Bank of Ashland.

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

The constitutional provision as to the second reading of said bills having been dispensed with, they were both ordered to be printed, and
the first made the special order for Tuesday at 11½ o'clock, and the second for Thursday at 11 o'clock.

A bill to incorporate the Paris and Clintonville Turnpike Road Company,

Was taken up and amended.

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

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

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

The Senate resumed the consideration of

A bill to increase the salaries of certain officers.

With the amendment proposed by Mr. Walker on yesterday.

Said amendment was in section 1, sub-section 4, to strike out the words three thousand.

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

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

Those who voted in the affirmative, were—


Those who voted in the negative, were—


Mr. Fisk moved to fill the blank in said sub-section with twenty-five hundred.

Mr. Walker moved to fill said blank with two thousand.

The question was then taken on filling the blank as proposed by Mr. Fisk, and it was decided in the affirmative.

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

Those who voted in the affirmative, were—

Mr. Speaker, (King,) John F. Fisk, Charles Ripley, Landaff W. Andrews, Theo. T. Garrard, H. M. Rust,
Mr. Walker then moved to amend said bill as follows:
In section 1, sub-section 6, strike out three thousand.
And the question being taken thereon, it was decided in the affirmative.

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

Those who voted in the affirmative, were—

Joseph S. Bledsoe, James McKee, E. D. Walker,
James F. Buckner, William B. Read, C. J. Walton,
A. D. Cosby, James Sudduth, John Williams,
George T. Edwards, Thomas P. Porter, W. M. Wilson,
Daniel Matthewson, Cyrenius Wait, George Wright—16.

Mr. Walker moved to fill said blank with seventeen hundred.

The question was then taken on filling the blank as proposed by Mr. Andrews, and it was decided in the negative.

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

Those who voted in the affirmative, were—

Mr. Speaker, (King,) Asa P. Grover, George W. Silvertooth,
Landaff W. Andrews, Thomas S. Grundy, James Sudduth,
John B. Bruner, Thomas P. Porter, Harrison Taylor,
Mr. Andrews moved to fill the blank in said sub-section with twenty-five hundred.

Mr. McKee moved to fill said blank with twenty-two hundred and fifty.

Mr. Walker moved to fill said blank with seventeen hundred.

The question was then taken on filling the blank as proposed by Mr. Andrews, and it was decided in the negative.

Those who voted in the negative, were—

John B. Bruner, William C. Gillis, George W. Silvertooth,
James F. Buckner, Asa P. Grover, Harrison Taylor,
A. D. Cosby, Thomas S. Grundy, W. C. Whitaker—17.
George T. Edwards, Thomas P. Porter,
Those who voted in the affirmative were—

Mr. Speaker, (King,) Theo. T. Garrard, H. M. Rust,
Landaff W. Andrews, Asa P. Grover, G. W. Silvertooth,
John B. Bruner, Thomas S. Grundy, James Sudduth,
James F. Buckner, James McKee, Harrison Taylor,
A. D. Cosby, Thomas P. Porter, C. J. Walton,
John F. Fisk,

Those who voted in the negative were—

Joseph S. Bledsoe, Gibson Mallory, E. D. Walker,
William C. Gillis, Daniel Matthewson, John Williams,
James D. Headley, William B. Read, W. M. Wilson,
Samuel Howard, John P. Smith, George Wright—17.
David Irvine, Cyrenius Wait,

Mr. Irvine then moved the previous question.

And the question being taken, shall the main question be now put?

it was decided in the affirmative.

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

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

Those who voted in the affirmative, were—

Landaff W. Andrews, Theo. T. Garrard, Charles Ripley,
A. D. Cosby, Thomas S. Grundy, H. M. Rust,
John F. Fisk,

Those who voted in the negative, were—

Mr. Speaker, (King,) Samuel Howard, James Sudduth,
Joseph S. Bledsoe, David Irvine, Cyrenius Wait,
John B. Bruner, Gibson Mallory, E. D. Walker,
So the said bill was rejected.

The Senate also, took up for consideration,
A bill to amend section 1, article 3, chapter 32, title Elections, of the Revised Statutes.

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

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

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

The Senate also, took up for consideration a bill from the House of Representatives, entitled,

An act to amend chapter 86 of the Revised Statutes.

Said bill reads as follows:

Whereas, under the provisions of the aforesaid chapter, many sales of infants' lands have been decreed and made, upon the petition of their statutory guardian alone, and it is now doubted whether it was not necessary, in all such cases, to have made the infant wards of the petitioner parties to the petition. For remedy whereof—

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the courts having decreed said sales shall and they are hereby vested with full power, upon the motion or petition of the guardian, and upon being fully satisfied that the sale, as made, has been fairly made, and that it is for the interest of the infant that the same shall stand, to adjudge and decree a confirmation thereof, which, when so done, shall make said sale, and the proceedings under the original petition, as legal and effectual, in all respects, as if the infants had been made parties thereto.

Mr. Andrews moved to amend said bill as follows viz:

In section 1, line 3, strike out motion or.

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

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

The constitutional provision as to the third reading of said bill being dispensed with,

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

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

James F. Buckner, David Irvine, Thomas P. Porter,
William S. Darnaby, Gibson Mallory, Harrison Taylor,

Those who voted in the negative, were—

Mr. Speaker, (King,) Asa P. Grover, James Sudduth,
Landaff W. Andrews, Thomas S. Grundy, Cyrenius Wait,
Joseph S. Bledsoe, James D. Headley, C. J. Walton,
John B. Bruner, Samuel Howard, W. C. Whitaker,
A. D. Cosby, James McKee, John Williams,
George T. Edwards, William B. Read, W. M. Wilson,

William C. Gillis, John P. Smith,

So the said bill was disagreed to.

Mr. Wait, from the committee appointed to examine the Lunatic Asylum at Lexington, made the following report, viz:

The committee to whom was assigned the duty of visiting the Eastern Lunatic Asylum at Lexington have discharged the same, and beg leave to make the following report:

We found the Asylum governed with a discipline and kindness that deserves the highest approbation. The restoration, health, and comfort of the inmates seem to be cared for with that watchfulness that must necessarily be productive of great good; and the Institution is one of which the state has every reason to be proud.

We found, however, that the Institution was suffering much, and the health and comfort of the patients endangered from the want of some necessary repairs—repairs which should be made, or the great aim of the state in erecting and supporting the Asylum for the insane will be frustrated. We examined, with great care and attention, the entire establishment, and found some evils existing which should be remedied, and that immediately; evils not resulting from the want of capacity or attention in the officers in the Institution, but springing from causes above and beyond their control—a want of funds to make some necessary repairs.

It is the opinion of this committee that the health, as well as the comfort of the unfortunate inmates, is endangered from a defective sewer, which runs the entire length of the house, under the floor of the basement, made for the purpose of conveying offensive matter from the different wards of the establishment, to a natural sink some distance from the building; having been undermined by rats; and no efforts on the part of those connected with the Asylum can prevent the constant recurrence of this accident. And besides, the soil beneath the floor is saturated with the foul matters passing through the sewer, from which the entire atmosphere of the house is more or less tainted. In its course to the sink of which we have spoken, the sewer, draining nine water closets and bath rooms, the kitchen and wash-house, passes down a valley at a depth of from five to twenty feet beneath the surface, and, as is now very evident, immediately overlies
the stream which furnishes water for washing and bathing. The sewer is substantially built, but without cement, so that an intimate connection now exist between the sewer and the stream, before it issues from the ground. We saw large quantities of foul matter issuing from the spring, and floating on the pool from which the water is pumped for bathing and washing clothes. This water is wholly unfit for use, and there is no other adequate supply on the place; and aside from this consideration, it is an evil, the abatement of which is absolutely necessary to the preservation of the health of the Institution.

The house, at least a considerable portion of it, is not, during the winter, fit for occupancy, from the fact that there are no means of warming. It is impossible to preserve a comfortable temperature in several of the wards, and some of them are wholly unprovided with any means of warming them. It is a question of humanity, as well as economy. If the steam apparatus is not to be completed, then some other provision should be made, for surely the state will not forcibly confine the insane and refuse to provide for their comfort and necessities. We know of no more effectual and cheaper method of meeting the emergency than by completing this apparatus. It will prove economical in the consumption of fuel, and supercede the necessity of paying annually several hundred dollars for insurance against loss by fire. Whilst it ministers to the comfort of the inmates, it will afford the surest guarantee against conflagration, a terrible disaster under any circumstances, but doubly so when hundreds of doors must be unlocked before the unfortunate inmates can possibly escape, many of whom are wholly powerless to help themselves. For the want of some means of warming the bath rooms they cannot be used during cold weather; and the water pipes require extensive repairs after very cold seasons, as they never fail to be injured by frost.

A large proportion of the bedsteads have been in use for many years, and are now unfit for use and not worth repairing. They should be replaced with new.

There are several porches in a state of decay, and unsafe. They should be repaired, and that immediately.

Almost all the guttering requires to be renewed. In its present dilapidated condition the building is being seriously injured. It has fallen from some parts of the building, and the water falls directly to the ground from the height of more than fifty feet, and the wall is already materially damaged. Every means has been resorted to to make the old guttering answer as far as possible.

The plastering in many parts of the building is broken, and needs extensive repairs. In many places it has been destroyed by violent and mischievous patients, many years ago; in others it has fallen from the ceiling in consequence of leaks in the old roof, now replaced with metal covering.

The fencing has been propped and patched for several years, and it is essential to the safety and convenience of the inmates that it should be renewed as soon as possible.

We found the Institution unprovided with the necessary out-houses, such as smoke house, garden buildings for securing vegetables, and work-shops for the inmates. The old smoke house was torn down
some time since, to make room for the late addition to the building, and no means have been provided to replace it. This is a convenience with which no private family can well dispense, and it is an absolute necessity in such an Institution as the one of which we are now treating. We understand that serious inconvenience and great loss has been felt and sustained from the want of suitable buildings in which vegetables, and such other products of the garden as have been raised by those connected with the Asylum, could be stowed away and kept for use. Many of the inmates are competent workmen in some of the different trades, and much benefit could be derived from their labor, not only to the Institution but to themselves, if suitable workshops were provided.

A large portion of the house has not been painted for years, and much of the woodwork is entirely denuded, and rapidly decaying. It would, therefore, be economy upon the part of the state to have the necessary painting done; if it is not the injury to the building, already considerable, will grow greater every day, and ultimately require the expenditure of a large amount to restore that which could now be accomplished with the outlay of an amount comparatively insignificant.

A considerable portion of the pavements in the basement and around the buildings require renewal, and serious inconvenience is experienced as they now are.

A few hundred dollars expended in the means of diversion would contribute materially to the restoration of the curable. We know of no means more efficacious in giving pleasure to the unfortunate inmates, than amusements and exercises calculated to call off the mind from its gloomy and erroneous train of thought.

The roof is in good condition, except on one wing; this is so corroded by age that it leaks, and already much of the plastering has fallen from the ceiling.

We have had estimates made of the cost of these repairs, and feel assured that they cannot be effected without the expenditure of a considerable amount of money; but there is not one to which we have alluded that is not a necessity—many of them so palpable that one would be surprised that a remedy has not been applied, but from the fact that no one has been authorized to correct these evils, and neither the present board of managers nor the superintendent will contract a debt for such purposes.

Large as is the sum demanded to make the repairs above enumerated, it would be much larger but from the fact that a great deal of the labor will be performed by the employees and patients. For example, in the renewal of fencing, pavements, porches, &c., all that is asked is the material necessary for their construction. Much of the painting will also be done by these persons, and thus reduce the items of expenditure very materially.

There is also one other desideratum to which we will allude. This Institution has many patients not only able but anxious to work, and without hired laborers they raise all the vegetables they consume, and have for many years cultivated properly a rented farm. This land is now for sale, and cannot be rented again. The Asylum has entered upon its last year of occupancy, and unless the farm is purchased the
inmates must live in idleness, with no other resource than to brood over their imaginary ills. The Asylum has the labor, and no one can question the wisdom and propriety of furnishing the means of making it available. The Western Asylum owns, as we are informed, nearly four hundred acres of land, and it is a wise and proper provision for that Institution. But why shall the most populous Institution of the two be left without this necessary adjunct in the management of these unfortunate people?

This Institution is embarrassed in its operations, in consequence of the crowded state of its wards—there being at this time two hundred and thirty-eight patients in the house, when not more than two hundred and twenty-five can be comfortably accommodated. Under existing laws, five of the most populous districts, embracing all of the largest cities and towns, have no authority to send their insane to the Western Asylum; and we are informed that twelve applicants are awaiting the occurrence of vacancies in the Eastern Asylum. We would recommend such an amendment to the law as will authorize patients to enter either Asylum, from any part of the state, when the Institution in the district in which they reside is full.

We feel that we cannot close this report—perhaps already too long—without making an earnest appeal to the members of the general assembly to look well to the interests of this Institution, which, with those of a similar character, demand the fostering care and protection of the state.

CYRENIUS WAIT,
A. D. COSBY,
Committee of the Senate.

J. C. WICKLIFFE,
S. A. FOSS,
H. K. RACHFORD,
Committee House Rep.

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

Mr. Buckner, at 2½ o'clock, moved an adjournment.

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

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

Those who voted in the affirmative, were—

James F. Buckner, A. D. Cosby, William S. Darnaby, Asa P. Grover, Thomas S. Grundy,
James D. Headley, Samuel Howard, Gibson Mallory, Daniel Matthewson, G. W. Silvertouch,
Those who voted in the negative, were—

Mr. Speaker, (King,) Theo. T. Garrard, Cyrenius Wait,
Landaff W. Andrews, William C. Gillis, E. D. Walker,
Joseph S. Bledsoe, David Irvine, C. J. Walton,
John B. Bruner, James McKee, W. C. Whitaker,
George T. Edwards, Thomas P. Porter, George Wright—17.
John F. Fisk, William B. Read,

Mr. Grover moved a call of the Senate.
And the question being taken thereon, it was decided in the affirmative.

A call of the Senate was then made, and the following Senators answered to their names, viz:

Mr. Speaker, (King,) Asa P. Grover, John P. Smith,
Landaff W. Andrews, Thomas S. Grundy, James Sudduth,
Joseph S. Bledsoe, James D. Headley, Harrison Taylor,
John B. Bruner, Samuel Howard, Cyrenius Wait,
James F. Buckner, David Irvine, E. D. Walker,
W. S. Darnaby, Gibson Mallory, C. J. Walton,
George T. Edwards, Daniel Mathewson, W. C. Whitaker,
John F. Fisk, James McKee, John Williams,
Theo. T. Garrard, William B. Read, W. M. Wilson,
William C. Gillis, George W. Silvertooth, George Wright.

Mr. Buckner moved to suspend all further action under the call.
And the question being taken thereon, it was decided in the affirmative.

And then the Senate adjourned.

TUESDAY, JANUARY 26, 1858.

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 transfer the records of certain surveys from the county court clerks’ offices to the surveyors’ offices.
An act to amend an act, entitled, an act to amend the laws relating to the county levy of Kenton county, approved February 5, 1856.
An act to establish and incorporate the town of Johnsonville, in Anderson county.

An act to repeal an act, entitled, an act to amend an act authorizing the county court of Pendleton to appoint a county treasurer, and regulating the duties of the sheriff of said county.

An act amending an act approved March 10th, 1856, in relation to police judge and marshal in the town of Morganton, Butler county.

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

An act to amend an act, approved December 20th, 1851, entitled, an act to authorize the presiding judge of Kenton county to hold quarterly terms in Covington.

An act for the benefit of Julius Hacker and Asa Gilbert.

An act to equalize the county levy in Henry county.

An act to establish the town of Rochester, in Butler county.

With an amendment to the last named bill.

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

An act to amend the law in regard to jury trials and the effect of the same in will cases.

An act to establish a tobacco inspection and warehouse at Mayfield.

An act to change the rates of toll upon the Madison fork of the Wilderness turnpike road, and for other purposes.

An act prescribing the means and mode of opening and working roads in the county of Boone.

An act to incorporate the town of Grundy.

An act for the benefit of J. Hogland.

An act changing the terms of the Hopkins quarterly courts.

An act to establish the office of treasurer of Jessamine county.

An act to change the time of holding the quarterly court in Jessamine county.

An act authorizing the county court of Trigg to change the State road in said county.

An act to extend the corporate limits of the town of Owensboro.

An act to authorize the Marion county court to execute deeds to Dabney Tucker and others, for lands sold by them.

An act to change the time of holding the Green county court.

An act for the benefit of Thomas Faber, jailer of Harlan county.

An act repealing the first section of an act, entitled, an act to amend the charter of the town of Hopkinsville.

An act to amend the law in relation to county judges.
An act for the benefit of L. C. Davis, surveyor of Knox county.

An act to change the time of holding the quarterly court in Carroll county.

An act to change the time of holding the Henry county court.

An act to change the law authorizing the judge of the Campbell county court to hold special terms of the quarterly courts of said county.

An act to change the time of holding the Allen county quarterly court.

An act to authorize the town of Paradise, in Muhlenburg county, to elect a police judge and town marshal.

An act for the benefit of the proprietors of the Union White Sulphur Springs.

1. Mr. Walker presented the petition of sundry citizens of Butler county in relation to the Butler Seminary

2. Mr. Rust presented the remonstrance of sundry citizens of Carter county, remonstrating against any portion of said county being attached to Rowan county.

3. Mr. Porter presented the petition of Stearns & Clarke, Ambrotypists, in relation to the taking of the Ambrotypes of the present General Assembly, &c.

4. Also, the petition of sundry citizens of Franklin county, praying that a change be made in precinct No. 2, in said county.

Which petitions and remonstrance were received, the reading dispensed with, and referred—

The 1st to the committee on the Judiciary; the 2d and 4th to the committee on Propositions and Grievances, and the 3d to the committee on Finance.

The Speaker laid before the Senate the report of the Superintendent of the Cumberland Hospital which is as follows, viz:

Smithland, Ky.
January 1, 1858

Hon. J. Q. A. King,
Speaker of the Senate:

Sir: Be pleased to lay before the Senate the accompanying report of the Trustees of Cumberland Hospital, and oblige,

Yours, very truly,

W. BEVERLY, Chairman.

THO. C. LEECH, Secretary.
Report of the Trustees of the Cumberland Hospital to the Legislature of Kentucky, December 16, 1857.

CREDITS.

By balance on hand at last report, $458.02
By cash of patient who died, 13.50
By State appropriation for 1856 and 1857, 2,700.00
By cash from United States treasury in 1857, 779.50

DEBITS.

To cash paid keeper of Hospital for board and attendance 576.17 weeks, at $3.50 per week, $3,016.50
To washing 461.1-12 dozen pieces, at 50 cents, 230.54
To ten burials, at $6, 60.00
To paid J. M. Davis his bill, sundries, for 1855, 320.88
To paid same his bill for 1856, 124.33
To paid same his bill for 1857, 169.27
To paid S. Graham's bill, medicine, 15.95
To paid T. C. Leech, his bills, 15.95
To paid J. H. Wood, for shingles, 37.50
To paid Streoud & Shanklin for re covering houses, 50.62
To paid J. D. Hodge, his bills, 19.90
To paid Crayott for medicine, 35.75
To paid W. Gordon's bill, 14.63
To paid S. H. Williams' bill, 2.50
To paid W. Beverly, his bill, 4.88
To paid D. B. Sanders for medicine, 15.75
To paid attending physician for two years up to 1st Jan., 1858, 600.00

Balance on hand this day, 16th December, 1857, $3,550.02

It will be seen from the foregoing statement of the accounts of the Hospital, that there remains a balance of two hundred and eighty-nine dollars and fifty-two cents, but the expenses for the last half of this month is properly to be charged to this fund, which in all probability will reduce it to about two hundred dollars.

An appropriation of fifteen hundred dollars per annum, or of three thousand dollars (payable quarterly in advance) for the years 1858 and 1859, will be required to support the institution for that period. We may get some money from the United States, but of this there is no certainty; the Secretary of the Treasury, under the late administration, refused to allow anything, owing to the fact that the Marine Hospital at Paducah should do all the business for those entitled to protection and care under the laws of the United States, but Mr. Secretary Cobb, in our opinion, took a more correct and liberal view of the subject, and paid our bill for the year 1856, as per credit in this report, and we hope he will take the same liberal view of the subject, and continue to pay whatever sums may be certified by their agent as being due to us.

There have been admitted into the Hospital since last report, one hundred and seventy-five patients; ten of whom died; the balance discharged cured, with the exception of ten now remaining under medical treatment.

Respectfully submitted,

T. C. Leech, Secretary.

W. Beverly, Chairman.

Smithland, Ky., December 16, 1857.

Signed in duplicate.

TOM M. DAVIS.
Ordered, That the Public Printer print the usual number of copies thereof for the use of the General Assembly, and that it be referred to the committee on Finance.

Mr. Silvertooth, from the committee on Finance, asked to be discharged from the further consideration of a resolution to them referred, in relation to the removing the remains of the late Major Presley N. O'Bannon to the Frankfort cemetery.

Which was granted.

Mr. Silvertooth, from the same committee, reported
A bill for the benefit of Col. W. S. Rand, of Mason county.
Which was read the first time as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the auditor of public accounts be and he is hereby directed to draw his warrant on the treasury, in favor of Col. W. S. Rand, (late commissioner for the State of Kentucky to the Industrial Fair of all Nations, held in the city of New York,) for the sum of two thousand dollars, to be paid out of any money in the treasury not otherwise appropriated.

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

Ordered, That said bill be read a second time.

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

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

The yeas and nays being taken thereon, in pursuance of a provision of the constitution, were as follows, viz:

Those who voted in the affirmative were—

Landaff W. Andrews, Gibson Mallory, Harrison Taylor,
A. D. Cosby, William H. McBrayer, C. J. Walton,
John F. Fisk, H. M. Rust, W. M. Wilson,
David Irvine,

Those who voted in the negative were—

Mr. Speaker, (King,) Asa P. Grover, William B. Read,
John B. Bruner, Thomas S. Grundy, John P. Smith,
James F. Buckner, James D. Headley, Cyrenius Wait,
William S. Darnaby, Samuel Howard, E. D. Walker,
George T. Edwards, Daniel Matthewson, W. C. Whitaker,
Theo. T. Garrard, James McKee, John Williams—20
William C. Gillis, Thomas P. Porter,

Mr. Andrews, from a select committee, reported
A bill for the benefit of the owners of the Nicholas House, in Carlisle.
Which was read the first time, and ordered to be read a second time.

The constitutional provision 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 Senate, according to order, took up for consideration an engrossed bill, entitled,

A bill to amend the charter of the Kentucky Medical Society.

Which was read a third time, as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky: That the charter of the State Medical Society be and it is hereby so amended, as to make it the duty of the president and secretary of said society, to forward to the executive or state department, for publication with the other state documents, the proceedings of their annual meetings, with all essays, reports, and other papers, read and received by said society at their annual meetings, or such of them as they may deem of special importance to the profession and to the people of Kentucky: Provided, That the first publication shall not exceed the sum of three hundred dollars, and annually thereafter two hundred and fifty dollars.

§ 2. Be it further enacted, That each member of said society shall be entitled to two copies of said report, and that the balance be distributed with the other public documents.

§ 3. Be it further enacted, That if the president and secretary fail to furnish said reports, within three months after their annual meetings, they shall be fined in the sum of fifty dollars, recoverable as other fines and penalties.

§ 4. Be it further enacted, That the provisions of this law shall include such reports, &c., unpublished, as are now in the hands of said society.

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 the constitution, were as follows, viz:

Those who voted in the affirmative, were—

Those who voted in the negative, were—

Mr. Speaker, (King,) Thomas P. Porter, John Williams,
Samuel Howard, Cyrenius Wait, George Wright—8.
Daniel Matthewson, E. D. Walker,

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

The Senate, according to order, also took up for consideration
A bill to extend the charters of the Bank of Louisville, Bank of
Kentucky, and Northern Bank.

Sundry amendments were proposed to said bill.
Pending the consideration of which, the hour arrived for taking up
the regular orders of the day.

The Senate then took up for consideration a bill from the House of
Representatives, entitled,
An act concerning proceedings in circuit and chancery courts.

Said bill reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Ken-
tucky, That each day's proceedings of every circuit and chancery court
shall be drawn up by the clerk, and read over in open court, before
the final adjournment of the court for that term, and the same shall
not be binding on the parties until it is so drawn up and read: Pro-
vided, That the proceedings of the last day of such courts shall not be
required to be so drawn up and read.

Mr. Irvine proposed to amend said bill as follows:
Add to the bill: Provided, That the minutes of the last day shall be
signed by the judge.

And the question being taken thereon, it was decided in the nega-
tive.

Mr. Porter moved to amend said bill as follows:

And the fact that it was so read shall appear upon the records of
said court.

And the question being taken thereon, it was decided in the affirm-
ate.

Mr. Andrews then moved to amend said bill, as amended, by striking
out all after the enacting clause, and inserting in lieu thereof the
following:

That it shall be the duty of the clerks of the several courts of this
Commonwealth to keep a record of the proceedings of their courts, to
be made up as the court proceeds with its business; the proceedings
of each day to be drawn up by the clerk from his minutes, in a plain
legible manner, which shall be read in open court on the same day, or
on the day succeeding before the court proceeds to other business,
which, after being corrected as ordered by the court, shall be signed
by the presiding judge. That such clerk, at the end of each term of
his court, shall make out a complete index of all the judgments, de-
crees and orders made during the term; and where, in any case, such
duty has been heretofore neglected, the clerk shall proceed without delay to the prompt discharge thereof.

§ 2. That such clerk shall issue all executions, orders and decrees promptly, according to law, and make out all records and copies within a reasonable time, when they are called for or required.

§ 3. In addition to the bond now required by law of clerks, they shall give bond with good security to receive and safely keep all moneys paid into their offices on any judgment, decree, bond, order of court, or under any petition, plea or answer, and to pay the same over to the party entitled thereto when required. And upon failure of any clerk to pay over such money on demand made, the party entitled thereto may recover the same of such clerk and his securities, or either or any of them, with interest from the time of payment to the clerk, together with ten per centum damages thereupon and costs: Provided, Such motion shall be made within two years from the said payment.

§ 4. That if any clerk shall fail to perform any of the duties imposed by this act, or now required of him by law, it shall be the duty of the judge of his court to appoint a clerk pro tem. to discharge such duties, at the cost of such defaulting clerk. The court shall fix and allow a proper compensation for said services, and make all necessary orders against the delinquent clerk for enforcing the payment thereof.

§ 5. That it shall be the duty of the grand jury, at each term of their sitting, to examine the several offices of the clerks of their county, with the assistance of the county attorney, and from such examination, or other evidence, present to the circuit court any clerk of their county found guilty of the neglect of any duty imposed upon him by law; and if found guilty upon trial before a petit jury, he shall be fined any sum not exceeding ——— dollars, to be fixed by the jury. A judgment in the case, of conviction, shall be sufficient ground to remove him from office.

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

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

So the said bill was disagreed to.

The Senate, also, took up for consideration the disagreement of the House of Representatives to an amendment proposed by the Senate to a bill from the House, entitled,

An act to incorporate the Pocahontas Tribe, No. 3, of the Improved Order of Red Men, at Newport.

And the question being taken on receding from the amendment as proposed by the Senate, it was decided in the negative.

The Senate, also, took up for consideration the amendment proposed by the House of Representatives to a bill from the Senate, entitled,
An act to amend an act, entitled, an act to amend the laws regulating the Wilderness road.
Which were twice read and concurred in.

Also,
A bill to repeal in part, and amend in part, the 10th section of the 13th chapter of the Revised Statutes.
Said bill was then amended.
Ordered, That said bill, as amended, be engrossed and read a third time.
The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,
Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Also,
A bill to amend an act to amend the law regulating the sale of spirituous, malt and vinous liquors.
Said bill was then amended.
Ordered, That said bill, as amended, be engrossed and read a third time.
The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,
Resolved, That said bill do pass, and that the title thereof be amended to read,
An act to amend an act to amend the law regulating the sale of spirituous, malt and vinous liquors to free negroes and slaves, approved February 27, 1856.

Also,
A bill to amend chapter 86 of the Revised Statutes.
Said bill was amended.
Pending the consideration of which,
The rules were suspended for the purpose of receiving motions, &c.
Leave was granted to bring in the following bills, viz:
On motion of Mr. Rust—1. A bill supplemental to an act, entitled, an act incorporating the Big Sandy Navigation Company.
On motion of same—2. A bill for the benefit of Jacob Rice, of Carter county.
On motion of Mr. Walker—3. A bill for the benefit of school district No. 39, in Ohio county.
On motion of same—4. A bill authorizing the county judge of Ohio county to make an order submitting to the qualified voters of said county the right to tax themselves for road purposes.
On motion of Mr. Haycraft—5. A bill to authorize the clerk of Har-
din county to furnish a new book, and copy the first volume of the
general index of deeds.

On motion of same—6. A bill to make open accounts bear interest
after a specified time by contract.

On motion of Mr. Porter—7. A bill to establish an additional voting
place in the Frankfort precinct of Franklin county.

On motion of Mr. Grover—8. A bill for the benefit of Wm. Smith,
clerk of the Grant circuit court.

On motion of Mr. Silvertooth—9. A bill for the benefit of S. W.
Rennick, sheriff of Hickman county.

On motion of Mr. Whitaker—10. A bill for the benefit of the Inde-
pendent Washington Hose Company, of Shelbyville.

On motion of same—11. A bill for the benefit of the Shelby Rail-
road Company.

On motion of Mr. Gillis—12. A bill to make disposition of certain
record books now in the surveyor's office of Whitley county.

On motion of Mr. Edwards—13. A bill in relation to the Southern
Bank of Kentucky.

The committee on Internal Improvement was directed to prepare
and bring in the 1st; the committee on the Judiciary the 2d; the commit-
tee on Education the 3d; the committee on the Sinking Fund the 4th;
the committee on Circuit Courts the 5th, 8th and 10th; the commit-
tee on Revised Statutes the 6th; the committee on Propositions and
Grievances the 7th and 11th; the committee on Finance the 9th;
the committee on County Courts the 12th, and the committee on Banks
the 13th.

Mr. Read moved the following resolution, viz:

Resolved, That when the Senate adjourns on to-day, that they ad-
journ to meet again on Thursday, the 28th inst., at 10 o'clock, A. M.

Which was adopted.

Mr. Buckner moved the following resolution, viz:

Resolved by the Senate, That from and after Thursday next, we will
meet at 9½ o'clock, A. M., and that the Speaker shall at 2 o'clock, P.
M., on each day, announce an adjournment, without a motion for that
purpose.

Which, by a rule of the Senate, lies one day on the table.

Mr. Whitaker read and laid on the table the following joint reso-
lution, viz:

Resolved, That the General Assembly of Kentucky, when it adjourns
on the 5th day of February, 1858, will adjourn sine die.

Mr. Garrard moved the following resolution, viz:

Resolved, That the committee on the Judiciary inquire into the ne-
cessity of bringing in a bill more particularly to define the duties, &c., of the Governor and Secretary of this Commonwealth.

Which was adopted.

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

- An act to amend the charter of the Louisville and Taylorsville turnpike road.
- An act to incorporate the Fulton county Agricultural and Mechanical Association.
- An act to establish the American Printing House for the Blind.
- An act to incorporate the McCracken county Agricultural and Mechanical Association.
- An act for the benefit of A. J. Fleming.
- An act for the benefit of Ralph Cotton and John Gardner, of Nelson county.
- An act for the benefit of schools in the city of Paducah.
- An act to incorporate the Kentucky Mosely Iron Bridge Erecting Company.

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

- An act to amend an act, entitled, an act to establish equity and criminal courts in the first judicial district.
- An act to incorporate the Ohio county Agricultural, Mechanical and Domestic Society.
- An act to prohibit the circulation, as money, of foreign notes of a less denomination than five dollars.
- An act to authorize the trial of common law causes at special terms of the Christian circuit court.
- An act to incorporate the Paducah Southern Iron Works Company.
- An act for the benefit of W. M. Fox and John Crawford.
- An act to fix the time of holding circuit courts in the 5th judicial district.

And had found the same truly enrolled.

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 approval and signature.

After a short time, Mr. Walton reported that the committee had performed that duty.
Mr. Mallory, from the committee on Agriculture and Manufactures, reported
A bill to incorporate the Kentucky Farmers' Mutual Insurance Company.
And then the Senate adjourned.

THURSDAY, JANUARY 28, 1858.

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 regulate certain fees.
An act to amend section 9, chapter 24, title Conveyances, Revised Statutes.
An act to amend the 42d chapter of the Revised Statutes.
An act to amend the charter of Paducah.
With amendments to the two last named bills.
That they had passed bills of the following titles, viz:
An act to amend chapter 30 of the Revised Statutes, entitled Descent and Distribution.
An act to repeal section 14, chapter 67, Revised Statutes, so far as same applies to Cornishville.
An act to amend the law in relation to wills.
An act amending section 93, title 5, Civil Code.
An act to establish equity and criminal courts in the 4th judicial district.

Mr. Headley presented the petition of sundry citizens of the county of Union, praying the passage of an act authorizing James Davis to erect a ten pin alley at the Chalybeate Springs.
Mr. Cosby presented the petition of sundry citizens of the county of McLean, asking the passage of an act restricting the jurisdiction of the police judge and marshal to the corporate limits of the town of Calhoun.
Which petitions were received, the reading dispensed with, and referred—

The 1st to the committee on the Judiciary, and the 2d to the committee on Circuit Courts.

Mr. Silvertooth, from the committee on Finance, to whom was referred a bill from the House of Representatives, entitled,

An act for the benefit of Robert Fluty.

Reported the same without amendment.

Said bill was then amended.

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

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be amended to read,

An act for the benefit of Robert Fluty and Jacob Rice.

Mr. Silvertooth, from the same committee, asked to be discharged from the further consideration of the memorial of C. D. Shean.

Which was granted.

Also, from the further consideration of the memorial of Dr. Samuel Annan.

Which was granted.

Mr. Silvertooth, from the same committee, to whom was referred a bill from the House of Representatives, entitled,

An act remunerating W. L. Sutton and others.

Reported the same without amendment.

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

*Be it enacted by the General Assembly of the Commonwealth of Kentucky,*

That the sum of five hundred dollars is hereby allowed Dr. Wm. L. Sutton for his own services in making registration reports, including the various tables of averages, &c., for 1855 and 1856, reported in 1856 and 1857, and for superintending the work of making out the tables (primary) of births, marriages and deaths for said reports; also, the further sum of fifty dollars is hereby allowed to William L. Sutton, for the labor of William Sutton, in making tables of births for the registration report for 1855, reported in 1856; also, the further sum of one hundred and fifty dollars is hereby allowed said William L. Sutton, for the labor of William Sutton and Moses Nichols, in making the tables of births and marriages for the registration report for 1856, reported in 1857; and the further sum of four hundred dollars is hereby allowed Benjamin M. Chambers and William P. Jacobs, for making registration tables for the report for 1855, reported for 1856, including marriages and deaths; and the further sum of three hundred dollars is hereby allowed Benjamin M. Chambers for making registration tables of deaths for report of 1856, reported in 1857. The said sums of mo-
ney shall be paid out of the treasury, on the warrant of the auditor of public accounts.

Mr. Grover moved to recommit said bill with the following instructions:

To inquire whether additional clerks are required by the auditor in the discharge of his duties; if so, the number required; and whether further legislation is necessary. That they inquire whether the auditor has been compelled to employ additional clerks not authorized by law; and that they report by bill or otherwise.

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

The constitutional provision as to the third reading of said bill being dispensed with, the question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being taken thereon, in pursuance of a provision of the constitution, were as follows, viz:

Those who voted in the affirmative were—

Mr. Speaker, (King,) Samuel Haycraft, James Sudduth,
Landaff W. Andrews, James D. Headley, Harrison Taylor,
John B. Bruner, Samuel Howard, Cyrenius Wait,
James F. Buckner, David Irvine, E. D. Walker,
A. D. Cosby, Gibson Mallory, C. J. Walton,
William S. Darnaby, William H. McBrayer, John Williams,
George T. Edwards, Thomas P. Porter, W. M. Wilson,
William C. Gillis, John P. Smith,

Those who voted in the negative were—

Joseph S. Bledsoe, Thomas S. Grundy, William B. Read,
Asa P. Grover, James McKee,

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

Bills from the House of Representatives, of the following titles, were reported from the committee on Education, without amendment, viz:

By Mr. Bruner—
An act to incorporate Martin Institute.
By same—
An act in relation to school districts Nos. 3 and 21, in Campbell county.
By same—
An act to incorporate the Bourbon Academy.
By same—
An act to amend the charter of the Eminence High School.
Ordered, That saids bill be read a third time.
The constitutional provision as to the third reading of said bills being dispensed with,
Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Bruner, from the same committee, to whom was referred a bill from the House of Representatives, entitled,
An act for the benefit of school district, No. 12, in Spencer county, Reported the same with an amendment. Which was concurred in.

Ordered, That said bill, as amended, be read a third time.
The constitutional provision as to the third reading of said bill being dispensed with,
Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Bruner, from the same committee, to whom was referred a bill from the House of Representatives, entitled,
An act to repeal the second section of an act, entitled, an act to authorize the trustees of Laurel county to sell the seminary lands of said county,
Reported the same without amendment.
And the question being taken on ordering said bill to be read a third time, it was decided in the negative.
So the said bill was disagreed to.
Mr. Bruner, from the same committee, to whom was referred a bill from the House of Representatives, entitled,
An act to amend the act incorporating the Simpson Seminary, Reported the same, with the expression of opinion that it ought not to pass.
And the question being taken on ordering said bill to be read a third time, it was decided in the negative,
So the said bill was disagreed to.
Mr. Mallory, from the committee on Agriculture and Manufactures, to whom was referred a bill from the House of Representatives, entitled,
An act requiring tax assessors to furnish statistical agricultural information.
Reported the same without amendment.
Said bill was then amended.
Ordered, That said bill, as amended, be read a third time.
The constitutional provision as to the third reading of said bill being dispensed with,
Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Mallory, 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 State Agricultural Society.

Reported the same without amendment.

Ordered, That said bill be read a third time at 1 o'clock to-morrow.

Mr. Bruner, from the committee on Education, to whom was referred a bill from the House of Representatives, entitled,
An act to repeal an act, entitled, an act to reorganize Transylvania University and establish a school for teachers.

Reported the same, with an amendment.

Said bill reads as follows, viz:

§1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That an act, entitled, an act to reorganize Transylvania University and establish a school for teachers, be and the same is hereby repealed, the repeal to take effect from and after the 15th day of June, 1858.

§2. Be it further enacted, That the grounds, buildings, endowments, libraries and various properties, possessions, and franchises of said University, all of which are now held by the State of Kentucky for the benefit of the common school fund, be and the same are hereby restored to said University, as fully as if the act herein repealed had never passed; and all acts, or parts of acts, in relation to said University, and repealed by the act reorganizing the same and establishing a school for teachers, are declared to be in full force from and after the 15th day of June, 1858.

The amendment proposed by the committee was to amend the 1st section of the bill by striking out the 15th day of June, 1858, and insert in lieu thereof, the passage of this act.

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

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

Those who voted in the affirmative, were—

Mr. Speaker, (King), Thomas S. Grundy, George W. Silvertooth,
Joseph S. Bledsoe, James D. Headley, Cyrenius Wait,
John B. Bruner, Daniel Matthewson, E. D. Walker,
A. D. Cosby, Thomas P. Porter, C. J. Walton,
Asa P. Grover,
Those who voted in the negative, were—

Landaff W. Andrews, Samuel Howard, John P. Smith,
James F. Buckner, David Irvine, James Sudduth,
William S. Darnaby, Gibson Mallory, Harrison Taylor,
John F. Fisk, William H. McBrayer, W. C. Whitaker,
Theo. T. Garrard, James McKee, John Williams,
William C. Gillis, H. M. Rust, George Wright—19.

Samuel Haycraft,

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

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

Those who voted in the affirmative, were—

Joseph S. Bledsoe, David Irvine, John P. Smith,
John F. Fisk, Daniel Matthewson, C. J. Walton,
William C. Gillis, William H. McBrayer, W. M. Wilson,

Samuel Haycraft, H. M. Rust,

Those who voted in the negative, were—

Mr. Speaker, (King,) Theo. T. Garrard, G. W. Silvertooth,
Landaff W. Andrews, Thomas S. Grundy, James Sudduth,
John B. Bruner, James D. Headley, Harrison Taylor,
James F. Buckner, Samuel Howard, Cyrenius Wait,
A. D. Cosby, Gibson Mallory, E. D. Walker,
William S. Darnaby, James McKee, W. C. Whitaker,

So the said bill was disagreed to.

Mr. Buckner moved a reconsideration of the vote by which the Senate refused to order said bill to be read a third time.

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

Mr. Irvine withdrew the motion heretofore made by him to reconsider the vote by which the Senate passed the bill to repeal an act reorganizing Transylvania University and establishing a school for teachers.

The following bills were reported, viz:

By Mr. Silvertooth, from the committee on Finance—
A bill for the benefit of S. W. Rennick, sheriff of Hickman county.
By same—
A bill for the benefit of Jacob Corbett and B. Small.
By same—
A bill to establish magistrates’ districts in Letcher county.
By same—
A bill to change the county line between Letcher and Perry counties.
By Mr. Bruner, from the committee on Education—
A bill for the incorporation of the Washington Literary Society of
Bethel College, in Russellville, Kentucky.

By same—
A bill to amend the charter of the Ewing Female Institute, at Perryville.

By same—
A bill for the benefit of school district No. 18, in Henry county.

By same—
A bill for the benefit of the trustees of school district No. 22, in Whitley county.

By Mr. Matthewson, from the same committee—
A bill to incorporate the Franklin Phylomathian Library Association.

By Mr. Mallory, from the committee on Agriculture and Manufactures—
A bill to amend an act, entitled, an act to charter the Southwestern Agricultural and Mechanical Association.

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

The constitutional provision 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. Silvertooth, from the committee on Finance, reported
A bill for the benefit of the Kentucky Institution for the Education
of the Blind.

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

The constitutional provision as to the second and third readings of
said bill being dispensed with, and the same being engrossed,
The question was then taken on the passage of said bill, and it was
decided in the affirmative.

The yeas and nays being taken thereon, in pursuance of a provision
of the constitution, were as follows, viz:

Those who voted in the affirmative were—

Mr. Speaker, (King,) Thomas S. Grundy, George W. Silvertooth,
Landaff W. Andrews, Samuel Haycraft, John P. Smith,
Joseph S. Bledsoe, James D. Headley, James Sudduth,
John B. Bruner, Samuel Howard, Harrison Taylor,
James F. Buckner, David Irvine, Cyrenius Wait,
A. D. Cosby, Gibson Mallory, E. D. Walker,
William S. Darnaby, Daniel Matthewson, C. J. Walton,
George T. Edwards, William H. McBrayer, W. C. Whitaker,
John F. Fisk, James McKee, John Williams,
Theo. T. Garrard, Thomas P. Porter, W. M. Wilson,
William C. Gillis, William B. Read, George Wright—35.
Asa P. Grover, H. M. Rust.

In the negative—none.

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

Mr. Bruner, from the committee on Education, asked to be discharged from the further consideration of a leave to them referred, to bring in a bill to amend the common school law of this Commonwealth.

Which was granted.

The Senate resumed the consideration of an unfinished report from the committee on Agriculture and Manufactures, of

A bill to incorporate the Kentucky Farmers' Mutual Insurance Company.

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

The constitutional provision 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 was received from the Governor by Mr. Bibb, Assistant Secretary of State, announcing that the Governor had approved and enrolled bills which originated in the Senate of the following titles, viz:

An act for the benefit of W. M. Fox and John Crawford.
An act to fix the time of holding circuit courts in the 5th judicial district.
An act to prohibit the circulation, as money, of foreign notes of a less denomination than five dollars.
An act to incorporate the Ohio county Agricultural, Mechanical and Domestic Society.
An act to amend an act, entitled, an act to establish equity and criminal courts in the first judicial district.
An act to authorize the trial of common law causes at special terms of the Christian circuit court.
An act to incorporate the Paducah Southern Iron Works Company.

Mr. Buckner moved a suspension of the rules for the purpose of taking up the resolution offered by him on yesterday.
And the question being taken thereon, it was decided in the affirmative.

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

Those who voted in the affirmative, were—

Mr. Speaker, (King,) Samuel Haycraft, George W. Silvertooth,
Landaff W. Andrews, James D. Headley, John P. Smith,
Joseph S. Bledsoe, Samuel Howard, James Sudduth,
John B. Bruner, David Irvine, Harrison Taylor,
James F. Buckner, Gibson Mallory, Cyrenius Wait,
W. S. Durnaby, Daniel Matthewson, E. D. Walker,
George T. Edwards, William H. McBrayer, C. J. Walton,
John F. Fisk, James McKee, W. C. Whitaker,
William C. Gillis, William B. Read, John Williams,
Asa P. Grover, Charles Ripley, W. M. Wilson,
Thomas S. Grundy, H. M. Rust, George Wright—33.

Those who voted in the negative, were—


Said resolution was then taken up, which was amended to read at 9 o'clock, instead of 9½, the hour fixed for the meeting of the Senate. Mr. Porter moved to amend said resolution by striking out 9, and inserting in lieu thereof 8½.

Mr. McKee moved the previous question.

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

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

On motion of Mr. Fisk, a division of the resolution was made.

The question was then taken on the adoption of that portion of the resolution which fixes the hour for the meeting of the Senate at 9 o'clock, A. M., and it was decided in the affirmative.

The question was then taken on the latter portion of said resolution, fixing the hour of adjournment at 2 o'clock, P. M., and it was decided in the affirmative.

So the resolution was adopted.

And then the Senate adjourned.
FRIDAY, JANUARY 29, 1858.

A message was received from the House of Representatives announcing their disagreement to a bill from the Senate, entitled,

An act to regulate trials of civil cases before justices of the peace in the city of Paducah.

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

An act to regulate the fees of sheriffs.

An act amending the laws concerning passways.

An act to amend article 7, chapter 83, Revised Statutes, relative to the Board of Supervisors.

An act to prohibit the marriage of first cousins.

An act requiring certain bonds to be recorded in circuit and chancery courts.

An act authorizing the appointment of guardians by clerks of circuit and chancery courts.

An act concerning the court of appeals.

An act to apportion representation.

Mr. Grundy presented the petition of Isaac H. Underwood, of Washington county, asking compensation for conveying a lunatic to the Asylum.

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

The following bills were reported, viz:

By Mr. Whitaker—

A bill authorizing the county judge of Ohio county to submit to the qualified voters of said county the propriety of voting a tax for road purposes.

By Mr. Taylor, from the committee on Revised Statutes—

A bill providing for the signing of the orders of the circuit courts of this Commonwealth which remain unsigned.

By same—

A bill to amend the law of costs.

By same—

A bill amending the charter of the city of Maysville.

By same—

A bill to increase the compensation of processioners of land.

By same—

A bill to amend the 3d section, 2d article, 32d chapter of the Revised Statutes.
By same—
A bill to amend article 2, chapter 99, of the Revised Statutes.
By Mr. Ripley, from the committee on the Codes of Practice—
A bill to amend section 846 of the Civil Code of Practice.
Which were read the first time, and ordered to be read a second time.

The constitutional provision 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.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they were referred, viz:

By Mr. Whitaker, from the committee on the Sinking Fund—
An act to authorize the appointment of commissioners of a sinking fund, and to provide for the payment of the public debt of Fayette county.

By Mr. Taylor, from the committee on Revised Statutes—
An act to prevent the sale of liquors, &c., to cadets of the Kentucky Military Institute.

By Mr. Ripley, from the committee on the Codes of Practice—
An act for the benefit of the town of Waynesburg.

By same—
An act to incorporate Col. Clay Lodge, No. 159, of Free and Accepted Masons.

By Mr. Haycraft, from the committee on the Library—
An act to incorporate Montgomery Library Association.

By Mr. Whitaker, from the committee on the Sinking Fund—
An act to establish a sinking fund for the city of Lexington.

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

Ordered, That said bills, the last as amended, be read a third time. The constitutional provision as to the third reading of said bills being dispensed with,

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

Mr. Taylor, from the committee on Revised Statutes, to whom was referred a bill from the House of Representatives, entitled,
An act to allow John Gearin, of Calloway county, to peddle in said county without license.

With sundry amendments proposed thereto.
Reported the same with an amendment as a substitute for said bill and amendments.

Ordered, That said amendment be printed and made the special order of the day for Tuesday next, the 2d February, at 9½ o'clock, A. M.

Mr. Taylor, from the committee on Revised Statutes, to whom was referred

A bill to prevent the loss of the public books.
Reported the same with an amendment.
Which was concurred in.

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

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

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

Mr. Taylor, from the same committee, reported

A bill amending article 2, chapter 56, title Landlord and Tenant.
Which was read the first time, and ordered to be read a second time.

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

Ordered, That said bill be read a third time on Tuesday next, February 2d, at 10 o'clock, A. M.

Mr. Taylor, from the same committee, to whom was referred a bill from the House of Representatives, entitled,

An act to amend section 5, chapter 672, of the Revised Statutes.
Reported the same, with the expression of opinion that it ought not to pass.

Said bill reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That so much of section 5, chapter 672, of an act to amend the common school laws, approved March 10th, 1856, as gives to the county judge the right to appoint a commissioner, be and the same is hereby repealed; and hereafter said commissioner shall be elected by the qualified voters of each county, at the same time and in the same manner and for the same term that county judges are now regularly elected, who shall be governed in all respects by the laws now in force. Should a vacancy in said office occur, it shall be filled in the same manner as those which may occur in the office of county judge. The present school commissioners shall hold their office until the first Monday in August next.

§ 2. Each commissioner shall procure and pay over to the trustees of each district the money apportioned to it as soon as practicable, and on failure to do so on demand, the trustee may recover the same by
action against the commissioner, or against him and his sureties, or any of them, on his official covenant, and twenty per cent. damages on the amount thereof.

Mr. King moved to amend said bill by adding thereto the following additional section:

§ 3. Be it further enacted, That each school district shall annually elect, by the qualified voters of the district, a teacher for said district for the ensuing year; the first election to take place on the 1st Monday in August next.

Mr. Wright moved to lay said bill and amendment on the table.

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

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

Those who voted in the affirmative, were—

Mr. Speaker, (King,) Samuel Haycraft, Charles Ripley,
Landaff W. Andrews, James D. Headley, H. M. Rust,
John B. Bruner, David Irvine, George W. Silvertooth,
James F. Buckner, Gibson Mallory, Harrison Taylor,
A. D. Cosby, Daniel Mathewson, E. D. Walker,
George T. Edwards, William H. McBrayer, C. J. Walton,
William C. Gillis, James Mckee, W. C. Whitaker,
Asa P. Grover, Thomas P. Porter, John Williams,
Thomas S. Grundy, William B. Read, George Wright—27.

Those who voted in the negative, were—

William S. Darnaby, John P. Smith, Cyrenius Wait,
Theo. T. Garrard,

Mr. Taylor, from the same committee, to whom was referred a bill from the House of Representatives, entitled,

An act to repeal an act, entitled, an act to require turnpike, toll-bridge and plank road companies to declare semi-annual dividends, and to amend the Revised Statutes, title revenue and taxation.

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

And the question being taken on ordering said bill to be read a third time, it was decided in the negative.

So the said bill was disagreed to.

Mr. Taylor, from the same committee, asked to be discharged from the further consideration of the following leaves to them referred, to bring in bills, viz:

A bill to make open accounts to bear interest after a specified time, by contract.
A bill requiring the county seal to be affixed to certain licenses.
A bill for the benefit of W. B. Wall, of Daviess county.
Which was granted.

Mr. Ripley, from the committee on the Codes of Practice, 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 mechanics of the towns of Hickman and Frankfort.
Reported the same with the expression of opinion that it ought not to pass.
And the question being taken on ordering said bill to be read a third time, it was decided in the negative,
And so the said bill was disagreed to.

Mr. Ripley, from the same committee, asked to be discharged from the further consideration of the following leaves to bring in bills, viz:
A bill to repeal the 126th, 128th, and part of the 129th section of the 4th chapter of the Civil Code of Practice.
A bill to amend article 2, section 642, of the Code of Practice.
A bill to amend the 450th section of the Civil Code of Practice
Which was granted.

Mr. Irvine, from the committee on Banks, asked to be discharged from the further consideration of a leave to them referred, to bring in a bill to repeal all that part of an act of the General Assembly, passed 21st January, 1848, which gives to the Bank of Kentucky, Bank of Louisville, and Northern Bank of Kentucky, the right to issue bank notes of a less denomination than five dollars.
Which was granted.

Mr. Irvine, from the same committee, to whom was referred a bill from the House of Representatives, entitled,
An act to amend the charter of the Agricultural Deposit Bank of Lexington.
Reported the same, with an amendment.
Ordered, That the Public Printer print 150 copies of said bill and proposed amendment, and they be made the special order of the day for Tuesday next, the 2d February, at 11 o'clock, A. M.

Mr. Whitaker, from the committee on Federal Relations, to whom was referred the preamble and resolutions in relation to the naturalization laws, reported the same without amendment.

Ordered, That said preamble and resolutions be made the special order of the day for Monday next, 1st of February, at 10 o'clock, A. M.

Mr. Sudduth, from the committee on the Geological Survey, made the following report, viz:
The committee on the Geological Survey respectfully report to the Senate: That they have had that subject under consideration and find, that considerable advance has been made with the Survey, both as to the Topography and Geology of the State.

That the detailed Survey has been extended in the west over the counties of Union, Hopkins, and part of Hancock, and a small portion of Crittenden and Christian, and over the county of Greenup and a small portion of Carter and Lawrence in the east; and every county in the state has received a general geological examination.

That to complete the outline of the coal-field in the west, it will require two years, with ample force, of which we propose to speak later.

That to complete the outline of the eastern coal-field would take at least six years, with like force.

In the future prosecution of the Survey these objects are of the greatest consequence, and should, in our opinion, be first attained, and in prosecuting the Survey for these purposes the Survey of the beds of coal, and iron ore lying adjacent to those lines, should be simultaneously made.

These objects accomplished, it would only remain to fill up the interior of the coal-fields, which, in the west, would comprise the whole of Henderson and Daviess, and portions of the counties of Ohio, Muhlenburg and Grayson, and would probably take eight years to complete.

The eastern field would comprise the counties of Breathitt, Floyd, Pike, Letcher, Perry, Harlan, Clay, Knox, and Whitley, and parts of Carter, Morgan, Owsley, Laurel and Pulaski, and would require probably three times as long as the western field for its completion.

When all the preceding work shall have been accomplished, in order to be able to construct a reliable geological map of Kentucky, it will be necessary to Survey the line between the different formations, which will pass over the counties of Lewis, Fleming, Bath, Montgomery, Estill, Madison, Garrard, Lincoln, Casey, Russell, Cumberland, Taylor, Marion, Larue, Nelson, Bullitt, and Jefferson.

We are informed by the Chief Geologist, Dr. D. D. Owen, and his assistant, Sidney S. Lyon, that if the appropriation was increased to fifteen instead of ten thousand dollars per annum, the two corps could be more perfectly organized and permanently established, and an office force established that would, altogether, result in the accomplishment of three or four times the amount of work in the same period as could be done with the ten thousand dollars; and on this subject we remark, that our information, derived from the same source, is, that the appropriation of the last session was inadequate to the complete organization of two full corps, as contemplated by the act of last session; the consequence was that one assistant was compelled to control the action of both corps, resulting in heavy loss to the state in many respects, or in other words, of heavy disbursements of public money without a corresponding equivalent in the progress of the Survey. We further remark, that we have been unable to come to the conclusion that the Principal Geologist and his assistant were fortunate in the manner of bringing their corps into the field-service, by the irregular manner in which it was done; instead, as we think, it would have been greatly
preferable to have organized and equipped two complete corps, with a competent head to each, and thus provided, to have prosecuted the field-service at the most appropriate seasons of the years, so far only as the means placed at their command would have enabled them to do, keeping in reserve a sufficient amount of funds and time to have completed all the office-service, and enabled them to make the reports and within the time contemplated by law.

We are further informed from the same source, that a large amount of the field-notes have not been brought into the map, and a large amount of the procured specimens have not been analyzed or brought to Frankfort for want of means; and that it would take about three thousand dollars to complete what has been thus commenced.

We regret to say we cannot approve of such action, under specific appropriations for specific objects; upon the contrary we think no functionary of the government should, in any possible manner, exceed the powers delegated, nor create a debt against the state without clear authority of law.

We are further informed, that the expenditures of the Principal Geologist have exceeded the appropriations by about thirteen hundred dollars; but it is believed that the instruments and other property of the state in his possession would be sufficient to reimburse him.

At the last session of the legislature the first report of the Geological Survey was received, and five thousand copies were ordered to be published in book form, which was done at the cost of eight thousand nineteen dollars and thirty-nine cents. That at the same session an act was passed making the further appropriation of twenty thousand dollars for the further prosecution of said Survey, and by said act the Geologist was directed to make to the Governor a full Geological Report of the operations of the geological corps, which report the Governor was required to have printed, and lay before the legislature at their meeting in 1857 and 1858.

We find that one other volume of the report of the Geological Survey, or in other words the 2nd volume of the report, has been published and bound, and we are informed that a third volume of said report is about two-thirds printed, and the maps and engravings for the 2nd and 3rd volumes are in a great state of forwardness and will soon be finished; and we suppose, from the number of volumes proposed to be furnished to each member, the same number has been or will be published of the 2nd volume as the first, being five thousand copies; and that it is proposed to publish a like number of the 3rd volume, at a cost for the 2nd and 3rd volumes, in the aggregate, of over sixteen thousand dollars.

By what authority that number of the two last volumes were published we do not know, for we think it would be too broad a construction of the act of the last session to determine that it authorized the publishing that number of said last volumes of said report. We are sorry to be driven to such a conclusion, for we are constrained to believe, that those who caused said last volumes to be published must have placed a different construction upon said act.

From the necessarily slight opportunity we have had of examining the two last volumes of said report, we cannot be supposed to have itin
our power fully to determine their merit; but from such examination as we have made, we take great pleasure in saying, that in our opinion, they contain a large amount of exceedingly useful information; but we are constrained to say, that we think for a work intended to be local, they contain too much matter in reference to other states and countries, instead of confining the talents and learning employed to the development of the Topography and Geology of Kentucky. We beg leave further to add our regret, that the language used in said volumes was not better suited to the comprehension of the greater portion of the people of Kentucky.

The Survey, on all accounts, if the two last volumes be included, has cost up to this time fifty-four thousand one hundred and fifty dollars. And the equivalent is, the detailed Survey of the counties of Union, Hopkins, and Greenup, and a part of Hancock—and a small part of Carter, Lawrence, Crittenden, and Christian; about one hundred miles of the base line has been run; a General Geological examination of every county in the state has been made, and three volumes of reports published.

Dr. Owen has accepted the appointment of Geologist for the state of Arkansas, but is of opinion he could properly attend to the prosecution of the Survey in Kentucky, in future, and at less expense to the state, than heretofore, because, by occasionally visiting Kentucky and giving instructions to his assistants, the work could be successfully prosecuted in his absence, and he would only charge by the day for the time thus actually employed. We regret, that after the most mature reflection we cannot concur with him in this view of the subject; for if geology indeed be a science, we think it of the greatest importance in the prosecution of the Survey of Kentucky, to have it done under the immediate and unceasing direction and inspection of a competent general head, that all the mineral and agricultural resources of the state may be fully and correctly developed, as the Topographical Survey progresses. But if in this we are mistaken, and that the assistants can prosecute the work as well in the absence of the principal as when he is present, then we think the office might be dispensed with altogether; but we cannot come to that conclusion, but are of opinion, that the heavy appropriations devoted to this work, and its great importance, demand a Principal Geologist always at the head of the work.

In conclusion, we are free to say, we have no doubt if the work is to be prosecuted in future it would be true economy to appropriate thirty instead of twenty thousand dollars to be expended in the next two years.

JAMES SUDDUTH, Chairman.
W. C. GILLISS,
C. J. WALTON,
T. S. GRUNDY,
W. H. McBRAYER.

Ordered, That the Public Printer print 500 copies thereof for the use of the General Assembly, and that it be made the special order of the day for Wednesday next, the 3d of February, at 11 o'clock, A. M.
Mr. Haycraft, from the committee on the Library, asked to be discharged from the further consideration of a resolution in relation to the laws and law reports.

Which was granted.

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

Mr. Taylor, from the committee on Apportionment, reported a bill to apportion representation.

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

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

Ordered, That the Public Printer print 150 copies thereof for the use of the General Assembly, and that it be made the special order of the day for Monday next, February 1st, at 11 o'clock, A. M.

Mr. Grover, from a select committee, reported a bill for the benefit of school district No. 14, in Owen county.

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

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

Pending the further consideration of which, the hour arrived for taking up the special order of the day.

The Senate, according to order, took up for consideration a bill from the House of Representatives, entitled,

An act to amend the charter of the Kentucky State Agricultural Society.

Said bill was read a third time.

Pending the further consideration of which,

The Senate adjourned.
SATURDAY, JANUARY 30, 1858.

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 incorporate the Paris and Clintonville Turnpike Road Company,

An act to amend section 241 of the Code of Practice,

An act to amend section 756 of the Code of Practice,

An act for the incorporation of the Washington Literary Society of Bethel College, in Russellville, Kentucky,

An act to amend the charter of the Ewing Female Institute, at Perryville,

An act for the benefit of the Kentucky Institution for the Education of the Blind.

An act to establish magistrates' districts in Letcher county.

An act to change the county line between Letcher and Perry counties.

An act for the benefit of the trustees of school district No. 22, in Whitley county.

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

An act concerning the jurisdiction of justices of the peace in regard to breaches of the peace.

An act concerning the quarterly courts.

An act to amend section 832, of chapter 3, article 1, Code of Practice.

Resolution for adjournment of the General Assembly.

The Speaker laid before the Senate the report of the Monodelphian Society of Industrial Education, which is as follows, viz;

Louisville, January 4th, 1858.

To the Honorable,

The Speaker of the Senate and of the House of Representatives:

The eighth section of the law incorporating the Monodelphian Society of Industrial Education requires that the board of managers shall make an annual report to the legislature, exhibiting the condition of the finances of the Society, &c.

Though preserving an organization, no effort was made from 1850 to the year 1857 to obtain the subscription of stock. In March, 1857,
seven of the board of managers in Harrodsburg resigned, in favor of successors elected by them, who were residents of Louisville.

Books for the subscription of stock were opened in Louisville in April last; but it was found necessary, to accomplish it, that an agent should be appointed for that purpose, and the president of the Society was elected to perform that service.

From the 4th day of May to the 6th day of July the agent obtained the subscription of 1,004 shares of stock, payable on demand. Of this, $204 has been paid, and $2 donated to the Society, which is in the hands of the agent. There is also a written pledge for the subscription of $8,000, when the sum of $50,000 shall have been paid into the treasury of the Society. No effort has been made by the agent to obtain either the subscription or payment of stock, since the 6th of July last.

As no meeting of the board of managers has been held since June last, the exact amount of the indebtedness of the society is not known, but is not equal to the amount of stock that has been paid.

The private engagements of the members of the board of managers have been plead as the reason for not having met; and the agent, finding it both difficult and embarrassing to obtain stock without the hearty and uniform co-operation of the board, suspended his labors in July.

All that is wanting to accomplish the work of securing to the indigent youth of this state an opportunity for obtaining a good moral and literary education, while learning, in a perfect manner, a good trade, is the united and devoted co-operation of those holding the control of the powers granted in this chart.

A reorganization of the board of managers is anticipated at an early day, by which a united and efficient co-operation will be obtained for carrying out the objects of the Society.

1st. To obtain the subscription of a sufficient amount of stock to purchase a farm and erect upon it suitable buildings for carrying on agricultural, horticultural, and mechanical pursuits, for the purpose of profit; conducting them with a special view to making them profitable, but also of affording the opportunity to the children at school of learning, either as a pursuit for life, and educating them thoroughly in it.

2d. To apply the profits, when made, to defraying the expenses of boarding, clothing, and teaching indigent children, of either sex, a literary, moral and industrial education; giving a certain portion of time to instruction in each, that when grown they may be thoroughly educated in all, and qualified to take a useful and honorable position in society, and rescued from the influences which consign so many to the prison, the alms-house, and the brothel.

Which is respectfully submitted.

A. W. SCALES, Pres't. M. S. I. E.

Ordered, that the Public Printer print 150 copies thereof for the use of the General Assembly.

A message was received from the Governor by Mr. Bibb, Assistant Secretary of State, announcing that the Governor had approved and
signed an enrolled bill which originated in the Senate of the following title, viz:

An act to incorporate the Campbell county Agricultural Society.

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

On motion of Mr. Walker—1. A bill for the benefit of L. C. Shanks.
On motion of Mr. Grover—3. A bill to amend the act incorporating the Louisville and Frankfort Branch Railroad Company.
On motion of Mr. Irvine—5. A bill for the benefit of John Miller, of Madison county.
On motion of Mr. Read—6. A bill regulating the election of the trustees of the Hodgenville Seminary of Learning.
On motion of Mr. Whitaker—7. A bill for the benefit of the Bagdad and Harrisonville Turnpike Road Company.
On motion of Mr. Taylor—9. A bill for the benefit of certain school districts in Lewis county.
On motion of Mr. Rust—10. A bill for the benefit of William Corum, clerk of Greenup county.

The committee on County Courts was directed to prepare and bring in the 1st, 2d and 10th; the committee on Internal Improvement the 3d; the committee on Circuit Courts the 4th; the committee on Finance the 5th; the committee on Education the 6th, and 9th; the committee on Propositions and Grievances the 7th, and the committee on the Judiciary the 8th.

Mr. Grover moved the following resolution, viz:

Resolved, That the committee on Finance be instructed to inquire what amount of additional labor has devolved upon the Auditor of Public Accounts, resulting from the late laws in relation to the registration of marriages, deaths, births, &c.

Also, whether additional clerks are required by the Auditor, to perform the additional labor of the office; and if so, the amount necessary to be appropriated for the payment of said clerks' hire; and that they report by bill or otherwise.

Which was adopted.

The Senate resumed the unfinished report, from a select committee, of a bill for the benefit of school district No. 14, in Owen county.

Said bill reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the Auditor be and he is hereby directed to draw his war.
rant upon the treasury for the sum of fifty-two dollars and fifty cents, payable to the school commissioner of Owen county, or his order, for the benefit of school district No. 14, in Owen county, for the year 1854, and payable out of any money of the school fund in the treasury not otherwise appropriated.

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

Mr. Bruner moved to amend said bill so as to make the school fund of Owen county alone liable for the debt.

Mr. Read moved the previous question.

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

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

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

Those who voted in the affirmative, were—


Those who voted in the negative, were—


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

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

Those who voted in the affirmative, were—


Those who voted in the negative, were—


And so said bill was rejected.
The following bills were reported from select committees, viz:

By Mr. Fisk—
A bill to provide for holding additional circuit courts in Covington.

By Mr. Headley—
A bill to amend the charter of the Providence Mining, Manufacturing and Shipping Company.

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

The constitutional provision 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. Buckner, from the committee on the Judiciary, to whom was referred bills from the House of Representatives of the following titles, viz:

An act making Lucinda Anderson the lawful heir of Parker Williamson.

An act to incorporate Dunavan Lodge, No. 282, of Free and Accepted Masons.

An act to incorporate the Old Frankfort Turnpike Road Company.

Reported the same, with an amendment to the last named bill.

Which was concurred in.

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

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

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

Mr. Buckner, from the same committee, to whom was referred a bill from the House of Representatives, entitled,

An act imposing a tax upon billiard tables.

Reported the same without amendment.

Mr. Fisk moved to amend said bill.

Ordered, That the Public Printer print 150 copies of said bill and proposed amendment, and they be made the special order of the day for Wednesday next, the 3d February, at 1 o'clock, P. M.

Mr. Buckner, from the same committee, to whom was referred a bill from the House of Representatives, entitled,

An act amend an act to increase the powers of the trustees of the town of Eddyville.

Reported the same, with the expression of opinion that it ought not to pass.
And the question being taken on ordering said bill to be read a third time, it was decided in the affirmative.

The constitutional provision as to the third reading of said bill being dispensed with,

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

Mr. Buckner, from the committee on the Judiciary, asked to be discharged from the further consideration of the petition of sundry citizens of Louisville in relation to a conventional rate of interest.

Which was granted.

Also, from the further consideration of the petition of sundry citizens of Butler county in relation to the Butler Seminary.

Which was granted.

Also, from the further consideration of the petition of sundry citizens of Covington in relation to chartered privileges.

Which was granted.

Also, from the further consideration of the memorial and remonstrance of sundry citizens of the city of Hickman and county of Fulton, in relation to an extension of the limits of said city.

And the question being taken on discharging the committee, it was decided in the negative.

Ordered, That the committee be instructed to prepare and bring in a bill in accordance with the prayer of the memorialists.

The following bills were reported, viz:

By Mr. Buckner, from the committee on the Judiciary—
A bill to amend the several acts incorporating the town of Lebanon.

By same—
A bill for the benefit of Lewis White, late of Owen county.

By same—
A bill for the benefit of the circuit judge and attorney for the commonwealth for the 10th judicial district.

By same—
A bill to incorporate the town of Stamping Ground, in Scott county.

By same—
A bill to provide for holding county courts in the city of Covington.

By same—
A bill for the benefit of Judith E. Bush.

By same—
A bill to extend the corporate limits of the city of Hickman.

By Mr. Fisk, from the same committee—
A bill permitting the sale of real estate at the door of the courthouse in the city of Newport.
30. By same—
A bill for the benefit of the German Methodist Episcopal Church, of Newport, Kentucky.
By same—
A bill to incorporate the German Workmen's Benevolent Association, of Covington, Kentucky.
By same—
A bill to amend the charter of the Covington and Cincinnati Bridge Company.
By same—
A bill regulating the sale of partnership property taken in execution for the separate debt of one of the parties.
By same—
A bill to amend the charter of the city of Hickman, in Fulton county.
By Mr. Edwards, from the same committee—
A bill to incorporate the Russellville and Logan county Agricultural and Mechanical Stock Association.
By same—
A bill to amend and reduce into one the acts in relation to the town of Russellville.
Which were read the first time, and ordered to be read a second time.
The constitutional provision 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.

By Mr. Buckner, from the committee on Judiciary, reported
A bill to procure a supply of the reports of the Decisions of the Court of Appeals.
Which was read the first time, and ordered to be read a second time.
The constitutional provision as to the second reading of said bill being dispensed with,
Ordered, That the Public Printer print 150 copies thereof for the use of the General Assembly, and that it be placed in the orders of the day.
Mr. Edwards, from the same committee, reported,
A bill to increase the compensation of guards of criminals.
Which was read the first time, and ordered to be read a second time.
The constitutional provision as to the second reading of said bill being dispensed with,
The question was then taken on ordering said bill to be read a third time, and it was decided in the negative.

And so said bill was rejected.

Mr. Fisk, from the same committee, asked to be discharged from the further consideration of a leave to them referred to bring in a bill to regulate the trial by jury before quarterly courts, police courts, and justices of the peace.

Which was granted.

Mr. Fisk moved that a committee be appointed to wait upon the House of Representatives and ask leave to withdraw the announcement of the passage a bill by the Senate, which originated in the House of Representatives, entitled,

An act in relation to school districts Nos. 3 and 21, in Campbell county.

Whereupon Mr. Fisk was appointed said committee.

After a short time Mr. Fisk handed in said bill at the clerk's table.

The Senate took up for consideration the bill last mentioned,

Mr. Fisk moved a reconsideration of the vote by which said bill was passed, and it was decided in the affirmative.

Also, the vote by which the third reading of said bill was dispensed with, and it was decided in the affirmative.

Mr. Fisk then moved to amend said bill, by way of engrossed reader, as follows:

Strike out three, printed in italic, and insert in lieu thereof four.

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

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

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

Resolved, That the title of said bill be amended to read,

An act in relation to school districts numbered 4 and 21, in Campbell county.

Mr. Taylor moved that a committee be appointed to wait upon the House of Representatives, and ask leave to withdraw the announcement of their disagreement to a bill from the House of Representatives, entitled,

An act to repeal an act, entitled, an act to require turnpike, tollbridge and plank road companies to declare semi-annual dividends, and to amend the Revised Statutes, title revenue and taxation.

Whereupon Mr. Taylor was appointed said committee.
After a short time Mr. Taylor handed in said bill at the Clerk’s table. Mr. Edwards, from the committee on Judiciary, reported:
A bill to exempt hired slaves from execution or attachment.
Which was read the first time, and ordered to be read a second time.
The constitutional provision as to the second reading of said bill being dispensed with,
Mr. Porter moved to amend said bill.
Pending the consideration of which, The Senate adjourned.

MONDAY, FEBRUARY 1, 1858.

A message was received from the House of Representatives announcing that they had adopted a resolution, entitled,
Resolution for the election of a Keeper of the Penitentiary.
That they had received official information from the Governor that he had approved and signed enrolled bills which originated in the House of Representatives, of the following titles, viz:
An act to incorporate the Star Fire Company, of Frankfort.
An act to incorporate the Pleasant Hill and Jessamine Turnpike Road Company.
An act for the benefit of Thomas Linley, of Livingston county.
An act to change the law in relation to the tolls on the Kentucky river.
An act to incorporate the Raywick Turnpike Road Company.
An act to incorporate the Highland Coal Company.
An act to incorporate the Kentucky Mosely Iron Bridge Erecting Company.
An act to change the voting place in district No. 4, in Larue county.
An act to establish an additional voting place in Knox county.
An act to incorporate the Madison Female School.
An act to incorporate the Bardstown and Chaplinturn Turnpike Road Company.
An act to change the October term of the Warren quarterly court.
An act for the benefit of Samuel Thomas, of Monroe county.
An act to incorporate the Alexandria Turnpike Road Company.
An act to amend the act chartering sundry turnpike road companies in Madison county.
An act changing the place of voting in district No. 4, in Bullitt county.
An act to extend the terms of the Morgan circuit court.
An act to amend the charter of the German Insurance company of the city of Louisville.
An act to incorporate the Methodist Church at Clinton, in Hickman county.
An act to incorporate the Maxville, Thompsonville and Springfield Turnpike Road Company.
An act to incorporate the Bardstown and Bloomfield Turnpike Road Company.
An act to change the magistrates' district, No. 2, in Washington county.
An act to amend the charter of the People's Insurance Company.
An act for the benefit of R. P. Fox and Galen White, of Madison county.
An act for the benefit of John J. Miller, of Boone county.
An act allowing the county court of Estill county to lay an additional ad valorem tax on the property in said county.
An act to amend an act to incorporate the North Middletown and Levee Turnpike Road Company.
An act for the benefit of the sheriff of Marion county.
An act entitled an act to incorporate the Lebanon and Raywick Turnpike Road Company.
An act to incorporate the Maxville and Pleasant Run Turnpike Road Company.
An act to incorporate the Preachers' Aid Society of the Louisville Conference of the Methodist Episcopal Church South.
That they had passed bills of the following titles, viz:
1. An act for the benefit of W. H. Hamilton, late sheriff of Larue county.
2. An act to incorporate the Hopkinsville Press Printing company.
3. An act concerning the police judge and town marshal in Green ville.
4. An act to establish the town of Jacksonport, in McCracken county.
5. An act authorizing the county courts of Meade and Breckinridge to change the state road leading from Brandenburg to Hudsonville.
6. An act creating a police judge and marshal for the town of Burlington.
7. An act to create the offices of police judge and town marshal in the town of West Point, Hardin county.
8. An act to change the time of holding the quarterly courts in Pendleton county.
9. An act to incorporate the Salem Baptist church, in Shelby county.
10. An act establishing an additional election precinct in Caldwell county.
11. An act to incorporate the town of Monticello.
12. An act to amend the charter of Columbus.
13. An act to repeal the charter of Baltimore.
14. An act to change the time of electing police judge of the town of Tompkinsville.
15. An act to amend an act, entitled, an act to revive and modify an act, entitled, an act to incorporate the Barren river Navigation and Manufacturing Company.
16. An act to reduce into one the several acts relating to the town of Springfield.
17. An act to amend the charter of the town of Munfordsville.
18. An act to incorporate the Bardstown and Simpson's creek Turnpike road Company.
19. An act amendatory of the charter of the town of Cynthiana.
20. An act establishing an additional voting place in Lawrence county.
21. An act to amend the charter of the town of Greenville.
22. An act for the benefit of Dennis Russell and Henry Spink, of Nelson and Hardin counties.
23. An act to incorporate St. Thomas' Seminary, of Nelson county.
25. An act establishing the streets and alleys in the town of Caseyville.
27. An act to authorize the county court of Washington county to sell Washington county Seminary.
29. An act to amend the charter of Bardstown.
29. An act for the benefit of Thomas W. Robinson.
30. An act for the benefit of Frank Quest, of Louisville.
31. An act to amend an act to create the office of police judge and marshal, in the town of Shepherdsville.
32. An act to amend an act concerning the police judge of the town of Hawesville.
33. An act to incorporate the Methodist Episcopal Church South, in the city of Henderson.
34. An act to further regulate tolls at the toll-gate in Knox county, on the Cumberland Gap road.
35. An act amending an act incorporating the Hustonville and Stanford Turnpike road Company.
36. An act to extend the limits and extend the charter of the town of Minerva, in Mason county.
37. An act to repeal all laws declaring Robinson's creek a navigable stream.
38. An act for the benefit of Mrs. E. F. Elliott, of Rockcastle county.
39. An act to extend the limits of the town of Mount Carmel.
40. An act for the benefit of James Faulkner.
41. An act to incorporate Alma Lodge, No. 322, of Free and Accepted Masons.
42. An act to change the county line between the counties of Ballard and Hickman.
43. An act to incorporate T. N. Wise Lodge, No. 349, Free and Accepted Masons, in Mercer county.
44. An act to amend the charter of the town of Harrodsburg.
45. An act to provide a police system for Boone county.
46. An act creating additional justices' district and voting precinct in Meade county.
47. An act changing and regulating the voting precincts in Clark county.
48. An act creating an additional voting place in district No. 3, in Todd county.
49. An act establishing an additional voting place and justices' district in Wayne county.
50. An act to change the place of voting in the Mount Eden district in Spencer county.
51. An act to change the place of voting in precinct No. 5, in Nelson county.
52. An act changing the name of the town of Graefenburg, in Shelby county, to that of Hardinsville.
53. An act for the benefit of John Daily, of Breckinridge county.
54. An act establishing an additional voting precinct and justices' district in Morgan county.
55. An act to make an additional voting precinct in Jefferson county.
56. An act for the benefit of Alexander C. Lindsey.
57. An act for the benefit of Geo. M. Hampton, of Morgan county.
58. An act for the benefit of Tho. B. Keeton, of Morgan county.
60. An act for the benefit of Sandford Goins.

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

The constitutional provision as to the second reading of said bills being dispensed with, they were referred—

The 1st, 5th, 13th and 20th to the committee on Circuit Courts; the 2d, 3d, 4th and 7th to the committee on County Courts; the 6th, 10th, 11th, 12th, 16th, 18th, 28th, 40th, 41st and 44th to the committee on the Judiciary; the 8th and 33d to the committee on Religion; the 9th, 19th, 46th, 47th, 48th, 49th, 50th, 51st, 53d and 55th to the committee on Privileges and Elections; the 14th, 17th, 23d, 34th and 35th to the committee on Internal Improvement; the 15th, 21st, 25th, 26th, 27th, 29th, 42d and 61st to the committee on Propositions and Grievances; the 22d, 24th, 31st, 32d, 36th, 37th, 39th, 43d, 45th and 52d to the committee on Revised Statutes, and the 30th, 38th, 56th, 57th, 58th, 59th and 60th to the committee on Finance.

On motion of Mr. Fisk, leave of absence was granted to Mr. Matthews until to-morrow.

Mr. Whitaker presented the petition of W. I. Waller, in relation to the jurisdiction of commonwealth's attorneys over writs of quo warranto.

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

The Senate resumed the unfinished report from the committee on the Judiciary, of

A bill to exempt hired slaves from execution or attachment.

With the pending amendment.

Said bill was then amended.

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

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

Mr. Andrews, from the committee on the Judiciary, to whom was referred a bill from the House of Representatives, entitled,
An act to amend the charter of the Maysville and Lexington Railroad Company.

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

And the question being taken upon ordering said bill to be read a third time, it was decided in the negative.

So the said bill was disagreed to.

Mr. Andrews, from the same committee, reported bills of the following titles, viz:
A bill for the benefit of the Maysville and Lexington Railroad Company, and for other purposes.
A bill to amend an act establishing the town of Vanceburg, in Lewis county.
A bill to amend the charter of the town of Concord, in Lewis county.

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

The constitutional provision 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. Walton, from the committee on Enrollments, reported that the committee had examined an enrolled bill which originated in the House of Representatives, entitled,
An act concerning the Penitentiary.

And had found the same truly enrolled.

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 approval and signature.

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

A message was received from the Governor by Mr. Bibb, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills which originated in the Senate of the following titles, viz:
An act to change the time of holding the quarterly courts of Clarke county.

An act to equalize the county levy in Henry county.

The Senate, according to order, took up for consideration the Preamble and resolutions in relation to the naturalization laws, with the amendment proposed by Mr. Rust.

Mr. Fisk moved to amend the amendment proposed by Mr. Rust. Pending the consideration of which, the hour arrived for taking up

A bill to extend the charter of the Bank of Louisville, Bank of Kentucky and Northern Bank,

With the amendments heretofore proposed.

Pending the consideration of which, the hour arrived for taking up

the regular orders of the day.

Mr. Irvine moved a suspension of the rule requiring the regular orders of the day to be taken up, for the purpose of disposing of the

bill now under consideration.

And the question being taken thereon it was decided in the negative, two-thirds not voting in the affirmative.

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

Those who voted in the affirmative, were—


Those who voted in the negative, were—


The Senate took up for consideration

A bill to make persons liable for false representations.

Said bill reads as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, A person who, in exchanging or vending property, makes a false representation concerning the same, whether he knows it to be false or not, shall be responsible to the injured party to the extent he may be damaged by the representation.

Ordered, That said bill be engrossed and read a third time.
The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed, 
The question was then taken on the passage of said bill, and it was decided in the negative.

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

Those who voted in the affirmative, were—

Mr. Speaker, (King,) George T. Edwards, William H. McBrayer,
Landaff W. Andrews, John F. Fisk, Thomas P. Porter,
Joseph S. Bledsoe, Samuel Haycraft, William B. Read,
James F. Buckner, Gibson Mallory,

Those who voted in the negative, were—

A. D. Cosby, James McKee, Cyrenius Wait,
Theo. T. Garrard, H. M. Rust, C. J. Walton,
William C. Gillis, George W. Silvertooth, E. D. Walker,
Asa P. Grover, John P. Smith, W. C. Whittaker,
Thomas S. Grundy, James Sudduth, John Williams,
David Irvine,

The Senate, also took up for consideration,
A bill to amend chapter 86 of the Revised Statutes.
Said bill was then amended.

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

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

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

Also,
A bill to amend section 180, chapter 1, title 8, of the civil Code of Practice.

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

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

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

Also,
A bill in relation to commissioners, their appointment and duties, With the amendment heretofore proposed.

Mr. Andrews moved to lay said bill and amendments on the table.

And the question being taken thereon, it was decided in the affirmative.
Also, the reconsideration of the vote by which the Senate, on the 12th ultimo, refused to order to a third reading a bill from the House of Representatives, entitled,

An act to amend the 2d section of article 63, of the Revised Statutes, entitled limitations of actions and suits.

The said bill reads as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the provisions of chapter 63 of the Revised Statutes shall extend to and embrace all cases in which the right of action accrued, whether before or after the Revised Statutes took effect, from and after the 1st day of August, 1859.

Mr. Irvine moved the previous question.

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

The question was then taken on reconsidering the vote by which the Senate refused to order said bill to be read a third time, and it was decided in the affirmative.

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

Those who voted in the affirmative, were—

Landaff W. Andrews, Samuel Haycraft, H. M. Rust,
Joseph S. Bledsoe, James D. Headley, G. W. Silvertooth,
James F. Buckner, Samuel Howard, John P. Smith,
John F. Fisk, David Irvine, John Williams,
Thomas S. Grundy, James McKee,

Those who voted in the negative, were—

Mr. Speaker, (King,) Asa P. Grover, Cyrenius Wait,
John B. Bruner, William H. McBrayer, E. D. Walker;
A. D. Cosby, William B. Read, C. J. Walton,
George T. Edwards, James Sudduth, W. C. Whitaker,
William C. Gillis, Harrison Taylor, George Wright—15.

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

The constitutional provision as to the third reading of said bill being dispensed with,

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

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

Those who voted in the affirmative, were—

Landaff W. Andrews, Thomas S. Grundy, James McKee,
Joseph S. Bledsoe, Samuel Haycraft, H. M. Rust,
James F. Buckner, James D. Headley, George W. Silvertooth,
Resolved, That the title of said bill be as aforesaid.

The Senate, also, took up for consideration a bill from the House of Representatives, entitled,

An act to amend the charter of the Kentucky State Agricultural Society.

Ordered, That said bill be made the special order of the day for tomorrow at 11½ o'clock, A. M.

The Senate, also, took up for consideration the resolution of the House of Representatives for the adjournment of the General Assembly.

Said resolution reads as follows, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That when they adjourn on the 15th day of February, instant, they will adjourn sine die.

Mr. Buckner moved to amend said resolution as follows:

After the word next, insert at 4 o'clock, P. M.

Which was adopted.

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

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

Those who voted in the affirmative, were—

Mr. Speaker, (King,) Samuel Haycraft, H. M. Rust,
Joseph S. Bleddoe, James D. Headley, G. W. Silvertooth,
James F. Buckner, Samuel Howard, John P. Smith,
A. D. Cosby, David Irvine, James Sudduth,
John F. Fisk, William H. McBrayer, Cyrenius Wait,
Theo. T. Garrard, James McKee, C. J. Walton,
William C. Gillis, Thomas P. Porter, John Williams,

Those who voted in the negative, were—

Landaff W. Andrews, Gibson Mallory, W. C. Whitaker,
John B. Bruner, Harrison Taylor, George Wright—8.
George T. Edwards, E. D. Walker,
Mr. Andrews moved to reconsider the vote by which said resolution was disagreed to.

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

Mr. Silvertooth moved to reconsider the vote by which said resolution was amended.

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

Mr. Buckner then withdrew the amendment proposed by himself.

Mr. Wright then moved to amend the resolution as follows:

After the word next, insert at 3 o'clock, P. M.

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

The question was again taken on the adoption of the resolution, and it was decided in the negative, two-thirds (as required by the constitution) not having voted therefor.

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

Those who voted in the affirmative, were—


Those who voted in the negative, were—


Gibson Mallory, 

Bills from the House of Representatives of the following titles were severally read the first time, viz:

1. An act to amend the law in regard to jury trials and the effect of the same in will cases.
2. An act to change the rates of toll upon the Madison fork of the Wilderness turnpike road, and for other purposes.
3. An act prescribing the means and mode of opening and working roads in the county of Boone.
4. An act to incorporate the town of Grundy.
5. An act for the benefit of S. Hogland.
6. An act changing the terms of the Hopkins county quarterly courts.
7. An act to establish the office of treasurer of Jessamine county.
8. An act to change the time of holding the quarterly court in Jessamine county.
9. An act authorizing the county court of Trigg to change the State road in said county.
10. An act to extend the corporate limits of the town of Owensboro.
11. An act to authorize the Marion county court to execute deeds to Dabney, Tucker and others, for lands sold by them.
12. An act to change the time of holding the Green county court.
13. An act for the benefit of Thomas Farlar, jailer of Harlan county.
14. An act repealing the first section of an act, entitled, an act to amend the charter of the town of Hopkinsville.
15. An act to amend the law in relation to county judges.
17. An act to change the time of holding the quarterly court in Carroll county.
18. An act to change the time of holding the Henry county court.
19. An act to change the law authorizing the judge of the Campbell county court to hold special terms of the quarterly courts of said county.
20. An act to change the time of holding the Allen county quarterly court.
21. An act to authorize the town of Paradise, in Muhlenburg county, to elect a police judge and town marshal.
22. An act for the benefit of the proprietors of the Union White Sulphur Springs.
23. An act to establish a tobacco inspection and warehouse at Mayfield.
24. An act to relieve school districts not regularly reported.
25. An act to incorporate the North Kentucky Agricultural Association.
27. An act for the benefit of Samuel W. Owens, clerk of the Mason circuit court.
28. An act to incorporate the Philadelphian Literary Society of the Columbia High School.
29. An act to provide a police judge for the town of Florence, in Boone county.
30. An act concerning the town of Union, in Boone county.
31. An act to change the boundary line of school district No. 15, Crittenden county.
32. An act to create a Sinking Fund for the city of Frankfort.
33. An act for the benefit of John Cummings, late sheriff of Rockcastle county.
34. An act to incorporate the Russellville and Springfield Turnpike Road Company.
35. An act to increase the pay of the night-watchmen of theJefferson county and Louisville jail.
36. An act legalizing certain acts and sales of the marshal of Brandenburg.
37. An act to incorporate Highland Lodge, No. 311, of Free and Accepted Masons, in the town of West Liberty.
38. An act for the benefit of Miles Kash, adm'r of Wm. Adams, dec'd, of Morgan county.
40. An act for the benefit of Alney McLean's heirs.
41. An act providing for a State road from Greenville, in Muhlenburg county, to Bowlinggreen, in Warren county.
42. An act to impose a tax upon dogs in Shelby and Hardin counties.
43. An act directing the school commissioners to divide school district No. 22, of Trigg county.
44. An act changing Morganfield district, in Union county.
45. An act relating to the Craddock Fund.
46. An act to repeal an act, entitled, an act for the benefit of Steel and Lane.
47. An act to establish equity and criminal courts in the 4th judicial district.
48. An act to amend chapter 30 of the Revised Statutes, entitled Descent and Distribution.
49. An act to repeal section 14, chapter 67, Revised Statutes, so far as same applies to Cornishville.
50. An act to amend the law in relation to wills.
51. An act amending section 93, title 5, Civil Code.
52. An act to regulate the fees of sheriffs.
53. An act amending the laws concerning passways.
54. An act to amend article 7, chapter 88, Revised Statutes, relative to the Board of Supervisors.
55. An act to prohibit the marriage of first cousins.
56. An act requiring certain bonds to be recorded in circuit and chancery courts.
57. An act authorizing the appointment of guardians by clerks of circuit and chancery courts.
58. An act concerning the court of appeals.
59. An act to apportion representation.
60. An act concerning the jurisdiction of justices of the peace in regard to breaches of the peace.
61. An act concerning the quarterly courts.
62. An act to amend section 832, of chapter 3, article 1, Code of Practice.

Ordered, That said bills be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, they were referred—

The 1st, 14th, 22d, 36th, 50th, 55th and 60th to the committee on the Judiciary; the 2d, 6th, 8th, 9th, 11th, 12th, 15th, 16th, 17th, 18th, 19th, 20th, 41st and 61st to the committee on County Courts; the 3d, 4th, 13th, 23d, 38th and 46th to the committee on Propositions and Grievances; the 5th, 21st, 29th, 30th, 48th, 49th and 54th to the committee on Revised Statutes; the 7th, 32d and 45th to the committee on the Sinking Fund; the 10th, 26th, 27th, 37th, 47th, 56th and 57th to the committee on Circuit Courts; the 24th, 28th, 31st and 43d to the committee on Education; the 33d, 35th, 39th, 40th and 42d to the committee on Finance; the 34th to the committee on Internal Improvement; the 44th to the committee on Privileges and Elections; the 51st, 52d, 53d and 62d to the committee on the Codes of Practice; the 58th to the committee on Agriculture and Manufactures; the 59th to the committee on the Court of Appeals, and the 59th to the committee on Apportionment.

And then the Senate adjourned.

TUESDAY, FEBRUARY 2, 1858

A message was received from the House of Representatives, announcing that they had passed bills from the Senate of the following titles, viz:
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An act for the benefit of J. D. Mannin and J. R. Gordon.
An act for the benefit of Eleanor G. Vance.
An act to change the place of voting in the Meadow creek precinct, in Whitley county.
An act to incorporate DeKalb Lodge, No. 12, I. O. O. F.
An act to incorporate the Citizens' Fire Company, No. 3, of Covington.
An act to amend the charter of the city of Newport.
An act to incorporate the Louisville Marine Insurance Company.
An act to amend an act, entitled, an act to incorporate the town of Ashland.
An act to incorporate Murray Lodge, No. 105, of Free and Accepted Masons.
An act to change the place of voting in Hendronsville precinct, in Henry county.
An act for the benefit of Wright Ray and others.
An act for the benefit of the personal representatives of W. B. A. Baker, deceased.
An act to amend the charter of the Louisville and Nashville Railroad Company.
An act to amend the charter of the Ashland Fire, Marine and Life Insurance Company.

With amendments to the three last named bills.

Which were concurred in.

That they had received official information from the Governor that he had approved and signed an enrolled bill which originated in the House of Representatives, of the following title, viz:
An act concerning the Penitentiary.

That they had passed bills of the following titles, viz:
1. An act to incorporate the Greenville Cemetery Association.
2. An act defining certain powers of the trustees of the town of Winchester.
3. An act for the benefit of R. N. Winn and the Lexington and Big Sandy Railroad Company.
4. An act for the benefit of the Christian church of Winchester.
5. An act to incorporate Maepelah Cemetery, at Mt. Sterling
6. An act to incorporate the Crab Orchard Springs Company.
7. An act to incorporate the Rock Spring Coal Company.
8. An act to incorporate Attalia Lodge, No. 94, I. O. O. F.
9. An act to amend section 2, of article 3, of chapter 58, of the Revised Statutes.
10. An act to repeal an act incorporating the Cypress Pond Draining Company, approved February 13, 1856.
11. An act to amend an act to establish a uniform weight of coal.
12. An act to pay Thomas S. Theobald, former keeper of the Kentucky penitentiary, the amount due him by the commonwealth.
13. An act to refund to Mason Gullett, of Morgan county, the amount of taxes on tavern license improperly collected of him.
15. An act to incorporate the New Liberty Branch Turnpike road Company.
16. An act to refund to Wm. Ward, of Morgan county, the amount of tax on tavern license improperly collected of him.
17. An act for the benefit of Julian Nail.
19. An act to legitimatize Robert N. Leach.
20. An act refunding to R. Quisenbury the amount of tax overpaid by him in 1857.
21. An act refunding to R. E. Bush, former sheriff of Clarke county, the amount of tax overpaid by him in 1856.
22. An act for the benefit of D. A. Weaver's sureties, late sheriff of Bracken county.
23. An act to amend an act, entitled, an act to charter the city of Louisville.
24. An act for the benefit of Merritt S. O'Neal, of Woodford county.
25. An act authorizing the sale of parts of certain streets in the town of Eddyville.
26. An act to repeal an act, entitled, an act to prohibit fishing in the north fork of Licking river, in Bracken county.
27. An act to charge the inhabitants of the city of Frankfort with the payment of county levy, &c.
28. An act for the benefit of Jane and Henry, free persons of color, of Letcher county.
29. An act to repeal an act, entitled, an act to incorporate the town of Williamsburg, in Whitley county.
30. An act to repeal an act prohibiting the sale of spirituous liquors in Mt. Gilead, in Pulaski county.
31. An act to amend the charter of Salvisa, in Mercer county.
32. An act to charter McAfee Lodge, No. 329, Free and Accepted Masons, of Cornishville, Mercer county.
33. An act compensating Wm. Strowbridge for services rendered to the State of Kentucky.
34. An act enlarging the boundary of the town of Cadiz, in Trigg county.
35. An act to charter the Masonic Publication Association.
36. An act reviving the law licensing ten pin alleys in Trimble county.
37. An act to authorize the Methodist church in Frankfort to sell a lot.
38. An act to amend the charter of the town of Foster.
39. An act concerning the salaries of public officers.
40. An act to incorporate the Southern Kentucky Farmers' Insurance Company.
41. An act to regulate the time of holding circuit courts in the 8th judicial district.
42. An act to amend the charter of the town of Falmouth.
43. An act providing for the jury system for the Louisville city court.
44. An act in relation to fees for taking depositions.
45. An act to extend the charters of the Bank of the Commonwealth of Kentucky, and of the old Bank of Kentucky.
46. An act to incorporate Allensville Lodge, No. 182, Free and Accepted Masons.
47. An act to amend the act incorporating the Louisville and Newport Branch Railroad Company.
48. An act to empower the trustees of the Baptist church, at Dallasburg, in Owen county, to sell and convey land belonging to said church.
49. An act to authorize the citizens of Eminence to elect a town marshal.

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

The constitutional provision as to the second reading of said bills being dispensed with, they were referred—

The 1st, 35th and 49th to the committee on County Courts; the 2d, 9th, 25th, 28th, 31st, 32d, 35th, 36th and 46th to the committee on Revised Statutes; the 3d, 15th, and 47th to the committee on Internal Improvement; the 4th to the committee on Religion; the 5th and 8th to the committee on Education; the 6th, 26th and 34th to the committee on Propositions and Grievances; the 7th, 10th, 11th and 40th to the committee on Agriculture and Manufactures; the 12th, 18th, 19th, 23d, 24th, 27th, 37th, 38d, 44th, and 45th to the committee on the Judiciary; the 13th, 14th, 16th, 17th, 20th, 21st, 22d, 33d and 39th to the committee on Finance; the 29th, 30th, 41st and 42d to the committee on Circuit Courts, and the 45th to the committee on Banks.
Mr. Garrard presented the petition of Woolery Eversole, of Perry county, praying the passage of an act legalizing a survey made in said county.

Mr. Smith presented the petition of sundry citizens of Henry county, asking the passage of an act authorizing the sale of a certain lot of land owned by a Division of the Sons of Temperance.

Which were received, the reading dispensed with, and referred, the first to the committee on County Courts, and the second to the committee on Circuit Courts.

Mr. Andrews, from the committee on Judiciary, reported the following bills, viz:

A bill to incorporate the Kentucky Locomotive Works.
A bill to incorporate the Republic Insurance Company of Louisville.

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

The constitutional provision 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. Andrews, from the same committee, reported,

A bill to provide a mode for the settlement of the claim of Hon. C. A. Wickliffe.

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

The constitutional provision as to the second reading of said bill was dispensed with.

Pending the consideration of which,

The hour arrived for taking up a special order of the day.

The Senate, according to order, took up for consideration the Preamble and resolutions in relation to the naturalization laws, with the resolutions heretofore offered by Mr. Rust as a substitute therefor.

The preamble and resolutions read as follows:

Whereas, the people of the United States, under the blessing of Heaven, are in possession of a territory more extensive and diversified than any other country now known; her lofty mountains, fertile plains, noble rivers, abundant productions of all that is necessary to man; abounding in the fruits of nearly every clime, and enjoying almost every temperature, from the frigid to the torrid zone, rendering it the most appropriate location on earth for the abode of freemen. In addition to all this, we enjoy a system of government unequaled in its wisdom and fitness to render man free, noble and happy; and remembering that this grand structure was founded not only in the wisdom, but in the blood of our ancestors; boasting at once of a country
and government without a parallel in history, ancient or modern, we should abound in gratitude, and at the same time watch well with a jealous eye any infringement upon our rights, and remember the saying of the immortal Jefferson, that "The price of liberty is eternal vigilance." The people are the source of sovereign power, and the will and behests of this great nation are expressed through the ballot-box, and from which there is no appeal. Therefore, in order to preserve our form of government, and the permanency of our Union, the elective franchise should be strictly guarded and faithfully protected. Our form of government, in all its workings, in the nice and delicate distinctions between the general and state governments, are so complete as to show the hands of the able and finished workman in its construction. But it is a science too deep to be at once understood by the novice, or to be seen through by an unpracticed eye; to understand it well, and to appreciate its beauty, strength, and wisdom, a man should grow with its growth, and become familiar with all its complicated, yet perfect machinery; and experience having shown that the period of probation now fixed by the laws of the United States for citizenship, is too short for a foreigner rightly to understand and properly appreciate our system of government and laws. Therefore, it is

Resolved by the General Assembly of the Commonwealth of Kentucky, That our Senators in Congress be instructed, and our Representatives requested, to endeavor to extend the time required by the present law for the naturalization of foreigners.

Resolved, That a copy of the foregoing resolution be forwarded to each of our Senators and Representatives in Congress.

The amendment proposed by Mr. Rust reads as follows, viz:

1. Resolved, That one of the causes of complaint which our fathers deemed proper to urge against the King of Great Britain, in the declaration of independence, was the attempt on the part of that sovereign to prevent the population of these States by obstructing the laws for the naturalization of foreigners, and refusing to pass others in their stead.

2. Resolved, "That no human authority ought, in any case whatever, to control or interfere with the right of conscience; and that no preference shall ever be given, by law, to any religious societies or modes of worship," and "that the civil rights, privileges or capacities of any citizen shall in no wise be diminished or enlarged on account of his religion."

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

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

Those who voted in the affirmative, were—

Mr. Speaker, (King,) Asa P. Grover, H. M. Rust,
A. D. Cosby, Thomas S. Grundy, G. W. Silvertooth,
William S. Darnaby, James D. Headley, J. P. Smith,
George T. Edwards, Daniel Mathewson, E. D. Walker.
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John F. Fisk, William H. McBrayer, C. J. Walton,
Theo. T. Garrard, Thomas P. Porter, W. M. Wilson,

Those who voted in the negative, were—

Landaff W. Andrews, David Irvine, Harrison Taylor,
Joseph S. Bledsoe, Gibson Mallory, Cyrenius Wait,
John B. Bruner, James McKee, W. C. Whitaker,
Samuel Haycraft, Charles Ripley, John Williams—14.
Samuel Howard, James Sudduth,

Mr. Andrews moved to lay said resolution, as amended, on the table.

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

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

Those who voted in the affirmative, were—

Mr. Speaker, (King,) Thomas S. Grundy, George W. Silvertooth,
Joseph S. Bledsoe, Samuel Howard, Harrison Taylor,
George T. Edwards, David Irvine, George Wright—10.
William C. Gillis,

Those who voted in the negative, were—

Landaff W. Andrews, James D. Headley, John P. Smith,
John B. Bruner, Gibson Mallory, James Sudduth,
James F. Buckner, Daniel Matthewson, Cyrenius Wait,
A. D. Cosby, William H. McBrayer, E. D. Walker,
William S. Darnaby, James McKee, C. J. Walton,
John F. Fisk, Thomas P. Porter, W. C. Whitaker,
Theo. T. Garrard, William B. Read, John Williams,
Samuel Haycraft, H. M. Rust,

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

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

Those who voted in the affirmative, were—

Mr. Speaker, (King,) Thomas S. Grundy, H. M. Rust,
Landaff W. Andrews, Samuel Haycraft, G. W. Silvertooth,
Joseph S. Bledsoe, James D. Headley, John P. Smith,
John B. Bruner, Samuel Howard, James Sudduth,
James F. Buckner, David Irvine, Cyrenius Wait,
A. D. Cosby, Gibson Mallory, E. D. Walker,
William S. Darnaby, Daniel Matthewson, C. J. Walton,
George T. Edwards, William H. McBrayer, W. C. Whitaker,
John F. Fisk, James McKee, John Williams,
Theo. T. Garrard, Thomas P. Porter, W. M. Wilson,
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William C. Gillis, William B. Read, George Wright—36.
Asa P. Grover, Charles Ripley.

Those who voted in the negative, were—

Harrison Taylor—1.

A message was received from the House of Representatives, asking leave to withdraw their announcement of the passage of a bill from the Senate, entitled,

An act to amend an act, entitled, an act to incorporate the town of Ashland.

Which was granted.

Mr. Mallory moved a reconsideration of the vote by which the Senate, on yesterday, disagreed to a resolution from the House of Representatives for the final adjournment of the General Assembly.

And the question being taken on reconsidering said vote, it was decided in the affirmative.

Mr. Mallory moved the previous question.

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

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

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

Those who voted in the affirmative, were—

Mr. Speaker, (King,) Thomas S. Grundy, H. M. Rust,
Laudoff W. Andrews, Samuel Haycraft, George W. Silvertooth,
Joseph S. Bledsoe, James D. Headley, John P. Smith,
John B. Bruner, Samuel Howard, James Sudduth,
James F. Buckner, David Irvine, Harrison Taylor,
A. D. Cosby, Gibson Mallory, Cyrenius Wait,
William S. Darnaby, Daniel Matthewson, E. D. Walker,
George T. Edwards, William H. McBrayer, C. J. Walton,
John F. Fisk, James McKee, W. C. Whitaker,
Theo. T. Garrard, Thomas P. Porter, John Williams,
Asa P. Grover, Charles Ripley.

Those who voted in the negative, were—

George Wright—1.

Mr. Ripley moved a reconsideration of the vote adopting said resolution.

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

The Senate took up for consideration the resolution of the House
of Representatives in relation to the election of a Keeper of the Pen-si-tentiary.

Which was adopted.

A message was received from the House of Representatives an-nouncing that they had passed a bill from the Senate, entitled,
An act to repeal an act reorganizing Transylvania University and establish a school for teachers,
With an amendment thereto.

The Senate, according to order, also took up for consideration
A bill to extend the charter of the Bank of Louisville, Bank of Ken-tucky and Northern Bank,
With the amendments heretofore proposed.

Said bill reads as follows, viz:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the chartered privileges and rights of the president, directors and company of the bank of Louisville shall continue in full force for the period of twenty years, from the first day of January, 1863; that the chartered privileges and rights of the president, directors and company of the Bank of Kentucky shall continue in full force for twenty years from the first day of October, 1864; and that the chartered privileges and rights of the president, directors and company of the Northern Bank of Kentucky shall continue in full force for twenty from the first day of May, 1865. But said extensions of the charters of said banks shall be subject to the restrictions and provisions follow-ing, to-wit:*

*First. Each of said banks shall remain subject to all the limitations, restrictions, penalties, conditions and duties imposed on them by the respective acts for their incorporations, and the acts amendatory there-to.*

*Second. That the Legislature shall, at all times, have and retain the power of prohibiting the issue of bank notes by either of said banks below the denomination of five dollars; and after the year 1875, shall have the power of prohibiting the issue of bank notes under the de-nomination of ten dollars.*

*Third. That within one year from the first of June, 1858, the Bank of Louisville shall establish a branch in the town of Glasgow, in the county of Barren, with a capital of not less than $200,000; that the Bank of Kentucky shall establish a branch at the town of Columbus, in the county of Hickman, with a capital of not less than $150,000; and that the Northern Bank of Kentucky shall establish a branch at the town of Burksville, in the county of Cumberland, with a capital of not less than $150,000.*

*Fourth. That if the stockholders of each of said banks, at a stated or called meeting to be held within one year from the 10th of May, 1858, by a vote of the majority in interest of all the stockholders, shall agree to accept the provisions of this act at such meeting, the Governor shall have the right of voting the stock of this Commonwealth in said banks, either in person or by proxy; and he is hereby directed to*
vote in favor of accepting the provisions of this act. Each bank, whose stockholders agree to accept the provisions of this act, shall become entitled to the benefit thereof, though one or both of the other banks should not accept them. The president and directors of each bank shall superintend the voting in such bank. The vote of each stockholder shall be written upon the book in which the proceedings of meetings of stockholders are recorded, showing how such vote is cast; and the voting shall be attested by the certificate and signatures thereto of a majority of the board of president and directors. A copy of said voting, authenticated in like manner, shall be delivered to the Governor, whose duty it shall be, upon its appearing that the provisions of this act have been accepted by the stockholders of either or all of said banks, to issue a proclamation extending the charters of such accepting banks for the periods named in this act.

The amendment proposed by Mr. Grover reads as follows, viz:

Said banks shall not at the principal banks, or at their branches, hold and own, at any time, an amount of bills of exchange exceeding the amount of promissory notes held and owned at such time by such banks or branches; and all promissory notes payable at a different point from that at which they may be discounted, and from which a greater discount than at the rate of six per cent. per annum is taken, whether under color of exchange, charge for collection, or otherwise, shall, for the purposes of this section, be held and taken for bills of exchange; but the banks shall not be held to have violated this provision if the amount of the promissory notes held and owned by the principal banks, or their branches, shall at any time reduced, by payments, below the amount of bills of exchange: Provided, No further purchases of bills are made for such banks or branches until the amount of bills be reduced below that of promissory notes: Provided, however, Said banks or branches shall at no time charge a greater rate of exchange than the one-eighth of one per cent. a month on bills made payable in this State, or the one-fourth of one per cent. a month on bills made payable out of this State; and on no bill, for any length of time, a greater amount for exchange than one per cent. when payable out of the State. But this proviso shall not legalize any usurious charge for time under color of charging for exchange, or affect the right of the General Assembly at any time to limit in any manner the rate of discount for exchange, on any bill of exchange that may be discounted by said banks or branches: Provided, further, That said banks or branches shall not at any time buy or deal in that class of bills known by the name of "kites;" and should the officers of said banks or branches buy or deal in any such bill or bills, knowing the character thereof, or having in their power to ascertain the character thereof by proper diligence, the parties bound upon said bill shall be released from all liability thereon, and said bill shall be void and not collectable by law or otherwise; and said banks and branches shall be liable to all other penalties affixed by this act for a violation of the foregoing provisions.

The resolution in relation to said bill, offered by Mr. Fisk, reads as follows, viz:

Resolved, That said bill and proposed amendment be referred back
to the committee with the instruction to amend the bill so as to require the banks to make monthly reports, verified by the oaths of their president, cashier, and teller, giving the condition of their business, the amount of specie on hand, the amount of notes in circulation, the amount of notes discounted; bills of exchange purchased; amount due from banks; amount due to banks, the amount loaned to stockholders, and any other items of information which the committee deem it proper for the banks to communicate monthly to the people. That said affidavits shall contain a statement that the charter has not been violated, directly or indirectly; so far as the affiants know or believe.

2. That said committee inquire into the expediency of prohibiting the issue by said banks of any bills of a less denomination than five dollars.

3. And that they report what restrictions should be placed upon the exchange business of said banks, both as to the quantity of the bill business and the rates that they shall be allowed to charge. And that they report separate bills for the proposed extension of the charters of said banks, each bill to embrace all the provisions proposed in the extension, as well as the restrictions proposed.

And the question being taken on the adoption of the resolution proposed by Mr. Fisk, it was decided in the negative.

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

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

A. D. Cosby, Asa P. Grover, H. M. Rust,
William S. Darnaby, Daniel Matthewson, John P. Smith,
Theo. T. Garrard, William B. Read,

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

Mr. Speaker, (King,) Samuel Howard, Harrison Taylor.
Joseph S. Bledsoe, Gibson Mallory, C. J. Walton,
John B. Bruner, James McKee, W. C. Whitaker,
James F. Buckner, Charles Ripley, John Williams,
George T. Edwards, George W. Silvertooth, W. M. Wilson,
William C. Gillis, James Sudduth, George Wright—22.
Samuel Haycraft,

Mr. Fisk then moved to amend the amendment proposed by Mr. Grover as follows, viz:

1. That said banks shall issue no bills or bank notes, checks or orders to circulate as money, of a less denomination than five dollars; and after 1870 they shall issue no bills or notes, checks or orders to circulate as money, of a less denomination than ten dollars; and said banks shall redeem, before 1865, all their notes and bills of a less denomination than five dollars, and shall not pay the same out again after that date; and said banks shall redeem, before 1870, all their bills and notes of a less denomination than ten dollars, and shall not pay the same out again after that date.
2. Neither of said banks shall at the principal bank or at its branches, hold and own at any time an amount of bills of exchange exceeding twice the amount of promissory notes held and owned at such time by such bank or branches; and all promissory notes payable at a different point from that at which they may be discounted, and from which a greater discount than at the rate of six per cent. per annum is taken, whether under color of exchange, charge for collection, or otherwise, shall, for the purposes of this section, be held and taken to be bills of exchange. But the bank shall not be held to have violated this provision if the amount of the promissory notes held and owned by the principal bank or its branches shall be at any time reduced by payments below the amount of bills of exchange: Provided, no further purchases of bills are made for said bank or branches until the amount of bills be reduced below that of promissory notes: Provided, that neither of said banks shall at any time charge a greater rate of exchange than the one-eighth of one per cent. a month on bills made payable in this state, or in an adjoining state, or the one-fourth of one per cent. a month on bills made payable out of this state, other than an adjoining state, and on no bill for any length of time a greater amount for exchange than one per cent., when payable out of the state; but this proviso shall not legalize any usurious charge for time, under color of charging for exchange, or affect the right of the General Assembly at any time to limit, in any manner, the rate of discount for exchange on any bill of exchange that may be discounted by said bank: Provided further, that said banks shall not at any time buy or deal in that class of bills known by the name of kites; and should the officers of either of said banks buy or deal in any such bill or bills, knowing the character thereof, or having it in their power to ascertain the character by proper inquiry and diligence, the parties bound upon said bill shall be released from all liability thereon; and said bill shall be void, and not collectable by law or otherwise; and said bank shall be liable to all other penalties affixed by this act for a violation of the foregoing provisions.

3. If at any time the charter of either of said banks shall be forfeited as herein provided, in order to secure the payment of the debts of the bank, each stockholder shall be required to pay an amount equal to the stock he owned at the date such cause of forfeiture originated, to the creditors of the bank, and to that extent shall be held personally liable for the debts due from said bank; and upon his failure to pay the same, suit may be instituted against him in any court of competent jurisdiction, for the recovery of the same.

4. It shall be the duty of each of said banks and branches to make and publish monthly statements of their conditions, as follows: specie on hand at the parent bank and at each branch; the amount of notes issued by each; and the amount in circulation of each; and the amount of notes discounted at the parent bank and each branch during the preceding month; and the amount of bills discounted and purchased at the parent bank and each branch during the preceding month; and the aggregate of notes owned by the parent bank and at each branch; and the same as to bills of exchange; the amount of deposits at the parent bank and each branch; the amount due from banks, and the
amount owed to banks; the amount loaned to directors, either directly or indirectly. Said statement of the parent banks shall be verified by the president, cashier, and teller of the parent bank, and the statement of each branch by the president, cashier, and teller of the branch making the statement; and each affidavit shall contain a statement that no provision of the charter has been violated, so far as either of the affiants know or believe, or have reason to suspect.

5. That at the beginning of their existence under the extended charters no preference shall be given to the present stockholders, but the books of the banks shall be opened again as provided in their respective charters; and the stock shall all be subscribed for as original stock, in the same manner and to the same effect as the stock was required to be taken and subscribed at the organization of the banks, except that no non-resident of the state of Kentucky shall be allowed to take stock until sixty days after the books shall have been opened as provided herein.

6. The Legislature reserves the right to alter or amend this act at pleasure.

Pending the consideration of which,
The hour arrived for taking up the regular orders of the day.
The Senate, according to order, took up for consideration a bill from the House of Representatives, entitled,
An act to amend the charter of the Kentucky State Agricultural Society.
Said bill was read a third time.
Mr. Mallory moved the previous question.
And the question being taken, shall the main question be now put? it was decided in the affirmative.
The question was then taken on the passage of said bill, and it was decided in the affirmative.
The yeas and nays being taken thereon, in pursuance of a provision of the constitution, were as follows, viz:

Those who voted in the affirmative were—
Landaff W. Andrews, Thomas S. Grundy, H. M. Rust,
John B. Bruner, Samuel Haycraft, James Sudduth,
James E. Buckner, David Irvine, Harrison Taylor,
A. D. Cosby, Gibson Mallory, Cyrenius Wait,
William S. Darnaby, William H. McBrayer, W. C. Whitaker,
John F. Fisk, James McKee, John Williams,

Those who voted in the negative were—
Mr. Speaker, (King,) James D. Headley, George W. Silvertooth,
Joseph S. Bledsoe, Samuel Howard, John P. Smith,
George T. Edwards, Daniel Matthewson, E. D. Walker,
Theo. T. Garrard, Thomas P. Porter, C. J. Walton,
Resolved, That the title of said bill be as aforesaid.

The Senate, also, took up for consideration the amendment proposed by the House of Representatives to a bill from the Senate, entitled,

An act to amend the charter of the Louisville and Nashville Railroad Company.

Which was twice read and concurred in.

Also, the amendment proposed by the House of Representatives to a bill from the Senate, entitled,

An act to amend the 42d chapter of the Revised Statutes.

Which was twice read and adopted.

Also—

An act amending article 2, chapter 56, Revised Statutes, title landlord and tenant.

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

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

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

Also, the

Resolution in relation to the purchase of certain books of Major Wm. Daviess, of Mercer county.

Which was adopted.

Also, the

Resolution in relation to an appropriation of money for A. W. Vallandingham.

Said resolution reads as follows, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That an appropriation of two hundred dollars be made to Austin W. Vallandingham, of the city of Frankfort, for the purpose of prosecuting a suit against the mayor of Indianapolis, Indiana, for false imprisonment. When said suit shall have been prosecuted, then the auditor shall draw his warrant upon the treasurer in favor of said Vallandingham for said amount.

Mr. Wright moved to amend said resolution as follows, viz:

And that the sum of two hundred dollars be allowed to Willis Hunt, of Warren county, to remunerate him for his expenses in capturing a slave of his in Illinois.

Mr. Mallory moved to amend the amendment proposed by Mr. Wright, by adding thereto the following:

That the sum of one hundred and sixty dollars be paid to Gibson Mallory, for expenses incurred by him in capturing his negro in Indiana.

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Mr. Irvine moved to lay said resolution and amendments on the table.

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

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

Those who voted in the affirmative, were—


Those who voted in the negative, were—


Also, the Resolution in relation to the duties of the Public Printer, which was adopted.

Also, the Resolution in relation to the holding of the United States District Court of Kentucky at Louisville.

With the amendment heretofore proposed by Mr. Silvertooth, which was to hold the court at Columbus, Kentucky.

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

The question was then taken on the adoption of the resolution, and it was decided in the negative.

On motion of Mr. Walton—

Mr. Garrard was added to the committee on Enrollments.

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

An act to establish the town of Rochester, in Butler county.

An act to amend an act, approved December 20th, 1851, entitled an act to authorize the presiding judge of Kenton county to hold quarterly terms in Covington.

An act to establish and incorporate the town of Johnsonville, in Anderson county.
An act to transfer the records of certain surveys from the county court clerks' offices to the surveyors' offices.  
An act to amend an act, entitled, an act to amend the laws relating to the county levy of Kenton county, approved February 5, 1856.  
An act amending an act approved March 10th, 1856, in relation to police judge and marshal in the town of Morgantown, Butler county.  
An act to repeal an act, entitled, an act to amend an act authorizing the county court of Pendleton to appoint a county treasurer, and regulating the duties of the sheriff of said county.  
An act to amend an act, entitled, an act to amend the laws regulating the Wilderness road.  
An act for the benefit of Julius Hacker and Asa Gilbert.  
An act to regulate certain fees.  
An act to amend section 9, chapter 24, title Conveyances, Revised Statutes.  

And enrolled bills and a resolution which originated in the House of Representatives, of the following titles, viz:  
An act to incorporate Col. Clay Lodge, No. 159, of Free and Accepted Masons.  
An act for the benefit of the town of Waynesburg.  
An act to prevent the sale of liquors, &c., to cadets of the Kentucky Military Institute.  
An act to incorporate the Bouron Academy.  
An act to authorize the appointment of commissioners of a sinking fund, and to provide for the payment of the public debt of Fayette county.  
An act to incorporate Montgomery Library Association.  
An act remunerating W. L. Sutton, &c.  
An act for the benefit of the estate of Samuel Long, of Oldham county.  
An act to amend the charter of the North Middletown, Mount Ida and Mt. Sterling Turnpike Road Company.  
An act to incorporate the Methodist Female College, at Covington, Ky.  
An act to incorporate Martin Institute.  
An act creating a police judge and town marshal in the town of Canton, Trigg county.  
An act to incorporate the Mount Sterling and Howard's Mill Turnpike Road Company.  
An act for the benefit of school district, No. 12, in Spencer county.  
An act to amend the charter of the Eminence High School.
An act to establish the county of Jackson.
Resolution for the election of a Keeper of the Penitentiary.
And had found the same truly enrolled.
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 approval and signature.
After a short time, Mr. Walton reported that the committee had performed that duty.
Mr. Irvine, from the committee on Banks, reported
A bill to prevent the taking of usury under the color of exchange.
Which was read the first time, and ordered to be read a second time.
The constitutional provision as to the second reading of said bill being dispensed with,
Ordered, That the Public Printer print 150 copies thereof for the use of the General Assembly, and that it be placed in the orders of the day.
On motion of Mr. Silvertooth—
A message was sent to the House of Representatives, asking leave to withdraw the announcement of the disagreement of the Senate to a bill from that House, entitled,
An act to amend an act, entitled, an act for the benefit of mechanics of the towns of Hickman and Frankfort.
A message was received from the House of Representatives, announcing that the Governor had returned a bill which originated in that House, entitled, "An act for the benefit of R. D. Murray, school commissioner of Hart county," with his objections thereto; and that the House of Representatives had passed said bill, the objection of the Governor to the contrary notwithstanding.
The said bill reads as follows, viz:\nAn act for the benefit of R. D. Murray, school commissioner of Hart county.

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the auditor is hereby directed to draw his warrant on the treasurer, in favor of R. D. Murray, school commissioner for Hart county, for whatever sum may be due him, for the trustees of school district No. 54, in Hart county, for the year 1856, in which district a school was taught, but which fact was not reported, through mistake of said commissioner; and that said commissioner may be authorized to report and correct the report of school district No. 26, Edmonson county, a part of which lies in Hart county, and draw whatever sum may be due the same: Provided, that the sum so drawn shall be taken out
of the school fund belonging to Hart county. This act shall take effect from and after its passage.

The objections of the Governor are as follows:

Executive Department, January 26th, 1858.

Gentlemen of the House of Representatives:

A bill, entitled, "an act for the benefit of R. D. Murray, school commissioner of Hart county, has been presented to me for my approval and signature, and for the reasons given in my message returning a bill, entitled "an act to change the county line between Perry and Letcher counties," I am constrained to return it to the House in which it originated, with my objections.

C. S. Morehead.

Executive Department, January 26, 1858.

Gentlemen of the House of Representatives:

A bill has been presented to me, which originated in your House, entitled "an act to change the county line between Perry and Letcher counties," the 1st section of which makes the change indicated by the title; the 2nd section establishes a precinct in Letcher county; the 3rd section another precinct in Letcher county, with a defined boundary; the 4th and 5th sections confer jurisdiction upon the magistrates and constables now in office in said districts; the 6th section authorizes the legal voters in the two districts at the next August election to elect two magistrates and a constable, who are to hold their offices until the next regular election.

The bill being entirely local in its character, it is doubtless right and proper that its provisions should be enacted into a law, and if not restrained by a direct constitutional prohibition, I should not hesitate to approve it. Section 37 of article 2. of the constitution declares that "no law enacted by the General Assembly shall relate to more than one subject, and that shall be expressed in the title."

Believing that this bill is a direct and palpable infraction of this provision, I am constrained to withhold my approval.

C. S. Morehead.

The question was then taken on the passage of said bill, the objections of the Governor to the contrary notwithstanding, and it was decided in the negative.

The yeas and nays being taken thereon, in pursuance of a provision of the constitution, were as follows, viz:

Those who voted in the affirmative were—


Daniel Matthewson,
Those who voted in the negative were—

Mr. Speaker, (King,)    Asa P. Grover,      John P. Smith,
Landaff W. Andrews,     Thomas S. Grundy,    James Sudduth,
John B. Bruner,         Samuel Haycraft,      Harrison Taylor,
James F. Buckner,       Samuel Howard,       Cyrenius Wait,
A. D. Cosby,            David Irvine,         E. D. Walker,
William S. Darnaby,     Gibson Mallory,      W. C. Whitaker,
George T. Edwards,      James McKee,         John Williams,
William C. Gillis,      Charles Ripley.

The Senate took up for consideration the resolution from the House of Representatives in relation to the remains of the deceased Governors.

Mr. Porter moved to amend said resolution.
Pending the consideration of which,
The Senate adjourned.

WEDNESDAY, FEBRUARY 3, 1858.

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 amend the charter of the Bardstown and Louisville Railroad Company.
An act to incorporate the American Insurance Company.
An act for the benefit of John G. Townsend.
An act to incorporate Bear Wallow Lodge of Free and Accepted Masons.
An act to incorporate the German Gymnastic Association, of Newport.
An act to amend and reduce into one the several acts in relation to the town of Hopkinsville.
An act for the benefit of the Baptist church in Russellville.
An act to incorporate the Christian Church of Ghent, in Carroll county.
An act to incorporate Zion Baptist Church and Zion Baptist Seminary.

An act to amend an act, entitled, an act for the benefit of the Methodist Episcopal Church at Alexandria.

An act to amend the charter of the Ashland Cemetery Company.

An act to incorporate the Little River Baptist Church, in Christian county.

An act authorizing the trustees of the town of London to sell an alley in said town.

An act to amend an act, entitled, an act to incorporate the town of Ashland.

With amendments to the two last named bills.

That they had passed bills of the following titles, viz:
1. An act concerning the Lunatic Asylums of this commonwealth.
2. An act for the benefit of Miles Greenwood.
3. An act remunerating W. M. Hume.
4. An act amending an act incorporating the Downingsvile Turnpike Road Company.
5. An act to incorporate the Kentucky Coal Company, of Louisville.
6. An act to charter the Southwestern Agricultural Works.
8. An act to amend an act, entitled, an act to define the jurisdiction of the Louisville chancery court.
10. An act to amend an act, entitled, an act to incorporate the Kentucky Ship Building and Lumber Company.
11. An act relating to the inspection of flour in Louisville.
12. An act to change the time of holding the quarterly courts of Green county.
13. An act to amend and reduce into one the several acts relating to the town of Elkton.
14. An act for the benefit of Thomas Landrum, late sheriff of Daviess county.
16. An act to repeal the first section of an act, entitled, an act to amend the charter of the Henderson and Nashville Railroad Company.
17. An act for the benefit of the Methodist church at Bardstown.
19. An act to incorporate St. Philip’s church, at Harrodsburg.

20. An act for the benefit of Isaac A. Stewart.


22. An act for the benefit of the assessor of Henderson county.

23. An act for the benefit of Harvey Helm, late sheriff of Lincoln county.


25. An act for the relief of W. M. Smith, late gate keeper on the Wilderness road, in Rockcastle county.


27. An act to empower Simpson county court to levy a tax to aid in the erection of a new court-house.

28. An act for the benefit of Robert Eastham, late sheriff of Lawrence county.

29. An act for the relief of the sheriff of Rockcastle county.

30. An act to allow James C. Jones to solemnize the rites of matrimony.

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

The constitutional provision as to the second reading of said bills being dispensed with, they were referred—

The 1st, 2d, 3d, 14th, 22d, 23d, 24th, 28th, and 29th to the committee on Finance; the 4th, 16th, and 25th to the committee on Internal Improvement; the 5th, 6th, 10th, and 11th to the committee on Agriculture and Manufactures; the 7th, 13th, 15th, and 20th to the committee on the Judiciary; the 8th to the committee on Circuit Courts; the 9th and 26th to the committee on Revised Statutes; the 12th and 27th to the committee on County Courts; the 17th, 18th, 19th, 21st, and 30th to the committee on Religion.

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

An act to establish magistrates’ districts in Letcher county.

An act for the benefit of the trustees of school district No. 22, in Whitley county.

An act to amend section 241 of the Code of Practice.

An act to amend the charter of the Ewing Female Institute, at Perryville.

An act to incorporate the Paris and Clintonville Turnpike Road Company,
An act for the incorporation of the Washington Literary Society of Bethel College, in Russellville, Kentucky.

An act to change the county line between Letcher and Perry counties.

An act to amend section 756 of the Code of Practice.

An act for the benefit of the Kentucky Institution for the Education of the Blind.

And enrolled bills and a resolution which originated in the House of Representatives of the following titles, viz:

An act to amend an act to increase the powers of the Trustees of the town of Eddyville.

An act making Lucinda Anderson the lawful heir of Parker Williamson.

Resolution for adjournment of the General Assembly.

And had found the same truly enrolled.

Said bill 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 approval and signature.

After a short time Mr. Walton reported that the committee had discharged that duty.

That they had received official information from the Governor that he had approved and signed enrolled bills and a resolution which originated in the House of Representatives, of the following titles, viz:

Resolution for the election of a Keeper of the Penitentiary.

An act remunerating W. L. Sutton, &c.

An act to incorporate the Mount Sterling and Howard's Mill Turnpike Road Company.

An act to incorporate the Methodist Female College, at Covington, Ky.

An act to incorporate Martin Institute.

An act to amend the charter of the Eminence High School.

An act for the benefit of school district, No. 12, in Spencer county.

An act to incorporate Col. Clay Lodge, No. 159, of Free and Accepted Masons.

An act for the benefit of the town of Waynesburg.

An act to prevent the sale of liquors, &c., to cadets of the Kentucky Military Institute.

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An act to incorporate the Bourbon Academy.

An act to authorize the appointment of commissioners of a sinking fund, and to provide for the payment of the public debt of Fayette county.

An act to incorporate Montgomery Library Association.

An act for the benefit of the estate of Samuel Long, of Oldham county.

An act to amend the charter of the North Middletown, Mount Ida and Mt. Sterling Turnpike Road Company.

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

An act for the benefit of Julius Hacker and Asa Gilbert.

An act to amend an act, entitled, an act to amend the laws regulating the Wilderness road.

An act to repeal an act, entitled, an act to amend an act authorizing the county court of Pendleton to appoint a county treasurer, and regulating the duties of the sheriff of said county.

An act to transfer the records of certain surveys from the county court clerks’ offices to the surveyors’ offices.

An act to establish and incorporate the town of Johnsonville, in Anderson county.

An act to amend an act, approved December 20th, 1851, entitled, an act to authorize the presiding judge of Kenton county to hold quarterly terms in Covington.

An act to establish the town of Rochester, in Butler county.

An act amending an act approved March 10th, 1856, in relation to police judge and marshal in the town of Morgantown, Butler county.

An act to amend an act, entitled, an act to amend the laws relating to the county levy of Kenton county, approved February 5, 1856.

An act to regulate certain fees.

An act to amend section 9, chapter 24, title Conveyances, Revised Statutes.

An act to amend section 241 of the Code of Practice.

An act to incorporate the Paris and Clintonville Turnpike Road Company.

An act for the benefit of the trustees of school district No. 22, in Whitley county.

An act to establish magistrates’ districts in Letcher county.

An act to amend section 756 of the Code of Practice.
An act to change the county line between Letcher and Perry counties.

An act for the incorporation of the Washington Literary Society of Bethel College, in Russellville, Kentucky.

An act to amend the charter of the Ewing Female Institute, at Perryville.

An act for the benefit of the Kentucky Institution for the Education of the Blind.

The Senate resumed the unfinished report from the committee on the Judiciary of

A bill to provide a mode for the settlement of the claim of Hon. C. A. Wickliffe.

And the question being taken upon ordering said bill to be read a third time, it was decided in the negative.

So the said bill was disagreed to.

Mr. Andrews, 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 charter of Bardstown.

An act to create the offices of police judge and town marshal in the town of West Point, Hardin county.

An act to amend the charter of the town of Munfordsville.

An act to incorporate the town of Monticello.

Reported the same, with amendments to the three last named bills.

Which were concurred in.

Ordered, That said bills, the three last as amended, be read a third time.

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

Resolved, That said bills do pass, and that the titles of the 1st, 2d, and 3d be as aforesaid, and that the title of the 4th be amended to read, “an act to incorporate the town of Bledsoe.”

Mr. Andrews, from the same committee, to whom was referred a bill from the House of Representatives, entitled,

An act to amend the charter of the town of Harrodsburg.

Reported the same without amendment.

And the question being taken on ordering said bill to be read a third time, it was decided in the negative.

And so the said bill was disagreed to.

Mr. Andrews, from the same committee, to whom was referred a bill from the House of Representatives, entitled,

An act to prohibit the marriage of first cousins.
Reported the same without amendment.

Ordered, That said bill be read a third time.
The question was then taken on dispensing with the third reading of said bill, and it was decided in the negative.
Said bill was then placed in the orders of the day.
Mr. Andrews, from the same committee, to whom was referred a bill from the House of Representatives, entitled,
An act to amend the law in regard to jury trials and the effect of the same in will cases.
Reported the same, with the expression of opinion that it ought not to pass.
The question was then taken on ordering said bill to be read a third time, and it was decided in the negative.
So the said bill was disagreed to.
Mr. Andrews, from the same committee, reported bills of the following titles, viz:
A bill to amend chapter 42 of the Revised Statutes.
A bill to increase the jurisdiction of the Police Judge, &c., of Ghent.
A bill to regulate the brokers of this Commonwealth.
Which were read the first time, and ordered to be read a second time.
The constitutional provision as to the second reading of said bills was dispensed with,
The 1st and 2d were ordered to be engrossed and read a third time, and the 3d was ordered to be printed and placed in the orders of the day.
The constitutional provision as to the third reading of the 1st and 2d 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. Andrews, from the same committee, reported,
A bill in relation to set-off.
Which was read the first time, and ordered to be read a second time.
The constitutional provision as to the second reading of said bill being dispensed with,
Ordered, That said bill be read a third time.
The question was then taken on dispensing with the third reading of said bill, and it was decided in the negative.
Said bill was then placed in the orders of the day.
The Senate, according to order, resumed the consideration of
A bill to extend the charter of the Bank of Louisville, Bank of Kentucky and Northern Bank,
With the amendments heretofore proposed.

Pending the consideration of which, the hour arrived for taking up the regular orders of the day.

Mr. Sudduth moved a reconsideration of the vote by which the Senate, on yesterday, rejected the resolution heretofore offered by Mr. Ripley.

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

The vote was also reconsidered by which the amendment to said resolution, heretofore offered by Mr. Silvertooth, was rejected.

Ordered, That said resolution and amendment be placed in the orders of the day.

Mr. Wright moved that a message be sent to the House of Representatives, asking leave to withdraw the announcement of the Senate of the adoption of the resolution in relation to the naturalization laws.

Mr. Porter moved a call of the Senate.

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

The question was then taken on the adoption of the motion made by Mr. Wright, and it was decided in the affirmative.

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

Those who voted in the affirmative, were—


Those who voted in the negative, were—


James D. Headley,

After a short time the messenger returned with said resolution. Which was taken up for consideration.

And the question being taken on reconsidering the vote by which said resolution was adopted, it was decided in the affirmative.
The yeas and nays being required thereon by Messrs. Fisk and Porter, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker, (King,) Samuel Haycraft, James Sudduth, Samuel Howard, Harrison Taylor, Joseph S. Bledsoe, David Irvine, Cyrenius Wait, John B. Bruner, Gibson Mallory, W. C. Whitaker, James F. Buckner, James McKee, John Williams, George T. Edwards, Charles Ripley, George Wright—19.

William C. Gillis,

Those who voted in the negative, were—


Thomas S. Grundy, H. M. Rust,

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

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

Those who voted in the affirmative, were—


Thomas S. Grundy, H. M. Rust,

Those who voted in the negative, were—

Mr. Speaker, (King,) Samuel Haycraft, James Sudduth, Samuel Howard, Harrison Taylor, Joseph S. Bledsoe, David Irvine, Cyrenius Wait, John B. Bruner, Gibson Mallory, W. C. Whitaker, James F. Buckner, James McKee, John Williams, George T. Edwards, Charles Ripley, George Wright—19.

William C. Gillis,

Mr. Bruner then moved to amend the original resolutions as offered by Mr. Haycraft, by adding thereto the resolutions offered by Mr. Rust.

Mr. Whitaker 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. Read and Walton, were as follows, viz:
Those who voted in the affirmative, were—

Mr. Speaker, (King,)         Samuel Haycraft,     James Sudduth,  
Landaff W. Andrews,          Samuel Howard,        Harrison Taylor,  
Joseph S. Bledsoe,           David Irvine,         Cyrenius Wait,    
John B. Bruner,              Gibson Mallory,       W. C. Whitaker,   
James F. Buckner,            James McKee,         John Williams,    
George T. Edwards,           Charles Ripley,       George Wright—19.  
William C. Gillis,            

Those who voted in the negative, were—

A. D. Cosby,                 James D. Headley,     G. W. Silvertooth, 
William S. Darnaby,          Daniel Matthewson,    John P. Smith,    
John F. Fisk,                William H. McBrayer,  E. D. Walker,   
Theo. T. Garrard,            Thomas P. Porter,    C. J. Walton,    
Thomas S. Grundy,            H. M. Rust,          

Mr. Walton here, as had before been done, arose to a point of order, 
which was, whether the motion to reconsider the vote, (which is a 
privileged motion,) necessarily carried with it the right to dispose of 
the resolutions under consideration, without first dispensing with the 
rules for that purpose.

The Speaker decided that the motion to reconsider, being a privi-
leged motion, did carry with it the right to dispose of, finally, the sub-
ject under consideration.

From which decision, Mr. Walton appealed.

And the question being put, shall the decision of the chair stand as 
the judgment of the Senate? it was decided in the affirmative.

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

Those who voted in the affirmative, were—

Landaff W. Andrews,          Samuel Haycraft,     James Sudduth,  
Joseph S. Bledsoe,           Samuel Howard,        Harrison Taylor, 
John B. Bruner,              David Irvine,         Cyrenius Wait,    
James F. Buckner,            Gibson Mallory,       W. C. Whitaker,   
George T. Edwards,           James McKee,         John Williams, 
William C. Gillis,           Charles Ripley,       George Wright—18.  

Those who voted in the negative, were—

A. D. Cosby,                 Daniel Matthewson,    George W. Silvertooth, 
William S. Darnaby,          William H. McBrayer, John P. Smith,  
John F. Fisk,                Thomas P. Porter,    E. D. Walker,     
Theo. T. Garrard,            William B. Read,     C. J. Walton,     
Thomas S. Grundy,            

The question was then taken on the adoption of the first resolution 
now offered by Mr. Bruner, heretofore by Mr. Rust, as a substitute for
the original preamble and resolutions offered by Mr. Haycraft, and it was decided in the affirmative.

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

Those who voted in the affirmative, were—

Mr. Speaker, (King,) Samuel Haycraft, George W. Silvertooth,
Landaff W. Andrews, Samuel Howard, John P. Smith,
Joseph S. Bledsoe, David Irvine, James Sudduth,
John B. Bruner, Gibson Mallory, Harrison Taylor,
James F. Buckner, Daniel Matthewson, Cyrenius Wait,
A. D. Cosby, William H. McBrayer, E. D. Walker,
William S. Darnaby, James McKee, C. J. Walton,
George T. Edwards, Thomas P. Porter, W. C. Whitaker,
John F. Fisk, William B. Read, John Williams,
William C. Gillis, Charles Ripley, George Wright—32.
Thomas S. Grundy, H. M. Rust,

Those who voted in the negative, were—


The question was then taken on the adoption of the second resolution heretofore offered by Mr. Rust, now by Mr. Bruner, and it was decided in the affirmative.

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

Those who voted in the affirmative were—

Mr. Speaker, (King,) James D. Headley, George W. Silvertooth,
Landaff W. Andrews, Samuel Howard, John P. Smith,
Joseph S. Bledsoe, David Irvine, James Sudduth,
John B. Bruner, Gibson Mallory, Harrison Taylor,
James F. Buckner, Daniel Matthewson, Cyrenius Wait,
A. D. Cosby, William H. McBrayer, E. D. Walker,
William S. Darnaby, James McKee, C. J. Walton,
George T. Edwards, Thomas P. Porter, W. C. Whitaker,
John F. Fisk, William B. Read, John Williams,
William C. Gillis, Charles Ripley, W. M. Wilson,
Thomas S. Grundy, H. M. Rust, George Wright—34.

Those who voted in the negative were—


The question then being on the adoption of the original resolution as offered by Mr. Haycraft, as amended by the adoption of the resolutions heretofore proposed by Mr. Rust,

Mr. Grover moved a division, which was ordered.

The question was then taken on the adoption of the first resolution proposed by Mr. Haycraft, and it was decided in the affirmative.
The yeas and nays being required thereon by Messrs. Grover and Walton, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker, (King,) Samuel Haycraft, James Sudduth, Samuel Howard, Harrison Taylor, David Irvine, Cyrenius Wait, Gibson Mallory, W. C. Whitaker, James McKee, John Williams, Charles Ripley, George Wright—19.

Mr. Speaker, (King,) Samuel Haycraft, James Sudduth, Samuel Howard, Harrison Taylor, David Irvine, Cyrenius Wait, Gibson Mallory, W. C. Whitaker, James McKee, John Williams, Charles Ripley, George Wright—19.

Walter C. Whitaker, George Wright—19.

The question was then taken on the adoption of the second resolution proposed by Mr. Haycraft, and it was decided in the affirmative.

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

Those who voted in the affirmative, were—

Mr. Speaker, (King,) Samuel Haycraft, James Sudduth, Samuel Howard, Harrison Taylor, David Irvine, Cyrenius Wait, Gibson Mallory, W. C. Whitaker, James McKee, John Williams, Charles Ripley, George Wright—19.

Walter C. Whitaker, George Wright—19.

Mr. Andrews moved that the Senate take a recess until 3 o'clock, P. M.

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

The yeas and nays being required thereon by Messrs. Andrews and Read, were as follows, viz:
Those who voted in the affirmative, were—
Landaff W. Andrews, Samuel Howard, Gibson Mallory,
Samuel Haycraft,

Those who voted in the negative, were—
Mr. Speaker, (King,) Thomas S. Grundy, James Sudduth,
Joseph S. Bledsoe, James D. Headley, Harrison Taylor,
James F. Buckner, Daniel Matthewson, Cyrenius Wait,
A. D. Cosby, William H. McBrayer, E. D. Walker,
William S. Darnaby, James McKee, C. J. Walton,
George T. Edwards, Thomas P. Porter, W. C. Whitaker,
John F. Fisk, William B. Read, John Williams,
Theo. T. Garrard, H. M. Rust, W. M. Wilson,
William C. Gillis, G. W. Silvertooth, George Wright—29.
Asa P. Grover, John P. Smith,

The question was again taken on the first resolution heretofore offered by Mr. Rust, it having been made by a former vote part of the original resolutions offered by Mr. Haycraft, and it was decided in the affirmative.

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

Those who voted in the affirmative, were—
Mr. Speaker, (King,) Thomas S. Grundy, H. M. Rust,
Landaff W. Andrews, Samuel Haycraft, George W. Silvertooth,
Joseph S. Bledsoe, James D. Headley, John P. Smith,
John B. Bruner, Samuel Howard, James Sudduth,
James F. Buckner, David Irvine, Harrison Taylor,
A. D. Cosby, Gibson Mallory, Cyrenius Wait,
William S. Darnaby, Daniel Matthewson, E. D. Walker,
George T. Edwards, William H. McBrayer, C. J. Walton,
John F. Fisk, James McKee, W. C. Whitaker,
Theo. T. Garrard, Thomas P. Porter, John Williams,
William C. Gillis, William B. Read, W. M. Wilson,
Asa P. Grover, Charles Ripley,

In the negative—none.

The question was then taken on the adoption of the second resolution heretofore offered by Mr. Rust, and it was decided in the affirmative.

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

Those who voted in the affirmative were—
Mr. Speaker, (King,) Thomas S. Grundy, H. M. Rust,
Landaff W. Andrews, Samuel Haycraft, George W. Silvertooth,
Joseph S. Bledsoe, James D. Headley, John P. Smith,
John B. Bruner, Samuel Howard, James Sudduth,
James F. Buckner, David Irvine, Harrison Taylor,
The question was then taken on the adoption of the preamble, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Bruner and Howard, were as follows, viz:  
Those who voted in the affirmative, were—
Mr. Speaker, (King,) Samuel Haycraft, James Sudduth, Harrison Taylor, James McKee, John Williams, George Wright—18.
Joseph S. Bledsoe, Samuel Howard, David Irvine, Cyrenius Wait, W. C. Whitaker, George Wright—19.
James F. Buckner, James McKee, Thomas P. Porter, John Williams, George Wright—19.
William C. Gillis, Charles Ripley, William B. Read, John Williams, George Wright—19.

Those who voted in the negative, were—
A. D. Cosby, James D. Headley, George W. Silvertooth, George Wright—18.
William S. Darnaby, Daniel Matthewson, John P. Smith, John Williams, George Wright—19.
Thomas S. Grundy, H. M. Rust, H. M. Rust, John Williams, George Wright—19.

And then the Senate adjourned.
THURSDAY, FEBRUARY 4, 1858.

At the opening of the session this morning, Mr. Speaker remarked to the Senate, that upon mature reflection of the question of order made yesterday, and from which the Senator from Hart appealed, that his decision was erroneous.

A message was received from the House of Representatives, announcing that they had receded from their disagreement to an amendment proposed by the Senate to a bill from the House of Representatives, entitled,

An act to incorporate the Pocahontas Tribe, No. 3, of the Improved Order of Red Men, at Newport.

That they had concurred in the amendments proposed by the Senate, to bills from the House of Representatives, of the following titles, viz:

An act to establish a sinking fund for the city of Lexington.
An act requiring tax assessors to furnish statistical agricultural information.
An act for the benefit of Robert Fluty and Jacob Rice.
An act in relation to school districts numbered 4 and 21, in Campbell county.
An act to incorporate the Old Frankfort Turnpike Road Company.
That they had passed bills from the Senate of the following titles, viz:

An act for the benefit of Alexander McDonald.
An act for the benefit of W. P. Turpin, of Larue county.
An act for the benefit of the sheriff of Washington county.
An act to provide for holding additional circuit courts in Covington.
An act to amend the acts concerning the town of Lebanon.
An act for the benefit of Lewis White, late of Owen county.
An act to incorporate the town of Stamping Ground, in Scott county.
An act to provide for holding county courts in Covington.
An act for the benefit of Judith E. Bush.
An act to extend the corporate limits of the city of Hickman.
An act permitting the sale of real estate at the door of the court house in the city of Newport.
An act for the benefit of the German Methodist Episcopal church, of Newport.
An act to incorporate the German Workman's Benevolent Association, of Covington.

An act to amend the charter of the Covington and Cincinnati Bridge Company.

An act to amend the charter of the city of Hickman, in Fulton county.

An act to incorporate the Russellville and Logan county Agricultural and Mechanical Association.

That they had received official information from the Governor that he had approved and signed enrolled bills and a resolution which originated in the House of Representatives, of the following titles, viz:

- An act to amend an act to increase the powers of the Trustees of the town of Eddyville.
- An act making Lucinda Anderson the lawful heir of Parker Williamson.
- Resolution for adjournment of the General Assembly.

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

1. An act appropriating money to Alfred Chanslor.
2. An act for the benefit of Alfred Miller, late sheriff of Muhlenburg county.
3. An act for the benefit of W. L. Kirk and Wm. Douglass, of Marion county.
5. An act to change the time of holding county courts in Harrison county.
6. An act for the benefit of Edwin Trimble, late clerk of the Floyd circuit and county courts.
7. An act to establish a turnpike road from Franklin, in Simpson county, to the turnpike road south of Scottsville, in Allen county.
8. An act amending the charter of the Barren county railroad.
9. An act declaring the Cat fork of Blain's creek a navigable stream.
10. An act to incorporate the St. Mary's Turnpike road Company, in Marion county.
11. An act to incorporate the Harmony and Fork Turnpike road Company.
12. An act to incorporate the Russellville and Clarksville Turnpike road Company.
13. An act to amend the charter of the Crab Orchard and Gilmore's Lick Turnpike road Company.
15. An act to amend an act, approved February 27, 1856, in relation to a new road in Fleming and Lewis counties.
10. An act to amend and reduce into one the road laws of Greenup county.
11. An act to amend an act, entitled, an act to incorporate the New Castle and Carrollton Turnpike road Company.
12. An act to amend the charter of the Nicholasville and Kentucky river Turnpike road Company.
15. An act to amend the charter of the Campbellsville Turnpike road Company.
16. An act to establish a state road from Eddyville to Paducah.
17. An act to authorize the Marshall county court to change the state road from Hopkinsville to Paducah.
18. An act to authorize the Marshall county court to change the state road from Aurora to Paducah.
19. An act for the benefit of Cansville and citizens of Livingston county.
20. An act to establish a state road from Paducah to Hopkinsville.
22. An act to authorize Luke Howlett to erect a dam and trap across the Rolling fork.
23. An act to incorporate the Liberty and Bradfordsville Turnpike road Company.
25. An act to incorporate the Bowling-green and Scottsville Turnpike road Company.
27. An act to incorporate the Ruddell's Mills and Shawhan's Station Turnpike road Company.
28. An act to amend the charter of the Hamilton and Buffalo Hill Turnpike road Company.
29. An act to incorporate the Millersburg, Indian creek Meeting house, and Cynthiana Turnpike road Company.
30. An act to amend an act to incorporate the People's Turnpike road Company.
31. An act to incorporate the Boston Turnpike road Company.
39. An act to repeal an act to allow R. M. Bradley & Company to build dams, and for other purposes.
Which were read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, they were referred—

The 1st, 2d, 3d, and 4th to the committee on Finance; the 5th, 23d, and 24th to the committee on County Courts; the 6th and 18th, to the committee on Circuit Courts; the 7th, 8th, 9th, 14th, 16th, 17th, 19th, 21st, 22d, 30th, 32d, 34th, 35th, 37th and 38th to the committee on Internal Improvement; the 10th, 11th, 12th, 13th, 25th, 28th, 29th, 31st, 33d, 36th, and 39th to the committee on Propositions and Grievances; the 15th to the committee on Revised Statutes; the 20th to the committee on Agriculture and Manufactures; the 26th and 27th to the committee on the Judiciary.

1. Mr. Ripley presented the remonstrance of sundry citizens of Louisville, against the charter of the Louisville Lumber and Builders' Planing Mill Company.

2. Also, the remonstrance of W. S. Pilcher, remonstrating against certain amendments proposed to the charter of the city of Louisville.

3. Mr. Wait presented the remonstrance of sundry citizens of Mt. Gilead and vicinity, remonstrating against the repeal of an act prohibiting the sale of ardent spirits in said town.

Which were received, the reading dispensed with, and referred, the 1st to the committee on Agriculture and Manufactures; the 2d to the committee on the Judiciary, and the 3d to the committee on Circuit Courts.

Mr. Taylor moved a reconsideration of the vote by which the Senate disagreed to a bill from the House of Representatives, entitled, An act to repeal an act, entitled, an act to require turnpike, tollbridge and plank road companies to declare semi-annual dividends, and to amend the Revised Statutes, title revenue and taxation.

And the question being taken on reconsidering said vote, it was decided in the affirmative.

Ordered, That said bill be re-committed to the committee on Revised Statutes.

The following bills were reported from the committee on the Judiciary, viz:

By Mr. Andrews—
1. A bill for the benefit of William Brown, of Jessamine county.
By same—
2. A bill to amend the charter of the town of Versailles.
By same—
3. A bill to incorporate the town of Catlettsburg, in Greenup county.
By Mr. Ripley—
By same—
5. A bill to incorporate the Lumberman’s and Builders’ Planing Mill Company.
By Mr. Buckner—
6. A bill to enable the city of Louisville to make compensation for damages caused by riots in said city.
Which were read the first time, and ordered to be read a second time.
The constitutional provision as to the second reading of said bills was dispensed with,
The 1st, 2d, 3d, 4th, and 5th were ordered to be engrossed and read a third time, and the 6th was placed in the orders of the day.
The constitutional provision as to the third reading of the 1st, 2d, 3d, 4th, and 5th 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.
By Mr. Haycraft, from the committee on Circuit Courts, reported the following bills, viz:
A bill concerning the Clerk of Hardin County Court.
A bill for the benefit of the New Orleans and Ohio Railroad Company.
A bill defining the jurisdiction of the McCracken County Judge.
Which were read the first time, and ordered to be read a second time.
The constitutional provision 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.
Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they were referred, viz:
By Mr. Ripley, from the committee on the Judiciary—
An act amendatory of the charter of the town of Cynthiana.
By same—
An act to incorporate Alma Lodge, No. 322, of Free and Accepted Masons.
By same—
An act to repeal the charter of Baltimore.

By same—
An act concerning the jurisdiction of justices of the peace in regard to breaches of the peace.

By same—
An act for the benefit of James Faulkner.

By same—
An act to amend the charter of Columbus.

By Mr. Buckner, from the same committee—
An act for the benefit of the proprietors of the Union White Sulphur Springs.

By Mr. Haycraft, from the committee on Circuit Courts—
An act to extend the terms of the Henderson circuit court.

By same—
An act to change the time of electing police judge of the town of Tompkinsville.

By same—
An act to extend the corporate limits of the town of Owensboro.

By Mr. Buckner, from the committee on the Judiciary—
An act to amend an act concerning passways.

With an amendment to the last named bill.

Which was concurred in.

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

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

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

Mr. Ripley, from the committee on the Judiciary, to whom was referred a bill from the House of Representatives entitled,

An act legalizing certain acts and sales of the marshal of Brandenburg,

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

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

So the said bill was disagreed to.

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

An act to amend the law in relation to wills.

An act repealing the 1st section of an act to amend the charter of the town of Hopkinsville.
Reported the same, with the expression of opinion that they ought not to pass.
And the question being taken upon ordering said bills to be read a third time, it was decided in the negative.
So the said bills were disagreed to.
Mr. Andrews, from the committee on the Court of Appeals, to whom was referred a bill from the House of Representatives, entitled, An act concerning the court of appeals,
Reported the same without amendment.
Ordered, That said bill be read a third time.
The constitutional provision as to the third reading of said bill being dispensed with,
The question was then taken on the passage of said bill, and it was decided in the affirmative.
The yeas and nays being taken thereon, in pursuance of a provision of the constitution, were as follows, viz :

Those who voted in the affirmative, were—

Mr. Speaker, (King,) Asa P. Grover, Charles Ripley,
Landaff W. Andrews, Thomas S. Grundy, H. M. Rust,
A. D. Cosby, Samuel Haycraft, G. W. Silvertooth,
William S. Darnaby, James D. Headley, Harrison Taylor,
George T. Edwards, Gibson Mallory, C. J. Walton,
John F. Fisk, Daniel Matthewson, W. C. Whitaker,
William C. Gillis, William H. Read,

Those who voted in the negative, were—

Joseph S. Bledsoe, James McKee, Cyrenius Wait,
John B. Bruner, John P. Smith, John Williams,
David Irvine,

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

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

An act to amend the charter of Paducah.
An act to amend the charter of the Ashland Fire, Marine and Life Insurance Company.
An act for the benefit of the personal representatives of W. B. A. Baker, deceased.
An act to incorporate DeKalb Lodge, No. 12, I. O. O. F.
An act to incorporate the Citizens’ Fire Company, No. 3, of Covington.
An act for the benefit of Eleanor G. Vance.
An act for the benefit of J. D. Mannin and J. R. Gordon.
An act to change the place of voting in Hendronsville precinct, in Henry county.
An act to change the place of voting in the Meadow creek precinct, in Whitley county.
And enrolled bills which originated in the House of Representatives of the following titles, viz:
An act to prevent the destruction of fish in the Kentucky river and its tributaries.
An act to amend the 2d section of article 63 of the Revised Statutes, title limitation of actions and suits.
An act to incorporate Dunavon Lodge, No. 282, Free and Accepted Masons.
And had found the same truly enrolled.
Said bill 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 approval and signature.
After a short time Mr. Walton reported that the committee had discharged that duty.
A message was received from the House of Representatives, by Mr. Machen, announcing that they were ready to proceed to the execution of the joint order of the day, the election of a Keeper of the Penitentiary.
On motion of Mr. Silvertooth—
Ordered, That a committee be sent to the House of Representatives to inform them that the Senate is also ready to proceed to the execution of the same joint order of the day.
Whereupon, Mr. Silvertooth was appointed to discharge that duty.
Mr. Silvertooth nominated Mr. Jerry W. South as a proper person to fill the office of Keeper of the Penitentiary.
Mr. Buckner nominated Mr. Zeb. Ward for the same office.
After interchanging nominations, the Senate proceeded to take the vote, which stood thus:

Those who voted for Mr. South were—
A. D. Cosby, Thomas S. Grundy, H. M. Rust,
William S. Darnaby, James D. Headley, George W. Silvertooth,
John F. Fisk, Daniel Matthewson, John P. Smith,
Theo. T. Garrard, William H. McBrayer, C. J. Walton,
Those who voted for Mr. Ward were—

Mr. Speaker, (King,) Samuel Haycraft, James Sudduth,
Landaff W. Andrews, Samuel Howard, Harrison Taylor,
Joseph S. Bledsoe, David Irvine, Cyrenius Wait,
John B. Bruner, Gibson Mallory, W. C. Whitaker,
James F. Buckner, James McKee, John Williams,
George T. Edwards, Charles Ripley, George Wright—19.
William C. Gillis.

Messrs. Whitaker and Headley were appointed a committee on the part of the Senate, to act in conjunction with a similar committee appointed on behalf of the House of Representatives, to compare the joint vote.

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

For Mr. Jerry W. South, 75
For Mr. Zeb. Ward, 57

Whereupon, Mr. Jerry W. South was declared duly elected Keeper of the Penitentiary of the Commonwealth of Kentucky, for four years from and after the 1st day of March, 1859.

The Senate, according to order, took up for consideration

A bill to extend the charters of the Bank of Louisville, Bank of Kentucky, and Northern Bank.

With the amendments heretofore proposed by Messrs. Grover and Fisk.

Mr. Mallory 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. Garrard and Darnaby, were as follows, viz:

Those who voted in the affirmative, were—

Landaff W. Andrews, David Irvine, C. J. Walton,
Joseph S. Bledsoe, Gibson Mallory, John Williams,
James F. Buckner, James McKee, W. M. Wilson,
Samuel Howard, Cyrenius Wait,

Those who voted in the negative, were—

Mr. Speaker, (King,) Asa P. Grover, Charles Ripley,
John B. Bruner, Thomas S. Grundy, H. M. Rust,
A. D. Cosby, Samuel Haycraft, John P. Smith,
W. S. Darnaby, James D. Headley, James Sudduth,
George T. Edwards, Daniel Matthewson, Harrison Taylor,
Theo. T. Garrard, William B. Read,
The hour having arrived for taking up the regular orders of the day, Mr. Irvine moved a suspension of the rules, for the purpose of proceeding with the bill under consideration.

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

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

Those who voted in the affirmative, were—

Mr. Speaker, (King,) Samuel Howard, G. W. Silvertooth, Harrison Taylor, Cyrenius Wait.
James F. Buckner, James Howard, Samuel Howard.
George T. Edwards, James McKee, Thomas S. Grundy, H. M. Rust.
William C. Gillis, William B. Read, Charles Ripley, George Wright.
Samuel Haycraft.

Those who voted in the negative, were—

John F. Fisk, James D. Headley, James Sudduth.
Mr. Fisk then withdrew the amendment heretofore offered by himself as a substitute for the amendment offered by Mr. Grover.

Mr. Fisk then offered the first of the series of amendments heretofore offered, as an amendment to the amendment offered by Mr. Grover.

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

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

Those who voted in the affirmative, were—

A. D. Cosby, Asa P. Grover, Daniel Matthewson.
John F. Fisk, James D. Headley, H. M. Rust.

Those who voted in the negative, were—

Mr. Speaker, (King,) David Irvine, Harrison Taylor.
John B. Bruner, James McKee, W. C. Whitaker.
James F. Buckner, Charles Ripley, John Williams.
William C. Gillis, James Sudduth, George Wright.
Samuel Haycraft.
Mr. Haycraft then moved the following amendment as a substitute for the amendment proposed by Mr. Grover, viz:

5. That it shall be the duty of the said banks, within six months from the passage of this bill, to loan to the citizens of each of the ten congressional districts, upon new accommodations, in sums of not more than one thousand dollars to each individual applicant, to be repaid in calls of not more than ten per cent. upon the original amount loaned, for the two first one hundred days the said loan shall run, and not more than 20 per cent. for each one hundred and twenty days it may afterwards run, an amount of not less than two hundred thousand dollars to each congressional district: Provided, that if there should not be suitable and satisfactory applications for the amount to which any district may be entitled before the first day of July next, then the said banks may lend in larger sums than one thousand dollars: And provided also, that if the said banks shall fail to make the loans herein provided for within the time stated, for want of proper and suitable applications, with satisfactory indorsers, then the said banks shall be released from the provisions of this section for amounts not applied for. And it shall be the duty of the Bank of Kentucky to make the loans in the districts Nos. ; the Northern Bank of Kentucky to make the loans in districts Nos. ; and the Bank of Louisville to make the loans in districts Nos. ; and in distributing to the counties of each district, the said banks are to be governed by the number of qualified voters of each county.

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

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

Those who voted in the affirmative, were—

William S. Darabey, Thomas S. Grundy, William H. McBrayer,
John F. Fisk, Samuel Haycraft, William B. Read,
Theo. T. Garrard, James D. Headley, John P. Smith,
William C. Gillis, Samuel Howard, James Sudduth,

Those who voted in the negative, were—

Mr. Speaker, (King,) David Irvine, Harrison Taylor,
Landaff W. Andrews, Gibson Mallory, Cyrenius Wait,
Joseph S. Bledsoe, James Mckee, C. J. Walton,
John B. Bruner, Charles Ripley, John Williams,
James F. Buckner, H. M. Rust, W. M. Wilson,
A. D. Cosby, G. W. Silvertooth, George Wright—10,
George T. Edwards,

Mr. King then moved the following as a substitute for the amendment offered by Mr. Grover, viz:

The president and directors of the Northern Bank shall also establish a branch at Paducah, in the county of McCracken, with a capital of not less than $200,000; and to enable said mother Bank to do so,
her capital stock is now increased $900,000 in addition to the present capital stock, over and above its surplus.

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

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

Those who voted in the affirmative were—

<table>
<thead>
<tr>
<th>Mr. Speaker, (King,)</th>
<th>David Irvine,</th>
<th>C. J. Walton,</th>
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<tbody>
<tr>
<td>Landaff W. Andrews,</td>
<td>James McKee,</td>
<td>W. C. Whitaker,</td>
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<tr>
<td>Joseph S. Bledsoe,</td>
<td>Charles Ripley,</td>
<td>John Williams,</td>
</tr>
<tr>
<td>William C. Gillis,</td>
<td></td>
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</tbody>
</table>

Those who voted in the negative were—

| James F. Buckner, | Thomas S. Grundy, | William B. Read, |
| A. D. Cosby,      | Samuel Haycraft,  | H. M. Rust,       |
| William S. Darnaby,| James D. Headley, | George W. Silvertooth, |
| George T. Edwards,| Samuel Howard,    | John P. Smith,    |
| John F. Fisk,     | Gibson Mallory,   | James Sudduth,    |
| Theo. T. Garrard, | Daniel Mathewson, | Cyrenius Wait,    |

Mr. Fisk then offered the second of the series of amendments heretofore offered by himself, as a substitute for the amendment heretofore offered by Mr. Grover.

Pending the consideration of which, it being nearly the hour fixed for adjournment,

Mr. Irvine moved that the rule requiring the Speaker to declare the Senate adjourned at 2 o'clock, P. M., be suspended for this day only, with the view of proceeding with the bill now under consideration.

And the question being taken thereon, it was decided in the negative, two-thirds not voting therefor.

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

Those who voted in the affirmative were—

<table>
<thead>
<tr>
<th>Mr. Speaker, (King,)</th>
<th>Thomas S. Grundy,</th>
<th>H. M. Rust,</th>
</tr>
</thead>
<tbody>
<tr>
<td>Landaff W. Andrews,</td>
<td>Samuel Haycraft,</td>
<td>James Sudduth,</td>
</tr>
<tr>
<td>Joseph S. Bledsoe,</td>
<td>David Irvine,</td>
<td>Harrison Taylor,</td>
</tr>
<tr>
<td>John B. Bruner,</td>
<td>William H. McBrayer,</td>
<td>Cyrenius Wait,</td>
</tr>
<tr>
<td>George T. Edwards,</td>
<td>James McKee,</td>
<td>W. M. Wilson,</td>
</tr>
<tr>
<td>John F. Fisk,</td>
<td>Charles Ripley,</td>
<td>George Wright—19.</td>
</tr>
<tr>
<td>William C. Gillis,</td>
<td></td>
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</tbody>
</table>

Those who voted in the negative, were—

| James F. Buckner, | Asa P. Grover, | Daniel Matthewson, |
| A. D. Cosby,      | James D. Headley, | John P. Smith,    |
| William S. Darnaby,| Samuel Howard, | W. C. Whitaker,    |

And then the Senate adjourned.
FRIDAY, FEBRUARY 5, 1858.

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 incorporate the Louisville and Cane Run Plank road Company.

An act for the benefit of the Spencer and Nelson turnpike road.

An act to amend an act, entitled, an act to incorporate the Danville and Hustonville Turnpike road Company.

An act to amend an act, entitled, an act to incorporate the Springfield, Perryville and Danville Turnpike road Company.

An act to amend the charter of the Jefferson and Brownsborough Turnpike road Company.

An act for the benefit of the Maysville and Mt. Sterling Turnpike road Company.

An act for the benefit of the Shelbyville and Mount Eden Turnpike Company.

An act to incorporate the Nashville and Cumberland Coal and Lumber Company.

An act to incorporate the London, Somerset and Waitsborough Turnpike road Company.

An act to incorporate Cranetown Turnpike road Company.

An act to incorporate the Hustonville and Bradfordsville Turnpike road Company.

An act to incorporate the Elizaville and Blue Lick Turnpike road Company,

With an amendment to the last named bill.

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

1. An act to authorize the county court of Logan to change its subscription to the Louisville and Nashville Railroad Company.

2. An act amending the charter of Knob Lick Turnpike road Company.

3. An act to amend the charter of the Kentucky, Cumberland Gap, and Southern Railroad Company.

4. An act to amend an act chartering the Richmond and Boonesborough Turnpike road Company.

5. An act to incorporate the Jefferson Southern Pond Draining Company.
6. An act to incorporate the Berry and Raven creek Bridge Company.

7. An act to incorporate the Rolling Fork and St. Mary’s Turnpike road Company, in Marion county.

8. An act to incorporate the Dudaren Mill Turnpike road Company.


10. An act to organize and carry out a general system of improving the roads in Logan county.

11. An act to amend an act, entitled, an act to amend the charter of the Lexington and Danville Railroad Company, approved March 10, 1856.

12. An act to incorporate the St. Andrews church, in Louisville.

13. An act to incorporate the Fowler’s creek and Staffordsburg Turnpike road Company.


15. An act regulating the duties of the sheriff of Warren county, in regard to railroad tax.


17. An act for the benefit of the academical department of the University of Louisville.

18. An act for the benefit of the Bank of Providence, Rhode Island.

19. An act to incorporate the North Bend and Wolper Turnpike road Company.

20. An act to establish and incorporate the town of Charlottesville, in Pulaski county.

21. An act to incorporate the Bunker Hill and Big Sandy Coal Mining and Lumber Company.

22. An act to incorporate the Mount Lebanon and Kentucky river Turnpike road Company.

23. An act to incorporate the Sugar creek and Hickman Turnpike road Company.

24. An act to incorporate the Liberty and Russell’s Springs Turnpike road Company.

25. An act to amend an act, entitled, an act to amend the charter of the Glasgow and Scottsville Turnpike road Company, approved February 29th, 1848.

26. An act to extend the power of the trustees of the town of Leesburg, in Harrison county.

27. An act to prevent the wanton destruction of fish in Green river and its tributaries.
28. An act authorizing the county court of Barren to subscribe stock in the Barren county Railroad.
Which were read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, they were referred—

The 1st, 3d, and 28th to the committee on County Courts; the 2d, 11th, 13th, 14th, 19th, 23d, and 24th to the committee on Internal Improvement; the 4th and 16th to the committee on Banks; the 5th, 6th, 9th, 21st, 25th, 26th and 27th to the committee on Agriculture and Manufactures; the 7th, 8th, 20th, and 22d to the committee on Propositions and Grievances; the 10th and 18th to the committee on the Judiciary; the 12th to the committee on Religion; the 15th to the committee on Finance; and the 17th to the committee on Education.

That they had received official information from the Governor that he had approved and signed enrolled bills and a resolution which originated in the House of Representatives, of the following titles, viz:

An act to incorporate Dunavan Lodge, No. 282, Free and Accepted Masons.

An act to incorporate the New Castle and Carrollton Turnpike Road Company.

An act to amend the 2d section of article 63 of the Revised Statutes, title limitation of actions and suits.

An act to prevent the destruction of fish in the Kentucky river and its tributaries.

1. Mr. Matthewson presented the remonstrance of sundry citizens of Trigg and Marshall counties, remonstrating against the passage of an act authorizing the establishing a state road from Hopkinsville to Paducah.

2. Mr. Smith presented the petition of James L. Stratton, common school commissioner of Jefferson county, praying an appropriation of money for the Orphan School in said county.

3. Mr. Headley presented the remonstrance of W. G. Hughes and others, of Union county, remonstrating against the repeal of the act incorporating the Cypress Pond Draining Company.

4. Mr. Haycraft presented the petition of C. D. Shain, in relation to a claim against the Louisville and Nashville Turnpike Company.

5. Mr. Gillis presented the remonstrance of sundry citizens of Rockcastle county, against the passage of an act for the benefit of Wm. M. Smith, late gate keeper on the Crab Orchard road.

6. Mr. Wait presented the petition of sundry citizens of Pulaski
5. Mr. Silvertooth presented the remonstrance of sundry citizens of the town of Columbus, remonstrating against the passage of an act establishing a ferry at Columbus.

Which were received, the reading dispensed with, and referred, the 1st and 7th to the committee on the Judiciary; the 2d to the committee on Education; the 3d to the committee on Agriculture and Manufactures; the 4th to the committee on Finance; the 5th to the committee on Internal Improvement; and the 6th to the committee on County Courts.

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

Whereas, a resolution has passed both houses of the present General Assembly, extending the session to the 15th February next, and doubts have arisen whether or not the time thus fixed refers to the present month. For remedy whereof,

Be it resolved, That the day of adjournment was intended to be the 15th of the present month.

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

Mr. Andrews moved a reconsideration of the vote by which the Senate on yesterday disagreed to a bill from the House of Representatives, entitled,

An act legalizing certain acts and sales of the marshal of Brandenburg.

And the question being taken on reconsidering said vote, it was decided in the affirmative.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

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

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

An act for the benefit of Eleanor G. Vance.
An act for the benefit of J. D. Mannin and J. R. Gordon.
An act to amend the charter of Paducah.
An act to amend the charter of the Ashland Fire, Marine and Life Insurance Company.
An act for the benefit of the personal representatives of W. B. A. Baker, deceased.

An act to incorporate DeKalb Lodge, No. 12, I. O. O. F.

An act to incorporate the Citizens' Fire Company, No. 3, of Covington.

An act to change the place of voting in Hendronsville precinct, in Henry county.

An act to change the place of voting in Meadow creek precinct, in Whitley county.

Mr. Porter, from the committee on Circuit Courts, to whom was referred bills from the House of Representatives of the following titles, viz:

An act authorizing the appointment of guardians by clerks of circuit and chancery courts.

An act in relation to the records and papers of the Rockcastle circuit court.

An act requiring certain bonds, to be recorded in circuit and chancery courts.

An act to incorporate the Hopkinsville Press Printing Company.

An act creating a police judge and marshal for the town of Burlington.

Reported the same, with amendments to the two last named bills. Which were concurred in.

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

The constitutional provision as to the third reading of said bills being dispensed with.

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

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

A bill adding Jackson county to the 12th judicial district.

A bill to incorporate the Bridgeport Female Institute.

A bill to amend the charter of the Versailles and Harrodsburg Turnpike road Company.

A bill to incorporate a Lodge of Masons, in Carroll county.

A bill authorizing justices of the peace to take depositions in certain cases.

A bill for the benefit of William Smith, clerk of the Grant circuit court.

A bill to regulate the holding of the circuit courts in the 12th judicial district.
A bill for the benefit of Sligo Division, No. 18, of the Sons of Temperance, in Henry county.

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

The constitutional provision 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 motion of Mr. Haycraft—
Leave of absence was granted to Mr. Cosby indefinitely.

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

An act to incorporate the Elizaville and Blue Lick Turnpike Road Company.

Which was twice read and concurred in.

Mr. Whitaker, from the committee on Circuit Courts, reported
A bill establishing equity and criminal courts in the 7th, 9th, 10th, 11th, and 13th judicial districts.

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

The constitutional provision as to the second reading of said bill was dispensed with,

Pending the consideration of which, the hour arrived for taking up a special order of the day.

The Senate, according to order, took up for consideration
A bill to extend the charters of the Bank of Louisville, Bank of Kentucky, and Northern Bank.

With the amendments heretofore proposed by Messrs. Grover and Fisk.

Mr. Fisk then offered the second section of the series of amendments heretofore offered by himself, as a substitute for the amendment heretofore offered by Mr. Grover.

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

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

Those who voted in the affirmative, were—

William S. Darnaby, James D. Headley, William B. Read,
John F. Fisk, Samuel Howard, H. M. Rust,
Theo. T. Garrard, John P. Martin, John P. Smith,

Those who voted in the negative, were:


Mr. Fisk then moved the 3d section of the series of amendments heretofore offered by himself, as a substitute for the amendment offered by Mr. Grover.

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

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

Those who voted in the affirmative, were—


Those who voted in the negative, were—


Mr. Fisk then moved the 4th section of the series of amendments heretofore offered by himself, as a substitute for the amendment heretofore offered by Mr. Grover.

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

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

Those who voted in the affirmative were—

Those who voted in the negative were—

Mr. Speaker, (King,) David Irvine, Cyrenius Wait,
Landaff W. Andrews, Gibson Mallory, C. J. Walton,
Joseph S. Bledsoe, William H. McBrayer, W. C. Whitaker,
John B. Bruner, Charles Ripley, John Williams,
James F. Buckner, George W. Silvertooth, W. M. Wilson,
William C. Gillis, James Sudduth, George Wright—20.
Samuel Haycraft, Harrison Taylor,

Mr. Fisk then moved the 5th section of the series of amendments heretofore offered by himself, as a substitute for the amendment offered by Mr. Grover.

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

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

Those who voted in the affirmative, were—

W. S. Darnaby, Thomas S. Grundy, Daniel Matthewson,
John F. Fisk, James D. Headley, Thomas P. Porter,
Theo. T. Garrard, Samuel Howard, William B. Read,

Those who voted in the negative, were—

Mr. Speaker, (King,) David Irvine, Harrison Taylor,
Landaff W. Andrews, Gibson Mallory, Cyrenius Wait,
Joseph S. Bledsoe, William H. McBrayer, C. J. Walton,
John B. Bruner, James McKee, W. C. Whitaker,
James F. Buckner, Charles Ripley, John Williams,
George T. Edwards, H. M. Rust, W. M. Wilson,
William C. Gillis, George W. Silvertooth, George Wright—23.
Samuel Haycraft, James Sudduth,

Mr. Fisk then moved the 6th section of the series of amendments heretofore offered by himself, as a substitute for the amendment offered by Mr. Grover.

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

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

Those who voted in the affirmative, were—

Mr. Speaker, (King,) Thomas S. Grundy, William B. Read,
William S. Darnaby, James D. Headley, H. M. Rust,
George T. Edwards, Samuel Howard, John P. Smith,
John F. Fisk, John P. Martin, James Sudduth,
Asa P. Grover,
Those who voted in the negative, were—

Landaff W. Andrews, Gibson Mallory, Harrison Taylor,
Joseph S. Bledsoe, William H. McBrayer, Cyrenius Wait,
John B. Bruner, James McKee, C. J. Walton,
James F. Buckner, Thomas P. Porter, W. C. Whitaker,
William C. Gillis, Charles Ripley, John Williams,
David Irvine,

Mr. Rust moved the following as an amendment to the amendment heretofore proposed by Mr. Grover.

*Be it further enacted, That after the expiration of the present charters of the banks aforesaid, and upon the stockholders accepting the extension of their charters as herein provided, the individual property and estate of the stockholders of each bank respectively shall be liable for the payment of all the debts and liabilities of their respective banks, in the same manner that other persons or partnerships not incorporated are now liable by law.*

Mr. Wright moved the previous question.

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

The yea and nays being required thereon, by Messrs. Wright and Walton, were as follows, viz:

Those who voted in the affirmative, were—

Landaff W. Andrews, Gibson Mallory, Harrison Taylor,
James F. Buckner, John P. Martin, Cyrenius Wait,
William C. Gillis, William H. McBrayer, C. J. Walton,
Samuel Haycraft, James McKee, John Williams,
Samuel Howard, William B. Read, W. M. Wilson,
David Irvine, George W. Silvertooth—18.

Those who voted in the negative, were—

Mr. Speaker, (King,) Theo. T. Garrard, Charles Ripley,
Joseph S. Bledsoe, Asa P. Grover, H. M. Rust,
John B. Bruner, Thomas S. Grundy, John P. Smith,
William S. Darnaby, James D. Headley, James Sudduth,
George T. Edwards, Daniel Matthewson, W. C. Whitaker—17.
John F. Fisk, Thomas P. Porter,

Mr. Martin moved a reconsideration of the vote by which the previous question was sustained.

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

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

Those who voted in the affirmative, were—

Mr. Speaker, (King,) Theo. T. Garrard, Thomas P. Porter,
Joseph S. Bledsoe, Asa P. Grover, William B. Read,
The hour having arrived for taking up the regular orders of the day, Mr. Taylor moved a suspension of the rules, for the purpose of proceeding with the bill under consideration. And the question being taken thereon, it was decided in the affirmative.

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

Those who voted in the affirmative, were—

Mr. Speaker, (King,) Samuel Haycraft, James Sudduth,
Landaff W. Andrews, Samuel Howard, Harrison Taylor,
Joseph S. Bledsoe, David Irvine, Cyrenius Wait,
John B. Bruner, Gibson Mallory, C. J. Walton,
James F. Buckner, William H. McBrayer, W. C. Whitaker,
William C. Gillis, James McKee, John Williams,
Samuel Haycraft, George W. Silvertooth, W. M. Wilson,
Samuel Howard, Harrison Taylor, George Wright—17.
David Irvine, Cyrenius Wait.

Those who voted in the negative, were—

William S. Darnaby, James D. Headley, Thomas P. Porter,
Theo. T. Garrard, John P. Martin, William B. Read,

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

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

Those who voted in the affirmative, were—

Theo. T. Garrard, Samuel Howard, William B. Read,

Those who voted in the negative, were—

Mr. Speaker, (King,) Samuel Haycraft, J. P. Smith,
Landaff W. Andrews, James D. Headley, James Sudduth,
Joseph S. Bledsoe, David Irvine, Harrison Taylor,
John B. Bruner, Gibson Mallory, Cyrenius Wait,
The question was then taken on the adoption of the amendment proposed by Mr. Grover, and it was decided in the negative.

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

Those who voted in the affirmative, were—

W. S. Darnaby,    James D. Headley,    William B. Read,
John F. Fisk,     Samuel Howard,     H. M. Rust,
Theo. T. Garrard, Daniel Matthewson, John P. Smith,
Thomas S. Grundy,

Those who voted in the negative, were—

Mr. Speaker, (King,)    Samuel Haycraft,    James Sudduth,
Landaff W. Andrews,    David Irvine,     Harrison Taylor,
Joseph S. Bledsoe,    Gibson Mallory,    Cyrenius Wait,
John B. Bruner,      William H. McBrayer, C. J. Walton,
James F. Buckner,    James McKee,      W. C. Whitaker,
George T. Edwards,    Charles Ripley,    John Williams,

Mr. Sudduth moved the following as an amendment to said bill:

§ 5. Be it further enacted, That it shall be the duty of each of said banks to report in each month to a board, composed of the governor, secretary of state, and attorney general, a true and perfect list of all bills of exchange and negotiable notes converted into bills of exchange, purchased by the principal bank, and each of its branches, in the preceding month; which list shall show the amount, time of maturity, place of payment, and date of purchase of each bill, together with the amount and rate of exchange over and above legal interest, which was discounted from, or charged on each bill. Said lists shall be verified by the affidavits of the cashiers of the respective banks and branches. But it shall not be necessary to put on said list any bill or negotiable note from which only legal interest, (and nothing for exchange,) was discounted; nor shall the names of the parties to such bills be placed thereon.

§ 6. It shall be the duty of said board to examine carefully said lists, and the rate of exchange charged by each bank, and if, in the opinion of the majority of said board, any bank shall have charged usurious interest, under color of exchange, it shall be the duty of the attorney general to make a motion, in the name of the commonwealth, against such bank, for a judgment for the fine hereafter named, for such illegal charge; of which motion at least ten days notice shall be given to said banks; and if, on the trial of said motion, it shall be adjudged that the bank has charged usurious interest, under color of a
charge of exchange on any one or more of such bills or notes, the court shall render a judgment against such bank, for a fine equal to the amount of such bills or notes. Either party may except to the judgment, and appeal therefrom to the court of appeals.

§ 7. For a failure to report the lists, as required by the fifth section of this act, for the space of thirty days, the bank so failing shall pay a fine of five hundred dollars, to be recovered by motion, in the name of the commonwealth, in the Franklin circuit court, upon ten days notice to such bank; and said court, in addition, shall by process of contempt compel the officers of such bank to report such list.

§ 8. It shall be the duty of said board to lay before the legislature, at every session, the lists so reported since the last session, with such report thereof as the board shall deem proper.

§ 9. The notes of the banks of other states received or purchased by either of said banks or branch at a discount from the nominal value of such notes, shall be embraced on said list; but it shall be sufficient to state the aggregate amount of such notes, and the aggregate amount and the rate of discount, without enumerating each note; and where such notes have been received or purchased, it shall be stated on the lists whether such notes have been or are intended to be returned to the banks issuing them, for redemption; or have been or are intended to be paid out by the bank or branch receiving or purchasing them; and if paid out, whether paid out at par or at a discount.

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

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

Those who voted in the affirmative, were—


Those who voted in the negative, were—


James F. Buckner, James McKee,

Mr. King moved to amend the bill as amended, by adding thereto the following:

That the president and directors of the Northern Bank of Kentucky shall establish an additional branch at Paducah, in McCracken county, with a capital of $200,000; and to enable them to do so, the capital stock of the Northern Bank is hereby increased the sum of $300,000 over and above its surplus.
Mr. Andrews moved to lay said bill and amendments on the table. And the question being taken thereon, it was decided in the negative.

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

Those who voted in the affirmative were—

Landaff W. Andrews, Asa P. Grover, Thomas P. Porter,
James F. Buckner, Thomas S. Grundy, William B. Read,
William S. Darnaby, James D. Headley, H. M. Rust,

Those who voted in the negative were—

Mr. Speaker, (King,) David Irvine, Harrison Taylor,
Joseph S. Bledsoe, Gibson Mallory, Cyrenius Wait,
John B. Bruner, William H. McBrayer, C. J. Walton,
George T. Edwards, James McKee, W. C. Whitaker,
John F. Fisk, Charles Ripley, John Williams,
William C. Gillis, George W. Silvertooth, W. M. Wilson,
Samuel Haycraft, John P. Smith, George Wright—22.

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

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

Those who voted in the affirmative, were—

Mr. Speaker, (King,) Gibson Mallory, Cyrenius Wait,
Landaff W. Andrews, James McKee, C. J. Walton,
Joseph S. Bledsoe, Charles Ripley, W. C. Whitaker,
John B. Bruner, George W. Silvertooth, John Williams,
George T. Edwards, James Sudduth, W. M. Wilson,
William C. Gillis, Harrison Taylor, George Wright—19.

David Irvine,

Those who voted in the negative, were—

James F. Buckner, Thomas S. Grundy, William H. McBrayer,
William S. Darnaby, Samuel Haycraft, Thomas P. Porter,
John F. Fisk, James D. Headley, William B. Read,
Theo. T. Garrard, Samuel Howard, H. M. Rust,

Mr. Porter moved to amend said bill as follows:

Strike out the word twenty wherever it occurs in the bill, and insert in lieu thereof the word ten.

Mr. Irvine 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. Grover and Edwards, were as follows, viz:

Those who voted in the affirmative, were—

Landaff W. Andrews, Samuel Haycraft, James Sudduth,
Joseph S. Bledsoe, Samuel Howard, Harrison Taylor,
John B. Bruner, David Irvine, Cyrenius Wait,
James F. Buckner, Gibson Mallory, C. J. Walton,
William S. Darnaby, William H. McBrayer, W. C. Whitaker,
John F. Fisk, James McKee, John Williams,
William C. Gillis, Charles Ripley, W. M. Wilson,

Those who voted in the negative, were—

Mr. Speaker, (King,) Asa P. Grover, Thomas P. Porter,
George T. Edwards, James D. Headley, William B. Read,

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

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

Those who voted in the affirmative, were—

William S. Darnaby, Thomas S. Grundy, William B. Read,
John F. Fisk, James D. Headley, H. M. Rust,
Asa P. Grover, Thomas P. Porter,

Those who voted in the negative, were—

Mr. Speaker, (King,) Samuel Howard, Harrison Taylor,
Landaff W. Andrews, David Irvine, Cyrenius Wait,
Joseph S. Bledsoe, Gibson Mallory, C. J. Walton,
John B. Bruner, William H. McBrayer, W. C. Whitaker,
James F. Buckner, James McKee, John Williams,
George T. Edwards, Charles Ripley, W. M. Wilson,
William C. Gillis, G. W. Silvertooth, George Wright—23.
Samuel Haycraft, James Sudduth.

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

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

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

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

Mr. Speaker, (King,) Samuel Howard, John P. Smith,
Landaff W. Andrews, David Irvine, Harrison Taylor,
Joseph S. Bledsoe, Gibson Mallory, Cyrenius Wait,
John B. Bruner, Wm. H. McBrayer, C. J. Walton,
James F. Buckner, James McKee, W. C. Whitaker,
George T. Edwards, Thomas P. Porter, John Williams,
William C. Gillis, Charles Ripley, Wm. M. Wilson,

Those who voted in the negative were—

Wm. S. Darnaby, Thomas S. Grundy, William B. Read,
John F. Fisk, James D. Headley, H. M. Rust,
Asa P. Grover.

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

Mr. Irvine then moved a suspension of the rules for the purpose of taking up

A bill to prevent the taking of usury under the color of exchange.

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

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

Those who voted in the affirmative were—

Joseph S. Bledsoe, David Irvine, John P. Smith,
John B. Bruner, Gibson Mallory, James D. Headley,
James F. Buckner, Daniel Matthewson, H. M. Rust,
Wm. S. Darnaby, Wm. H. McBrayer, C. J. Walton,
Geo. T. Edwards, James McKee, W. C. Whitaker,
John F. Fisk, Thomas P. Porter, John Williams,
William C. Gillis, William B. Read, Wm. M. Wilson,
Thomas S. Grundy, Charles Ripley, Geo. W. Silvertooth,
Samuel Howard, Geo. W. Silvertooth, George Wright—27.

Those who voted in the negative were—

Mr. Speaker, (King,) Asa P. Grover, James D. Headley,
Theo. T. Garrard,

The Senate then took up said bill, which reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That it shall be the duty of each and every incorporated bank of this state to report in each month, to a board composed of the governor, secretary of state, and attorney general, a true and perfect list of all bills of exchange and negotiable notes converted into bills of exchange, purchased by the principal bank and each of its branches, in the preceding month; which list shall show the amount, time of maturity, place of payment, and date of purchase of each bill, togeth-
er with the amount and rate of exchange over and above legal interest, which was discounted from or charged on each bill. Said lists shall be verified by the affidavits of the cashiers of the respective banks and branches. But it shall not be necessary to put on said list any bill or negotiable note, from which only legal interest, (and nothing for exchange,) was discounted; nor shall the names of the parties to such-bills be placed thereon.

§ 2. It shall be the duty of said board to examine carefully said lists, and the rate of exchange charged by each bank, and if, in the opinion of the majority of said board, any bank shall have charged usurious interest, under color of exchange, it shall be the duty of the attorney general to make a motion, in the name of commonwealth, against such bank, for a judgment for the fine hereafter named, for such illegal charge; of which motion at least ten days notice shall be given to said bank; and if, on the trial of said motion, it shall be adjudged that the bank has charged usurious interest, under color of a charge of exchange on any one or more of such bills or notes, the court shall render a judgment against such bank, for a fine equal to the amount of such bills or notes. Either party may except to the judgment, and appeal therefrom to the court of appeals.

§ 3. For a failure to report the lists, as required by the first section of this act, for the space of thirty days, the bank so failing shall pay a fine of five hundred dollars, to be recovered by motion, in the name of the commonwealth, in the Franklin circuit court, upon ten days notice to such bank; and said court, in addition, shall by process of contempt compel the officers of such bank to report such list.

§ 4. It shall be the duty of said board to lay before the legislature at every session, the lists so reported since the last session, with such report thereon as the board shall deem proper.

§ 5. Banks of deposit and savings institutions are embraced by the provisions of this act.

§ 6. The notes of the banks of other states received or purchased by any bank or branch at a discount from the nominal value of such notes, shall be embraced on said list; but it shall be sufficient to state the aggregate amount of such notes, and the aggregate amount and the rate of discount, without enumerating each note; and where such notes have been received or purchased, it shall be stated on the lists whether such notes have been or are intended to be returned to the banks issuing them, for redemption; or have been or are intended to be paid out by the bank or branch receiving or purchasing them; and if paid out, whether paid out at par, or at a discount.

Mr. Porter moved to amend said bill as follows:

After the word bill, in the first section, (printed in italic,) insert: "Which report shall be published at the expense of the several banks, in two newspapers published in Frankfort, one in Lexington, and one in Louisville."

And the question being taken thereon, it was decided in the affirmative.
Mr. Buckner moved to amend said bill as follows, viz:
In the first section, 3d line, strike out the words "each month" and insert in lieu thereof the word "quarterly."
And the question being taken thereon, it was decided in the negative.
The yeas and nays being required thereon by Messrs. Buckner and Howard, were as follows, viz:

Those who voted in the affirmative were—

Those who voted in the negative were—

Mr. Irvine then moved to amend the bill as follows, viz:
In section 2, line 5, after the word "commonwealth," and before the word "against," insert the words, "in the Franklin circuit court."
And the question being taken thereon, it was decided in the affirmative.

Ordered, That said bill, as amended, be engrossed and read a third time.
The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,
The question was then taken on the passage of said bill, and it was decided in the affirmative.
The yeas and nays being required thereon by Messrs. Porter and Irvine, were as follows, viz:

Those who voted in the affirmative were—
Resolved, That the title of said bill be as aforesaid.

The Senate also took up for consideration

A bill authorizing an increase of the capital stock of the Commercial Bank of Kentucky, and the establishment of additional branches.

Said bill reads as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the capital stock of the Commercial Bank of Kentucky may be increased six hundred thousand dollars; and the privilege of establishing two additional branches of said bank is hereby granted, to be located at such points in the state as the president and directors of the principal bank may designate. This act to take effect from its passage.

Mr. Fisk then moved to amend the bill by adding thereto the following:

That the legislature shall at all times have and retain the power of prohibiting the issue of bank notes by said bank below the denomination of five dollars; and after the year 1875 shall have the power of prohibiting the issue of bank notes under the denomination of ten dollars.

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

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

Those who voted in the affirmative were—


Those who voted in the negative were—


Ordered, That said bill, as amended, be engrossed and read a third time.
The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,
The question was then taken on the passage of said bill, and it was decided in the affirmative.
The yeas and nays being required thereon by Messrs. Grover and Bledsoe, were as follows, viz:

Those who voted in the affirmative were—

Mr. Speaker, (King,) Samuel Haycraft, James Sudduth,
Landaff W. Andrews, Samuel Howard, Harrison Taylor,
Joseph S. Bledsoe, David Irvine, Cyrenius Wait,
John B. Bruner, Gibson Mallory, C. J. Walton,
James F. Buckner, Wm. H. McBrayer, W. C. Whitaker,
George T. Edwards, James McKee, John Williams,
William C. Gillis, H. M. Rust,

Those who voted in the negative were—

Wm. S. Darnaby, James D. Headley, Geo. W. Silvertooth,
Theo. T. Garrard, Daniel Matthewson, John P. Smith,
Thomas S. Grundy, William B. Read,

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

On motion of Mr. McKee—

A message was sent to the House of Representatives, asking leave to withdraw the announcement of the Senate, of their disagreement to a bill from the House of Representatives, entitled,
An act to amend the law in regard to jury trials, and the effect of the same in will cases.

On motion of Mr. Walton—

Mr. Wilson was added to the committee on Enrollments.

And then the Senate adjourned.
SATURDAY, FEBRUARY 6, 1858.

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 common school district No. 18, in Larue county.

An act to improve the navigation of the Kentucky river.

An act for the benefit of S. W. Rennick, sheriff of Hickman county.

An act for the benefit of school district No. 18, in Henry county.

An act to amend an act to incorporate the Ashland Female Seminary, and change the name thereof.

With an amendment to the last named bill.

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

1. An act appropriating money to the Eastern Lunatic Asylum.

2. An act to incorporate the Danville Female Academy.

3. An act to incorporate the Hustonville Christian Academy.

4. An act to amend an act, entitled, an act to incorporate Bethel Academy.

5. An act to amend an act incorporating Minerva Seminary.

6. An act to incorporate Union College, at Crittenden, in Grant county.

7. An act to amend an act, entitled, an act to incorporate the Covington Library Association.


10. An act to modify the charter of Trigg Academy.

11. An act for the benefit of Robert D. Murray, common school commissioner for Hart county.


13. An act for the benefit of John Dills, jr.


15. An act for the benefit of the public schools in Louisville.

16. An act concerning the chartered turnpike roads in Montgomery county.
17. An act to amend the charter of the Mount Sterling and Jeffersonville Turnpike road Company.

18. An act to amend the charter of the Oregon Turnpike road Company.

19. An act to incorporate the Little River Association.

20. An act to amend the charter of the Bracken Academy.

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

The constitutional provision as to the second reading of said bills being dispensed with, they were referred—

The 1st and 13th to the committee on Finance; 2d, 3d, 4th, 5th, 6th, 7th, 8th, 9th, 10th, 11th, 12th, 15th, and 20th to the committee on Education; the 14th to the committee on Agriculture and Manufactures; the 16th, 17th, and 18th to the committee on Internal Improvement; and the 19th to the committee on the Judiciary.

1. Mr. Gillis presented the petition of sundry citizens of Rockcastle county, praying that further time be given A. J. Mershon, sheriff of said county, to pay the remainder of his revenue for 1857.

2. Mr. Grundy presented the petition of sundry citizens of McCracken county, praying an act of incorporation for the Clark's river Bridge Company.

3. Mr. Headley presented the petition of James Edmiston, of Hopkins county, praying an appropriation of money for his son Dickson, who is a lunatic.

Which were received, the readingdispensed with, and referred, the 1st and 3d to the committee on Finance, and the 2d to the committee on Propositions and Grievances.

A message was received from the Governor by Mr. Bibb, Assistant Secretary of State, announcing that the Governor had approved and signed an enrolled bill which originated in the Senate of the following title, viz:

An act to amend the charter of the Covington and Cincinnati Bridge Company.

The Senate resumed the consideration of an unfinished report from the committee on Circuit Courts, of:

A bill establishing equity and criminal courts in the 7th, 9th, 10th, 11th, and 13th judicial districts.

Said bill was then amended.

Ordered, That the Public Printer print 150 copies thereof for the use of the General Assembly, and that it be made the special order of the day for Monday next, the 8th inst., at 10½ o'clock, A. M.
Mr. Whitaker, from the committee on Circuit Courts, to whom was referred a bill from the House of Representatives, entitled,

An act to establish equity and criminal courts in the fourth judicial district,

Reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

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

The yeas and nays being taken thereon, in pursuance of a provision of the constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker, (King,) William C. Gillis, James Sudduth.
Joseph S. Bledsoe, Thomas S. Grundy, Harrison Taylor.
James F. Buckner, Samuel Haycraft, C. J. Walton.
William S. Darnaby, James D. Headley, W. C. Whitaker.
George T. Edwards, Gibson Mallory, John Williams.

Those who voted in the negative, were—

John B. Bruner, Daniel Matthewson, Cyrenius Wait.

By Mr. Porter, from the committee on Circuit Courts, reported the following bills, viz:

A bill regulating the terms of the circuit courts and the equity and criminal courts in the 4th judicial district.

A bill to incorporate the Scott Female Institute.

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

The constitutional provision 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. Darnaby, from the same committee, to whom was referred a bill from the House of Representatives, entitled,

An act empowering the trustees of the Columbia quarterly conference of the Methodist Episcopal church, south, to convey real estate.

Reported the same without amendment.

Ordered, That said bill be read a third time.

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

The Senate, according to order, took up for consideration a bill from the House of Representatives, entitled,

An act to allow John Gearin, of Calloway county, to peddle in said county without license.

Together with the amendment proposed by the committee on Revised Statutes as a substitute for said bill.

The said bill reads as follows, viz:

Whereas, it is represented to the General Assembly that John Gearin, of Calloway county, has a wife and several small children, and being a cripple for life is unable to labor for their support. Therefore,

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That said John Gearin be permitted to peddle in the county of Calloway for the period of two years from and after the passage of this act, without obtaining license for the same, or incurring the penalties annexed to the law now in force on that subject. This act shall take effect from and after its passage.

The amendment proposed by the committee reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the 2d, 3d, 4th, 6th, 7th, 8th, 9th, 10th, 12th, and 13th sections of the act, entitled, an act to amend the several acts in relation to peddlers, approved March 4th, 1856, be so amended that none of the provisions of said sections shall apply to a bona fide resident white citizen of this commonwealth, who has actually been such for two years next before the granting to him a license to peddle under the provisions of this act.

§ 2. That, hereafter, it shall be lawful for the county courts of this commonwealth to grant to any white citizen of this commonwealth who has been a bona fide resident of this state, and of the county in which the application is made, a license to peddle in the state at large, or in any one or more of the counties of this state, upon the applicant paying a tax on such license for the state at large the sum of sixty-five dollars per annum, and at the rate of sixty-five cents for each one hundred voters in the county or counties named in the license, for a license to peddle three months in any such county or counties.

§ 3. Before any such license shall be granted, the applicant shall prove in open court, by at least two credible witnesses, that he has been for at least two years previous thereto a bona fide resident citizen of the county in which the application is made, and of a good moral character; all of which, together with a description of the applicant, shall be entered of record upon the orders of the court; and thereupon the court, by its order, shall direct its clerk to issue a license to the applicant, in which the orders of the court and a description of the applicant shall be embraced, to which license the clerk shall fix the seal of his court, for which the applicant shall pay a tax of fifty cents, and to the clerk a fee of one dollar and fifty cents.

§ 4. Before peddling in any county, other than that in which the li-
licens is granted, the peddler shall present his license to the clerk of such county, who, upon being satisfied of its genuineness, shall indorse thereon the word "genuine," and affix his official signature thereto. A failure to present the license shall subject the peddler to the same penalty as though he had peddled without a license. And for examining the license and making the indorsement, the clerk shall be entitled to a fee of twenty-five cents.

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

Mr. Bruner moved to amend said bill as follows:

Section 1, line 6, strike out the word "two," printed in italics, and insert in lieu thereof the word "five."

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

Mr. Bruner moved further to amend said bill as follows:

In section 3, line 3, strike out the word "two," printed in italics, and insert in lieu thereof the word "five."

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

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

Those who voted in the affirmative were—


Those who voted in the negative were—


Mr. Whitaker moved to amend said bill as follows, viz:

Add to the bill: Provided however, that no license obtained under this law shall be transferable, or give authority to but one person to peddle under it; and that no one obtaining a license shall peddle or sell goods or merchandise of any kind or description, by an agent, clerk, or in any other way than in his own proper person, all of which shall be set forth in the license.

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

Mr. Fisk then moved to amend said bill as follows, viz:

In section 2, line 6, strike out the words "per annum" and insert in lieu thereof the words "for three months."
And the question being taken thereon, it was decided in the negative.

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

Those who voted in the affirmative, were—

Mr. Speaker, (King,) William C. Gillis, Cyrenius Wait,
Landaff W. Andrews, David Irvine, E. D. Walker,
Joseph S. Bledsoe, Gibson Mallory, W. C. Whitaker,
John F. Fisk, James Sudduth,

Those who voted in the negative, were—

James F. Buckner, Samuel Haycraft, G. W. Silvertooth,
A. D. Cosby, James D. Headley, John P. Smith,
William S. Darnaby, Samuel Howard, Harrison Taylor,
George T. Edwards, Daniel Matthewson, C. J. Walton,
Theo. T. Garrard, William B. Read, W. M. Wilson,
Thomas S. Grundy, H. M. Rust,

Mr. Bruner moved to amend said amendment as follows:

In section 2, line 6, strike out the words “and at the rate of,” and insert the words “and in addition thereto.”

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

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

Those who voted in the affirmative were—

Mr. Speaker, (King,) John F. Fisk, James McKee,
Landaff W. Andrews, William C. Gillis, Cyrenius Wait,
Joseph S. Bledsoe, James D. Headley, W. C. Whitaker,
George T. Edwards, Gibson Mallory,

Those who voted in the negative were—

James F. Buckner, Samuel Howard, John P. Smith,
A. D. Cosby, Daniel Matthewson, James Sudduth,
William S. Darnaby, William B. Read, Harrison Taylor,
Theo. T. Garrard, Charles Ripley, C. J. Walton,
Asa P. Grover, H. M. Rust, W. M. Wilson,
Thomas S. Grundy, George W. Silvertooth, George Wright—19.
Samuel Haycraft,

Mr. Grover moved the previous question.

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

The question was then taken on the adoption of the amendment proposed by the committee, and it was decided in the affirmative.
The yeas and nays being required thereon by Messrs. Bruner and Irvine, were as follows, viz:

Those who voted in the affirmative, were—

James F. Buckner, Thomas S. Grundy, John P. Smith,
A. D. Cosby, Samuel Haycraft, James Sudduth,
William S. Darnaby, Samuel Howard, Harrison Taylor,
George T. Edwards, William B. Read, C. J. Walton,
John F. Fisk, H. M. Rust, W. M. Wilson,
Asa P. Grover,

Those who voted in the negative, were—

Mr. Speaker, (King,) James D. Headley, Charles Ripley,
Landaff W. Andrews, David Irvine, Cyrenius Wait,
Joseph S. Bledsoe, Gibson Mallory, W. C. Whitaker,
William C. Gillis, James McKee,

Mr. Mallory then moved to amend said amendment as follows, viz:

Provided however, That the city of Louisville, the counties of Jefferson, Shelby, Spencer, Madison, Garrard, McCracken, Harrison, Cumberland, Clinton, Russell, Wayne, Breckinridge, Grayson, and Hancock, and the 12th, 25th, and 35th Senatorial Districts, shall be exempt from the provisions of this act.

Mr. Mallory 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. Irvine and Wright, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker, (King,) Thomas S. Grundy, James P. Smith,
Landaff W. Andrews, Samuel Haycraft, H. M. Rust,
Joseph S. Bledsoe, James D. Headley, G. W. Silvertooth,
James F. Buckner, Samuel Howard, John P. Smith,
A. D. Cosby, Gibson Mallory, James Sudduth,
William S. Darnaby, Daniel Matthewson, Harrison Taylor,
George T. Edwards, James McKee, Cyrenius Wait,
John F. Fisk, Thomas P. Porter, C. J. Walton,
Theo. T. Garrard, William B. Read, John Williams,
William C. Gillis, Charles Ripley, W. M. Wilson,

Those who voted in the negative, were—

John B. Bruner, David Irvine, W. C. Whitaker—3.

The question was then taken on the adoption of the amendment proposed by Mr. Mallory, and it was decided in the negative.
The yeas and nays being required thereon by Messrs. Mallory and Wright, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker, (King,) James D. Headley, James Sudduth,
Landaff W. Andrews, David Irvine, William�行 Perth,
Joseph S. Bledsoe, Gibson Mallory, W. C. Whitaker,
John B. Bruner, James McKee, John Williams,
William C. Gillis, Charles Ripley, George Wright—17.
Thomas S. Grundy, George W. Silvertooth,

Those who voted in the negative, were—

James F. Buckner, Samuel Haycraft, John P. Smith,
A. D. Cosby, Samuel Howard, Harrison Taylor,
William S. Darnaby, Daniel Matthewson, C. J. Walton,
John F. Fisk, Thomas P. Porter, E. D. Walker,
Asa P. Grover, H. M. Rust,

Mr. Porter moved to lay said bill and amendments on the table.

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

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

Those who voted in the affirmative, were—

Mr. Speaker, (King,) James D. Headley, Charles Ripley,
Landaff W. Andrews, David Irvine, James Sudduth,
Joseph S. Bledsoe, Gibson Mallory, Cyrenius Wait,
John B. Bruner, James McKee, W. C. Whitaker,
William C. Gillis, Thomas P. Porter, John Williams—15.

Those who voted in the negative, were—

James F. Buckner, Samuel Haycraft, John P. Smith,
A. D. Cosby, Samuel Howard, Harrison Taylor,
William S. Darnaby, Daniel Matthewson, E. D. Walker,
George T. Edwards, William B. Read, W. M. Wilson,
Theo. T. Garrard, George W. Silvertooth,
Asa P. Grover,

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

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

Those who voted in the affirmative, were—

James F. Buckner, Thomas S. Grundy, George W. Silvertooth,
A. D. Cosby, Samuel Haycraft, John P. Smith,
W. S. Darnaby, Samuel Howard, Harrison Taylor,
George T. Edwards, Daniel Matthewson, E. D. Walker,
John F. Fisk, Thomas P. Porter, C. J. Walton,
Theo. T. Garrard, William B. Read, W. M. Wilson,

Those who voted in the negative, were—

Mr. Speaker, (King,) James D. Headley, James Sudduth,
Landaff W. Andrews, David Irvine, Cyrenius Wait,
Joseph S. Bledsoe, Gibson Mallory, W. C. Whitaker,
William C. Gillis, Charles Ripley,

Mr. Garrard moved that the bill have its third reading at 9½ o'clock on the 8th inst.

Pending the consideration of which, the hour arrived for taking up a special order of the day.

The Senate, according to order, took up for consideration a bill from the House of Representatives entitled,

An act imposing a tax upon billiard tables.

Said bill reads as follows, viz.:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That, hereafter, the county courts of this commonwealth shall have power to grant licenses for billiard tables to be kept in their respective counties, outside of the corporate limits of the incorporated cities and towns of such counties.

§ 2. Before any license for a billiard table, authorized by the 1st section of this act, shall take effect, the grantee thereof shall pay to the clerk of the county court granting such license the sum of one hundred dollars.

§ 3. All incorporated cities and towns shall have power to grant licenses for billiard tables, to be kept within the corporate limits of such cities and towns, and may, by ordinance, prescribe the rates to be paid for such license, and make such other provisions concerning billiard tables to be kept in their respective corporate limits as they may deem advisable: Provided, that in all such cases, before the license aforesaid takes effect, the grantee thereof shall pay to the clerk of the county court the sum of one hundred dollars, and take his receipt therefor.

§ 4. The clerks of the county courts shall account for the moneys which may be received by them under this act, as for other taxes, and the same shall be carried to the credit of the sinking fund of the state of Kentucky. For receiving the money and issuing the license, or executing the receipt aforesaid, the clerk shall receive the sum of one dollar in each case, to be paid by the applicant.

§ 5. That if any person or persons who shall be licensed to keep a billiard table, shall knowingly allow or permit any betting on the games played on such tables, he shall be liable to indictment and fine as provided against the keeper of gaming tables, and shall forfeit the license; and any person who shall bet thereon shall be liable as provided by law against persons betting at unlawful games.

§ 6. That no spirituous liquors are to be sold in the room in which said table or tables are kept, under penalty of a forfeiture of the li-
cense aforesaid; and the person or persons so offending shall be indicted for keeping a tippling house.

§ 7. That no game shall be permitted to be played on such tables on the Sabbath day, under the penalty of an absolute forfeiture of the license.

Mr. Fisk moved to amend said bill as follows:

In section 6, line 1, after the word "room," and before the word "in," insert the words "or building."

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

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with.

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

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

Those who voted in the affirmative, were—

Mr. Speaker, (King,) Asa P. Grover, H. M. Rust,
Lunafaff W. Andrews, Thomas S. Grundy, G. W. Silvertoth,
Joseph S. Bledsoe, Samuel Haycraft, James Sudduth,
James F. Buckner, James D. Headley, Cyrenius Wait,
A. D. Cosby, Samuel Howard, W. C. Whitaker,
William S. Darnaby, Gibson Mallory, John Williams,
Theo. T. Garrard, William B. Read, W. M. Wilson—23,
William C. Gillis, Charles Ripley.

Those who voted in the negative, were—

John B. Bruner, Daniel Mathewson, Harrison Taylor,
George T. Edwards, James McKee, C. J. Walton,

David Irvine,

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

An act for the benefit of the Baptist church in Russellville.
An act for the benefit of John G. Townsend.
An act to amend the charter of the Ashland Cemetery Company.
An act to amend an act, entitled, an act for the benefit of the Methodist Episcopal Church at Alexandria.
An act to incorporate the German Gymnastic Association, of Newport.
An act to incorporate the Christian Church of Ghent, Carroll county.
An act to amend the 42d chapter of the Revised Statutes.
An act to incorporate Bear Wallow Lodge of Free and Accepted Masons.
An act to incorporate the Little River Baptist Church, in Christian county.
An act to extend the corporate limits of the city of Hickman.
An act for the benefit of Lewis White, late of Owen county.
An act to provide for holding county courts in Covington.
An act to amend the charter of the Louisville and Nashville Railroad Company.
An act for the benefit of W. P. Turpin, of Larue county.
An act for the benefit of Alexander McDonald.
An act for the benefit of the sheriff of Washington county.
An act to incorporate the German Workman's Benevolent Association, of Covington.
An act to amend the several acts incorporating the town of Lebanon.
An act for the benefit of the German Methodist Episcopal church, of Newport.
An act for the benefit of Judith E. Bush.
An act permitting the sale of real estate at the door of the court house in the city of Newport.
An act to amend the charter of the city of Hickman, in Fulton county.
An act to amend the charter of the city of Newport.
An act to amend the charter of the Covington and Cincinnati Bridge Company.

And enrolled bills which originated in the House of Representatives of the following titles, viz:
An act legalizing certain acts and sales of the marshal of Brandenburg.
An act to amend the charter of Columbus.
An act for the benefit of Robert Fluty and Jacob Rice.
An act to incorporate Alma Lodge, No. 322, of Free and Accepted Masons.

And had found the same truly enrolled.

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 approval and signature.

After a short time Mr. Walton reported that the committee had discharged that duty.
On motion of Mr. McBrayer—
A message was sent to the House of Representatives, asking leave to withdraw the announcement of the Senate, of their disagreement to a bill from the House of Representatives, entitled,
An act to amend the charter of the town of Harrodsburg.
After a short time the messenger returned with said bill, which was handed in at the Clerk's table.
And then the Senate adjourned.

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MONDAY, FEBRUARY 8, 1858.

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 George W. Kouns, of Carter county.
An act providing for the signing of the orders of the circuit courts of this commonwealth which remain unsigned.
An act for the benefit of William T. Walker's heirs, of Hickman county.
An act to amend the law of costs.
An act amending the charter of the city of Maysville.
An act for the benefit of the owners of the Nicholas House, in Carlisle.
An act for the benefit of the circuit judge and attorney for the commonwealth for the 10th judicial district.
An act to amend section 846 of the Civil Code of Practice.
An act to amend an act establishing the town of Vanceburg, in Lewis county.
An act authorizing the county judge of Ohio county to submit to the qualified voters of said county the propriety of voting a tax for road purposes.
An act to amend the charter of the town of Concord, in Lewis county.
An act to increase the compensation of processioners of lands.
An act in regard to the duties of trustees of the jury fund and commonwealth attorneys.

An act in relation to fees of commonwealth's attorneys.

With amendments to the two last named bills.

Which were concurred in.

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

An act for the benefit of Jas. H. Gilbraith, of Cumberland county.

An act to amend and change the 10th section of chapter 13 of Revised Statutes, title change of venue.

An act to repeal the 82d chapter of the Revised Statutes.

That they had received official information from the Governor that he had approved and signed enrolled bills and resolutions which originated in the House of Representatives, of the following titles, viz:

An act legalizing certain acts and sales of the Marshal of the town of Brandenburg.

An act to amend the charter of Columbus.

An act to incorporate Alma Lodge, No. 322, of Free and Accepted Masons.

An act for the benefit of Robert Fluty and Jacob Rice.

Preamble and resolutions in relation to the soldiers of the revolution, and the war of 1812.

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

An act to incorporate the Nashville and Cumberland Coal and Lumber Company.

An act to amend the charter of the Jefferson and Brownsborough Turnpike road Company.

An act to incorporate the American Insurance Company, of Louisville.

An act to incorporate the Louisville Marine Insurance Company.

An act for the benefit of Wright Ray and others.

An act to incorporate the Hustonville and Bradfordsville Turnpike road Company.

An act to incorporate the town of Stamping Ground, in Scott county.

An act to amend the charter of the Bardstown and Louisville Railroad Company.

An act for the benefit of the Spencer and Nelson turnpike road.

An act for the benefit of the Maysville and Mt. Sterling Turnpike road Company.

An act to incorporate the Louisville and Cane Run Plank road Company.
An act for the benefit of the Shelbyville and Mount Eden Turnpike Company.
An act to amend an act, entitled, an act to incorporate the Danville and Hustonville Turnpike road Company.
An act to incorporate the London, Somerset and Waitsborough Turnpike road Company.
An act to incorporate Cranetown Turnpike road Company.
An act to amend an act, entitled, an act to incorporate the Springfield, Perryville and Danville Turnpike road Company.

And enrolled bills which originated in the House of Representatives, of the following titles, viz:
An act to extend the terms of the Henderson circuit court.
An act authorizing the appointment of guardians by clerks of circuit and chancery courts.
An act in relation to the records and papers of the Rockcastle circuit court.
An act to establish a sinking fund for the city of Lexington.
An act amendatory of the charter of the town of Cynthiana.
An act to repeal the charter of Baltimore.
An act in relation to school districts numbered 4 and 21, in Campbell county.
An act to incorporate the Pocahontas Tribe, No. 3, of the Improved Order of Red Men, at Newport.
An act to change the time of electing police judge of the town of Tompkinsville.
An act to extend the corporate limits of the town of Owensboro.
An act for the benefit of the proprietors of the Union White Sulphur Springs.
An act concerning the jurisdiction of justices of the peace in regard to breaches of the peace.
An act for the benefit of James Faulkner.
An act to amend the charter of the Kentucky State Agricultural Society.
An act to incorporate the old Frankfort Turnpike road Company.
An act concerning the court of appeals.
An act requiring tax assessors to furnish statistical agricultural information.

And had found the same truly enrolled.

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 approval and signature.
After a short time, Mr. Walton reported that the committee had performed that duty.

Bills from the House of Representatives, of the following titles, were reported from the committee on Finance, to whom they were referred, viz:

By Mr. Sudduth—
An act to incorporate Highland Lodge, No. 311, of Free and Accepted Masons, in the town of West Liberty.

By Mr. Porter—
An act incorporating Neatsville Lodge, No. 192, of Free and Accepted Masons.

By same—
An act to repeal an act, entitled, an act to incorporate the town of Williamsburg, in Whitley county.

By Mr. Whitaker—
An act to incorporate Madison Lodge, No. 114, O. O. F.

Ordered, That said bills be read a third time.

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

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

Mr. Sudduth, from the same committee, to whom was referred a bill from the House of Representatives, entitled,

An act to repeal an act prohibiting the sale of spirituous liquors in Mt. Gilead, in Pulaski county,

Reported the same without amendment.

Ordered, That said bill be referred to the committee on Religion.

Mr. Whitaker, from the same committee, to whom was referred a bill from the House of Representatives, entitled,

An act for the benefit of Samuel W. Owens, Clerk of the Mason Circuit Court,

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

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

And so the said bill was disagreed to.

The following bills were reported from the committee on Circuit Courts, viz:
By Mr. Sudduth—
A bill to incorporate the Flat Rock and Rogers’ Mill Turnpike road Company.

By same—
A bill to incorporate the Owingsville and Paris Turnpike road Company.

By same—
A bill to incorporate the Keizer’s Station and Clay Turnpike road Company.

By same—
A bill to incorporate Benton Lodge, No. 205, Free and Accepted Masons.

By same—
A bill to incorporate Sharpsburg Lodge, No. 117, Free and Accepted Masons.

By same—
A bill to legalize certain acts of the Bourbon county court.

By same—
A bill to prevent the extension of credit to minors at school, without the permission of their parents, &c.

By same—
A bill to amend the law creating a board of supervisor of tax.

By Mr. Porter, from the same committee—
A bill to limit the jurisdiction of the police judge and town marshal of the town of Calhoun, in McLean county.

By same—
A bill for the benefit of the Shelby Railroad Company.

By same—
A bill to incorporate the Fire Company, No. 1, of Carrollton, Kentucky.

By same—
A bill allowing the citizens of the town of Burksville the power of electing a police judge and town marshal.

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

The constitutional provision 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. Sudduth, from the same committee, to whom was referred a bill from the House of Representatives, entitled,
An act to regulate the expenditures of the proceeds of sales of vacant lands in the counties of Rockcastle and Laurel,

Reported the same without amendment.

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

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the proceeds of sales of the vacant and unappropriated lands lying within the counties of Rockcastle and Laurel, belonging to said counties by a donation of the General Assembly, shall hereafter constitute a part of the common school fund of those counties respectively, and be applied to common school purposes.

§ 2. That it shall be the duty of the county treasurers of each of said counties, or other persons having received moneys arising from the sales of said vacant lands, annually, in the month of December, to make settlements with the common school commissioners of each of their respective counties; and pay over to said commissioners all moneys that may be found due to said commissioners, belonging to said fund, retaining three per cent commission.

§ 3. That the common school commissioners of said counties shall, when they pay over to the trustees of the common school districts of their respective counties the common school fund belonging to said districts, also pay to them their proportional share of the fund constituted by this act, in the same manner and under the same rules and regulations that they pay out other common school moneys, and liable on their bonds as school commissioners for the faithful performance of their duties under this act: Provided, that said commissioners shall report at the end of each year to the county courts of their respective counties, the manner in which they have distributed said funds; and they shall be required, from year to year, to report to said courts, by compulsory process on failure to do so; and it shall be the duty of the county courts of each of said counties to see that the funds hereby set apart to common school purposes, are faithfully applied in accordance with the provisions of this act.

§ 4. That the county courts of said counties may maintain suits against any person or persons who shall fail, on demand, to pay over to the common school commissioners any moneys belonging to the fund named in this act.

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

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

Those who voted in the affirmative, were—

George T. Edwards, David Irvine, Cyrenius Wait,
Theo. T. Garrard, Daniel Matthewson, C. J. Walton,
William C. Gillis, James McKee, W. M. Wilson,
James D. Headley,
Those who voted in the negative, were—

Mr. Speaker, (King,) John F. Fisk, James Sudduth,
Landaff W. Andrews, Asa P. Grover, Harrison Taylor,
Joseph S. Bledsoe, Samuel Howard, E. D. Walker,
John B. Bruner, Gibson Mallory, W. C. Whitaker,
James F. Buckner, Thomas P. Porter, John Williams—17.
A. D. Cosby, G. W. Silvertooth.

So the said bill was disagreed to.

Mr. Sudduth, from the same committee, reported,
A bill to repeal an act establishing equity and criminal courts in the 1st judicial district.
Which was read the first time, and ordered to be read a second time.
The constitutional provision as to the second reading of said bill being dispensed with,
The question was then taken on ordering said bill to be read a third time, and it was decided in the negative.
The yeas and nays being required thereon by Messrs. Andrews and Porter, were as follows, viz:

Those who voted in the affirmative, were—

Landaff W. Andrews, David Irvine, H. M. Rust,
John B. Bruner, James McKee, G. W. Silvertooth,
Theo. T. Garrard,

Those who voted in the negative, were—

Mr. Speaker, (King,) Thomas S. Grundy, Harrison Taylor,
Joseph S. Bledsoe, Samuel Haycraft, Cyrenius Wait,
James F. Buckner, James D. Headley, C. J. Walton,
George T. Edwards, Samuel Howard, W. C. Whitaker.
John F. Fisk, Daniel Mathewson, John Williams,
William C. Gillis, Thomas P. Porter, W. M. Wilson,

And so said bill was rejected.

Mr. Whitaker, from the committee on Circuit Courts, to whom was referred a bill from the House of Representatives, entitled,
An act to change the time of holding the courts in the third judicial district,
Reported the same without amendment.
Said bill reads as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the circuit courts for the several counties in the third judicial district shall commence in the counties at the times hereinafter specified, and be held the number of juridical days allotted to each term, if the business of the court shall require it.
In the county of Larue, on the fourth Monday in February and the third Monday in August, and continue the first six, and the second twelve juridical days.

In the county of Hardin, on the first Mondays in March and September, and continue, each, twelve juridical days.

In the county of Grayson, on the third Mondays in March and September, and continue, each, six juridical days.

In the county of Meade, on the fourth Mondays in March and September, and continue, each, twelve juridical days.

In the county of Hardin, on the first Mondays in March and September, and continue, each, twelve juridical days.

In the county of Ohio, on the fourth Mondays in April and October, and continue, each, twelve juridical days.

In the county of Hancock, on the second Mondays in May and November, and continue, each, six juridical days.

In the county of Daviess, on the third Mondays in May and November, and continue, each, twelve juridical days.

In the county of McLean, on the first Mondays in June and December, and continue, each, six juridical days.

When the business requires it, the circuit judge for the third judicial district may hold a special term in any county in his district, for the trial of chancery causes.

This act shall take effect on the first Monday in July, 1858.

Mr. Bruner moved to amend said bill as follows:

Strike out all after the enacting clause, and insert the following:

That the fall term of the Breckinridge circuit court, for the year 1858, shall commence on the second Monday in October, and continue six juridical days; and the circuit court for the county of Grayson for said year shall commence on the third Monday in October, and continue twelve juridical days, if the business require it. This act to apply only to the fall term of the circuit court of said counties for the year 1858. This act shall take effect from its passage.

Mr. Wright moved the previous question.

And the question being taken, shall the main question be now put? It was decided in the affirmative.

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

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

Those who voted in the affirmative were—

Mr. Speaker, (King,) Samuel Howard, Harrison Taylor,
Landaff W. Andrews, David Irvine, Cyrenius Wait,
John B. Bruner, Gibson Mallory, C. J. Walton,
A. D. Cosby, Wm. H. McBrayer, John Williams,
Theo. T. Garrard, James McKee, Wm. M. Wilson,
Asa P. Grover,
Those who voted in the negative were—

Wm. S. Darnaby, Daniel Matthewson, E. D. Walker,
Samuel Haycraft, James Sudduth,
Those who voted in the negative were—

Wm. S. Darnaby, Daniel Matthewson, E. D. Walker,
Samuel Haycraft, James Sudduth,

Pending the further consideration of which bill, the hour arrived for taking up a special order of the day.

The Senate resumed the consideration of

A bill establishing equity and criminal courts in the 5th, 7th, 9th,
10th, 11th, and 13th judicial districts.

The said bill reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That there shall be established, in each of the counties composing the seventh judicial district, except in the county of Jefferson, and in each of the counties composing the fifth, ninth, tenth, eleventh, and thirteenth judicial districts of this commonwealth, as now laid off and organized, a court to be called the equity and criminal court.

§ 2. Each of said courts shall have concurrent jurisdiction with the circuit courts of all equity, criminal, and penal actions and proceedings in their respective counties, and shall, in all respects, be regulated and governed, in its proceedings, in the same manner that circuit courts now are or may hereafter be regulated and governed.

§ 3. All the business of an equitable, criminal, or penal nature, pending in the circuit courts of the counties composing said equity and criminal court districts, may be transferred from the circuit court to the equity and criminal court, there to be conducted and tried in the same manner and under the same rules and regulations governing circuit courts.

§ 4. The provisions of the Civil Code of Practice, and the laws regulating the transfer of actions, issues, and other business from the Jefferson circuit court to the Louisville chancery court, and from the Louisville chancery court to the Jefferson circuit court, shall apply to and regulate the transfer of actions, issues, and other business from the circuit courts to said equity and criminal courts, and from the equity and criminal courts to the circuit courts in each of said counties.

§ 5. There shall be elected in each of said equity and criminal court districts, by the qualified voters therein, on the first Monday in August, 1858, a judge, who shall hold the equity and criminal courts hereby established in his district. The election shall be held at the places, in the same manner, and under the same rules and regulations applicable to the election of circuit judges. The judge shall have the same qualifications required for a circuit judge. He shall have the powers of a circuit judge in respect to the business of which this act gives him jurisdiction, hold his office for the same term, and his successor shall be chosen as the successor of a circuit judge is chosen.

§ 6. The salary of the judge in the seventh equity and criminal court district shall be fifteen hundred dollars, and in each of the other districts established by this act eighteen hundred dollars, to be paid as the salaries of the circuit judges are now paid.

§ 7. The clerks of the circuit courts, sheriffs, and all other officers in
said equity and criminal court districts shall perform the same duties as to said courts, and under the same liabilities and penalties as such officers are or may be bound to perform as to the circuit courts. The general laws, as to the fees of officers, shall apply to said courts.

§ 8. The said equity and criminal courts each shall have a seal, and each of them are hereby declared to be a court of record; and their records and proceedings shall be authenticated in the same manner the records and proceedings of the circuit courts are authenticated.

§ 9. Each of the judges in said equity and criminal districts, within three weeks after his election, shall, by public notice filed in the clerk's office of each court in his district, and published in one or more public newspapers in his district, fix the terms of said equity and criminal courts in the several counties in his district; and the length of said terms: Provided, that there shall not be less than two terms in each year in each of said counties: Provided, also, that he may hold special terms, and may alter and change the time of holding the courts, as the business in his courts may require. The authority to fix the terms of said courts shall continue and be exercised by the judge of the district until the terms are regulated and fixed by law.

Mr. Whitaker moved to amend said bill by striking out all therein relating to the seventh judicial district.

Mr. Andrews moved to re-commit said bill and proposed amendment to the committee on Circuit Courts.

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

Mr. Walton then moved to amend said bill as follows, viz:

In section 1, line 4, strike out the word “fifth.”
And the question being taken thereon, it was decided in the affirmative.

Mr. Rust then moved to amend said bill as follows:
In section 1, line 4, strike out the word “tenth.”
And the question being taken thereon, it was decided in the negative.

Mr. Bruner then moved to lay said bill and amendments on the table.
And the question being taken thereon, it was decided in the negative.

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

Those who voted in the affirmative were—

Joseph S. Bledsoe, Samuel Howard, William B. Read,
John B. Bruner, David Irvine, H. M. Rust,
Theo. T. Garrard, Gibson Mallory, John P. Smith,
Asa P. Grover, Daniel Matthews, Cyrenius Wait,
James D. Headley, James McKee, John Williams—15.

Those who voted in the negative were—

Mr. Speaker, (King,) William C. Gillis, James Sudduth,
Landaff W. Andrews, Thomas S. Grundy, Harrison Taylor,
James F. Buckner, Samuel Haycraft, E. D. Walker,
A. D. Cosby, Wm. H. McBrayer, C. J. Walton,
Wm. S. Darnaby, Thomas P. Porter, W. C. Whitaker,
Geo. T. Edwards, Charles Ripley, Wm. M. Wilson,

Mr. Irvine then moved to amend said bill as follows, viz:
In section 1, line 5, strike out the words “and thirteenth.”
And the question being taken thereon, it was decided in the affirmative.

Mr. Grover then moved to amend said bill as follows, viz:
In section 1, line 4, before the word “ninth,” insert the word “eighth.”
And the question being taken thereon, it was decided in the affirmative.

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

Those who voted in the affirmative were—

Mr. Speaker, (King,) Samuel Haycraft, Geo. W. Silvertooth,
James F. Buckner, James D. Headley, James Sudduth,
A. D. Cosby, Samuel Howard, Harrison Taylor,
George T. Edwards, John P. Martin, W. C. Whitaker,
Asa P. Grover, Thomas P. Porter,
Those who voted in the negative were—

Landaff W. Andrews, Gibson Mallory, John P. Smith,
John B. Bruner, Daniel Matthewson, Cyrenius Wait,
Wm. S. Darnaby, James McKee, E. D. Walker,
Theo. T. Garrard, William B. Read, John Williams,
William C. Gillis, Charles Ripley, George Wright—16.
David Irvine,

Mr. Andrews then moved to recommit said bill with the following instructions, to-wit:

Resolved, That the bill be recommitted to the committee on Circuit Courts, with instructions to report a bill providing for the establishment of one district, including the counties of Mason, Kenton, and Campbell, and such other county as they may deem proper.

Pending the consideration of which,

The hour arrived for taking up the regular orders of the day.

The Senate took up for consideration a bill from the House of Representatives, entitled,

An act to prohibit the marriage of first cousins.

Said bill reads as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That section 1, article 1, chapter 47 of the Revised Statutes, be so amended as to include among the marriages prohibited by reason of consanguinity, the intermarriage of the children of brothers and sisters. That the said section be amended by adding to the sectional paragraph thereof the following: "Nor the son of her father or mother's brother or sister." This act to take effect from and after the first day of January, 1859.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

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

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

Those who voted in the affirmative, were—

Landaff W. Andrews, William C. Gillis, H. M. Rust,
James F. Buckner, Asa P. Grover, Cyrenius Wait,
A. D. Cosby, Samuel Howard, C. J. Walton,
Theo. T. Garrard,

Those who voted in the negative, were—

Mr. Speaker, (King,) David Irvine, John P. Smith,
Joseph S. Bledsoe, Daniel Matthewson, James Sudduth,
John B. Bruner, William H. McBrayer, Harrison Taylor,
So the said bill was disagreed to.

The Senate also took up for consideration

A bill to procure a supply of the decisions of the court of appeals.

Said bill reads as follows, viz:

Whereas, it is represented to the general assembly that almost all the clerks' offices of the circuit and county courts, and the judges of this commonwealth, are very imperfectly supplied with the reports of the decisions of the court of appeals, and that full sets of the reports are rarely to be found in any of the counties; and whereas, an opportunity is now afforded by the proposition of H. W. Derby, who is now sole proprietor of all the reports now in print and for sale, and by whom they have been reprinted, from 1st Bibb to 14th B. Monroe, inclusive, to obtain a sufficient supply at a very reduced price, for the use of the state. Therefore,

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the secretary of state be and he is hereby authorized and required to purchase, for the use of the state, of H. W. Derby, the publisher thereof, one hundred and fifty sets of the reports of the decisions of the court of appeals of the state of Kentucky, from 1st Bibb to 14th B. Monroe, inclusive: Provided, the same shall not cost more than the sum of three dollars and thirty-three and a third cents per volume, and to be paid for out of any money in the treasury not otherwise appropriated.

§ 2. That when the said reports shall have been received by the secretary of state of this commonwealth, it shall be his duty to take charge of and safely preserve them for distribution, as directed by law.

Mr. Buckner moved to amend said bill as follows:

In section 1, line 4, strike out the words "and fifty."

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

Mr. Fisk then moved to amend the bill by adding thereto the following proviso:

Provided, That the said H. W. Derby shall enter into a contract with the state, with bond and good security, in sufficient penalty, to be approved by the governor and attorney general, that he will print and furnish to the state, for a period of ten years, not less than two hundred copies of each volume, each year, of the reports of the decisions of the court of appeals of Kentucky, hereafter to be published, at the price of two dollars per volume, and stipulating that such copies as he may sell to the profession in the state of Kentucky shall not exceed in price the sum of three dollars per volume; the said reports to be printed and bound in a style equal to any heretofore published,
and no money to be paid upon said contract until the volumes for each year are delivered to and approved by the secretary of state.

And be it further enacted, That the laws which authorize the reporter of the court of appeals to provide said books, be and the same are hereby repealed, and the judges of the court of appeals are hereby authorized to make an allowance to the said reporter for his services of not less than $ per annum, the said allowance to commence from the completion of his services upon the 18th volume of Ben. Monroe.

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

Mr. Sudduth moved to lay said bill on the table:

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

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

Those who voted in the affirmative, were—

Mr. Speaker, (King,) James D. Headley, John P. Smith,
Joseph S. Bledsoe, Samuel Howard, James Sudduth,
John B. Bruner, John P. Martin, E. D. Walker,
W. S. Darnaby, James McKee, John Williams,
Theo. T. Garrard, Thomas P. Porter, W. M. Wilson,
William C. Gillis, William B. Read, George Wright—20,
Asa P. Grover, George W. Silvertooth,

Those who voted in the negative, were—

Landaff W. Andrews, David Irvine, Harrison Taylor,
James F. Buckner, Gibson Mallory, Cyrenius Wait,
John F. Fisk, Daniel Matthewson, C. J. Walton,
Thomas S. Grundy, Charles Ripley, W. C. Whitaker—14,
Samuel Haycraft, H. M. Rust,

Mr. Silvertooth moved a suspension of the rules for the purpose of taking up a bill from the Senate, entitled,

An act to repeal an act, entitled, an act to reorganize Transylvania University and establish a school for teachers.

With the amendment proposed by the House of Representatives.

And the question being taken thereon, it was decided in the negative, two-thirds not voting therefor.

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

Those who voted in the affirmative, were—

Mr. Speaker, (King,) William C. Gillis, William B. Read,
Joseph S. Bledsoe, Asa P. Grover, H. M. Rust,
John B. Bruner, James D. Headley, George W. Silvertooth,
A. D. Cosby, David Irvine, John P. Smith,
A bill to regulate the brokers of this commonwealth.

The said bill reads as follows, viz:

Whereas, it appears to the present general assembly that the existing statute law in relation to brokers is defective. Therefore,

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the first, second, and third sections of the fourth article of chapter 83 of the Revised Statutes are hereby repealed, and the following provisions substituted in lieu thereof:

§ 2. That no person shall, directly or indirectly, exercise the business of a broker or exchange dealer, by purchase or sale of bills of exchange, drafts, checks, State or United States stocks, treasury notes, bank notes, or any such instruments or money, or in any way, or by any other means, carry on or conduct the business of a broker, without a license obtained as hereinafter provided.

§ 3. The annual tax on the license to a broker or dealer in exchange shall be as follows: When the amount of capital employed or business expected to be done, whichever is greatest, is under five thousand dollars, fifty dollars; over five thousand, and under ten thousand dollars, seventy-five dollars; over ten thousand, and under fifteen thousand dollars, one hundred dollars; over fifteen thousand, and under twenty thousand, one hundred and twenty-five dollars; over twenty thousand, and under thirty thousand dollars, one hundred and fifty dollars; over thirty thousand dollars, one half per cent. on the amount of capital employed, or business expected to be done, whichever is greatest.

§ 4. If any person intends to conduct or engage in the business of a broker within this commonwealth, he shall make out in writing a full and clear statement of the amount of capital he intends to use in said business; and that he intends, to transact the business at a certain place, within a certain named county, and name the place specifically where he intends to do the business; and that he intends, in good faith, to conduct the business of a broker at such named place, and there only, without a further license; and shall make affidavit to the truth of the statement before the clerk of the county court of such county; and shall pay to said clerk the tax as specified in the third section of this act. Whereupon, the clerk shall issue a license to such person to exercise the business of a broker at such place for the term of one year from the date of the license; a copy of which license, together with the affidavit of the applicant, shall be filed by said clerk.
in his office, for which service the clerk shall be entitled to a fee of one dollar, to be paid by the broker.

§ 5. That if such broker shall, at any time within said year, wish to use a larger capital than that specified in his license, he shall be at liberty to do so, by complying with the provisions of this act.

§ 6. That if any person shall presume to exercise or carry on the business of broker in any part of this commonwealth, without a license obtained as aforesaid, or shall in any way violate the provisions of this act, he shall forfeit and pay to the commonwealth the sum of one thousand dollars, to be recovered by the presentment of a grand jury in the circuit court.

§ 6. It shall be the duty of the circuit court judges of this commonwealth to give this act in charge to the grand jury at each term of their respective courts; and it shall be the duty of the commonwealth attorneys to examine the list of licenses to brokers in each county of the state, and to prosecute for all violations of this statute; and as compensation for their services, they shall respectively be entitled to eight per cent. for all fines collected under this act.

§ 7. All revenue and fines collected under the provisions of this act, shall be placed to the credit of the sinking fund, upon the books of the treasury.

§ 8. That merchants, traders in produce or cattle, horses, mules, or other animals, or provisions, who, in the legitimate exercise of their business, purchase or sell exchange for remittance, or for any purpose to facilitate transaction in their business, shall not be deemed brokers within the meaning of this act.

Mr. Ripley moved to amend said bill as follows:

'In section 3, lines 10 and 11, strike out the words, "or business expected to be done, whichever is greatest."'

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

Mr. Porter then moved to amend said bill as follows:

'In section 3, lines 2 and 3, strike out the words "or business expected to be done, whichever is greatest."'

And the question being taken upon said motion, it was decided in the affirmative.

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

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

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

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

Landaff W. Andrews, Thomas S. Grundy, John P. Smith,
Joseph S. Bledsoe, Samuel Haycraft, James Sudduth,
John B. Bruner, James D. Headley, Harrison Taylor,
James F. Buckner, Samuel Howard, Cyrenius Wait,
Geo. T. Edwards, David Irvine, C. J. Walton,
John F. Fisk, Gibson Mallory, W. C. Whitaker,
William C. Gillis, James McKee, George Wright—23.
Asa P. Grover, Thomas P. Porter.

Those who voted in the negative were—

Mr. Speaker, (King,) Daniel Matthewson, E. D. Walker,
A. D. Cosby, Charles Ripley, John Williams,
Theory T. Garrard,

Mr. Taylor then moved a suspension of the rules, for the purpose of taking up

A bill to apportion representation.

And the question being taken thereon it was decided in the negative, two-thirds not voting therefor.
The yeas and nays being required thereon by Messrs. Taylor and Bledsoe, were as follows, viz:

Those who voted in the affirmative were—

Mr. Speaker, (King,) James D. Headley, Harrison Taylor,
Joseph S. Bledsoe, David Irvine, Cyrenius Wait,
John B. Bruner, Gibson Mallory, C. J. Walton,
A. D. Cosby, Daniel Matthewson, W. C. Whitaker,
George T. Edwards, James McKee, John Williams,
John F. Fisk, Charles Ripley, George Wright—23.
William C. Gillis, G. W. Silvertooth,
Samuel Haycraft, James Sudduth.

Those who voted in the negative were—

Landaff W. Andrews, Asa P. Grover, William B. Read,
James F. Buckner, Thomas S. Grundy, H. M. Rust,
Wm. S. Darnaby, Samuel Howard, John P. Smith,

The Senate took up for consideration the resolution from the House of Representatives in relation to the remains of the deceased Governors,

Together with the amendment heretofore proposed by Mr. Porter.

Said resolution reads as follows, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the Governor be and he is hereby requested and directed to have the remains of Gabriel Slaughter, late acting governor of this commonwealth, removed from Mercer county, where they are now deposited, and appropriately interred in the Frankfort cemetery; and also
the remains of James Clark, John Adair, James Garrard, and Thomas Metcalfe, the consent of the nearest relations being first had and obtained.

The amendment heretofore proposed by Mr. Porter was to add to the resolution, also the remains of Major Presley N. O'Bannon, of Henry county.

Which was adopted.

Mr. Bruner also moved to amend said resolution by adding thereto, also the remains of Col. Wm. Hardin, now reposing in Breckinridge county.

Mr. Irvine also moved to amend said resolution by adding thereto, also the remains of Gov. Isaac Shelby.

Mr. Mallory moved to lay said resolution and amendments on the table.

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

The Senate took up for consideration the amendments proposed by the House of Representatives to bills from the Senate of the following titles, viz:

An act to amend an act, entitled, an act to incorporate the town of Ashland.

An act authorizing the trustees of the town of London to sell an alley in said town.

An act to amend an act, entitled, an act to incorporate the Ashland Female Seminary.

Which were twice read and concurred in.

The Senate also took up for consideration an engrossed bill, entitled,

An act in relation to set-off.

Said bill reads as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That all promissory notes payable at a period not exceeding four months from date, and made negotiable at any incorporated bank of this commonwealth, shall in the hands of bona fide purchaser for valuable consideration, who purchased the note before its maturity, without notice of any defense thereto, be placed on the footing of a domestic bill of exchange.

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

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

Mr. Speaker, (King,) John F. Fisk, James McKee, Thomas P. Porter, Charles Ripley, Harrison Taylor—13.
Landaff W. Andrews, Asa P. Grover, Gibson Mallory,
Joseph S. Bledsoe, David Irvine,
James F. Buckner, John S. Bledsoe, David Irvine, Gibson Mallory,

Those who voted in the negative, were—

John B. Bruner, Daniel Mathewson, E. D. Walker,
George T. Edwards, William B. Read, C. J. Walton,
Theo. T. Garrard, H. M. Rust, W. C. Whitaker,
William C. Gillis, G. W. Silvertooth, John Williams,
Samuel Haycraft, James Sudduth, W. M. Wilson,
Samuel Howard, Cyrenius Wait, George Wright—20.

And so said bill was rejected.

The Senate also took up for consideration the amendments proposed by the House of Representatives to a bill from the Senate, entitled,

An act to repeal an act, entitled, an act to reorganize Transylvania University and establish a school for teachers.

Which was twice read and concurred in.

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

Those who voted in the affirmative, were—

Mr. Speaker, (King,) Thomas S. Grundy, John P. Smith, John S. Bledsoe, Samuel Haycraft, Cyrenius Wait,
John B. Bruner, David Irvine, E. D. Walker,
George T. Edwards, Daniel Mathewson, C. J. Walton,
John F. Fisk, William B. Read, W. C. Whitaker,
William C. Gillis, H. M. Rust, John Williams,

Those who voted in the negative, were—

Landaff W. Andrews, Samuel Howard, James Sudduth, Harrison Taylor,
James F. Buckner, Gibson Mallory, James McKee,
William S. Darnaby, Asa P. Grover, Charles Ripley,

The Senate also took up for consideration the resolution heretofore proposed by Mr. Ripley, in relation to holding United States District Court in Louisville, together with the amendment heretofore proposed by Mr. Silvertooth.

Mr. Ripley then moved an amendment as a substitute for said resolution and proposed amendment.

Ordered, That said resolution and amendments be made the special order of the day for to-morrow, at 3 o'clock, P. M.
The Senate also took up for consideration
A bill to extend state aid to internal improvements.
Mr. Buckner moved to amend said bill.
Ordered, That said bill and amendment be placed in the orders of the day.

The Senate also took up for consideration a bill from the House of Representatives, entitled,
An act requiring county judges to keep their offices and records at their respective county seats.
Together with the amendments heretofore adopted.
Ordered, That said bill, as amended, be read a third time.
The constitutional provision as to the third reading of said bill being dispensed with,
Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The Senate also took up for consideration
A bill to enable the city of Louisville to make compensation for damages caused by riots in said city.
Said bill reads as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the general council of the city of Louisville may, if they deem it proper to do so, within eighteen months from the time this act shall take effect, appoint one or more commissioners to ascertain and report the value of any property which has been unlawfully destroyed, in said city, by any riotous assemblage of persons, within five years prior to the passage of this act, or the amount of any damage so done to any property in said city; and, by ordinance to be passed in accordance with the provisions contained in articles 3 and 4 of the act approved March 24, 1851, entitled, “an act to charter the city of Louisville,” may, if they think proper, cause the amount of such value or damages, with interest from the time of such destruction or damage, to be paid to the persons entitled thereto, out of any revenues of said city not otherwise appropriated; or may cause the bonds of said city, payable at such time and place as said council may direct, to be issued therefor, on the pledge of the faith and credit of the city, and may pledge any revenues or property of said city, not otherwise pledged or appropriated, for the payment thereof.

Mr. Ripley moved to lay said bill on the table.
And the question being taken thereon, it was decided in the affirmative.
The yeas and nays being required thereon by Messrs. Garrard and Howard, were as follows, viz:

Those who voted in the affirmative were—
Mr. Speaker, (King,) Samuel Haycraft, James Sudduth,
Landaff W. Andrews, Samuel Howard, Harrison Taylor,
Joseph S. Bledsoe, David Irvine, Cyrenius Wait,
John B. Bruner, Gibson Mallory, W. C. Whitaker,
James F. Buckner, James McKee, John Williams,
George T. Edwards, Charles Ripley, George Wright—19.
William C. Gillis,

Those who voted in the negative were—

Wm. S. Darnaby, James D. Headley, John P. Smith,
John F. Fisk, Daniel Matthewson, E. D. Walker,
Theo. T. Garrard, William B. Read, C. J. Walton,
Thomas S. Grundy,

The Senate also took up for consideration the reconsideration of
the vote by which the Senate had disagreed to a bill from the House
of Representatives, entitled,
An act to amend the charter of the town of Harrodsburg.
And the question being taken thereon, it was decided in the affirmative.

Ordered, That said bill be read a third time.
The constitutional provision as to the third reading of said bill
being dispensed with,
Resolved, That said bill do pass, and that the title thereof be as
aforesaid.
Also, the reconsideration of the vote by which the Senate disagreed
to a bill from the House of Representatives, entitled,
An act to amend the law in regard to jury trials, and the effect of
the same in will cases.
And the question being taken on reconsidering said vote, it was de­
cided in the negative.

Mr. Andrews moved the following resolution, viz:
Resolved, That on and after this day the Senate will adjourn at one
o'clock, P. M., and meet at three o'clock, P. M., for the purpose of
holding evening sessions.
Which was adopted.

Mr. Ripley moved the following resolution, viz:
Resolved, That a committee be appointed to ascertain and report to
the Senate the amount of unfinished business in the orders of the day
and in the hands of the committees.
Which was adopted.

Whereupon, Messrs. Ripley, Grover, and Haycraft were appointed
said committee

Mr. Fisk moved the following resolution, viz:
Resolved, That the evening sessions shall be devoted alone to the
consideration of local bills from the standing committees.
Which was adopted.
Leave of absence, for an indefinite period, was granted Mr. Porter; also to the Sergeant-at-Arms.

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

An act for the benefit of John C. Townsend.
An act for the benefit of the Baptist church in Russellville.
An act to amend an act, entitled, an act for the benefit of the Methodist Episcopal Church at Alexandria.
An act to amend the charter of the Ashland Cemetery Company.
An act to incorporate the Christian Church of Ghent, Carroll county.
An act to incorporate the German Gymnastic Association, of Newport.
An act to incorporate Bear Wallow Lodge of Free and Accepted Masons.
An act to amend the 42d chapter of the Revised Statutes.
An act to incorporate the Little River Baptist Church, in Christian county.
An act for the benefit of Lewis White, late of Owen county.
An act to extend the corporate limits of the city of Hickman.
An act to amend the charter of the city of Hickman, in Fulton county.
An act permitting the sale of real estate at the door of the court house in the city of Newport.
An act for the benefit of Judith E. Bush.
An act for the benefit of the German Methodist Episcopal church, of Newport.
An act to amend the several acts incorporating the town of Lebanon.
An act to incorporate the German Workman's Benevolent Association, of Covington.
An act for the benefit of the sheriff of Washington county.
An act to provide for holding additional circuit courts in Covington.
An act for the benefit of Alexander McDonald.
An act for the benefit of W. P. Turpin, of Larue county.
An act to amend the charter of the Louisville and Nashville Railroad Company.
An act to amend the charter of the city of Newport.

And then the Senate adjourned.
TUESDAY, FEBRUARY 9, 1858

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 incorporate the town of Catlettsburg, in Greenup county.

An act to regulate the terms of the circuit courts and the equity and criminal courts in the 4th judicial district.

An act to incorporate the Scott Female Institute.

An act adding Jackson county to the 12th judicial district.

An act to amend the charter of the Versailles and Harrodsburg Turnpike road Company.

An act for the benefit of Sligo Division, No. 18, of the Sons of Temperance, in Henry county.

An act to regulate the holding of the circuit courts in the 12th judicial district.

An act for the benefit of William Smith, clerk of the Grant circuit court.

An act authorizing justices of the peace to take depositions in certain cases.

An act to amend chapter 42 of the Revised Statutes.

An act defining the jurisdiction of the McCracken county judge.

An act to incorporate the Bridgeport Female Institute.

An act concerning the clerk of the Hardin county court.

An act to amend the charter of the town of Versailles.

An act to increase the jurisdiction of the police judge, &c., of Ghent, in Carroll county.

An act to incorporate a Lodge of Masons, in Carroll county.

An act to amend section 1, article 3, chapter 32, title "elections," Revised Statutes.

With an amendment to the last named bill.

Which was concurred in.

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

An act to authorize the citizens of Daviess to vote on a proposition to levy an additional tax.

An act to change the place of holding the election in district No. 7, in the county of Greenup.

An act to establish an additional justices' district and election precinct in Morgan county.
An act to establish an additional voting precinct in Laurel county.
An act to establish additional voting places in the city of Louisville.
An act to amend the charter of the Eminence Mutual Insurance Company.

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

An act to establish additional voting places in the city of Louisville.
An act to amend the charter of the Eminence Mutual Insurance Company.
An act to incorporate the Elizaville and Blue Lick Turnpike road Company.
An act to incorporate the town of Concord, in Lewis county.
An act authorizing the county judge of Ohio county to submit to the qualified voters of said county the propriety of voting a tax for road purposes.
An act for the benefit of common school district No. 18, in Larue county.
An act for the benefit of S. W. Rennick, sheriff of Hickman county.
An act to improve the navigation of the Kentucky river.
An act for the benefit of school district No. 13, in Henry county.
An act to incorporate Murray Lodge, No. 105, of Free and Accepted Masons.
An act to incorporate Zion Baptist Church and Zion Baptist Seminary.
An act for the benefit of William T. Walker's heirs, of Hickman county.
An act providing for the signing of the orders of the circuit courts of this commonwealth which remain unsigned.
An act amending the charter of the city of Maysville.
An act to amend the law of costs.
An act for the benefit of the circuit judge and attorney for the commonwealth for the 10th judicial district.
An act to amend section 846 of the Civil Code of Practice.
An act to increase the compensation of processers of lands.
An act to amend an act establishing the town of Vanceburg, in Lewis county.
An act for the benefit of George W. Kouns, of Carter county.
An act for the benefit of the owners of the Nicholas House, in Carlisle.

And enrolled bills which originated in the House of Representatives of the following titles, viz:

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An act imposing a tax upon billiard tables.
An act to establish equity and criminal courts in the 4th judicial district.
An act to incorporate the Hopkinsville Press Printing company.
An act requiring certain bonds to be recorded in circuit and chancery courts.

And had found the same truly enrolled.

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 approval and signature.

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

Mr. Garrard presented the petition of James N. Brashears, asking the privilege to establish a mill dam across the north fork of the Kentucky river, in Perry county.

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

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

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

Executive Department,
February 9, 1858.

Gentlemen of the Senate:
I nominate, for your advice and consent, Thomas M. Davis, E. P. Haynes, D. B. Sanders, Thomas C. Leach, and Washington Beverly, to be Trustees of the Cumberland Hospital.

C. S. MOREHEAD.

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

The Senate resumed the consideration of an unfinished report of yesterday, from the committee on Circuit Courts, of a bill from the House of Representatives, entitled:

An act to change the time of holding the courts in the third judicial district.

With the amendment heretofore proposed by Mr. Bruner.

Said bill reads as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the circuit courts for the several counties in the third judicial district shall commence in the counties at the times hereinafter specified, and be held the number of juridical days allotted to each term, if the business of the court shall require it.

In the county of Larue, on the fourth Monday in February and the third Monday in August, and continue the first six, and the second twelve juridical days.
In the county of Hardin, on the first Mondays in March and September, and continue, each, twelve juridical days.

In the county of Grayson, on the third Mondays in March and September, and continue, each, six juridical days.

In the county of Meade, on the fourth Mondays in March and September, and continue, each, twelve juridical days.

In the county of Breckinridge, on the second Mondays in April and October, and continue, each, twelve juridical days.

In the county of Ohio, on the fourth Mondays in April and October, and continue, each, twelve juridical days.

In the county of Hancock, on the second Mondays in May and November, and continue, each, six juridical days.

In the county of Daviess, on the third Mondays in May and November, and continue, each, twelve juridical days.

In the county of McLean, on the first Mondays in June and December, and continue, each, six juridical days.

When the business requires it, the circuit judge for the third judicial district may hold a special term in any county in his district, for the trial of chancery causes.

This act shall take effect on the first Monday in July, 1858.

The amendment proposed by Mr. Bruner reads as follows, viz:

Strike out all after the enacting clause, and insert the following:

That the fall term of the Breckinridge circuit court, for the year 1858, shall commence on the second Monday in October, and continue six juridical days; and the circuit court for the county of Grayson for said year shall commence on the third Monday in October, and continue twelve juridical days, if the business require it. This act to apply only to the fall term of the circuit court of said counties for the year 1858. This act shall take effect from its passage.

Mr. Read moved to lay said bill and amendment on the table.

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

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

Those who voted in the affirmative, were—


W. S. Darnaby,

Those who voted in the negative, were—


Thomas S. Grundy, George W. Silvertooth.
The question was then taken on ordering said bill to be read a third time, as amended, and it was decided in the affirmative.

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

Those who voted in the affirmative were—

Mr. Speaker, (King,) Asa P. Grover, James Sudduth,
Landaff W. Andrews, Samuel Haycraft, Harrison Taylor,
John B. Bruner, James D. Headley, Cyrenius Wait,
James F. Buckner, Samuel Howard, C. J. Walton,
A. D. Coshy, David Irvine, W. C. Whitaker,
Geo. T. Edwards, William H. McBrayer, John Williams,
John F. Fisk, James McKee, George Wright—23.
William C. Gillis, Geo. W. Silvertooth,

Those who voted in the negative were—

Wm. S. Darnaby, Daniel Matthewson, William B. Read,

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

Resolved, That the title of said bill be amended to read, "an act giving to the county of Grayson six additional days at the next fall term of the circuit court."

The following bills were reported from the committee on Circuit Courts, viz:

By Mr. Whitaker—
A bill for the benefit of the Shelby circuit court clerk.

By same—
A bill to amend the charter of the town of Shelbyville.

By same—
A bill for the benefit of the Independent Washington Hose Company.

By same—
A bill to incorporate the Ashland Foundry and Fire-brick Company.

By same—
A bill to incorporate the Hopkinsville Library Association.

By Mr. Darnaby, from the same committee—
A bill to incorporate the Georgetown and Long Lick Turnpike road Company.

By same—
A bill to incorporate the Stamping Ground and Lecompte's run Turnpike road Company.
By same—
A bill to incorporate the Stamping Ground and Harmony Turnpike road Company.

By same—
A bill for the benefit of the town of Owensboro.

By Mr. Porter, from the same committee—
A bill to amend an act creating the offices of police judge and town marshal of Lewisport.

By Mr. Haycraft, from the same committee—
A bill to incorporate the town of West Covington, in Kenton county.

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

The constitutional provision 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.

The following bills were reported from the committee on County Courts, viz:

By Mr. Gillis—
A bill authorizing the Madison county court to levy a tax to improve the poor-house lands in said county.

By same—
A bill for the benefit of the Owen county court.

By same—
A bill to create an additional justices' and election district in Laurel county.

By same—
A bill to incorporate the town of Cromwell, in Ohio county.

By same—
A bill to legalize the sale of the public well in London.

By same—
A bill creating an additional voting place and justices' district in Owsley county.

By same—
A bill authorizing the disposition of certain books in the surveyor's office of Whitley county.

By same—
A bill for the benefit of W. G. Eversol, of Perry county.

By same—
A bill to create an additional justices' district and voting place in Rowan county.
By same—
A bill to create an additional election precinct in Harlan county.

By same—
A bill to change the time of holding the quarterly courts of Harlan county.

By same—
A bill to change the time of holding the September term of the Monroe quarterly court.

By same—
A bill to amend an act incorporating the town of Murray, in Calhoun county.

By same—
A bill for the benefit of James S. Coleman, Q. C. Shanks and Elijah Phipps, of Ohio county.

By same—
A bill for the benefit of Isaac Smith, late sheriff of Barren county.

By same—
A bill for the benefit of George Stivers, sr., of Clay, and Nicholas Combs, of Perry county.

By same—
A bill for the benefit of Wm. Johnson and Aaron Johnson, of Laurel county.

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

The constitutional provision 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. Whitaker, from the committee on Circuit Courts, reported
A bill for the benefit of the Shelby College.

Which was read the first time as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky,
That an act for the benefit of the Shelby College, approved 16th February, 1837, is hereby declared to be in full force; and all laws repealing or affecting the same are hereby repealed, so far as they affect the said act. This act to take effect from its passage.

Mr. Wright moved to lay said bill on the table.

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

Mr. Whitaker, from the same committee, reported:

A bill granting further powers to the trustees of the town of Richmond.
Which was read the first time, and ordered to be read a second time.

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

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

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

Those who voted in the affirmative, were—

Mr. Speaker, (King,) Samuel Haycraft, G. W. Silvertooth,
Landaff W. Andrews, David Irvine, James Sudduth,
Joseph S. Bledsoe, Gibson Mallory, Harrison Taylor,
John B. Bruner, Daniel Matthewson, Cyrenius Wait,
A. D. Cosby, William H. McBrayer, W. C. Whitaker,
William C. Gillis, James McKee, W. M. Wilson,

Those who voted in the negative, were—

James F. Buckner, Theo. T. Garrard, Charles Ripley,
William S. Darnaby, James D. Headley, John P. Smith,

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

Mr. Porter, from the committee on Circuit Courts, to whom was referred a bill from the Senate, entitled,

An act to repeal part of an act, entitled, an act regulating the time of holding the circuit courts, approved March 5, 1856.

Reported the same without amendment.

Said bill was then amended.

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

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

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

Bills from the House of Representatives, of the following titles were reported from the several committees to whom they were referred, viz:

By Mr. Darnaby—
An act to amend the charter of the town of Falmouth.

By same—
An act to amend the charter of the town of Greenville.

By same—
An act to amend the charter of the Nicholasville and Kentucky river Turnpike road Company.
By same—
An act to regulate the time of holding circuit courts in the 8th judicial district.

By same—
An act to amend an act, entitled, an act to define the jurisdiction of the Louisville chancery court.

By Mr. Gillis, from the committee on County Courts—
An act to change the law authorizing the judge of the Campbell county court to hold special terms of the quarterly courts of said county.

By same—
An act to incorporate the Newport Printing Company.

By same—
An act to establish the town of Jacksonport, in McCracken county.

By same—
An act to change the time of holding the quarterly courts of Green county.

By same—
An act to empower Simpson county court to levy a tax to aid in the erection of a new court-house.

By same—
An act to incorporate the Greenville Cemetery Association.

By same—
An act to change the time of holding the quarterly courts in Pendleton county.

By same—
An act providing for a State road from Greenville, in Muhlenburg county, to Bowlinggreen, in Warren county.

By same—
An act to change the time of holding the Allen county quarterly court.

By same—
An act to change the rates of toll upon the Madison fork of the Wilderness turnpike road, and for other purposes.

By same—
An act authorizing the county courts of Meade and Breckinridge to change the state road leading from Brandenburg to Hudsonville.

By same—
An act to authorize the Marion county court to execute deeds to Dabney Tucker and others, for lands sold by them.
By same—
An act to change the time of holding the quarterly court in Jessamine county.

By same—
An act to change the time of holding the Henry county court.

By same—
An act changing the terms of the Hopkins county quarterly courts.

By same—
An act to authorize the Marshall county court to change the state road from Aurora to Paducah.

By same—
An act to authorize the Marshall county court to change the state road from Hopkinsville to Paducah.

By same—
An act to change the time of holding county courts in Harrison county.

By same—
An act to regulate the appointment of a toll-gate keeper and overseer on the Crab Orchard fork of the Wilderness road.

By same—
An act to change the time of holding the Green county court.

By same—
An act to change the time of holding the quarterly court in Carroll county.

By same—
An act to legalize an order of the Russell county court, made 8th of June, 1835.

By same—
An act to amend the charter of the Kentucky, Cumberland Gap, and Southern Railroad Company.

By same—
An act for the benefit of S. C. Davis, surveyor of Knox county.

By same—
An act to charter the Southwestern Agricultural Works.

By same—
An act for the benefit of A. S. Trimble, late sheriff of Morgan county.

Mr. Porter, from the committee on Circuit Courts, to whom was referred a bill from the House of Representatives, entitled,
An act for the benefit of Edwin Trimble, late clerk of the Floyd circuit and county courts,
Reported the same, with the expression of opinion that it ought not to pass.
The question was then taken on ordering said bill to be read a third
time, and it was decided in the negative.
And so the said bill was disagreed to.
Mr. Gillis, from the committee on County Courts, to whom was re­ferred a bill from the House of Representatives, entitled,
An act to authorize the citizens of the town of Warsaw to elect a police judge and marshal,
Reported the same without amendment.
Said bill was then amended.
Ordered, That said bill, as amended, be read a third time.
The constitutional provision as to the third reading of said bill being dispensed with,
Resolved, That said bill do pass, and that the title thereof be as aforesaid.
Mr. Gillis, from the same committee, to whom was referred a bill from the House of Representatives, entitled,
An act to amend an act, entitled, an act authorizing the county court of McLean county to establish a ferry or purchase the present ferry over Green river, at Calhoon and Rumsey.
Reported the same, with the expression of opinion that it ought not to pass.
And the question being taken upon ordering said bill to be read a third time, it was decided in the negative.
So the said bill was disagreeed to.
Mr. Gillis, from the same committee, to whom was referred a bill from the House of Representatives, entitled,
An act authorizing the county court of Trigg to change the state road in said county,
Reported the same without amendment.
Said bill was then amended.
Ordered, That said bill, as amended, be read a third time.
The constitutional provision as to the third reading of said bill being dispensed with,
Resolved, That said bill do pass, and that the title thereof be as aforesaid.
Mr. Gillis, from the same committee, to whom was referred a bill from the House of Representatives, entitled,
An act to repeal an act incorporating the Cypress Pond Draining Company, approved February 13, 1856,
Reported the same without amendment.
Ordered. That said bill be read a third time.

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

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

Those who voted in the affirmative, were—


Those who voted in the negative, were—


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

Mr. Whitaker, from the committee on Circuit Courts, to whom was referred a bill from the House of Representatives, entitled, An act for the benefit of the Clerk of the Boyle Circuit Court. Reported the same with the expression of opinion that it ought not to pass.

And the question being taken on ordering said bill to be read a third time, it was decided in the negative.

And so said bill was disagreed to.

The Senate, according to order, took up for consideration a bill from the House of Representatives entitled, An act to allow John Gearin, of Calloway county, to peddle in said county without license, With the amendments heretofore adopted. Said bill was read a third time.

Mr. Whitaker moved further to amend the bill by way of engrossed ryder, by adding thereto the following proviso:

Provided, that if any person shall violate the provisions of this act, he shall be fined in a sum of one hundred dollars, and in default of payment shall be imprisoned not less than fifty nor more than one hundred days, in the county jail where the offense was committed. One fourth of the fines collected under this act shall go to the informer, and one fourth to the county attorney. The county judge shall have jurisdiction of all violations of this act; and it shall be his duty
forthwith to try all cases arising under this law, as soon as the same is brought before him, giving reasonable time to the commonwealth and the accused to make preparation for trial, &c.

Mr. Wright moved the previous question.

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

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

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

Those who voted in the affirmative, were—


Those who voted in the negative, were—


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

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

Those who voted in the affirmative, were—


Those who voted in the negative, were—

Mr. Speaker, (King,) James D. Headley, James Sudduth, Landaff W. Andrews, David Irvine, Cyrenius Wait, Joseph S. Bledsoe, Gibson Mallory, W. C. Whitaker, John B. Bruner, James McKee, John Williams—14. Samuel Haycraft, Charles Ripley,

Mr. Ripley, from the committee appointed on yesterday to examine into and make report of the amount of business yet unfinished in the
orders of the day, and in the hands of the committees of the Senate, made the following report, viz:

Your committee appointed to ascertain and report the amount of unfinished business before the Senate, report that there are in the orders of the day, and on the clerk's table, undistributed, fifty bills, and in the hands of the standing committees, ready to be reported, three hundred and sixty-eight; making a total of four hundred and eighteen bills, most of which, however, are House bills, and of a local character; and with few exceptions the bills of a general character embraced in the above enumeration have already been very fully discussed.

A comparison of the number of hours during which the Senate will be in session under the joint resolution and the rules, with the number of bills not acted on, will suggest the necessity of observing great brevity in future discussions, or of leaving a large amount of business unfinished.

CHARLES RIPLEY,
A. P. GROVER,
SAMUEL HAYCRAFT.

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

Resolved, That no member of the Senate shall occupy more than ten minutes at the same time in the discussion of any subject that may come before the Senate during the present session.

The Senate also took up for consideration the
Preamble and resolution in relation to John France and others, bondholders of the city of Maysville, Heretofore offered by Mr. Andrews from the committee on the Judiciary.

Mr. Andrews then withdrew said resolution, and on motion was discharged from the further consideration of the subject aforesaid.

The Senate, according to order, took up for consideration
A bill to amend the charter of the Bank of Ashland.

Said bill reads as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the restrictions imposed upon the Bank of Ashland and its branches, by the 35th section of the charter of said bank, be and the same are hereby removed, except that said bank shall not, at any time, buy or deal in that class of bills known by the name of "kites."

Mr. Rust moved to amend said bill as follows:

Amend the bill by striking out all after the enacting clause, and insert the following:

That the 35th section of an act, entitled, an act to incorporate the Bank of Ashland, approved February 15th, 1856, be so amended that from and after the passage of this act the said bank may, at any time, at the principal bank, be allowed to hold and own bills of exchange to an amount not exceeding double the amount of promissory notes held and owned by said principal bank at such time, but shall not be
allowed to deal in bills of exchange to any greater extent; and this act shall not apply to the branch of said Bank of Ashland.

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

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

Those who voted in the affirmative were—

Theo. T. Garrard,

Those who voted in the negative were—

Mr. Speaker, (King,) Thomas S. Grundy, John P. Smith,
Landaff W. Andrews, Samuel Haycraft, James Sudduth,
Joseph S. Bledsoe, James D. Headley, Harrison Taylor,
John B. Bruner, Samuel Howard, Cyrenius Wait,
James F. Buckner, David Irvine, E. D. Walker,
A. D. Cosby, Gibson Mallory, C. J. Walton,
George T. Edwards, Daniel Matthewson, W. C. Whitaker,
John F. Fisk, James McKee, John Williams,
Asa P. Grover,

Mr. Taylor then moved to amend said bill as follows, viz:
2. That it shall and may be lawful for said Bank of Ashland to increase the capital stock of her branch at Shelbyville one hundred thousand dollars, which shall be taken and held under the same rules, regulations, and liabilities, and transferred in the same manner, as the stock originally taken under the charter incorporating said bank and its branch is now held, ruled, regulated, and governed.

Mr. McKee moved the previous question.

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

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

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

Those who voted in the affirmative, were—

Mr. Speaker, (King,) Samuel Haycraft, James Sudduth,
Landaff W. Andrews, Samuel Howard, Harrison Taylor,
Joseph S. Bledsoe, David Irvine, W. C. Whitaker,
James F. Buckner, Gibson Mallory, John Williams—14.
William C. Gillis, James McKee,

Those who voted in the negative, were—

John B. Bruner, Asa P. Grover, H. M. Rust,
A. D. Cosby, Thomas S. Grundy, George W. Silvertooth,
W. S. Darnaby, James D. Headley, Cyrenius Wait,
George T. Edwards, Daniel Matthewson, E. D. Walker,
Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

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

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

Those who voted in the affirmative were—

Mr. Speaker, (King,) William C. Gillis, Harrison Taylor,
Landaff W. Andrews, Samuel Haycraft, Cyrenins Wait,
Joseph S. Bledsoe, David Irvine, W. C. Whitaker,
John B. Bruner, Gibson Mallory, John Williams,
James F. Buckner, James McKee, W. M. Wilson—17,
Geo. T. Edwards, John P. Smith,

Those who voted in the negative were—

A. D. Cosby, James J. Headley, Geo. W. Silvertooth,
Wm. S. Daruaby, Samuel Howard, James Sadduth,
John F. Fisk, Daniel Matthewson, E. D. Walker,
Theo. T. Garrard, Thomas P. Porter, C. J. Walton,
Thomas S. Grundy, H. N. Rust,

The Senate also took up for consideration the resolution heretofore proposed by Mr. Ripley, in relation to holding United States District Court in Louisville, together with the amendment heretofore proposed by Mr. Silvertooth, and the amendment proposed by Mr. Ripley as a substitute for the original resolution and amendment.

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

Mr. Fisk then moved to amend the resolution as amended, by dividing the terms of the court, so as to hold one at Louisville and one at Covington.

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

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

Mr. Porter moved a reconsideration of the vote by which the Senate passed a bill, entitled,

An act to regulate the brokers of this commonwealth.

Mr. Bruner then moved a suspension of the rules, for the purpose of taking up

A bill to appoition representation.
And the question being taken thereon, it was decided in the affirmative.

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

Those who voted in the affirmative were—

Mr. Speaker, (King,) Samuel Howard, James Sudduth, James. 
Landaff W. Andrews, David Irvine, Harrison Taylor,
Joseph S. Bledsoe, Gibson Mallory, Cyrenius Wait,
John B. Bruner, Daniel Matthewson, E. D. Walker,
James F. Buckner, James McKee, C. J. Walton,
A. D. Cosby, Thomas P. Porter, W. C. Whitaker,
George T. Edwards, Charles Ripley, John Williams,
William C. Gillis, George W. Silvetooth, W. M. Wilson,
Samuel Haycraft, John P. Smith, George Wright—27.

Those who voted in the negative were—

John F. Fisk, Asa P. Grover,

The Senate then took up said bill.

Which reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That representation for the house of representatives shall be apportioned among the several counties of the commonwealth in the following manner, viz:

To the first district twelve representatives, as follows: to the county of Graves, one; Caldwell, one; Hopkins, one; Trigg, one; Union, one; Calloway, one; Crittenden, one; Livingston and Lyon, one; Marshall, one; Fulton and Hickman, one; McCracken, one; Ballard, one.

To the second district eleven representatives, as follows: to the county of Muhlenburg, one; Henderson, one; Ohio, one; Breckinridge, one; Meade, one; Grayson, one; Hancock, one; Butler and Edmonson, one; Daviess, one; Christian, one; McLean, one.

To the third district nine representatives, as follows: to the county of Todd, one; Logan, one; Simpson, one; Warren, one; Allen, one; Monroe, one; Barren, two; and Hart, one.

To the fourth district nine representatives, as follows: To the county of Adair, one; Green, one; Wayne, one; Pulaski, one; Boyle, one; Lincoln, one; Casey and Russell, one; Cumberland and Clinton, one; Taylor, one.

To the fifth district nine representatives, as follows: To the county of Hardin, one; Larue, one; Bullitt, one; Spencer, one; Nelson, one; Washington, one; Marion, one; Mercer, one; Anderson, one.

To the sixth district ten representatives, as follows: To the county of Madison, one; Garrard, one; Jackson, Owings and Perry, one; Estill, one; Laurel and Rockcastle, one; Clay and Harlan, one; Whitley, one; Knox, one; Letcher and Pike, one; Floyd and Johnson, one.

To the seventh district ten representatives, as follows: To the city of Louisville, four—thus, to the first and second wards, one; to the third and fourth wards, one; to the fifth and sixth wards, one; to the
seventh and eighth wards, one; to the county of Jefferson, two; Shelby, one; Oldham and Trimble, one; Carroll, one; Henry, one.

To the eighth district seven representatives, as follows: To the county of Fayette, one; Bourbon, one; Scott, one; Owen, one; Franklin, one; Woodford, one; Jessamine, one.

To the ninth district ten representatives, as follows: To the county of Fleming, one; Bath, one; Montgomery and Powell, one; Morgan, one; Breathitt, one; Carter and Rowan, one; Lawrence, one; Greenup, one; Lewis, one; Clarke, one.

To the tenth district thirteen representatives, as follows: To the county of Mason, two; Bracken, one; Nicholas, one; Harrison, one; Pendleton, one; Campbell, two; city of Covington, one; the residue of the county of Kenton, one; Boone, one; Grant, one; Gallatin, one.

§ 2. That for the purpose of apportioning representation in the senate, the state is hereby laid off into thirty-eight senatorial districts, as follows, viz: The counties of Hickman, Fulton and Graves shall compose the first district; the counties of McCracken, Ballard and Livingston the second district; the counties of Calloway, Marshall and Trigg the third district; the counties of Crittenden, Union and Lyon the fourth district; the counties of Hopkins, Caldwell and McLean the fifth district; the counties of Daviess and Henderson the sixth district; the counties of Ohio and Muhlenburg the seventh district; the counties of Christian and Todd the eighth district; the counties of Logan, Simpson and Allen the ninth district; the counties of Warren, Butler and Edmonson the tenth district; the counties of Cumberland, Clinton, Russell and Wayne the eleventh district; the counties of Breathitt, Grayson and Hancock the twelfth district; the counties of Green, Hart and Taylor the thirteenth district; the counties of Casey, Boyle and Adair the fourteenth district; the counties of Breckinridge, Edmonson and Estill the fifteenth district; the counties of Whitley, Laurel, Knox and Rockcastle the sixteenth district; the counties of Clay, Letcher, Perry, Breathitt, Harlan and Jackson the seventeenth district; the counties of Clarke, Owsley, Estill and Powell the eighteenth district; the counties of Lincoln and Pulaski the nineteenth district; the counties of Floyd, Pike, Johnson and Morgan the twentieth district; the counties of Greenup, Carter and Lawrence the twenty-first district; the counties of Fleming, Nicholas and Rowan the twenty-second district; the counties of Mason and Lewis the twenty-third district; the counties of Harrison and Bracken the twenty-fourth district; the counties of Bourbon, Bath and Montgomery the twenty-fifth district; the counties of Campbell and Pendleton the twenty-sixth district; the counties of Kenton and Grant the twenty-seventh district; the counties of Boone, Carroll and Gallatin the twenty-eighth district; the counties of Owen, Henry and Trimble the twenty-ninth district; the counties of Fayette and Scott the thirtieth district; the counties of Madison and Garrard the thirty-first district; the counties of Franklin, Woodford and Jessamine the thirty-second district; the county of Jefferson two senators, thus: the first, second, third, fourth, fifth and sixth wards of the city of Louisville one, the thirty-third district; the seventh and eighth wards of said city and the residue of said county one, the thirty-fourth district; the counties of Shelby, Spencer and Oldham the thirty-fifth dis-
district; the counties of Hardin, Meade and Larue the thirty-sixth district; the counties of Washington, Mercer and Anderson the thirty-seventh district; the counties of Nelson, Marion and Bullitt the thirty-eighth district.

§ 3. That if any new county should be established before the next enumeration and apportionment of representation, it shall be considered as part or parts of the county or counties from which it was taken, for the purpose of representation.

Mr. Taylor then moved to amend said bill, by changing the numbers of the districts so as to make them correspond with the bill as it at present exists.

Mr. Rust moved that the bill and amendments be printed and made the special order of the day for to-morrow at 11 o'clock.

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

Mr. Porter then moved that the Senate resolve itself into a committee of the whole for the purpose of therein considering said bill.

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

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

Those who voted in the affirmative, were—


Those who voted in the negative, were—


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

Mr. Grundy then moved to amend said bill as follows, viz:

In section 2, line 40, strike out the word "Anderson," and insert in lieu thereof the word "Marion."

And the question being taken thereon, it was decided in the negative.
The yeas and nays being required thereon by Messrs. Grundy and Silvertooth, were as follows, viz:

Those who voted in the affirmative, were—

A. D. Cosby, James D. Headley, George W. Silvertooth,
William S. Darnaby, Daniel Matthewson, John P. Smith,
John F. Fisk, William H. McBrayer, E. D. Walker,
Theo. T. Garrard, Thomas P. Porter, C. J. Walton,
Thomas S. Grundy, H. M. Rust.

Those who voted in the negative, were—

Mr. Speaker, (King,) Samuel Haycraft, James Sudduth,
Landaff W. Andrews, Samuel Howard, Harrison Taylor,
Joseph S. Bledsoe, David Irvine, Cyrenius Wait,
John B. Bruner, Gibson Mallory, W. C. Whitaker,
James F. Buckner, James McKee, John Williams,
George T. Edwards, Charles Ripley, George Wright—19.
William C. Gillis, Mr. Sudduth moved the previous question.

Pending the consideration of which,
Mr. Gillis, at 20 minutes before 6 o'clock, P. M., moved an adjournment.

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

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

Those who voted in the affirmative, were—

Mr. Speaker, (King,) Asa P. Grover, G. W. Silvertooth,
Landaff W. Andrews, Thomas S. Grundy, J. P. Smith,
John B. Bruner, Gibson Mallory, James Sudduth,
James F. Buckner, Daniel Matthewson, Harrison Taylor,
A. D. Cosby, James McKee, Cyrenius Wait,
William S. Darnaby, Thomas P. Porter, C. J. Walton,
William C. Gillis, Charles Ripley.

Those who voted in the negative, were—

Joseph S. Bledsoe, William H. McBrayer, W. C. Whitaker,
John F. Fisk,
A message was received from the House of Representatives announcing that they had passed bills from the Senate of the following titles, viz.:

1. An act for the benefit of Charles Hambleton and others.
3. An act to incorporate the Kentucky Locomotive works.
4. An act to amend and reduce into one the several acts in relation to the town of Russellville.
5. An act regulating the sale of partnership property taken in execution for the separate debts of one of the parties.
6. An act to amend an act to amend the law regulating the sale of spirituous, malt, and vinous liquors to free negroes and slaves, approved February 27, 1856.

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

1. An act for the benefit of A. L. Offutt, late sheriff of Scott county.
2. An act to revive and amend the laws in regard to sectionized lands west of Tennessee river.
3. An act to incorporate the Harrison Female Academy.
4. An act for the benefit of school districts in Logan county.
5. An act for the benefit of school district No. 24, in Bracken county.
6. An act for the relief of school district No. 8, in Hickman county.
7. An act for the benefit of common school district No. 7, in Breathitt county.
8. An act to regulate the tenure of common school property in the city of Covington.
9. An act to incorporate the Kentucky Association of Teachers.
10. An act to charter the Kentucky White Sulphur and Chalybeate Springs Company.
11. An act to incorporate Springdale, in Henderson county.
12. An act for the benefit of the town of Bowling green.
13. An act to revive the charter of the Farmers' Turnpike road Company.
14. An act to incorporate the North Bend Turnpike road Company.
15. An act concerning the Lexington and Danville Railroad Company.
16. An act to revive and amend the charter of the town of Lockport, in Henry county.
17. An act to incorporate the Newstead Turnpike road Company.
18. An act to incorporate the Hopkinsville, Newstead, and Linton Turnpike road Company.
19. An act to establish a state road from Birmingham to Mayfield.
20. An act amending the city charter of Frankfort.
21. An act to repeal the act annexing South Frankfort to the city of Frankfort.
22. An act to incorporate the Owensboro Printing Company.
23. An act to amend the charter of the North Kentucky Agricultural Society, of Boone county.
24. An act to incorporate the Niagara Coal and Manufacturing Company.
25. An act to amend the law concerning roads and passways.

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

The constitutional provision as to the second reading of said bills being dispensed with, they were referred—

The 1st and 2d to the committee on Finance; the 3d, 4th, 5th, 6th, 7th, 8th, and 9th to the committee on Education; the 10th, 11th, and 16th to the committee on Proposals and Grievances; the 12th, 20th, 21st, and 22d to the committee on the Judiciary; the 13th, 14th, 15th, 17th, 18th, and 19th to the committee on Internal Improvement; the 23d and 24th to the committee on Agriculture and Manufactures; and the 25th to the committee on County Courts.

Bills from the House of Representatives of the following titles were severally read the first time, viz:

1. An act for the benefit of Jas. H. Gilbraith, of Cumberland county.
2. An act to amend and change the 10th section of chapter 13 of Revised Statutes, title change of venue.
3. An act to repeal the 82d chapter of the Revised Statutes.
4. An act to authorize the citizens of Daviess to vote on a proposition to levy an additional tax.
5. An act to change the place of holding the election in district No. 7, in the county of Greenup.
6. An act to establish an additional justices' district and election precinct in Morgan county.
7. An act to establish an additional voting precinct in Laurel county.
8. An act to establish additional voting places in the city of Louisville.

9. An act to amend the charter of the Eminence Mutual Insurance Company.

Ordered, That said bills be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, they were referred—

The 1st and 4th to the committee on Finance; the 2d and 3d to the committee on Revised Statutes; the 5th, 6th, and 7th to the committee on Privileges and Elections; and the 8th and 9th to the committee on the Judiciary.

Mr. Sudduth presented the petition of members, elders, and deacons of the Christian Church of Slate Union.

Mr. Matthewson presented the remonstrance of sundry citizens of Marshall county, remonstrating against the passage of an act establishing a state road from Hopkinsville to Paducah.

Which were received, the reading dispensed with, and referred, the 1st to the committee on Geological Survey, and the 2d to the committee on the Judiciary.

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

An act providing for the signing of the orders of the circuit courts of this commonwealth which remain unsigned.

An act to amend section 846 of the Civil Code of Practice.

An act to increase the compensation of processioners of lands.

An act to amend an act establishing the town of Vanceburg, in Lewis county.

An act to incorporate the town of Stamping Ground, in Scott county.

An act for the benefit of Wright Ray and others.

An act to incorporate the Louisville Marine Insurance Company.

An act to incorporate the American Insurance Company, of Louisville.

An act to amend the charter of the Bardstown and Louisville Railroad Company.

An act for the benefit of the Spencer and Nelson turnpike road.

An act to amend an act, entitled, an act to incorporate the Danville and Hustonville Turnpike road Company.

An act to incorporate the Louisville and Cane Run Plank road Company.

An act for the benefit of George W. Kouns, of Carter county.
An act for the benefit of the owners of the Nicholas House, in Carlisle.
An act for the benefit of school district No. 13, in Henry county.
An act to incorporate Murray Lodge, No. 105, of Free and Accepted Masons.
An act to incorporate the Elizaville and Blue Lick Turnpike road Company.
An act for the benefit of common school district No. 18, in Larue county.
An act amending the charter of the city of Maysville.
An act to amend the law of costs.
An act for the benefit of William T. Walker's heirs, of Hickman county.
An act for the benefit of S. W. Rennick, sheriff of Hickman county.
An act to improve the navigation of the Kentucky river.
An act to incorporate Zion Baptist Church and Zion Baptist Seminary.
An act to incorporate the Hustonville and Bradfordsville Turnpike road Company.
An act to amend an act, entitled, an act to incorporate the Springfield, Perryville and Danville Turnpike road Company.
An act to amend the charter of the Jefferson and Brownsborough Turnpike road Company.
An act to incorporate Crantown Turnpike road Company.
An act to incorporate the London, Somerset and Waitsborough Turnpike road Company.
An act for the benefit of the Shelbyville and Mount Eden Turnpike Company.
An act for the benefit of the Maysville and Mt. Sterling Turnpike road Company.
An act to amend the charter of the town of Concord, in Lewis county.

An act authorizing the county judge of Ohio county to submit to the qualified voters of said county the propriety of voting a tax for road purposes.

The Senate also took up a message in writing from the Governor, which was read as follows, viz:
Gentlemen of the Senate,

and House of Representatives:

I herewith transmit to you a certified copy of an act of the legislature of Tennessee, entitled, "an act to appoint commissioners to re-mark the State lines between Tennessee and Kentucky, east of the Mississippi river," with the accompanying letter of the Governor of that State, and recommend the subject to your favorable consideration.

C. S. MOREHEAD.

His Excellency CHARLES MOREHEAD.

Sir: I have the honor to transmit to your excellency a copy of an act passed by the general assembly of the State of Tennessee, providing for the appointment of two commissioners, to meet such commissioners as may be appointed by your State, to run and re-mark the line between the States of Tennessee and Kentucky.

The commissioners upon the part of Tennessee will be appointed when I am advised of the fact that Kentucky is ready to proceed with the work.

I am, very respectfully,

Your obedient servant,

ISHAM G. HARRIS.

An act to appoint Commissioners to re-mark the State lines between Tennessee and Kentucky, east of the Mississippi river.

Whereas, doubts have arisen as to the line of boundary between this State and the State of Kentucky, on the line east of the Mississippi river. For remedy whereof—

§ 1. Be it enacted by the General Assembly of the State of Tennessee, That two persons be appointed by the Governor of the State, to meet such commissioners as may be appointed by the State of Kentucky, to run and re-mark the line established by the compact between the States of Tennessee and Kentucky. Beginning on the east bank of the Mississippi river, running thence to the eastern boundary of the State of Kentucky, putting up a large stone every five miles: Provided, When rock or stone cannot be conveniently had posts of some durable wood be substituted. That said commissioners shall have full power and authority, and it is hereby made their duty, to
employ a field party, to consist of one engineer, one surveyor, one back-sight man, and one axe man, and such others as may be necessary. The engineer and surveyor to be well qualified to make said survey upon scientific principles. Said commissioners to superintend the work.

§2. Be it enacted, That a copy of this act shall be transmitted, by the Governor, to the legislature of Kentucky, at its present session, with a request that said legislature will take such action upon it as may be necessary to effect its object; and so soon as action hereon shall be taken by the legislature of the State of Kentucky, and the Governor of this State, and of the State of Kentucky, shall have appointed commissioners, as provided in the 1st section of this act, it shall be the duty of said commissioners to proceed, as soon as practicable, to the performance of the duties required of them, and to have or cause the survey to be completed at as early a date as may be practicable.

§3. Be it enacted, That said commissioners shall, by a joint report, communicate to the Governor of their respective States, what they may do in the premises; and that the Governor of Tennessee shall communicate the same to the succeeding legislature of this State. Said commissioners shall accompany their said report with a map of their survey, showing the relative positions of former lines to the line of survey made by them, and such other information as may be necessary.

§4. That the comptroller of the treasury of this State, whenever directed by the Governor, shall issue, to the commissioners appointed by him, his warrant upon the treasurer of this State for the sum of three thousand dollars, to be by them appropriated to the purchase of necessary instruments, and the costs of making said survey.

§5. That said commissioners shall, also, in their report, show the time that each of them, and each of the field party, was necessarily engaged in the performance of their respective duties in making said survey, the amount paid to each for his services, and also what future amount, if any, is necessary to pay the costs of the same.

§6. That said commissioners shall cause to be prepared, and filed in the office of the Secretary of State, a careful and full topographical map of the survey thus made, exhibiting the features of the country, and embodying all the geographical information that can be incidentally obtained in making such survey.

Passed January 29th, 1858.

DANIEL S. DONELSON,
Speaker of the House of Representatives.

JOHN C. BURCH,
Speaker of the Senate.
I, T. W. M. Burton, Secretary of State of Tennessee, do hereby certify that the foregoing is a true and correct copy from the original law on file in my office.

In witness whereof, I have hereunto set my hand, and affixed the great seal of the State this 3d day of February, 1858.

T. W. M. Burton,
Secretary of State.

Ordered, that the Public Printer print 150 copies thereof for the use of the General Assembly, and that it be referred to the committee on Federal Relations.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they were referred, viz:

By Mr. Grundy, from the committee on Propositions and Grievances—
An act to incorporate the St. Mary's Turnpike road Company, in Marion county.
By same—
An act to incorporate the Rolling Fork and St. Mary's Turnpike road Company, in Marion county.
By same—
An act to incorporate the Hustonville, Middleburg and Liberty Turnpike road Company.
By same—
An act to incorporate the Russellville and Clarksville Turnpike road Company.
By same—
An act to incorporate the Columbia and Russell's Springs Turnpike road Company.
By same—
An act enlarging the boundary of the town of Cadiz, in Trigg county.
By same—
An act for the benefit of Carrsville and citizens, of Livingston county.
By same—
An act to establish and incorporate the town of Charlottsville, in Pulaski county.
By same—
An act for the benefit of Charles W. Robinson.
By same—
An act to authorize the county court of Washington county to
sell Washington county Seminary.

By same—
An act for the benefit of Thomas Farlar, jailer of Harlan county.

By same—
An act for the benefit of Dennis Purcell and Henry Spink, of
Nelson and Hardin counties.

By same—
An act for the benefit of Miles Kash, adm'r. of William Adams,
dec'd., of Morgan county.

By Mr. Read, from the same committee—
An act for the benefit of Wm. H. Hamilton, late sheriff of Larue
county.

By same—
An act to repeal an act, entitled, an act to prohibit fishing in
the north fork of Licking river, in Bracken county.

By same—
An act to incorporate the Harmony and Fork Turnpike road
Company.

By same—
An act for the benefit of Arthur H. Belt.

By same—
An act to incorporate the Stony Point and Lemon's Mill Turn-
pike road Company.

By same—
An act to establish a tobacco inspection warehouse at May-
field.

By same—
An act to incorporate the Mount Lebanon and Kentucky river Turn-
pike road Company.

By same—
An act to incorporate the Dudaren Mill Turnpike road Company.

By same—
An act to incorporate the Millersburg, Indian creek Meeting
house, and Cynthiana Turnpike road Company.

By same—
An act for the benefit of John Troutman, of Nelson county.

By same—
An act to repeal an act, entitled, an act for the benefit of Steel
and Lamb.

By Mr. Grundy, from the same committee—
An act to incorporate the town of Grundy.
By same—
An act for the benefit of W. L. Kirk and Wm. Douglass, of Marion county.

By same—
An act to reduce into one the several acts relating to the town of Springfield.

By Mr. Gillis, from the committee on County Courts—
An act concerning the police judge and town marshal in Greenville.

By same—
An act to authorize the county court of Logan to change its subscription to the Louisville and Nashville Railroad Company.

By same—
An act for the benefit of James E. Secrest, late sheriff of Nicholas county.

By same—
An act to amend the law in relation to county judges.

By same—
An act authorizing the county court of Barren to subscribe stock to the Barren county Railroad.

By Mr. Grundy, from the committee on Propositions and Grievances—
An act to amend the charter of the Crab Orchard and Gilmore's Lick Turnpike road Company.

By same—
An act for the benefit of Julian Nail.

By Mr. Bruner, from the same committee—
An act prescribing the means and mode of opening and working roads in the county of Boone.

By same—
An act to incorporate the Crab Orchard Springs Company.

By Mr. Wright, from the committee on Religion—
An act for the benefit of the Mt. Pleasant Presbyterian church, in Harrison county.

By same—
An act for the benefit of the Christian church in Irvine, in Estill county.

By same—
An act to incorporate St. Philip's church, at Harrodsburg.

By same—
An act for the benefit of the Methodist church at Bardstown.
By same—
An act for the benefit of the Christian church of Winchester.

By same—
An act to incorporate the Methodist Episcopal Church South, in the city of Henderson.

By same—
An act to incorporate the Salem Baptist church, in Shelby county.

By same—
An act to incorporate the Presbyterian Church at Lebanon.

By same—
An act to incorporate the St. Andrews church, in Louisville.

By same—
An act to allow James C. Jones to solemnize the rites of matrimony.

By Mr. Bledsoe, from the committee on Internal Improvement—
An act to amend the charter of the Oregon Turnpike road Company.

By same—
An act to incorporate the Russellville and Springfield Turnpike Road Company.

By Mr. Matthewson, from the same committee—
An act to incorporate the Canton, Cadiz and Hopkinsville Turnpike road Company.

By same—
An act to incorporate the Harrodsburg, Duncansville and Chaplinton Turnpike road Company.

By same—
An act amending the charter of Knob Lick Turnpike road Company.

By same—
An act to incorporate the Fowler’s creek and Staffordsburg Turnpike road Company.

By same—
An act amending the charter of the Union Turnpike road Company.

By same—
An act to amend an act, entitled, an act to amend the charter of the Lexington and Danville Railroad Company, approved March 10, 1856.

By Mr. Garrard, from the same committee—
An act to incorporate the Bowlinggreen and Scottsville Turnpike road Company.

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

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

Mr. Mathewson, from the committee on County Courts, to whom was referred a bill from the House of Representatives, entitled,

An act concerning the quarterly courts,

Reported the same without amendment.

Ordered, That the Public Printer print 150 copies thereof for the use of the General Assembly, and that it be placed in the orders of the day.

Mr. Read, from the committee on Propositions and Grievances, to whom was referred a bill from the House of Representatives, entitled,

An act to authorize Luke Howlett to erect a dam and trap across the Rolling fork,

Reported the same with an amendment.

Which was concurred in.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

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

Mr. Grundy, from the committee on Propositions and Grievances, to whom was referred a bill, entitled,

An act to incorporate St. Thomas' Seminary, of Nelson county,

Reported the same without amendment.

Said bill reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That Martin J. Spalding, Edward B. Smith, Edward L. Miles, James Rudd, Michael Cody, David A. Depeary, Benedict J. Spalding, Francis Cambridge, and Joseph Haseltine be and they are hereby erected and created into a body corporate, under the name and style of Trustees of St. Thomas Seminary, with perpetual succession, and with all the rights, powers, privileges, and incidents to a corporation in law and in deed.

§ 2. The said Martin J. Spalding, Roman Catholic Bishop of Louisville, and his successors in office for the time being, shall be ex-officio moderators of the said board of trustees. And as the said Seminary of St. Thomas is intended for the education of young men for the ministry of the Roman Catholic church, the said bishop and his successor in office aforesaid shall have the power to appoint the president or superior of the said seminary, who shall be ex-officio vice president of the said board of trustees. The professors and other inferior offi-
cers of the said seminary will be appointed by the president, with the approbation of the bishop aforesaid.

§ 3. The board of trustees shall meet for the transaction of business at such times and places as shall be designated by the moderator, or in his absence by the vice president of the board, who shall give in writing due notice to all the trustees at least seven days before every meeting.

§ 4. The said board of trustees shall elect their own secretary and treasurer.

§ 5. Five of the trustees, including the moderator, or in his absence the vice president of the board, shall constitute a quorum for the transaction of business.

§ 6. In case of the death or resignation of any member of the board of trustees, another shall be elected by the board at one of their meetings to supply his place; and thus the succession shall be perpetual.

§ 7. The said board of trustees, and their successors, shall be able and capable in law and equity to take themselves and hold for the benefit of the said seminary, any estate in any messuage, lands, slaves, tenements, hereditaments, goods, chattels, moneys, stock, or other effects, by grants, grants, bargain and sale, conveyance, assurance, will, devise, or bequest of any person or persons whatever; and to invest the same or any part thereof in any manner which to them shall seem most beneficial to the interests of the said seminary: Provided, the annual income of the same do not exceed $10,000, and the capital stock does not exceed $500,000; and the said trustees may, in their corporate capacity, sue and be sued, and they may lawfully do all other acts which similar corporations in this commonwealth usually do and perform.

§ 8. If at any future time the board of trustees should deem it advisable, for better carrying out the objects of this seminary, to remove its location to any other point within this commonwealth, it shall be competent for them to do so by and with the full consent and approval in writing of the Roman catholic bishop of Louisville for the time being; and should they decide on the removal as aforesaid, they will not thereby forfeit any of the rights, powers, or privileges secured to them by this charter.

§ 9. The said board of trustees shall apply all the revenues of the said corporation to the education of young men preparing for the ministry of the Roman catholic church in the said seminary, for the diocese of Louisville, on studying elsewhere for the same object, if the Roman catholic bishop of the diocese of Louisville for the time being should deem it expedient to send some of his candidates for the seminary aforesaid to other institutions.

§ 10. The president or superior and the professors of the said seminary shall constitute the faculty thereof; and they are hereby vested with power to confer such degrees in the liberal arts and sciences, in philosophy and theology as are usually bestowed in other similar colleges of the highest grade in the United States.
most advisable: Provided, that such laws be not opposed to the constitution and laws of the United States or of this commonwealth.

§ 12. No misdemeanor of the said corporation shall defeat or annul any gift, grant, devise, or bequest to and from said corporation: Provided, that the intention of the parties shall sufficiently appear upon the face of the gift, grant, will, or devise or other writing, whereby any estate or interest was intended to pass to or from said corporation.

Mr. Whitaker moved to amend said bill as follows:

The legislature hereby reserves the right to alter, amend, or abolish this charter.

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

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

Those who voted in the affirmative, were—

Mr. Speaker, (King,) James D. Headley, James Sudduth,
Landaff W. Andrews, Samuel Howard, Harrison Taylor,
John B. Bruner, David Irvine, Cyrenius Wait,
James F. Buckner, Gibson Mallory, W. C. Whitaker,
A. D. Cosby, James McKee, John Williams,
William C. Gillis, Charles Ripley, George Wright—19.
Samuel Haycraft,

Those who voted in the negative, were—

Joseph S. Bledsoe, Thomas S. Grundy, H. M. Rust,
William S. Darnaby, Daniel Matthewson, George W. Silvertooth,
George T. Edwards, William H. McBrayer, John P. Smith,
John F. Fisk, Thomas P. Porter, E. D. Walker,
Asa P. Grover,

Or t ordered. That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

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

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

Those who voted in the affirmative were—

Mr. Speaker, (King,) Thomas S. Grundy, Charles Ripley,
Landaff W. Andrews, Samuel Haycraft, H. M. Rust,
Joseph S. Bledsoe, James D. Headley, G. W. Silvertooth,
John B. Bruner, Samuel Howard, John P. Smith,
James F. Buckner, David Irvine, Harrison Taylor,
A. D. Cosby, Gibson Mallory, E. D. Walker,
George T. Edwards, Daniel Matthewson, C. J. Walton,
John F. Fisk, Wm. H. McBrayer, W. C. Whitaker,
Resolved, That the title of said bill be as aforesaid.

Mr. Gillis, from the committee on County Courts, to whom was referred bills from the House of Representatives, of the following titles, viz:

An act to amend the charter of the town of Foster.

An act to authorize the citizens of Eminence to elect a town marshal,

Reported the same, with amendments.

Which were concurred in.

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

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

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

Mr. Grundy, from the committee on Propositions and Grievances, to whom was referred a bill from the House of Representatives, entitled,

An act to change the county line between the counties of Ballard and Hickman,

Reported the same with the expression of opinion that it ought not to pass.

And the question being taken on ordering said bill to be read a third time, it was decided in the negative.

And so said bill was disagreed to.

Mr. Grundy, from the same committee, asked to be discharged from the further consideration of the petition of Nathan W. Curry, of Cumberland county.

Which was granted.

Also, from the further consideration of the petition of sundry citizens of the counties of Whitley, Pulaski, and Wayne, praying that a new county might be formed out of parts of said counties.

Which was granted.

Also, from the further consideration of the petition of sundry citizens of Carter county, praying to be attached to Rowan county.

And the question being taken thereon, it was decided in the affirmative.
The yeas and nays being required thereon by Messrs. Andrews and Rust, were as follows, viz:

Those who voted in the affirmative were—


Thomas S. Grundy,

Those who voted in the negative were—


David Irvine, Harrison Taylor,

Mr. Bledsoe, from the committee on Internal Improvement, asked to be discharged from the further consideration of a remonstrance of sundry citizens of Scott county, remonstrating against the repeal of an act exempting shareholders in certain turnpike roads in said county from working on roads.

Which was granted.

Mr. Wright, from the committee on Religion, to whom was referred a bill from the House of Representatives, entitled,

An act to repeal an act prohibiting the sale of spirituous liquors in Mt. Gilead, in Pulaski county.

Reported the same without amendment.

Said bill reads as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That an act, entitled, an act to prevent the issuing of a license for the sale and retail of spirituous liquors, in the town of Mt Gilead and vicinity, in Pulaski county, Kentucky, approved 8d January, 1852, be and the same is hereby repealed.

Mr. Wait moved to lay said bill on the table.

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

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

Those who voted in the affirmative, were—

Those who voted in the negative, were—

William S. Darnaby, H. M. Rust, E. D. Walker,
William B. Read,

Mr. Matthewson, from the committee on Internal Improvement, to whom was referred a bill from the House of Representatives, entitled, An act to amend and reduce into one the road laws of Greenup county;

Reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill was dispensed with,

Resolved, That said bill do pass, and that the title thereof be amended to read,

An act to amend and reduce into one the road laws of Greenup and Lewis counties.

Mr. Matthewson, from the same committee, to whom was referred a bill from the House of Representatives, entitled,

An act to amend the charter of the Hamilton and Buffalo Hill Turnpike road Company.

Reported the same without amendment.

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

And so the said bill was disagreed to.

Mr. Garrard, from the same committee, to whom was referred a bill from the House of Representatives, entitled,

An act for the relief of W. M. Smith, late gate keeper on the Wilderness road, in Rockcastle county,

Reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional provision 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. Gillis and Fisk, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker, (King,) William C. Gillis, George W. Silvertooth,
Landaff W. Andrews, Thomas S. Grundy, James Sudduth,
John B. Bruner, James D. Headley, Cyrenius Wait,
James F. Buckner, Samuel Howard, E. D. Walker,
A. D. Cosby, David Irvine, John Williams,
Theo. T. Garrard,

Those who voted in the negative, were—
Joseph S. Bledsoe, Samuel Haycraft, Harrison Taylor,
William S. Darnaby, John P. Martin, C. J. Walton,
John F. Fisk, Thomas P. Porter, W. C. Whitaker,

The following bills were reported, viz:
By Mr. Grundy, from the committee on Propositions and Grievances—
A bill to amend an act, entitled, an act to incorporate the Clark's river Bridge Company, in McCracken county.
By Mr. Gillis, from the committee on County Courts—
A bill for the benefit of James H. Pogue, late sheriff of Knox county.
By same—
A bill to amend the charter of the town of Somerset.
By same—
A bill for the benefit of W. H. Randall and Addison Williams.
By same—
A bill for the benefit of William Corum, clerk of the Greenup county and circuit courts.
By Mr. Grundy, from the committee on Propositions and Grievances—
A bill to incorporate the Russellville and Logan county Railroad Company.
By same—
A bill for the benefit of Isaac H. Underwood, jailer of Washington county.
By same—
A bill to change the boundary lines of precinct No. 2, in Franklin county.
By same—
A bill for the benefit of Bagdad and Harrisonville Turnpike road.
By same—
A bill to repeal an act, entitled, an act to create an additional civil district in Hickman county.
By same—
A bill for the benefit of the sheriff of Hickman county.
By Mr. Bruner, from the committee on Propositions and Grievances—
A bill for the benefit of R. H. Stanhope.
By same—
A bill to authorize Wm. Grimes to sell negroes.
By Mr. Garrard, from the committee on Internal Improvement—
A bill to incorporate the Munday’s Landing and Harrodsburg Turnpike road Company.
By Mr. Bledsoe, from the same committee—
A bill to amend an act incorporating the Harrodsburg and Corbinville Turnpike road Company.
By same—
A bill to incorporate the Poplar Mountain Coal and Manufacturing Coke Company, in Clinton county.
By same—
A bill for the benefit of James Davis, of Union county.
By same—
A bill to incorporate the Harrodsburg, Keene, and South Elkhorn Turnpike road Company.
By same—
A bill to charter the Silver creek Turnpike road Company.
By same—
A bill to amend the charter of the Covington and Taylor’s Mill Turnpike road Company.
By same—
A bill to re-locate the state road in Whitley, and erect a toll-gate thereon.
By same—
A bill to amend the charter of the Carrollton and Eagle creek Turnpike road Company.
By same—
A bill to amend the act incorporating the Louisville and Newport Branch Railroad Company.
By same—
A bill to incorporate the Elizaville and Fairview Turnpike road Company.
By same—
A bill supplemental to an act incorporating the Big Sandy Navigation Company.
By same—
A bill to repeal the local laws now in force in relation to the roads in Pendleton county.
By same—
A bill to incorporate the Maxville, Willisburg, and Beech Fork Turnpike road Company.

By same—
A bill to incorporate the Cynthiana, Buena Vista and Cedar creek Turnpike road Company.

By same—
A bill to incorporate the Laurel Furnace Company.

By same—
A bill for the benefit of the Versailles and Anderson Turnpike road Company.

By same—
A bill to incorporate the Hardin's creek Turnpike road Company.

By Mr. Matthewson, from the same committee—
A bill to incorporate the Ford's Mill Turnpike road Company, in Woodford county.

By Mr. Garrard, from the same committee—
A bill allowing James N. Brashear, of Perry county, to erect a mill and dam in said county.

By same—
A bill to amend the charter of the Williamsburg, Cumberland river and Tennessee railroad.

By same—
A bill for the benefit of the Louisville and Bardstown Railroad.

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

The constitutional provision 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. Whitaker, from the committee on Circuit Courts, reported
A bill to amend chapter 14, title 10, Code of Practice.

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

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

Ordered, That said bill be placed in the orders of the day.

Mr. Gillis, from the committee on County Courts, reported
A bill to establish a ferry in Ballard county, opposite Cairo, Illinois.

Which was read the first time, and ordered to be read a second time.
The constitutional provision as to the second reading of said bill being dispensed with,
The question was then taken on ordering said bill to be read a third time, and it was decided in the negative.
So the said bill was disagreed to.
Mr. Grundy, from the committee on Propositions and Grievances, reported
A bill to establish an additional voting place in Frankfort precinct, in Franklin county.
Which was read the first time, and ordered to be read a second time.
The constitutional provision as to the second reading of said bill being dispensed with,
Ordered, That said bill be placed in the orders of the day.
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 sheriff of Hickman county.
Mr. Grundy moved a reconsideration of the vote by which the Senate had passed to a bill from the House of Representatives, entitled
An act to incorporate St. Thomas Seminary, of Nelson county.
Mr. Andrews moved to lay said motion on the table.
Mr. Walker called the yeas and nays thereon.
Pending the calling of which, the hour arrived for taking up a special order of the day.
The Senate took up for consideration
A bill establishing equity and criminal courts in the 5th, 7th, 9th, 10th, 11th, and 13th judicial districts.
With the instructions heretofore proposed by Mr. Andrews.
Mr. Andrews then withdrew the instructions heretofore proposed by him.
Mr. Andrews then offered the following as a substitute for said bill as heretofore amended:
§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That there shall be established, in each of the counties of Kenton, Campbell, Pendleton, Bracken, and Mason, a court to be called an equity court; and said counties shall compose an equity court district.
§ 2. Each of said courts shall have concurrent jurisdiction with the circuit courts of all equity actions and proceedings in their respective counties, and shall, in all respects, be regulated and governed, in its proceedings, in the same manner that circuit courts now are or may hereafter be regulated and governed.
§ 3. All the business of an equitable character, pending in the circuit courts of the counties composing said equity court district, may be
transferred from the circuit court to the equity court, there to be conducted and tried in the same manner and under the same rules and regulations governing circuit courts.

§ 4. The provisions of the Civil Code of Practice, regulating the transfer of actions, issues, and other business from equity to ordinary, and from ordinary to equity, shall apply to and regulate the transfer of actions, issues, and other business from the circuit courts to said equity courts and from the equity court to the circuit courts in each of said counties. And the business in the circuit courts of the counties of said court district of which the said equity courts have jurisdiction under this act, may be transferred from the circuit courts to the equity courts by the consent of the parties to such actions, and shall be conducted and tried in the manner and under the rules and regulations applicable to its conduct and trial in the courts in which it was begun.

§ 5. There shall be elected in said equity court district, by the qualified voters therein, on the first Monday in August, 1858, a judge, who shall hold the equity courts hereby established in his district. The election shall be held at the places, in the same manner, and under the same rules and regulations applicable to the election of circuit judges. The judge shall have the same qualifications required for a circuit judge. He shall have the powers of a circuit judge in respect to the business of which this act gives him jurisdiction, hold his office for the same term, and his successor shall be chosen as the successor of a circuit judge is chosen.

§ 6. The salary of the judge in the said equity court district shall be eighteen hundred dollars, to be paid as the salaries of the circuit judges are now paid.

§ 7. The clerks of the circuit courts, sheriffs, and all other officers in said equity court district shall perform the same duties as to said courts, and under the same liabilities and penalties as such officers are or may be bound to perform as to the circuit courts. The general laws, as to the fees of officers, shall apply to said courts.

§ 8. The said equity courts each shall have a seal, and each of them are hereby declared to be a court of record, and their records and proceedings shall be authenticated in the same manner the records and proceedings of the circuit courts are authenticated.

§ 9. The judge in said equity district, within three weeks after his election, shall, by public notice filed in the clerk's office of each court in his district, and published in one or more public newspapers in his district, fix the terms of said equity courts in the several counties in his district, and the length of said terms. Provided, that there shall not be less than two terms in each year in each of said counties: Provided, also, that he may hold special terms, and may alter and change the time of holding the courts, as the business in his courts may require. The authority to fix the terms of said courts shall continue and be exercised by the judge of the district until the terms are regulated and fixed by law.

The question was then taken on the adoption of the substitute proposed by Mr. Andrews, and it was decided in the affirmative.
Ordered, That said bill, as amended, be engrossed and read a third time.

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

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

The yeas and nays being taken thereon, in pursuance of a provision of the constitution, were as follows, viz:

Those who voted in the affirmative were—

Mr. Speaker, (King,) Asa P. Grover, George W. Silvertooth,
Landaff W. Andrews, Samuel Haycraft, James Sudduth,
James F. Buckner, David Irvine, Harrison Taylor,
A. D. Cosby, Gibson Mallory, Cyrenius Wait,
William S. Darnaby, William H. McBrayer, W. C. Whitaker,
George T. Edwards, James McKee, John Williams,
John F. Fisk, William B. Read, W. M. Wilson,
William C. Gillis, Charles Ridley, George Wright—24.

Those who voted in the negative were—

Joseph S. Bledsoe, Samuel Howard, John P. Smith,
John B. Bruner, Daniel Matthewson, E. D. Walker—8,
Theo. T. Garrard, H. M. Rust,

The Senate, according to order, took up for consideration

A bill to apportion representation.

The question being, while last under consideration, a call made by

Mr. Sudduth for the previous question.

Upon which call, the yeas and nays had been demanded by Messrs. Walker and Wright.

Which vote being taken, was decided in the affirmative as follows:

Those who voted in the affirmative, were—

Mr. Speaker, (King,) Samuel Haycraft, James Sudduth,
Landaff W. Andrews, Samuel Howard, Harrison Taylor,
Joseph S. Bledsoe, David Irvine, Cyrenius Wait,
John B. Bruner, Gibson Mallory, W. C. Whitaker,
James F. Buckner, James McKee, John Williams,
George T. Edwards, Charles Ridley, George Wright—19.

Those who voted in the negative, were—

A. D. Cosby, James D. Headley, G. W. Silvertooth,
William S. Darnaby, Daniel Matthewson, John P. Smith,
John F. Fisk, William H. McBrayer, E. D. Walker,
Theo. T. Garrard, Thomas P. Porter, C. J. Walton,
Asa P. Grover, H. M. Rust, W. M. Wilson—16,

Mr. Walton moved a call of the Senate.
And the question being taken thereon, it was decided in the negative.

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

Those who voted in the affirmative, were—


Those who voted in the negative, were—


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

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

Those who voted in the affirmative, were—


Those who voted in the negative, were—


The question was then taken on dispensing with the third reading of said bill, and it was decided in the negative, two-thirds not voting therefor.

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

Mr. Speaker, (King,)  Samuel Haycraft,  James Sudduth,
Landaff W. Andrews,  Samuel Howard,  Harrison Taylor,
Joseph S. Bledsoe,  David Irvine,  Cyrenius Wait,
John B. Bruner,  Gibson Mallory,  W. C. Whitaker,
James F. Buckner,  James McKee,  John Williams,
George T. Edwards,  Charles Ripley,  George Wright—19.
William C. Gillis

Those who voted in the negative, were—

A. D. Cosby,  James D. Headley,  George W. Silvertooth,
W. S. Darnaby,  Daniel Matthewson,  J. P. Smith,
John F. Fisk,  William H. McBrayer,  E. D. Walker,
Theo. T. Garrard,  Thomas P. Porter,  C. J. Walton,
Thomas S. Grundy,  H. M. Rust,

The Senate took up for consideration a bill from the House of Representatives, entitled,

An act to amend the charter of the Agricultural Deposit Bank of Lexington.

Together with the amendment heretofore proposed by the committee on Banks.

Said bill reads as follows, viz:

Whereas, the books for the subscription of stock in the Agricultural Deposit Bank of Lexington were closed before the whole of the capital stock thereof was subscribed, and there was no provision in the charter for the disposition or subscription of the remaining stock. For remedy whereof,

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the president and directors of the Agricultural Deposit Bank of Lexington shall be and are hereby authorized, at such times and places as they shall appoint, to open books for the subscription of the remaining stock of said bank, or any part thereof, or to sell said stock at such price as they may think proper: Provided, that said stock shall not be sold for less than its par value: Provided further, That after the second Monday in June next all persons becoming stockholders in said bank shall become personally liable to depositors for the amount of their deposits, and upon failure to pay the same, suit may be brought against them in any court of common law jurisdiction for the recovery of the same.

The amendment proposed by the committee is as follows, viz:

Strike out the last proviso in the bill and insert the following:

Provided further, If at any time a forfeiture of the charter shall be declared, as provided for, in order to secure the payment of the debts of the bank, each stockholder shall be required to pay the full amount of his stock to the creditors of the bank at that time remaining unpaid, and to that extent shall be held personally liable for the debts due from said bank; and upon his failure to pay the remainder of said
stock, suit may be instituted against him in any court of competent jurisdiction, for the recovery of the same.

Mr. Fisk moved to amend said amendment as follows:

In lines 4 and 5, strike out the words "at that time remaining un­paid;" and after the word "the," in line 6, insert the word "same;" also strike out the words "remainder of said stock," in lines 6 and 7.

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

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

Those who voted in the affirmative, were—

A. D. Cosby, Daniel Matthewson, John P. Smith,
John F. Fisk, James McKee, James Sudduth,
Theo. T. Garrard, William B. Read, W. C. Whitaker,
Samuel Haycraft, H. M. Rust, George Wright—14.
James D. Headley, G. W. Silvertooth,

Those who voted in the negative, were—

Mr. Speaker, (King,) William C. Gillis, Charles Ripley,
Landaff W. Andrews, Asa P. Grover, Harrison Taylor,
Joseph S. Bledsoe, Samuel Howard, Cyrenius Wait,
John B. Bruner, David Irvine, E. D. Walker,
James F. Buckner, Gibson Mallory, C. J. Walton,
George T. Edwards, Thomas P. Porter,

The question was then taken on the adoption of the amendment proposed by the committee, and it was decided in the affirmative.

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

The constitutional provision as to the third reading of said bill being dispensed with.

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

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

Those who voted in the affirmative, were—

Mr. Speaker, (King,) Asa P. Grover, Charles Ripley,
Joseph S. Bledsoe, James D. Headley, John Williams,
James F. Buckner, Gibson Mallory, John Williams,
A. D. Cosby, William H. McBrayer, E. D. Walker,
William C. Gillis, Thomas P. Porter.

Those who voted in the negative, were—

George T. Edwards, Daniel Matthewson, John P. Smith,
John F. Fisk, William B. Read, James Sudduth,
Samuel Howard,
Mr. Walton moved to reconsider the vote by which the Senate, on
yesterday, passed

A bill to amend the charter of the Bank of Ashland.

The Senate took up for consideration

A bill to extend state aid to internal improvements.

With the amendment heretofore proposed by Mr. Buckner.

Said bill reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Ken-
tucky, That it shall be the duty of the governor of Kentucky to sub-
scribe, in the name of and on behalf of the commonwealth, ten thou-
sand dollars per mile, upon the terms and conditions hereinafter pro-
vided, to the capital stock of the following railroad companies, which
have been incorporated heretofore, to wit: The Louisville and Nash-
ville railroad; the Big Sandy and Lexington railroad; the Mayes-
ville and Lexington railroad; the Henderson and Nashville railroad; the
Lexington and Danville railroad, according to its original and amended
charters: the Southwestern railroad, from Danville, in the direction to
McMinnville, Tennessee, upon the route which may be designated
by survey, passing through the counties of Boyle, Casey, Adair
and Cumberland. That such subscription shall also apply to the
branch roads from the Louisville and Nashville road to Glasgow,
and towards Memphis, Tennessee, as may be designated by absolute sur-
ey. That said subscription shall not be made to the capital stock of
any railroad company until the governor aforesaid shall be satisfied
that at least ten consecutive miles thereof, (beginning at one of its
termini, within this state, or at a point within this state to which, at
the time of the passage of this act, the graduation and bridging of
said road may be already finished,) has been fully graded and bridged,
and otherwise made ready for ballasting and superstructure; nor
until said company shall agree that said subscription shall be prefer-
red stock, and that the state of Kentucky shall have and possess a
lien upon the property and franchise of said company, to the extent
of the stock held by the state, and the dividends accruing thereto;
and that said lien shall have precedence of all others.

§ 2. That whenever the governor shall be satisfied that any railroad
company, contemplated by this act, has brought itself within the pro-
visions of the preceding section, it shall be his duty to subscribe, as
aforesaid, to the capital stock of said company, to the amount of ten
thousand dollars per mile, for the ten miles before mentioned; and he
shall, from time to time, make such additional subscription, in like
manner, to the capital stock of said company, to the amount of ten
thousand dollars per mile, for each five miles, whenever he shall be
satisfied that said company has completed the graduation and bridg-
ing of additional contiguous and continuous five miles of said road,
as provided in the preceding section, unless a shorter distance shall
reach a station or the terminus of said road, in which case said sub-
scription shall be made for such distance.

§ 3. That inasmuch as the erection of permanent bridges, of suffi-
cient strength and durability to insure the safe transit of trains of
railroad cars, the Kentucky, Cumberland and Green rivers will necessarily cost large sums of money, over and above the price of ordinary graduation and masonry, the governor is hereby authorized and directed to subscribe, to either of the railroad companies claiming the benefit of this act, on which one of said bridges may be necessary, within the limits of this state, an amount, in stock, equal to one-half the cost thereof, not exceeding, in any case, one hundred and fifty thousand dollars, to be specially applied to building said bridge, when under actual construction.

§ 4. That the benefit of this act shall not extend to any company so far as it may have the track of its road completed and laid at the time of the passage hereof, nor to any company until the governor shall be satisfied that its road shall be five miles in length, or a connecting link between longer lines, or an extension of a longer line of railroad.

§ 5. That the subscription or subscriptions heretofore provided, when made, shall entitle the state to a preferred stock, bearing interest at the rate of six per cent. per annum, payable semi-annually, by the said company, between the first and twentieth days of June and December of each year.

§ 6. That should any of the railroad companies have made or hereafter make any mortgage, deed of trust, or other lien upon their road, such mortgage, deed of trust, or lien, shall have no effect whatever to impair or modify the prior lien, herein provided, to secure the state subscription for stock, and the dividends accruing thereon; but the right of the state to full payment, in preference to all other creditors and stockholders, shall ever remain inviolate.

§ 7. The subscriptions provided herein shall be made to such companies, from time to time, as shall first satisfy the governor that they are entitled to the same by having complied with the terms of this act; and that the proceeds of said subscriptions shall be used by said companies, from time to time, exclusively in payment for the ballasting, superstructure, stations, rolling stock, and equipment of their respective roads.

§ 8. That the amount to be subscribed under the foregoing provisions of this act, shall not exceed, in the aggregate, eight million dollars, not more than one-fifth of which shall be paid in any one year.

§ 9. That as each company claiming the benefit of this act shall, from time to time, make it appear that it is entitled to a subscription on the part of the state, the governor shall draw, or cause to be drawn, a warrant on the treasury in favor of said company for the amount to which said company may be entitled under the provisions of this act; and he shall take from said company a certificate of capital stock to a like amount, as provided for in section seventh of this act.

§ 10. That for the purpose of providing the means necessary to carry out the provisions of the preceding sections of this act, the governor shall, from time to time, as may be required, execute and issue the coupon bonds of the state, having thirty years to run, bearing interest at the rate of six per cent. per annum, payable semi-annually, on the first day of January and the first day of July, in each and every year; which said bonds he may sell at any rate he can obtain for
the same, not less than par; but the whole amount of said bonds, so issued, shall not exceed, in the aggregate, the sum of eight million of dollars; nor shall the amount of said bonds, so issued in one year, exceed the one-fifth part of said aggregate sum herein provided to be issued.

§ 11. That upon the first subscriptions of stock in any railroad company under this act the governor shall appoint therein two directors, in addition to the directors allowed by the charter and elected by the other stockholders of the said company; which directors, so appointed, shall have been stockholders in said company for at least three months previous to their appointment; and they shall serve as directors until the end of the next session of the general assembly subsequent to their appointment; and thereafter the governor, by and with the advice of the senate, shall appoint the said directors, whose term of office shall be two years.

§ 12. That each railroad company, which shall receive the benefit of this act, shall report to the general assembly, at each session, the amount of work done upon its road, the earnings, the expense, travel, trade, and general condition thereof, financial and otherwise; and also, the amount thereof, since and after the passage of this act.

§ 13. That whenever a dividend is paid upon the stock subscribed by the state in either of the railroad companies under this act, a like dividend shall be paid to all other stockholders in said company; but said dividend to other stockholders shall be paid only in the capital stock of such company, unless the net profits of the business of the company, and its financial condition otherwise, shall, in the opinion of the board of directors, warrant the payment of said dividend in money: Provided, That the state shall, at all times, be entitled to a larger dividend than six per cent. per annum upon the stock held by it, if a larger dividend be declared upon that held by other stockholders.

§ 14. That it shall be the duty of the governor, between the 1st and 10th days of January of each year, to ascertain the exact amount of railroad stock that may have been subscribed for under this act, on account of the state, during the preceding year, until the whole amount, provided for herein, shall have been subscribed; make proclamation of the amount of stock so subscribed; whereupon the dividends received by the state, upon the stock subscribed for under this act shall be paid into the treasury, and applied to the extinction of the bonds hereby authorized to be issued by the governor.

§ 15. That for the purpose of extending the slack-water navigation of the Kentucky and Green rivers, and rendering more profitable to the state the large amounts heretofore expended thereon, three additional locks, — feet high, shall be erected at suitable points on each river, under the superintendence of a special engineer or engineers, to be employed by the governor; one lock on each river to be erected during the first year, and one more on each river for the next two succeeding years, commencing on the first Monday in August next. Said locks not to cost, in the aggregate, including the services of the engineer or engineers, more than five hundred thousand dollars.

§ 16. That for the purpose of improving the downward navigation of the following streams, the following sums are appropriated, to be
expended under the management and supervision of the persons named herein as commissioners for each stream, or such of them as may choose to act, under oath, faithfully to discharge the duties imposed upon them, not exceeding one half of each appropriation to be expended in any one year, to-wit: To the Big Sandy river, the Louisa fork below Pikesville, twenty thousand dollars, and

are appointed commissioners. To the Cumberland river, thirty thousand dollars, to the main river from the head of Smith's shoals, the lower end, to the Wild Goose shoals—twenty thousand dollars to be expended on the south fork of Cumberland river in removing the obstructions at and between the Devil's jumps; and

are appointed commissioners. The Kentucky river, above the Three Forks, seventy-five thousand dollars, and

are appointed commissioners. To the dirt road, leading from Lexington to Cumberland Gap, twenty thousand dollars, and

are appointed commissioners. That the sum of five hundred thousand dollars shall be appropriated to the completion of turnpikes, and building others, to be left to the discretion of the board of internal improvement for the state, when and where said roads shall be completed and built; and the board of internal improvement shall make such contracts for the repair or building such roads as they may choose, always reserving to the state an interest equal to the sum said board may invest in said roads.

§ 17. That for the purpose of paying for these river and road improvements, the governor is authorized, from time to time, as the money may be needed to pay for the work done, to execute and issue to an amount, not exceeding in the aggregate six hundred thousand dollars, state bonds, similar to those provided to be issued in the second section of this act, and to sell the same, at any price he can obtain therefor, not less than par. The money appropriated herein to extend the slack water navigation of Kentucky and Green rivers, to be paid to the persons entitled by contract to receive the same, according to periodical estimates to be made by the state engineer, reserving in the treasury twenty per cent. of each estimate, until the work on each lock shall be completed and handed over to the state, in pursuance of the terms of construction. The money appropriated for the purpose of improving the downward navigation of certain streams, shall be paid over to certain acting commissioners in each case, or to their order, who shall have taken the oath before required. The money appropriated for the purpose of completing and building turnpikes and dirt roads referred to, shall be paid over, as indicated, to commissioners, and the board of internal improvement for the state, who shall take an oath, together with the commissioners, and execute bond to render a full and true account of the expenditure thereof to the auditor of state.

§ 18. That for the purpose of raising money sufficient to pay the interest as it accrues on said bonds herein before provided to be issued, and to discharge the principal thereof within thirty years, there is hereby levied a tax of six cents on each one hundred dollars worth of taxable property in the state, for the first year after the passage of
this act; and for the second year after the passage of this act, there is hereby levied, as aforesaid, a tax of ten cents; and thereafter there is hereby levied until such principal and interest are fully satisfied and paid, an annual tax of fifteen cents on each hundred dollars worth of taxable property in this state: Provided, The present state debt shall not be paid off; but if the present state debt shall be paid and fully satisfied, then, in that event, the present resources of the sinking fund shall be set apart and dedicated to the payment of the debt hereby incurred; and that the tax of fifteen cents hereby levied, or any part thereof, shall be reduced so as when added to the sinking fund, there shall be a sum sufficient to meet the interest and principal as it falls due, when said taxes shall be collected as other taxes are or may be collected, and the proceeds thereof are hereby inviolably pledged and appropriated for the payment of said interest as it accrues, and the discharge of said principal.

§ 19. That the proceeds of said tax, when collected and paid into the treasury, shall be paid over to the commissioners of the sinking fund, who, after paying the interest due upon the bonds issued under the provisions of this act, shall annually invest the remainder to the best advantage in state stocks, or the stocks of the banks of this state, and shall continue to reinvest the interest or dividends thereon as often as received, until the sum thus secured and otherwise directed herein to be applied to the payment of said tax shall become sufficient to redeem the bonds issued under this act.

§ 20. That whenever said commissioners can purchase any of said bonds, at not more than par, they are directed to use for that purpose the funds hereby placed in their hands, and to purchase and cancel said bonds.

§ 21. That this act shall be submitted to the voters of the state for their ratification or rejection at the next general election, on the first Monday in August, 1858; at which election, it shall be the duty of the judges to cause a poll to be opened for and against it; and it shall be the duty of the sheriff and clerk, together, of each county, on the Monday succeeding the election, to add up the number of votes cast for and against it, and immediately report both of said numbers to the secretary of state; and on the fourth Monday in August next, or as soon thereafter as practicable, the returns for the various counties shall be added up, and the result calculated and compared by the governor, attorney general, and secretary of state, or a majority of them; and if it shall appear that a majority of the votes cast on this question are in favor of the act, then and in that event, it shall have full force and effect, and the governor shall make proclamation of the fact; otherwise, it shall be null and void.

§ 22. It shall be the duty of the governor to cause this act to be published in every political newspaper in the state, at least once in each month, prior to July next, and twice in the month of July next; and the compensation therefor to the proprietors of each of the newspapers publishing the same shall be one dollar per square of three hundred ems brevior, or smaller type, for the first insertion, and fifty cents per square for each subsequent insertion; and the governor shall cause a warrant to be drawn upon the treasury in payment therefor.
in favor of the proprietor of each paper, when it shall appear to his satisfaction the publications have been made therein according to the requirements of this section.

The amendment proposed by Mr. Buckner reads as follows, viz:

Strike out the first section and insert the following:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That it shall be the duty of the governor of Kentucky to subscribe, in the name of and on behalf of the commonwealth, ten thousand dollars per mile, upon the terms and conditions hereinafter provided, to the capital stock of the railroad companies which have been incorporated heretofore, or may hereafter be incorporated. That said subscription shall not be made to the capital stock of any railroad company until the governor aforesaid shall be satisfied that at least ten consecutive miles thereof, (beginning at one of its termini, within this state, or at a point within this state to which, at the time of the passage of this act, the graduation and bridging of said road may be already finished;) has been fully graded and bridged, and otherwise made ready for ballasting and superstructure; nor until said company shall agree that said subscription shall be preferred stock, and that the state of Kentucky shall have and possess a lien upon the property and franchise of said company, to the extent of the stock held by the state, and the dividends accruing thereon; and that said lien shall have precedence of all others.

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

Mr. Silvertooth moved to lay said bill on the table.

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

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

Those who voted in the affirmative, were—

Mr. Speaker, (King,) James D. Headley, William B. Read,
A. D. Cosby, Samuel Howard, George W. Silvertooth,
William S. Darnaby, Daniel Mathewson, John P. Smith,
John F. Fisk, William H. McBrayer, C. J. Walton,
Thomas S. Grundy.

Those who voted in the negative, were—

Landaff W. Andrews, Samuel Haycraft, Harrison Taylor,
Joseph S. Bledsoe, David Irvine, Cyrenius Wait,
John B. Bruner, James McKee, E. D. Walker,
James F. Buckner, Charles Ripley, W. C. Whitaker,
William C. Gillis, James Sudduth,

Mr. Buckner moved to amend said bill as follows:

In section 8, line 2, strike out the word "eight."

Mr. Porter 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. Porter and Wright, were as follows, viz:

Those who voted in the affirmative were—

Mr. Speaker, (King,) Asa P. Grover, William B. Read,
Joseph S. Bledsoe, Thomas S. Grundy, G. W. Silvertooth,
A. D. Cosby, James D. Headley, John P. Smith,
Wm. S. Darnaby, Daniel Matthewson, C. J. Walton,
John F. Fisk, Wm. H. McBrayer, W. M. Wilson,

Those who voted in the negative were—

Landaff W. Andrews, Samuel Howard, Harrison Taylor,
John B. Bruner, David Irvine, Cyrenius Wait,
James F. Buckner, James McKee, E. D. Walker,
William C. Gillis, Charles Ripley, W. C. Whitaker,
Samuel Haycraft, James Sudduth, John Williams—15.

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

Mr. Walker moved to reconsider the vote by which the Senate had sustained the previous question.

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

And so the said bill was rejected.

The Senate took up for consideration the resolution offered by Mr. Irvine on yesterday.

Pending the consideration of which, The Senate adjourned.

THURSDAY, FEBRUARY 11, 1858.

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 repeal part of act, entitled, an act regulating the time of holding the circuit courts, approved March 5, 1856.
An act to incorporate the Flat Rock and Rogers' Mill Turnpike road company.

An act to incorporate the Owingsville and Paris Turnpike road Company.

An act to incorporate the Keizer's Station and Clay Turnpike road Company.

An act to incorporate Benton Lodge, No. 205, Free and Accepted Masons.

An act to incorporate Sharpsburg Lodge, No. 117, Free and Accepted Masons.

An act to legalize certain acts of the Bourbon county court.

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

1. An act repealing an act to aid in removing free negroes from this state to Liberia.

2. An act to amend and reduce into one the several acts incorporating the town of Madisonville, in Hopkins county.

3. An act establishing a court of common pleas in the town of Columbus, in Hickman county.

4. An act repealing in part an act establishing a criminal and equity court in the 1st judicial district.

5. An act for the benefit of Allen Smith, late sheriff of Clinton county.

6. An act to authorize the county court of Madison to levy a tax for the improvement of their poor-house property.

7. An act to amend section 17, article 4, chapter 47, of Revised Statutes, title courtesy and dower.

8. An act to authorize county courts to sell poor-house lands.

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

The constitutional provision as to the second reading of said bills being dispensed with, they were referred—

The 1st and 5th to the committee on Finance; the 2d to the committee on Propositions and Grievances; the 3d and 4th to the committee on Circuit Courts; the 6th to the committee on Banks; the 7th to the committee on Revised Statutes; and the 8th to the committee on County Courts.

Mr.Matthewson presented the remonstrance of sundry citizens of Marshall county, remonstrating against the passage of an act establishing a state road from Hopkinsville, via Birmingham, to Paducah.

Mr. King presented the petition of sundry citizens of Covington, in relation to a separate representation for that city.

Which were received, the reading dispensed with, and referred,
the first to the committee on the Judiciary, and the 2d to the committee on Apportionment.

On motion of Mr. Sudduth—Leave was given to bring in a bill to incorporate the Millersburg Male and Female Collegiate Institute.

Which was referred to the committee on Education.

Mr. Fisk moved a reconsideration of the vote by which the Senate, on yesterday, refused to order to a third reading

A bill to extend state aid to internal improvements.

Mr. Fisk moved the following resolution, viz:

Resolved, That the auditor be requested to report the names of such charitable institutions as have complied with section 3d of an act approved March 10, 1856, entitled, an act for the benefit of the Western Lunatic Asylum; and the names of such institutions, if any there be, which have not complied with that section.

Which was adopted.

Mr. Grundy, from the committee on Propositions and Grievances, reported

A bill repealing sections 2, 3, 4, 5, 6, 7, 8, 9, 10 and 11, of article 2, chapter 93 of the Revised Statutes, entitled, slaves, runaways, free negroes and emancipation.

Which was read the first time as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That sections 2, 3, 4, 5, 6, 7, 8, 9, 10, and 11, of article 2, of chapter 93 of the Revised Statutes, entitled, slaves, runaways, free negroes and emancipation, be and the same is hereby repealed.

§ 2. That, from and after the passage of this act, it shall be lawful for any person or persons, whether they reside in this state or any of the states, to bring slaves from any of the states to this state, and sell them as property, without incurring any penalty therefor.

§ 3. That this act shall take effect from and after its passage.

Ordered, That said bills be read a second time.

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

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

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

Those who voted in the affirmative, were—

Those who voted in the negative, were—

Landaff W. Andrews, John F. Fisk, Charles Ripley,
John B. Bruner, Samuel Haycraft, James Sudduth,
James F. Buckner, David Irvine, Harrison Taylor,
A. D. Cosby, Gibson Mallory, Cyrenius Wait,
William S. Darnaby, James McKee, George Wright—16.
George T. Edwards,

Ordered, That said bill be placed in the orders of the day.

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

The Senate reconsidered the vote by which it on yesterday disagreed to a bill from the House of Representatives, entitled, An act for the benefit of the Clerk of the Boyle Circuit Court.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

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

Mr. Sudduth, from the committee on Geological Survey, reported A bill making further appropriation of money for the Geological Survey.

Which was read the first time as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the act of the last session of this General Assembly, on the subject of the geological survey, be and the same, so far as applicable, is hereby continued in full force for the next two years.

§ 2. That $30,000 be and the same is hereby appropriated to be expended on the geological survey in the next two years, or so much thereof as may be necessary, payable out of any money in the treasury not otherwise appropriated—to be drawn by the governor's warrant on the auditor of public accounts.

§ 3. That the governor be and he is hereby authorized to draw his warrant on the auditor of public accounts for a sum sufficient to enable him to pay any balance due Dr. D. D. Owen or others, on account of the geological survey; and also to pay for the 2d and 3d volumes of the reports of the geological survey.

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

Ordered, That said bill be read a second time.

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

Mr. Wright moved to amend said bill by striking out the second section.

And the question being taken thereon, it was decided in the negative.
The yeas and nays being required thereon by Messrs. Wright and Edwards, were as follows, viz:

Those who voted in the affirmative, were:

Joseph S. Bledsoe,  
James F. Buckner,  
Theo. T. Garrard,  
Asa P. Grover,  
Thomas S. Grundy,  
Samuel Howard,  
David Irvine,  
Gibson Mallory,  
Daniel Matthewson,  
James McKee,  
Thomas P. Porter,  
William B. Read,  
John P. Smith,  
James Sudduth,  
W. C. Whitaker,  
John Williams,  
George Wright—17.

Those who voted in the negative, were:

Mr. Speaker, (King,) George T. Edwards,  
Landaff W. Andrews, William C. Gillis,  
John B. Bruner, Samuel Haycraft,  
A. D. Cosby, James D. Headley,  
William S. Darnaby, Charles Ripley,  
John F. Fisk, H. M. Rust,  
Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill was dispensed with.

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

Those who voted in the affirmative, were:

Mr. Speaker, (King,) William C. Gillis,  
Landaff W. Andrews, Samuel Haycraft,  
John B. Bruner, James D. Headley,  
James F. Buckner, Gibson Mallory,  
A. D. Cosby, Daniel Matthewson,  
William S. Darnaby, William B. Read,  
George T. Edwards, Charles Ripley,  
John F. Fisk, H. M. Rust,  
John P. Smith, Harrison Taylor,  
Cyrenius Wait, E. D. Walker,  
C. J. Walton, W. C. Whitaker,  

Those who voted in the negative, were:

Joseph S. Bledsoe, Samuel Howard,  
Theo. T. Garrard, David Irvine,  
Asa P. Grover, James McKee,  
Thomas S. Grundy, Thomas P. Porter,  
G. W. Silvertooth, James Sudduth,  
George Wright—11.
The yeas and nays being required thereon by Messrs. Grover and McKee, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker, (King,) Arthur A. Johnson, Samuel Haycraft, James Sudduth,
Landaff W. Andrews, Samuel Howard, Harrison Taylor,
Joseph S. Bledsoe, David Irvine, Cyrenius Wait,
John B. Bruner, Gibson Mallory, W. C. Whitaker,
James F. Buckner, James McKee, John Williams,
George T. Edwards, Charles Ripley, George Wright—10.
William C. Gillis,

Those who voted in the negative, were—

A. D. Cosby, James D. Headley, G. W. Silvertooth,
William S. Darnaby, Daniel Matthewson, John P. Smith,
John F. Fisk, Thomas P. Porter, E. D. Walker,
Theo. T. Garrard, William B. Read, C. J. Wallon,
Thomas S. Grundy,

The following bills were reported, viz:

By Mr. Bledsoe, from the committee on Internal Improvement—
A bill fixing the time for the president of the board of internal improvement to take the oath of office, after his election or appointment.

By Mr. Matthewson, from the same committee—
A bill to provide for the sale of certain lands belonging to this commonwealth.

By Mr. Bledsoe, from the same committee—
A bill to incorporate the Great South Fork Cumberland river and Nashville Iron, Coal and Lumber Company.

By same—
A bill for the benefit of the Rockbridge Turnpike road Company.

By same—
A bill to incorporate the Springfield and Knob Lick Turnpike road Company.

By Mr. Matthewson, from the same committee—
A bill for the benefit of Daniel Higgins, of Breathitt county, and S. H. Lewis, of McCracken county.

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

The constitutional provision 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. Bledsoe, from the committee on Internal Improvement, to whom was referred a bill from the House of Representatives, entitled, An act to repeal in part the first section of an act, entitled, an act to amend the charter of the Henderson and Nashville Railroad Company. Reported the same without amendment.

Said bill reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the first section of an act approved March 10, 1854, entitled, an act to amend the charter of the Henderson and Nashville Railroad Company, be and the same hereby repealed, so far as the counties of Christian and Hopkins are concerned.

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

Mr. Headley then moved to amend said bill as follows:

Provided, however, That the provisions of this act shall apply only to Hopkins county.

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

Reported the same without amendment.

Those who voted in the affirmative, were—

Joseph S. Bledsoe, James D. Headley, James Sudduth,
A. D. Coeby, Samuel Howard, Harrison Taylor,
William S. Darnaby, David Irvine, E. D. Walker,
Geo. T. Edwards, Daniel Matthewson, C. J. Walton,
John F. Fisk, Thomas P. Porter, W. C. Walton,
Theo. T. Garrard, William B. Read, John Williams,
Asa P. Groover, G. W. Silvertooth, George Wright—23.
Samuel Haycraft, John P. Smith.

Those who voted in the negative, were—

Mr. Speaker, (King,) James F. Buckner, Charles Ripley.
John B. Bruner,

Mr. Buckner then moved to amend said bill as follows, viz:

Provided further, That the provisions of this act shall apply to the counties of Todd, Christian, and Henderson.

And the question being taken upon said motion, it was decided in the affirmative.

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

The constitutional provision as to the third reading of said bill being dispensed with,

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

Those who voted in the affirmative, were—

Mr. Speaker, (King,) | James D. Headley, | J. P. Smith,
Joseph S. Bledsoe, | Samuel Howard, | James Sudduth,
James F. Buckner, | David Irvine, | Harrison Taylor,
W. S. Darnaby, | Daniel Matthewson, | Cyrenius Wait,
George T. Edwards, | James McKee, | E. D. Walker,
John P. Fisk, | Thomas P. Porter, | C. J. Walton,
Theo. T. Garrard, | William B. Read, | W. O. Whitaker,
Samuel Haycraft, | George W. Silvertooth, | 

Those who voted in the negative, were—


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

Mr. Matthewson, from the committee on Internal Improvement, to whom was referred a bill from the House of Representatives, entitled,

An act concerning the Lexington and Danville Railroad Company. Said bill was then placed in the orders of the day.

Mr. Silvertooth, from the committee on Finance, to whom was referred a bill from the House of Representatives, entitled,

An act for the benefit of Albert Cook, of Livingston county. Reported the same without amendment.

Said bill was then amended.

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

The constitutional provision as to the third reading of said bill being dispensed with.

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

Mr. Silvertooth, from the same committee, to whom was referred a bill from the House of Representatives, entitled,

An act for the benefit of Mason Gullett, of Morgan county. Reported the same without amendment.

Said bill was then placed in the orders of the day.

Mr. Walton, 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 voting precinct in Laurel county. Reported the same without amendment.

Said bill was then placed in the orders of the day.

The Senate took up for consideration the reconsideration of the vote by which they had passed to a bill from the House of Representatives, entitled,
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An act to incorporate the Greenville Cemetery Association. And the question being taken on reconsidering said vote, it was decided in the affirmative.

Mr. Walker then moved to amend said bill, by way of engrossed reader.

Which was adopted.

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

The Senate took up for consideration the reconsideration of a vote by which they, on the 9th inst., disagreed to a bill from the House of Representatives, entitled,

An act for the benefit of Edwin Trimble, late clerk of Floyd county and circuit courts.

And the question being taken on reconsidering said vote, it was decided in the affirmative.

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

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

An act to incorporate the town of Catlettsburg, in Greenup county.

An act to repeal an act, entitled, an act to reorganize Transylvania University and establish a school for teachers,

An act authorizing the trustees of the town of London to sell an alley in said town.

An act to amend an act to incorporate the Ashland Female Semi- nary, and change the name thereof.

An act to amend an act, entitled, an act to incorporate the town of Ashland.

An act to amend the charter of the Versailles and Harrodsburg Turnpike road Company.

An act adding Jackson county to the 12th judicial district.

An act to incorporate the Bridgeport Female Institute.

An act to provide for holding additional circuit courts in Covington.

An act to amend the charter of the town of Versailles.

An act to incorporate the Russellville and Logan county Agricultural and Mechanical Association.

An act defining the jurisdiction of the McCracken county judge.

An act to amend and reduce into one the several acts in relation to the town of Hopkinsville.
An act in relation to fees of commonwealth's attorneys.
An act in regard to the duties of trustees of the jury fund and commonwealth attorneys.
An act for the benefit of William Smith, clerk of the Grant circuit court.
An act for the benefit of Sligo Division, No. 18, of the Sons of Temperance, in Henry county.
An act to amend chapter 43 of the Revised Statutes.
An act authorizing justices of the peace to take depositions in certain cases.
An act to increase the jurisdiction of the police judge, &c., of Ghent, in Carroll county.
An act concerning the clerk of the Hardin county court.
An act to incorporate a Lodge of Masons, in Carroll county.
An act to amend section 1, article 3, chapter 32, title "elections," Revised Statutes.
And enrolled bills which originated in the House of Representatives of the following titles, viz:
An act to regulate the appointment of a toll-gate keeper and overseer on the Crab Orchard fork of the Wilderness road.
An act to change the rates of toll upon the Madison fork of the Wilderness turnpike road, and for other purposes.
An act for the benefit of A. S. Trimble, late sheriff of Morgan county.
An act to regulate the time of holding circuit courts in the 8th judicial district.
An act authorizing the county courts of Meade and Breckinridge to change the state road leading from Brandenburg to Hudsonville.
An act to change the time of holding the quarterly court in Jessamine county.
An act to legalize an order of the Russell county court, made 8th of June, 1835.
An act to empower Simpson county court to levy a tax to aid in the erection of a new court-house.
An act to amend an act, entitled, an act to define the jurisdiction of the Louisville chancery court.
An act to change the time of holding the Green county court.
An act changing the terms of the Hopkins county quarterly courts.
An act authorizing the county court of Trigg to change the state road in said county.
An act to authorize the Marion county court to execute deeds to Dabney Tucker and others, for lands sold by them.
An act to change the law authorizing the judge of the Campbell county court to hold special terms of the quarterly courts of said county.

An act to establish the town of Jacksonport, in McCracken county.

An act to amend the charter of the town of Falmouth.

An act to amend the charter of the Kentucky, Cumberland Gap and Southern Railroad Company.

An act to change the time of holding county courts in Harrison county.

An act to authorize the Marshall county court to change the state road from Aurora to Paducah.

An act to amend the charter of the Nicholasville and Kentucky river Turnpike road Company.

An act for the benefit of S. C. Davis, surveyor of Knox county.

An act to change the time of holding the quarterly court in Carroll county.

An act to change the time of holding the quarterly courts in Pendleton county.

An act to repeal an act incorporating the Cypress Pond Draining Company, approved February 13, 1856.

An act for the benefit of Robert Bates, late sheriff of Letcher county.

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

An act to change the time of holding the Allen county quarterly court.

An act providing for a State road from Greenville, in Muhlenburg county, to Bowlinggreen, in Warren county.

An act to amend the charter of the town of Harrodsburg.

An act incorporating Neatsville Lodge, No. 192, of Free and Accepted Masons.

An act to repeal an act, entitled, an act to incorporate the town of Williamsburg, in Whitley county.

An act for the benefit of Sampson M. Johnson.

An act to incorporate Madison Lodge, No. 114, I. O. O. E.

An act to incorporate Highland Lodge, No. 311, of Free and Accepted Masons, in the town of West Liberty.

An act empowering the trustees of the Columbia quarterly Conference, of the Methodist Episcopal church South, to convey real estate.

And had found the same truly enrolled.
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 approval and signature.

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

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they were referred, viz:

By Mr. Bledsoe, from the committee on Internal Improvement—
An act to establish a state road from Eddyville to Paducah.
By same—
An act declaring the Catfork of Blain's creek a navigable stream.
By same—
An act to revive the charter of the Farmers' Turnpike road Company.
By same—
An act to amend the act incorporating the Louisville and Newport Branch Railroad Company.
By same—
An act amending an act incorporating the Downingville Turnpike road Company.
By same—
An act to establish a turnpike road from Franklin, in Simpson county, to the turnpike road south of Scottsville, in Allen county.
By same—
An act concerning the chartered turnpike roads in Montgomery county.
By same—
An act to amend the charter of the Mount Sterling and Jeffersonville Turnpike road Company.
By same—
An act to incorporate the Bardstown and Simpson's creek Turnpike road Company.
By same—
An act to amend an act, entitled, an act in relation to a new road in Lewis and Carter counties.
By same—
An act to amend an act to incorporate the People's Turnpike road Company.
By same—
An act to amend an act, entitled, an act to revive and modify
an act, entitled, an act to incorporate the Barren river Navigation
and Manufacturing Company.

By same—

An act to incorporate the North Bend and Wolper Turnpike
road Company.

By same—

An act to incorporate the Liberty and Bradfordsville Turnpike
road Company.

By same—

An act to incorporate the Sugar creek and Hickman Turnpike
road Company.

By same—

An act to establish a state road from Birmingham to Mayfield.

By same—

An act to incorporate the New Liberty Branch Turnpike road
Company.

By same—

An act to incorporate the Manchester Turnpike road Company.

By same—

An act to amend the charter of the Campbellsville Turnpike road
Company.

By same—

An act to further regulate tolls at the toll-gate in Knox county,
on the Cumberland Gap road.

By same—

An act amending an act incorporating the Hustonville and Stan-
ford Turnpike road Company.

By same—

An act to incorporate the Liberty and Russell’s Springs Turnpike
road Company.

By same—

An act to amend the charter of the Burlington and Florence
Turnpike road Company.

By same—

An act to incorporate the Boston Turnpike road Company.

By same—

An act to amend an act, entitled, an act to incorporate the New
Castle and Carrollton Turnpike road Company.

By same—

An act to incorporate the Ruddell’s Mills and Shawhan’s Station
Turnpike road Company.
By same—
An act to incorporate the Hopkinsville, Newstead, and Linton Turnpike road Company.

By same—
An act for the benefit of R. N. Winn and the Lexington and Big Sandy Railroad Company.

By same—
An act amending the charter of the Barren county railroad.

By Mr. Matthewson, from the same committee—
An act to incorporate the Newstead Turnpike road Company.

By same—
An act to incorporate the North Bend Turnpike road Company.

By Mr. Walton, from the committee on Privileges and Elections—
An act to change the place of voting in the first election precinct in Estill county.

By same—
An act establishing an additional election precinct in Caldwell county.

By same—
An act changing Morganfield district, in Union county.

By same—
An act establishing an additional voting place in Lawrence county.

By same—
An act changing and regulating the voting precincts in Clarke county.

By same—
An act creating additional justices' district and voting place in Meade county.

By same—
An act to change the place of voting in the Mount Eden district in Spencer county.

By same—
An act to change the place of holding the election in district No. 7, in the county of Greenup.

By same—
An act to establish an additional justices' district and election precinct in Morgan county.

By same—
An act establishing an additional voting precinct and justices' district in Wayne county.
By same—
An act to change the place of voting in precinct No. 5, in Nelson county.

By same—
An act to make an additional voting precinct in Jefferson county.

By same—
An act establishing an additional voting precinct and justices' district in Morgan county.

By same—
An act creating an additional voting place in district No. 3, in Todd county.

By Mr. Silvertooth, from the committee on Finance—
An act for the benefit of A. L. Offutt, late sheriff of Scott county.

By same—
An act for the benefit of Daniel Hager, of Johnson county.

By same—
An act to revive and amend the laws in regard to the sectionized land west of the Tennessee river.

By same—
An act for the benefit of Jas. H. Gilbraith, of Cumberland county.

By same—
An act regulating the duties of the sheriff of Warren county in regard to railroad tax.

By same—
An act to authorize the citizens of Daviess to vote on a proposition to levy an additional tax.

By same—
An act for the benefit of J. B. Harper, of Louisville.

By same—
An act for the benefit of Alexander C. Lindsey.

Ordered, That said bills be read a third time.

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

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

And then the Senate adjourned.
FRIDAY, FEBRUARY 12, 1858.

A message was received from the House of Representatives, announcing their disagreement to an amendment proposed by the Senate to a bill from the House of Representatives, entitled.

An act to repeal in part the first section of an act, entitled, an act to amend the charter of the Henderson and Nashville Railroad Company.

That they had passed bills from the Senate of the following titles, viz:
An act to extend the charters of the Bank of Louisville, Bank of Kentucky and Northern Bank.

That they had concurred in the amendments proposed by the Senate, to bills from the House of Representatives, of the following titles, viz:
An act for the benefit of Elbert Cook, of Livingston county.
An act for the benefit of the county clerk of Morgan county.
An act to incorporate St. Thomas' Seminary, of Nelson county.
An act authorizing the county court of Trigg to change the state road in said county.
An act to amend the charter of the town of Foster.
An act to authorize the citizens of Eminence to elect a town marshal.
An act creating a police judge and marshal for the town of Burlington.
An act to incorporate the town of Bledsoe.
An act to create the offices of police judge and town marshal in the town of West Point, Hardin county.
An act to authorize Luke Howlett to erect a dam and trap across the Rolling fork.
An act requiring the county judges to keep their offices and records at their respective county seats.
An act changing the time of holding the March term of the Oldham quarterly court.
An act amending the law concerning passways.
An act to amend the charter of the Agricultural Deposit Bank of Lexington.
An act to incorporate the Bardstown and Simpson creek Turnpike road Company.
That they had passed bills of the following titles, viz:

- An act increasing the juridical days of the November terms of the Muhlenburg circuit court.
- An act to establish a police court in the town of New Haven.

That they had received official information from the Governor that he had approved and signed enrolled bills which originated in the House of Representatives, of the following titles, viz:

- An act to extend the corporate limits of the town of Owensboro.
- An act imposing a tax upon billiard tables.
- An act to establish equity and criminal courts in the 4th judicial district.
- An act for the benefit of James Faulkner.
- An act concerning the jurisdiction of justices of the peace in regard to breaches of the peace.
- An act to establish a sinking fund for the city of Lexington.
- An act authorizing the appointment of guardians by clerks of circuit and chancery courts.
- An act to extend the terms of the Henderson circuit court.
- An act in relation to the records and papers of the Rockcastle circuit court.
- An act requiring certain bonds to be recorded in circuit and chancery courts.
- An act to incorporate the Pocahontas Tribe, No. 3, of the Improved Order of Red Men, at Newport.
- An act amendatory of the charter of the town of Cynthiana.
- An act to repeal the charter of Baltimore.
- An act in relation to school districts numbered 4 and 21, in Campbell county.
- An act to amend the charter of the Kentucky State Agricultural Society.
- An act to amend the charter of Bardstown.
- An act to incorporate the old Frankfort Turnpike road Company.
- An act concerning the court of appeals.
- An act requiring tax assessors to furnish statistical agricultural information.
- An act for the benefit of the proprietors of the Union White Sulphur Springs.
- An act to incorporate the Hopkinsville Press Printing company.

A message was received from the Governor by Mr. Bibb, Assistant Secretary of State, announcing that the Governor had approved and
signed enrolled bills which originated in the Senate of the following titles, viz:

An act to incorporate a Lodge of Masons, in Carroll county.
An act to amend section 1, article 3, chapter 32, title “elections,” Revised Statutes.
An act to incorporate the town of Catlettsburg, in Greenup county.
An act to amend chapter 42 of the Revised Statutes.
An act authorizing justices of the peace to take depositions in certain cases.
An act for the benefit of William Smith, clerk of the Grant circuit court.
An act for the benefit of Sligo Division, No. 18, of the Sons of Temperance, in Henry county.
An act in relation to fees of commonwealth’s attorneys.
An act in regard to the duties of trustees of the jury fund and commonwealth attorneys.
An act defining the jurisdiction of the McCracken county judge.
An act to incorporate the Russellville and Logan county Agricultural and Mechanical Association.
An act to amend the charter of the town of Versailles.
An act to provide for holding additional circuit courts in Covington.
An act to incorporate the Bridgeport Female Institute.
An act to amend the charter of the Versailles and Harrodsburg Turnpike road Company.
An act adding Jackson county to the 12th judicial district.
An act to amend an act, entitled, an act to incorporate the town of Ashland.
An act concerning the clerk of the Hardin county court.
An act to amend and reduce into one the several acts in relation to the town of Hopkinsville.
Mr. Bledsoe, from the committee on Internal Improvement, to whom was referred a bill from the House of Representatives, entitled,
An act to organize and carry out a general system of improving the roads in Logan county.
Reported the same without amendment.
Ordered, That said bill be read a third time.
The constitutional provision as to the third reading of said bill being dispensed with.
Resolved, That said bill do pass, and that the title thereof be as aforesaid.
On motion of Mr. Fisk—
A message was sent to the House of Representatives, asking leave to withdraw the announcement of the Senate, of their disagreement to a bill from the House of Representatives, entitled,
An act to amend the charter of the Hamilton and Buffalo Hill Turnpike road Company.
After a short time said bill was handed in at the clerk's table. The vote disagreeing to said bill was then reconsidered.
Ordered, That said bill be read a third time.
The constitutional provision as to the third reading of said bill being dispensed with,
Resolved, That said bill do pass, and that the title thereof be as aforesaid.
Mr. Matthewson, from the committee on Internal Improvement, to whom was referred a bill from the House of Representatives, entitled,
An act to repeal an act to allow R. M. Bradley & Company to build dams, and for other purposes,
Reported the same without amendment.
Mr. Sudduth moved to lay said bill on the table.
And the question being taken upon said motion, it was decided in the affirmative.
Mr. Bruner, from the committee on Education, to whom was referred a bill from the House of Representatives, entitled,
An act to change the boundary line of school district No. 15, in Crittenden county,
Reported the same without an expression of opinion.
Mr. Bruner moved to lay said bill on the table.
And the question being taken thereon, it was decided in the negative.
Ordered, That said bill be read a third time.
The constitutional provision as to the third reading of said bill being dispensed with,
The question was then taken upon the passage of said bill, and it was decided in the affirmative.
The yeas and nays being required thereon by Messrs. Bruner and Wright, were as follows, viz:—

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<th>Those who voted in the affirmative were</th>
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<tr>
<td>Mr. Speaker, (King,)</td>
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<td>Asa P. Grover,</td>
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<td>James McKee,</td>
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<td>Joseph S. Bledsoe,</td>
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<td>Thomas S. Grundy,</td>
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<td>William B. Read,</td>
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<td>A. D. Cosby,</td>
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<td>James D. Headley,</td>
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<td>H. M. Rust,</td>
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<td>George T. Edwards,</td>
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<td>Samuel Howard,</td>
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<td>John P. Smith,</td>
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<td>John F. Fisk,</td>
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<td>Daniel Matthewson,</td>
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<td>E. D. Walker—17.</td>
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<tr>
<td>Theo. T. Garrard,</td>
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<td>William H. McBrayer,</td>
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Those who voted in the negative, were—

John B. Bruner, James Sudduth, John Williams.
David Irvine, Cyrenius Wait, George Wright—12.

Resolved, That the title thereof be as aforesaid.

A message was received from the House of Representatives, asking leave to withdraw the announcement of their disagreement to a bill from the Senate, entitled,

An act for the benefit of William Brown, of Jessamine county.

Which was granted.

Mr. Bruner, from the committee on Education, to whom was referred bills from the House of Representatives of the following titles, viz:

An act to incorporate the Philadelphian Literary Society of the Columbia High School.
An act to incorporate Attalia Lodge, No. 94, I. O. O. F.
An act to incorporate the Catlettsburg Circulating Library Association.
An act to amend an act, entitled, an act to incorporate the Covington Library Association.

Reported the same without amendment.

Ordered, That said bills be read a third time.

The constitutional provisions as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Walker, from the same committee, reported
A bill for the benefit of school district No. 39, in Ohio county.
Which was read the first time, and ordered to be read a second time.

The constitutional provision 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. Bibb, Assistant Secretary of State.

Said message was taken up and read as follows, viz:

EXECUTIVE DEPARTMENT,
February 12th, 1858.

Gentlemen of the Senate:

A bill has been presented to me for my approval and signature, which
originated in your house entitled, "an act to increase the jurisdiction of the police judge, &c., of Ghent."

On examination, it will be found that the first section of this bill provides that the police judge and marshal of the town of Ghent shall have concurrent jurisdiction with the justices of the peace and constables of Carroll county, to the extent of said county. The second section enacts that the trustees of the town of Ghent shall have power to remove nuisances within said town, and a half mile of its boundary. The third section provides who shall have the right to vote at the election of officers of said town.

These several sections might perhaps be construed as relating to one general subject; but the constitution declares not only that a law shall relate to but one subject, but that that subject shall be expressed in the title. I am therefore reluctantly constrained to return to you this bill for your reconsideration, on account of its violation of this provision.

C. S. MOREHEAD.

The bill referred to in said message reads as follows, viz:

An act to increase the jurisdiction of the police judge, &c., of Ghent.

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the police judge and marshal of the town of Ghent shall have concurrent jurisdiction with the justices of the peace and constables of Carroll county to the extent of said county.

§ 2. That the trustees of the town of Ghent shall have power to remove nuisances within said town and a half mile of its boundary.

§ 3. That all legal voters of Carroll county who live within half a mile of the limits of said town of Ghent shall have the right to vote at the election of officers of said town, but shall not be subject to town tax.

The question was then taken on the passage of said bill, the objections of the Governor to the contrary notwithstanding, and it was decided in the negative.

The yeas and nays being required thereon by the constitution, were as follows, viz:

In the affirmative—none.

Those who voted in the negative, were—

And so said veto was sustained.

The Speaker laid before the Senate the response of the Auditor to a resolution heretofore offered by Mr. Fisk, in relation to the Charitable Institutions of this State:

Auditor's Office, Frankfort, Ky.,
February 12th, 1858.

Hon. John Q. A. King,
Speaker of the Senate:

Sir: In obedience to a resolution of the Senate, just received, I answer, that the Eastern Lunatic Asylum, Western Lunatic Asylum, and Blind Asylum, have complied with the 3d section of the act referred to, viz: "An act for the benefit of the Western Lunatic Asylum, approved 10th March, 1856;" and that the same have been reported to the legislature; and that the Deaf and Dumb Asylum, and Cumberland Hospital have not reported.

Very respectfully,

THO. S. Page, Auditor.

Note. The Trustees of the Cumberland Hospital made their report to both branches of the general assembly, about two weeks since.

John Q. A. King,
Speaker of the Senate.

Ordered, That the Public Printer print 150 copies thereof for the use of the General Assembly.

Mr. Silvertooth, from the committee on Finance, to whom was referred bills from the House of Representatives of the following titles, viz:

- An act for the benefit of Allen Smith, late sheriff of Clinton county.
- An act for the benefit of Thomas Landrum, late sheriff of Daviess county.
- An act for the benefit of the assessor of Henderson county.
- An act for the relief of the sheriff of Rockcastle county.
- An act for the benefit of John Cummings, late sheriff of Rockcastle county.
- An act for the benefit of John Rapp and Frank Quarst, of Louisville.
- An act for the benefit of Harvey Helm, late sheriff of Lincoln county.
- An act to increase the pay of the night watchmen of the Jefferson county and Louisville jail.
- An act for the benefit of James White, late deputy sheriff of Campbell county.
An act for the benefit of Robert Eastham, late sheriff of Lawrence county.

An act concerning the salaries of public officers.

An act for the benefit of Alfred Miller, late sheriff of Muhlenburg county.

An act for the benefit of Mrs. E. F. Elliott, of Rockcastle county.

An act refunding to R. Quisenbury the amount of tax overpaid by him in 1857.

An act for the benefit of Tho. B. Keeton, of Morgan county.

An act compensating Wm. Strowbridge for services rendered to the State of Kentucky.

An act for the benefit of Alney McLean’s heirs.

An act to refund to Wm. Ward, of Morgan county, the amount of tax on tavern license improperly collected of him.

An act concerning the Lunatic Asylums of this commonwealth.

An act refunding to R. E. Bush, former sheriff of Clarke county, the amount of tax overpaid by him in 1856.

An act for the benefit of Geo. M. Hampton, of Morgan county.

An act for the benefit of D. A. Weaver’s sureties, late sheriff of Bracken county.

An act for the benefit of A. B. Patrick, clerk of the circuit court of Breathitt county.

Reported the same without amendment.

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Silvertooth, from the same committee, to whom was referred a bill from the House of Representatives, entitled,

An act repealing an act to aid in removing free negroes from this state to Liberia,

Reported the same without amendment.

Said bill reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That an act, entitled, an act to aid in removing free negroes from this state to Liberia, approved the 3d day of March, 1856, be and the same is hereby repealed.

§ 2. That this act shall take effect from and after its passage.

The question was then taken on ordering said bill to be read a third time, and it was decided in the negative.
The yeas and nays being required thereon by Messrs. Andrews and Irvine, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker, (King,) James D. Headley, G. W. Silvertooth,
William S. Darnaby, Daniel Matthewson, John P. Smith,
John F. Fisk, William H. McBrayer, C. J. Walton,
Asa P. Grover, William B. Read, W. C. Whitaker,

Those who voted in the negative, were—

Landaff W. Andrews, Samuel Haycraft, James Suddath,
Joseph S. Bledsoe, Samuel Howard, Harrison Taylor,
John B. Bruner, David Irvine, Cyrenius Wait,
James F. Buckner, Gibson Mallory, E. D. Walker,
George T. Edwards, James McKee, John Williams,
William C. Gillis,

So the said bill was disagreed to.

Mr. Silvertooth, from the same committee, to whom was referred a bill from the House of Representatives, entitled,

An act appropriating money to Alfred Chanslor,
Reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by the constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker, (King,) Samuel Haycraft, George W. Silvertooth,
Landaff W. Andrews, Samuel Howard, John P. Smith,
John B. Bruner, David Irvine, James Sudduth,
James F. Buckner, Gibson Mallory, Harrison Taylor,
William S. Darnaby, William H. McBrayer, Cyrenius Wait,
George T. Edwards, James McKee, W. C. Whitaker,
Theo. T. Garrard, Thomas P. Porter, John Williams,
Thomas S. Grundy,

Those who voted in the negative, were—

John F. Fisk, Daniel Matthewson, C. J. Walton,

Mr. Silvertooth, from the same committee, to whom was referred a bill from the House of Representatives, entitled,
An act to impose a tax upon dogs in Shelby and Hardin counties,
Reported the same without amendment.

Ordered, That said bill be placed in the orders of the day.
Mr. Silvertooth, from the same committee, to whom was referred a
bill from the House of Representatives, entitled,
An act remunerating W. M. Hume,
Reported the same without amendment.
And the question being taken upon ordering said bill to be read a
third time, it was decided in the negative.
And so the said bill was disagreed to.
Mr. Silvertooth, from the same committee, to whom was referred a
bill from the House of Representatives, entitled,
An act for the benefit of Sandford Goins,
Reported the same without amendment.

Ordered, That said bill be placed in the orders of the day.
Mr. Silvertooth, from the same committee, reported
A bill for the benefit of Robt. McKee and John Stites, and the
executors of Zach. Glass, deceased.
Which was read the first time, and ordered to be read a second
time.

The constitutional provision as to the second and third readings of
said bill being dispensed with, and the same being engrossed,
The question was then taken on the passage of said bill, and it was
decided in the affirmative.

The yeas and nays being required thereon by the constitution,
were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker, (King,) Asa P. Grover,
Landaff W. Andrews, Samuel Haycraft,
Joseph S. Bledsoe, James D. Headley,
John B. Bruner, Samuel Howard,
James P. Buckner, David Irvine,
A. D. Cosby, Gibson Mallory,
W. S. Darnaby, Daniel Matthewson,
George T. Edwards, William H. McBrayer,
John F. Fisk, W. C. Whitaker,
Theo. T. Garrard, James McKee,
William C. Gillies, Thomas P. Porter,
In the negative—none.

Resolved, That the title of said bill be as aforesaid.
Also—

A bill for the benefit of Jesse Bayles:
Which was read the first time, and ordered to be read a second time.

The constitutional provision as to the second and third readings of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon, by the constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker, (King,) Asa P. Grover, H. M. Rust,
Landaff W. Andrews, Samuel Haycraft, G. W. Silvertooth,
Joseph S. Bledsoe, James D. Headley, John P. Smith,
John B. Bruner, Samuel Howard, James Sudduth,
James F. Buckner, David Irvine, Harrison Taylor,
A. D. Cosby, Daniel Matthewson, Cyrenius Wait,
William S. Darnaby, William H. McBrayer, E. D. Walker,
Geo. T. Edwards, James McKee, C. J. Walton,
John F. Fisk, Thomas P. Porter, W. C. Whitaker,
Theo. T. Garrard, William B. Read, W. M. Wilson,
William C. Gillis, Charles Ripley, George Wright—33.

In the negative—none.

Resolved, That the title thereof be as aforesaid.

The Senate took up for consideration a message received from the Governor on yesterday.

Said message reads as follows, viz:

EXECUTIVE DEPARTMENT,
February 11, 1858.

Gentlemen of the Senate:

I nominate the following persons to be Notaries Public for the counties named, viz:

Matthew W. Cole, for McCracken county.
John Marshall, for McCracken county.
J. M. Bigger, for McCracken county.
Robt. T. Glass, for Henderson county.
Paul A. Blackwell, for Henderson county.
P. H. Lockett, for Henderson county.
Wm. F. Owseley, for Cumberland county.
F. W. Alexander, for Cumberland county.
J. R. Ryan, for Cumberland county.
Fielding Tolbert, for Clinton county.
John Elder, for Clinton county.
Geo. W. Hunt, for Clinton county.
J. V. Warden, for Wayne county.
J. W. Simpson, for Wayne county.
Hiram T. Hall, for Wayne county.
Wm. Jones, for Russell county.
Resolved, That the Senate advise and consent to said appointments.

Mr. Walton, from the committee on Enrollments, reported that the committee had examined enrolled bills which originated in the Senate, of the following titles, viz:

An act to regulate the terms of the circuit courts and the equity and criminal courts in the 4th judicial district.

An act to regulate the holding of the circuit courts in the 12th judicial district.

An act to incorporate the Scott Female Institute.

An act to amend an act to amend the law regulating the sale of spirituous, malt, and vinous liquors to free negroes and slaves, approved February 27, 1856.

An act regulating the sale of partnership property taken in execution for the separate debts of one of the partners.
And enrolled bills which originated in the House of Representatives of the following titles, viz:

An act for the benefit of Julian Neal, of Fulton county.
An act to allow James C. Jones to solemnize the rites of matrimony.
An act to incorporate the Columbia and Russell's Springs Turnpike road Company.
An act for the benefit of the Christian church in Irvine, in Estill county.
An act to establish a tobacco inspection warehouse at Mayfield.
An act to authorize the county court of Barren to subscribe stock to the Barren county Railroad.
An act to incorporate the Rolling Fork and St. Mary's Turnpike road Company, in Marion county.
An act to amend an act, entitled, an act to amend the charter of the Lexington and Danville Railroad Company, approved March 10, 1856.
An act to incorporate the Fowler's creek and Staffordsburg Turnpike road Company.
An act prescribing the means and mode of opening and working roads in the county of Boone.
An act to incorporate the Russellville and Springfield Turnpike Road Company.
An act to incorporate the St. Mary's Turnpike road Company, in Marion county.
An act to incorporate the Harmony and Fork Turnpike road Company.
An act to incorporate the Millersburg, Indian creek Meeting house, and Cynthiana Turnpike road Company.
An act to amend the charter of the Crab Orchard and Gilmore's Lick Turnpike road Company.
An act amending the charter of the Knob Lick Turnpike road Company.
An act to incorporate the Canton, Cadiz and Hopkinsville Turnpike road Company.
An act to authorize the citizens of the town of Warsaw to elect a police judge and marshal.
An act for the relief of W. M. Smith, late gate keeper on the Wilderness road, in Rockcastle county.
An act for the benefit of Thomas W. Robinson.
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An act to incorporate the Mount Lebanon and Kentucky river Turnpike road Company.
An act to incorporate the St. Andrews church, in Louisville.
An act to incorporate the Stony Point and Lemon’s Mill Turnpike road Company.
An act enlarging the boundary of the town of Cadiz, in Trigg county.
An act to incorporate the Salem Baptist church, in Shelby county.
An act to authorize the Marshall county court to change the state road from Hopkinsville to Paducah.
An act for the benefit of Wm. H. Hamilton, late sheriff of Larue county.
An act for the benefit of W. L. Kirk and Wm. Douglass, of Marion county.
An act to charter the Southwestern Agricultural Works.
An act to repeal an act, entitled, an act to prohibit fishing in the north fork of Licking river, in Bracken county.
An act to amend the charter of the town of Greenville.
An act to incorporate the Methodist Episcopal Church South, in the city of Henderson.
An act for the benefit of Dennis Russell and Henry Spink, of Nelson and Hardin counties.
An act for the benefit of the Methodist church at Bardstown.
An act for the benefit of John Troutman, of Nelson county.
An act to incorporate the Presbyterian Church at Lebanon.
An act for the benefit of the Mt. Pleasant Presbyterian church, in Hardin county.
An act for the benefit of the Christian church of Winchester.
An act amending the charter of the Union Turnpike road Company.
An act for the benefit of James E. Secrest, late sheriff of Nicholas county.
An act to amend the charter of the Oregon Turnpike road Company.
And had found the same truly enrolled.
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 approval and signature.
After a short time, Mr. Walton reported that the committee had performed that duty.
On motion of Mr. Walton—
Messrs. Edwards, Howard, and Headley were added to the committee on Enrollments.
A message was received from the House of Representatives announcing that they had passed a bill from the Senate of the following title, viz:

An act for the benefit of Wm. Brown, of Jessamine county.

The Senate took up for consideration a bill from the House of Representatives, entitled,

An act concerning the quarterly courts.

Said bill was then amended, by exempting the county of Kenton from the provisions of said bill, and the counties of Washington and Marion, so far as relates to the place where the office shall be kept.

Mr. Porter then moved to strike out the third section of the bill.

And the question being taken thereon, it was decided in the affirmative.

Ordered, That said bill, as amended, be read a third time.

Mr. Andrews moved to lay said bill, as amended, on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Andrews and Matthewson, were as follows, viz:

Those who voted in the affirmative, were—

Landaff W. Andrews,  David Irvine,  John P. Smith,
John B. Bruner,  James McKee,  James Sudduth,
Asa P. Grover,

Those who voted in the negative, were—

Mr. Speaker, (King,)  Thomas S. Grundy,  Cyrenius Wait.
Joseph S. Bledsoe,  Samuel Haycraft,  E. D. Walker,
James F. Buckner,  Samuel Howard,  C. J. Walton,
A. D. Cosby,  Daniel Matthewson,  W. C. Whitaker.
William S. Darnaby,  William H. McBrayer,  John Williams,
George T. Edwards,  Thomas P. Porter,  W. M. Wilson,
William C. Gillis,  H. M. Rust,

The question was then taken on dispensing with the third reading of said bill, and it was decided in the affirmative.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Grover and Howard, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker, (King,)  Samuel Haycraft,  George W. Silvertooth,
Joseph S. Bledsoe,  James D. Headley,  John P. Smith,
A. D. Cosby,  Samuel Howard,  Harrison Taylor,
February 12, 1818.

Resolved, That the title of said bill be as aforesaid.

The Senate took up for consideration

A bill to amend chapter 14, title 10, Code of Practice.

Said bill reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the 530th section of the above chapter and title be so amended as to give the commonwealth attorneys of this state the same authority and power to institute actions and proceedings to repeal or vacate a charter that is now given by law to the attorney general.

§ 2. That in all actions and proceedings to vacate a charter instituted under chapter 14 of title 10, Civil Code of Practice, at the instance of any other person or persons than the commonwealth attorney or attorney general, security for costs shall be given, or such action or proceeding shall be dismissed.

§ 3. This act shall take effect from its passage.

Mr. Andrews moved to lay said bill on the table.

Pending the consideration of which motion,

The Senate took a recess until 3 o'clock, P. M.

Mr. Silvertooth, from the committee on Finance, to whom was referred a bill from the House of Representatives, entitled,

An act for the benefit of Miles Greenwood,

Reported the same without amendment.

The said bill reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the auditor of public accounts be and he is hereby directed to draw his warrant on the treasury, in favor of Miles Greenwood, of Cincinnati, for the sum of six thousand five hundred and sixty-five dollars and thirty-five cents, which shall be in full for all claims which the said Greenwood now has against the state of Kentucky, on account of furnishing a heating apparatus and materials therefor, for the Eastern Lunatic Asylum, at Lexington, Kentucky.

§ 2. This act to take effect from and after its passage.

Mr. Whitaker moved to lay said bill on the table.

And the question being taken thereon, it was decided in the negative.
The yeas and nays being required thereon by Messrs. Andrews and McKee, were as follows, viz:

Those who voted in the affirmative were—

Mr. Speaker, (King,) Daniel Matthewson, Geo. W. Silvertooth,
Joseph S. Bledsoe, William H. McBrayer, E. D. Walker,
Theo. T. Garrard, James McKee, W. C. Whitaker,
John P. Martin,

Those who voted in the negative were—

Landaff W. Andrews, Thomas S. Grundy, H. M. Rust,
John B. Bruner, Samuel Haycraft, John P. Smith,
James F. Buckner, James D. Headley, James Sudduth,
A. D. Cosby, Samuel Howard, Harrison Taylor,
Wm. S. Darnaby, David Irvine, Cyrenius Wait,
George T. Edwards, Gibson Mallory, C. J. Walton,
John F. Fisk, Thomas P. Porter, John Williams,

Mr. Andrews moved the previous question.
And the question being taken, shall the main question be now put? it was decided in the affirmative.
The question was then taken on ordering said bill to be read a third time, and it was decided in the negative.
The yeas and nays being required thereon by Messrs. Andrews and Rust, were as follows, viz:

Those who voted in the affirmative were—

Landaff W. Andrews, George T. Edwards, Charles Ripley,
John B. Bruner, John F. Fisk, John P. Smith,
James F. Buckner, Samuel Haycraft, Harrison Taylor,
A. D. Cosby, David Irvine, Cyrenius Wait,

Those who voted in the negative were—

Mr. Speaker, (King,) Samuel Howard, Geo. W. Silvertooth,
Joseph S. Bledsoe, John P. Martin, James Sudduth,
Theo. T. Garrard, Daniel Matthewson, E. D. Walker,
William C. Gillis, Wm. H. McBrayer, W. C. Whitaker,
Asa P. Grover, James McKee, John Williams,
James D. Headley,

And so said bill was disagreed to.

Mr. Silvertooth, from the committee on Finance, reported the following bills, viz:

A bill for the benefit of Daniel Higgins, late sheriff of Breath county,
A bill to amend the charter of the Bloomfield and Springfield Turnpike road Company.

A bill for the benefit of J. R. Botts, of Carter county.

A bill to increase the jurisdiction of the police judge and marshal of Ghent.

Which were read the first time, and ordered to be read a second time.

The constitutional provision 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. Silvertooth, from the same committee, reported

A bill for the benefit of John Miller.

Which was read the first time as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the auditor of public accounts be and he is hereby directed to draw his warrant on the treasury in favor of John Miller, of Madison county, for the sum of seventy-two dollars, being for orders he holds on the pay-master of the 7th regiment of Kentucky militia, which he was not able to collect, in consequence of the general assembly abolishing the militia system of the state.

§ 2. This act to take effect from and after its passage.

Ordered, That said bill be read a second time.

The constitutional provision as to the second reading being dispensed with.

Mr. Bruner then moved to recommit said bill to the committee on Finance.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Andrews and Irvine, were as follows, viz:

Those who voted in the affirmative were—

Joseph S. Bledsoe, Theo. T. Garrard, Daniel Matthewson,
John B. Bruner, Asa P. Grover, John P. Smith,
Wm. S. Darnaby, Samuel Howard, C. J. Walton—10.
John F. Fisk.

Those who voted in the negative were—

Mr. Speaker, (King,) Wm. H. McBrayer, James Sudduth,
Landaff W. Andrews, James McKee, Harrison Taylor,
George T. Edwards, Thomas P. Porter, Cyrenius Wait,
William C. Gillis, William B. Read, W. C. Whitaker,
James D. Headley, Charles Ripley, John Williams,
David Irvine, H. M. Rust, George Wright—20.
Gibson Mallory, Geo. W. Silvertooth,
Mr. Andrews moved the previous question.
And the question being taken, shall the main question be now put? it was decided in the affirmative.
The question was then taken on ordering said bill to be read a third time, and it was decided in the negative.
The yeas and nays being required thereon by Messrs. Andrews and Irvine, were as follows, viz:

Those who voted in the affirmative were—
Landaff W. Andrews, Gibson Mallory, George T. Edwards, Samuel Howard, David Irvine,
Charles Ripley, Harrison Taylor, James McKee, William B. Read,
Cyrenius Wait—10.

Those who voted in the negative were—
Mr. Speaker, (King,) Samuel Haycraft, James Sudduth, John B. Bruner, James D. Headley, E. D. Walker,
Wm. S. Darnaby, Daniel Matthewson, C. J. Walton,
John F. Fisk, Wm. H. McBrayer, W. C. Whitaker,
Theo. T. Garrard, Thomas P. Porter, John Williams,
Asa P. Grover, John P. Smith,

And so said bill was rejected.
Mr. Silvertooth, from the same committee, reported
A bill for the benefit of James Edmundson, of Hopkins county, and
John Bone, of Cumberland county.
Which was read the first time, and ordered to be read a second
The constitutional provision as to the second and third readings
of said bill being dispensed with, and the same being engrossed,
The question was then taken on the passage of said bill, and it was
decided in the affirmative.
The yeas and nays being required thereon, by the constitution,
were as follows, viz:

Those who voted in the affirmative were—
Mr. Speaker, (King,) Asa P. Grover, Charles Ripley,
Joseph S. Bledsoe, Thomas S. Grundy, H. M. Rust,
John B. Bruner, James D. Headley, George W. Silvertooth,
James F. Buckner, Samuel Howard, Harrison Taylor,
A. D. Cosby, Daniel Matthewson, Cyrenius Wait,
William S. Darnaby, William H. McBrayer, C. J. Walton,
John F. Fisk, James McKee, W. M. Wilson,
Theo. T. Garrard, Thomas P. Porter, George Wright—26,
William C. Gillis, William B. Read,
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Those who voted in the negative were—

Landaff W. Andrews, Gibson Mallory, W. C. Whitaker,
Samuel Haycraft, James Sudduth, John Williams—7.
David Irvine,

Mr. Gillis, from the committee on County Courts, reported
A bill to amend the law in relation to settlements by guardians.
Which was read the first time, and ordered to be read a second
time.

The constitutional provision as to the second reading of said bill
being dispensed with,

Ordered, That the Public Printer print 150 copies of said bill and
that it be placed in the orders of the day.

Mr. Gillis, from the same committee, to whom was referred a bill
from the House of Representatives, entitled,
An act to amend the law concerning roads and passways,
Reported the same without amendment.

Ordered, That the Public Printer print 150 copies thereof for the use
of the General Assembly, and that it be placed in the orders of the
day.

Mr. Sudduth, from the committee on Education, reported the follow-
ing bills, viz:

A bill to incorporate the Millersburg Male and Female Collegiate
Institute.
A bill to repeal an act, entitled, an act to incorporate the town of
Bledsoe, in Fulton county.
A bill to incorporate the Millersburg and Cane ridge Turnpike road
Company.
A bill for the benefit of the Slate Union church.
A bill for the benefit of George Gist.
A bill to amend the charter of the city of Louisville.

Which were read the first time, and ordered to be read a second
time.

The constitutional provision 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.

At a quarter before 6 o'clock, P. M., Mr. Grundy moved an adjourn-
ment.

And the question being taken thereon, it was decided in the nega-
tive.
The yeas and nays being required thereon by Messrs. Walker and Porter, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker, (King,) Theo. T. Garrard, Daniel Matthewson,
James F. Buckner, Samuel Haycraft, James Sudduth,

Those who voted in the negative, were—

Landaff W. Andrews, Gibson Mallory, John P. Smith,
John B. Bruner, John P. Martin, Cyrenius Wait,
A. D. Cosby, James McKee, E. D. Walker,
George T. Edwards, Thomas P. Porter, C. J. Walton,
John F. Fisk, William B. Read, W. C. Whitaker,
William C. Gillis, Charles Ripley, John Williams,
Asa P. Grover, H. M. Rust, W. M. Wilson,
James D. Headley, G. W. Silvertooth, George Wright—25.
David Irvine,

Mr. Walker then moved a reconsideration of the vote by which the Senate refused to adjourn.

And the question being taken on reconsidering said vote, it was decided in the negative.

Mr. Bruner then moved that the Senate take a recess until 7½ o'clock, P. M.
And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Andrews and McKee, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker, (King,) David Irvine, G. W. Silvertooth,
Joseph S. Bledsoe, Gibson Mallory, Cyrenius Wait,
John B. Bruner, Daniel Matthewson, E. D. Walker,
John F. Fisk, James McKee, C. J. Walton,
William C. Gillis, Thomas P. Porter, W. M. Wilson,
Samuel Haycraft, Charles Ripley, George Wright—20.
Samuel Howard, H. M. Rust,

Those who voted in the negative, were—

Landaff W. Andrews, Asa P. Grover, John P. Smith,
James F. Buckner, Thomas S. Grundy, James Sudduth,
A. D. Cosby, James D. Headley, Harrison Taylor,
Theo. T. Garrard, William B. Read,

Mr. Bruner, from the committee on Education, to whom was referred bills from the House of Representatives of the following titles, viz:

An act to amend an act incorporating Minervâ Seminary.
An act to incorporate the Danville Female Academy.
An act for the benefit of the academical department of the University of Louisville.
An act to regulate the tenure of common school property in the city of Covington.
An act to incorporate Union College, at Crittenden, in Grant county.
An act to incorporate the Kentucky Association of Teachers.
An act to incorporate the Harrison Female Academy.
An act to incorporate Macpelah Cemetery, at Mt. Sterling.
An act to modify the charter of Trigg Academy.
An act to incorporate the Hustonville Christian Academy.
An act directing the school commissioners to divide school district No. 22, of Trigg county.
An act to amend an act, entitled, an act to incorporate Bethel Academy.
An act for the benefit of Robert D. Murray, common school commissioner for Hart county.
An act for the benefit of school districts in Logan county.
Reported the same without amendment.
Ordered, That said bills be read a third time.
The constitutional provisions as to the third reading of said bills being dispensed with,
Resolved, That said bills do pass, and that the titles thereof be as aforesaid.
Mr. Bruner, from the same committee, to whom was referred a bill from the House of Representatives, entitled,
An act for the benefit of the public schools in Louisville.
Reported the same with an amendment.
Which was adopted.
Ordered, That said bill be read a third time.
The constitutional provision as to the third reading of said bill being dispensed with,
Resolved, That said bill do pass, and that the title thereof be as aforesaid.
Mr. Bruner, from the same committee, to whom was referred a bill from the House of Representatives, entitled,
An act in relation to the Falmouth Seminary.
Reported the same without amendment.
Mr. Grover moved to lay said bill on the table.
And the question being taken thereon, it was decided in the affirmative.
Mr. Bruner, 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 school district No. 24, in Bracken county.

An act for the relief of school district No. 8, in Hickman county.

Reported the same with the expression of opinion that they ought not to pass.

The question was then taken on ordering said bills to be read a third time, and it was decided in the negative.

So the said bills were disagreed to.

Mr. Bruner, from the same committee, to whom was referred a bill from the House of Representatives, entitled,

An act for the benefit of common school district No. 7, in Breathitt county.

Reported the same, with the expression of opinion that it ought not to pass.

And the question being taken upon ordering said bill to be read a third time, it was decided in the affirmative.

Said bill was then placed in the orders of the day.

Mr. Bruner, from the same committee, to whom was referred a bill from the House of Representatives, entitled,

An act for the benefit of Robert D. Murray, common school commissioner for Hart county.

Reported the same with an amendment.

And the question being taken on the adoption of the amendment, it was decided in the negative.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

A message was received from the House of Representatives, asking leave to withdraw the announcement of their disagreement to an amendment proposed by the Senate, to a bill from the House of Representatives, entitled,

An act to repeal in part the first section of an act, entitled, an act to amend the charter of the Henderson and Nashville Railroad Company.

Which was granted.

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 incorporate the town of Bledsoe, in Fulton county.

That they had passed a bill, entitled,
An act authorizing the sale of poor-house lands in Nicholas county.
Mr. Bruner, from the committee on Education, to whom was referred a bill from the House of Representatives, entitled,
An act to amend the charter of the Bracken Academy,
Reported the same without amendment.
And the question being taken on ordering said bill to be read a third time, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Andrews and Rust, were as follows, viz:

Those who voted in the affirmative, were—

James F. Buckner, \( \) A. D. Cosby, \( \) L. H. M. Rust.
William S. Darnaby, \( \) A. D. Cosby, \( \) William S. Darnaby.
George T. Edwards, \( \) William B. Read, \( \) James McKee, \( \) W. C. Whitaker.
John F. Fisk, \( \) E. D. Walker, \( \) C. J. Walton, \( \) W. C. Whitaker.
Theo. T. Garrard, \( \) James D. Headley, \( \) James Sudduth.
James D. Headley, \( \) James McKee, \( \) James Sudduth.
Samuel Howard, \( \) E. D. Walker, \( \) W. C. Whitaker.

Those who voted in the negative, were—

Mr. Speaker, (King,) Asa P. Grover, \( \) Gibson Mallory, \( \) Charles Ripley.
Landaff W. Andrews, \( \) Samuel Haycraft, \( \) H. M. Rust.
John B. Bruner, \( \) David Irvine, \( \) H. M. Rust.
William C. Gillis, \( \) Asa P. Grover.

The question was then taken on dispensing with the third reading of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Rust and Garrard, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker, (King,) \( \) Samuel Haycraft, \( \) John P. Smith.
Landaff W. Andrews, \( \) James D. Headley, \( \) James Sudduth.
John B. Bruner, \( \) Samuel Howard, \( \) Harrison Taylor.
James F. Buckner, \( \) David Irvine, \( \) Cyrenius Wait.
A. D. Cosby, \( \) Gibson Mallory, \( \) E. D. Walker.
William S. Darnaby, \( \) Daniel Matthewson, \( \) C. J. Walton.
George T. Edwards, \( \) James McKee, \( \) W. C. Whitaker.
John F. Fisk, \( \) Thomas P. Porter, \( \) John Williams.
William C. Gillis, \( \) Charles Ripley.
Asa P. Grover, \( \) George Wright.

In the negative—H. M. Rust.
The question was then taken on the passage of said bill, and it was decided in the affirmative.

Resolved, That the title of said bill be as aforesaid.

Mr. Bruner, from the same committee, reported
A bill for benefit of school district No. 15, in Breathitt county.
Which was read the first time, and ordered to be read a second time.

The constitutional provision 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. Bruner, from the same committee, asked to be discharged from the further consideration of the petition of sundry citizens of Lawrence county, asking an extension of the boundaries of a school district in said county.

Mr. Porter moved to recommit said petition, with instructions that the committee bring in a bill in accordance with the prayer of the petitioners.

And the question being taken upon said motion, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Bruner and Walker, were as follows, viz:

Those who voted in the affirmative, were—
Landaff W. Andrews, William B. Read, E. D. Walker,
John F. Fisk, H. M. Rust, C. J. Walton,
Asa P. Grover, George W. Silvertooth, John Williams,

Those who voted in the negative, were—
Mr. Speaker, (King,) Samuel Haycraft, Charles Ripley,
John B. Bruner, Samuel Howard, James Sudduth,
James P. Buckner, David Irvine, Harrison Taylor,
A. D. Cosby, Gibson Mallory, Cyrenius Wait,
George T. Edwards, Daniel Matthewson, W. C. Whitaker,
Theo. T. Garrard, James McKee, George Wright—20,
William C. Gillis, Thomas P. Porter.

Mr. Bruner, from the same committee, asked to be discharged from the further consideration of the petition of James L. Stratton, of Jefferson county, in relation to the Orphans' Home.

Which was granted.

Also, from the further consideration of the petition of A. Borders, and others, in relation to a school district in Lawrence county.

Which was granted.
Mr. Porter moved to reconsider the vote by which the Senate had disagreed to a bill from the House of Representatives, entitled, An act for the benefit of Miles Greenwood.

And the question being taken on reconsidering said vote, it was decided in the affirmative.

Said bill was then placed in the orders of the day.

A message was received from the House of Representatives, announcing their disagreement to bills from the Senate of the following titles, viz:

An act for the benefit of W. H. Randall and Addison Williams.
An act to amend the charter of the town of Somerset.
An act for the benefit of William Corum, clerk of the Greenup county and circuit courts.
An act to establish equity courts in the counties of Kenton, Campbell, Pendleton, Bracken and Mason.

That they had passed bills from the Senate of the following titles, viz:

An act to amend an act, entitled, an act to incorporate the Clark's river Bridge Company, in McCracken county.
An act for the benefit of James H. Pogue, late sheriff of Knox county.
An act to incorporate the Russellville and Logan county Railroad Company.
An act for the benefit of Isaac H. Underwood, jailer of Washington county.
An act to repeal an act, entitled, an act to create an additional civil district in Hickman county.
An act for the benefit of R. H. Stanhope.
An act to authorize Wm. Grimes to sell negroes.
An act to incorporate the Munday's Landing and Harrodsburg Turnpike road Company.
An act to amend an act incorporating the Harrodsburg and Cornishville Turnpike road Company.
An act to limit the jurisdiction of the police judge and town marshal of the town of Calhoun, in McLean county.
An act to amend the law creating a board of supervisors of tax.
An act to incorporate the Star Fire Company, No. 1, of Carrollton, Kentucky.
An act for the benefit of the Shelby Railroad Company.
An act to amend an act to incorporate the city of Paducah.
An act allowing the citizens of the town of Burksville the power of electing a police judge and town marshal.
An act for the benefit of Bagdad and Harrisonville Turnpike road.
An act to amend article 2, chapter 56, Revised Statutes, title landlord and tenant.
At 9½ o'clock, Mr. Andrews moved that the Senate do now adjourn.
And the question being taken upon said motion, it was decided in the negative.
The yeas and nays being required thereon, by Messrs. Ripley and Porter, were as follows, viz:

**Those who voted in the affirmative, were—**

Landaff W. Andrews, Theo. T. Garrard, Samuel Howard,
A. D. Cosby, Asa P. Grover, John P. Martin,

**Those who voted in the negative, were—**

Mr. Speaker, (King,) Daniel Matthewson, Harrison Taylor,
John B. Bruner, James McKee, Cyrenius Wait,
Geo. T. Edwards, Thomas P. Porter, E. D. Walker,
John F. Fisk, William B. Read, C. J. Walton,
William C. Gillis, Charles Ripley, W. C. Whitaker,
Samuel Haycraft, H. M. Rust, John Williams,
David Irvine, G. W. Silvertooth, W. M. Wilson,
Gibson Mallory, John P. Smith, George Wright—24.

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 the House of Representatives, entitled,

An act to repeal in part the first section of an act, entitled, an act to amend the charter of the Henderson and Nashville Railroad Company.

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 common school districts in this Commonwealth.

With an amendment.

**Ordered,** That said bill and amendment be referred to the committee on Education.

At 10 o'clock, P. M., Mr. Haycraft moved an adjournment.
And the question being taken thereon, it was decided in the negative.
The yeas and nays being required thereon, by Messrs. Walker and Porter, were as follows, viz:
Those who voted in the affirmative, were—

A. D. Cosby,
William S. Darnaby,
John F. Fisk,
Theo. T. Garrard,
Asa P. Grover,
Thomas S. Grundy,
James D. Headley,
William B. Read,
Samuel Howard,
Daniel Matthewson,
Wm. H. McBrayer,
Thomas P. Porter,
William B. Read,
H. M. Rust,
George W. Silvertooth,
C. J. Walton,
John Williams—16.

Those who voted in the negative, were—

Mr. Speaker, (King,) David Irvine, Harrison M. Taylor,
Landaff W. Andrews, Gibson Mallory, Cyrenius Wait,
Joseph S. Bledsoe, James McKee, E. D. Walker,
John B. Bruner, Charles Ripley, W. C. Whitaker,
James F. Buckner, John P. Smith, W. M. Wilson,
William C. Gillis, James Sudduth, George Wright—19.

A message was received from the House of Representatives, announcing that they had passed a bill, entitled,
An act providing pay for red fox scalps.

Mr. Mallory, from the committee on Agriculture and Manufactures, to whom were referred bills from the House of Representatives of the following titles, viz:

An act to incorporate the Jefferson Southern Pond Draining Company.

An act relating to the inspection of flour in Louisville.

An act to amend an act, entitled, an act to incorporate the Kentucky Ship Building and Lumber Company.

An act to incorporate the Kentucky Coal Company, of Louisville.

An act for the benefit of the Christian church in Irvine, in Estill county.

An act to amend the charter of the Henderson and Nashville Railroad Company.

An act to incorporate the Berry and Raven creek Bridge Company.

An act to amend an act, entitled, an act to amend the charter of the Glasgow and Scottsville Turnpike road Company, approved February 29th, 1848.

An act to amend the charter of the North Kentucky Agricultural Society, of Boone county.

An act to incorporate the Bunker Hill and Big Sandy Coal Mining and Lumber Company.

An act to extend the power of the trustees of the town of Leesburg, in Harrison county.
An act to amend an act to establish a uniform weight of coal.
An act to incorporate the North Kentucky Agricultural Association.
An act to incorporate the Southern Kentucky Farmers' Insurance Company.
An act to incorporate the Niagara Coal and Manufacturing Company.
An act to prevent the wanton destruction of fish in Green river and its tributaries.
An act to incorporate the Rock Spring Coal Company.
An act to incorporate the Lewisport Pond Draining Company.

Ordered, That said bills be read a third time.
The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Mallory, from the same committee, reported the following bills, viz:
A bill to incorporate the Kentucky Coal Mining and Iron and Oil Manufacturing Company.
A bill to charter the Fifteenth Street Turnpike road Company.
A bill for the benefit of the Louisville and Oldham Turnpike road Company.
A bill offering a reward for the discovery of the disease called "hog cholera," and a remedy that will cure said disease.
Which were read the first time, and ordered to be read a second time.
The constitutional provision 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 House of Representatives, announcing that they had passed a bill, entitled,
An act to authorize the county court of Kenton county to divide justice's districts into voting precincts, and establishing voting places therein.
Which was read the first time, and ordered to be read a second time.
The constitutional provision as to the second and third readings of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.
The Senate took up for consideration bills from the House of Representatives of the following titles, viz:

An act to establish an additional voting precinct in Laurel county.

An act authorizing the sale of poor-house lands in Nicholas county.

An act to establish a police court in the town of New Haven.

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Irvine, from the committee on Banks, to whom was referred a bill from the House of Representatives, entitled,

An act to authorize county courts to sell poor-house lands,

Reported the same with an amendment,

Which was adopted.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Walker, from the committee on Sinking Fund, to whom was referred a bill from the House of Representatives, entitled,

An act to create a Sinking Fund for the city of Frankfort.

Reported the same without amendment.

Mr. Porter then moved to amend said bill.

Pending the consideration of which motion,

At 11½ o'clock, P. M., Mr. Mallory moved an adjournment.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Andrews and McKee, were as follows, viz:

Those who voted in the affirmative were:

Mr. Speaker, (King,)    Asa P. Grover,    William B. Read,
Landaff W. Andrews,    Thomas S. Grundy,    Charles Ripley,
Joseph S. Bledsoe,    Samuel Haycraft,    H. M. Rust,
John B. Bruner,    David Irvine,    Geo. W. Silvertooth,
James F. Buckner,    Gibson Mallory,    John P. Smith,
A. D. Cosby,    Daniel Matthewson,    James Sudduth,
Wm. S. Darnaby,    William H. McBrayer,    C. J. Walton,
John F. Fisk,    James McKee,    W. C. Whitaker,
Those who voted in the negative were—

Samuel Howard, Cyrenius Wait, John Williams—4.
Harrison Taylor,

And then the Senate adjourned.

SATURDAY, FEBRUARY 13, 1858.

A message was received from the House of Representatives, announcing that they had disagreed to bills and a resolution from the Senate, of the following titles, viz:—

An act authorizing an increase of the capital stock of the Commercial Bank of Kentucky, and the establishment of additional branches.

An act to incorporate the Kentucky Farmers’ Mutual Insurance Company.

Resolution in relation to printing the reports of the State Agricultural Society.

That they had passed bills from the Senate of the following titles, viz:—

An act to incorporate the Poplar Mountain Coal and Mining Company and Manufacturing Coke Company, in Clinton county.
An act for the benefit of James Davis, of Union county.
An act to incorporate the Harrodsburg, Keene, and South Elkhorn Turnpike road Company.
An act to charter the Silver creek Turnpike road Company, in Madison county.
An act to amend the charter of the Covington and Taylor’s Mill Turnpike road Company.
An act to re-locate the state road in Whitley, and erect a toll-gate thereon.
An act to amend the charter of the Carrollton and Eagle creek Turnpike road Company.
An act to amend the act incorporating the Louisville and Newport Branch Railroad Company.
An act to incorporate the Elizaville and Fairview Turnpike road Company.

An act supplemental to an act incorporating the Big Sandy Navigation Company.

An act to repeal the local laws now in force in relation to the roads in Pendleton county.

An act to incorporate the Maxville, Willisburg, and Beech Fork Turnpike road Company.

An act to incorporate the Cynthiana, Buena Vista and Cedar creek Turnpike road Company.

An act to incorporate the Laurel Furnace Company.

An act for the benefit of the Versailles and Anderson Turnpike road Company.

An act to incorporate the Hardin's creek Turnpike road Company. An act to incorporate the Ford's Mill Turnpike road Company, in Woodford county.

An act allowing James N. Brashear, of Perry county, to erect a mill and dam in said county.

An act to amend the charter of the Williamsburg, Cumberland river and Tennessee railroad.

An act for the benefit of the Louisville and Bardstown Railroad.

An act for the benefit of the Shelby circuit court clerk.

An act to amend the charter of the town of Shelbyville.

An act for the benefit of the Independent Washington Hose Company.

An act to incorporate the Ashland Foundry and Fire-brick Company.

An act to incorporate the Hopkinsville Library Association.

An act granting further powers to the trustees of the town of Richmond.

An act to incorporate the Georgetown and Long Lick Turnpike road Company.

An act to incorporate the Stamping Ground and Lecompte's run Turnpike road Company.

An act to incorporate the Stamping Ground and Harmony Turnpike road Company.

An act for the benefit of the town of Owensboro.

An act to amend an act creating the offices of police judge and town marshal of Lewisport.

An act to incorporate the town of West Covington, in Kenton county.

An act for the benefit of the Owen county court.
An act to create an additional justices' and election district in Laurel county.

An act to incorporate the town of Cromwell in Ohio county.

An act to legalize the sale of the public well in London.

An act creating an additional voting place and justices' district in Owsley county.

An act authorizing the disposition of certain books in the surveyor's office of Whitley county.

An act for the benefit of W. G. Eversol, of Perry county.

An act to create an additional election precinct in Harlan county.

An act to change the time of holding the quarterly courts of Harlan county.

An act to change the time of holding the September term of the Monroe quarterly court.

An act to amend an act incorporating the town of Murray, in Calloway county.

An act for the benefit of James S. Coleman, Q. C. Shanks and Elijah Phipps, of Ohio county.

An act for the benefit of Isaac Smith, late sheriff of Barren county.

An act for the benefit of George Stivers, sr., of Clay, and Nicholas Combs, of Perry county.

An act for the benefit of Wm. Johnson and Aaron Johnson, of Laurel county.

An act for the benefit of Daniel Higgins, of Breathitt county, and S. H. Lewis, of McCracken county.

An act to incorporate the Springfield and Knob Lick Turnpike road Company.

An act for the benefit of the Rockbridge Turnpike road Company.

An act to incorporate the Great South Fork Cumberland river and Nashville Iron, Coal and Lumber Company.

An act fixing the time for the president of the board of internal improvement to take the oath of office, after his election or appointment.

An act to incorporate the Millersburg Male and Female Collegiate Institute.

An act to incorporate the Millersburg and Cane ridge Turnpike road Company.

An act for the benefit of the Slate Union church.

An act to prevent the extension of credit to minors at school, without the permission of their parents, &c.

An act to authorize the county court of Madison to levy a tax for the improvement of their poor-house property.
With amendments to the two last named bills:
Which were concurred in:
That they had passed bills of the following titles, viz:
An act to incorporate the Kentucky river Navigation Company.
An act providing pay for red fox scalps.
An act regulating the fees of jailers against the United States.
An act to authorize the settlement of certain estates and guardianships, in Taylor county.
An act concerning floating timber and logs in water courses of this commonwealth.

That they had received official information from the Governor that he had approved and signed enrolled bills which originated in the House of Representatives, of the following titles, viz:
An act to amend the charter of the Nicholasville and Kentucky river Turnpike road Company.
An act to change the time of holding the quarterly court in Carroll county.
An act for the benefit of S. C. Davis, surveyor of Knox county.
An act to incorporate Madison Lodge, No. 14, I. O. O. F.
An act to change the time of holding the quarterly courts in Pendleton county.
An act to repeal an act incorporating the Cypress Pond Draining Company, approved February 13, 1856.
An act providing for a State road from Greenville, in Muhlenburg county, to Bowling-green, in Warren county.
An act to change the time of holding the quarterly courts of Green county.
An act to change the time of holding the Allen county quarterly court.
An act to empower Simpson county court to levy a tax to aid in the erection of a new court-house.
An act for the benefit of Sampson M. Johnson.
An act to repeal an act, entitled, an act to incorporate the town of Williamsburg, in Whitley county.
An act to amend the charter of the town of Harrodsburg.
An act incorporating Neatsville Lodge, No. 192, of Free and Accepted Masons.
An act to authorize the Marion county court to execute deeds to Dabney Tucker and others, for lands sold by them.
An act to change the law authorizing the judge of the Campbell county court to hold special terms of the quarterly courts of said county.
An act changing the terms of the Hopkins county quarterly courts.
An act to change the time of holding the Henry county court.
An act to change the time of holding the Green county court.
An act to amend an act, entitled, an act to define the jurisdiction of the Louisville chancery court.
An act to legalize an order of the Russell county court, made 8th of June, 1835.
An act to change the time of holding the quarterly court in Jessamine county.
An act authorizing the county courts of Meade and Breckinridge to change the state road leading from Brandenburg to Hudsonville.
An act to regulate the appointment of a toll-gate keeper and overseer on the Crab Orchard fork of the Wilderness road.
An act to regulate the time of holding circuit courts in the 8th judicial district.
An act for the benefit of A.S. Trimble, late sheriff of Morgan county.
An act to change the rates of toll upon the Madison fork of the Wilderness turnpike road, and for other purposes.
An act to incorporate Highland Lodge, No. 311, of Free and Accepted Masons, in the town of West Liberty.
An act empowering the trustees of the Columbia quarterly conference, of the Methodist Episcopal church South, to convey real estate.
An act to amend the charter of the town of Falmouth.
An act to establish the town of Jacksonport, in McCracken county.
An act to amend the charter of the Kentucky, Cumberland Gap and Southern Railroad Company.
An act to change the time of holding county courts in Harrison county.
An act to authorize the Marshall county court to change the state road from Aurora to Paducah.
A bill from the House of Representatives, entitled,
An act to incorporate the Kentucky river Navigation Company,
Was read the first time and ordered to be read a second time.
The constitutional provision as to the second reading of said bill being dispensed with,
It was referred to the committee on the Judiciary.
Mr. Buckner moved to dispense with the rules, for the purpose of taking up the resolution heretofore offered by him, in relation to an extension of the general assembly.
And the question being taken thereon, it was decided in the negative, two-thirds not voting therefor.

The yeas and nays being required thereon by Messrs. Andrews and Rust, were as follows, viz:

Those who voted in the affirmative were—


William C. Gillis.

Those who voted in the negative were—


Asa P. Grover, Charles Ripley, Mr. Silverthoof, from the committee on Finance, in pursuance of a resolution heretofore offered by Mr. Grover, in relation to the additional labor imposed upon the auditor, by the arrangement of the registration laws, made a report, which was placed in the orders of the day.

Mr. Silverthoof, from the same committee, to whom was referred a bill from the House of Representatives, entitled, An act appropriating money to the Eastern Lunatic Asylum, Reported the same without amendment.

Ordered, That said bill be read a third time.

Said bill was then read a third time as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky. That the sum of eighteen thousand dollars be and the same is hereby appropriated, for the purpose of repairing the Eastern Lunatic Asylum, at Lexington, and completing the heating apparatus for the same.

§ 2. On the 1st day of September, 1858, the auditor of public accounts shall draw his warrant on the treasury, in favor of the chairman of the board of commissioners of said asylum, for a sum not exceeding one-half of the whole of said appropriation, if the same shall be needed; and on the 1st September, 1859, he shall draw his warrant in like manner for the balance thereof. The money shall be expended under the direction of the superintendent of said asylum, and the account of the expenditure thereof shall be kept separate and distinct from the general accounts of said asylum.

§ 3. The treasurer and superintendent shall, within two weeks af-
ter the commencement of the next session of the general assembly of Kentucky, report thereto, specially how, to whom, and for what objects said appropriation has been expended, giving dates and amounts.

§ 4. That the sum of nineteen thousand five hundred dollars is hereby appropriated to the board of commissioners of said asylum, for the purpose of purchasing land for the use of said asylum; and the auditor of public accounts is directed to draw his warrant in favor of the chairman of said board of commissioners, for one-half of said appropriation, as soon as the same may be needed to pay for the land purchased for said asylum; and for the balance of said appropriation he shall draw his warrant in like manner on the 1st January, 1859. Any land purchased under this act shall vest in the commonwealth of Kentucky.

The question was then taken on the passage of said bill, and it was decided in the negative.

The yeas and nays being required thereon, by the constitution, were as follows, viz:

Those who voted in the affirmative were—


Those who voted in the negative were—


Mr. Buckner moved a reconsideration of the vote by which said bill was disagreed to.

Mr. Taylor moved the previous question.

And the question being taken, shall the main question be now put? it was decided in the affirmative.

The question was then taken on the motion made by Mr. Buckner, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Sudduth and Garrard, were as follows, viz:

Those who voted in the affirmative were—

FEB. 13.

The Assembly of the State of Kentucky, for the twelfth session, having been duly called and convened in pursuance of law, and the roll called, the following members were present:

Wm. S. Darnaby, Daniel Matthewson, C. J. Walton,
George T. Edwards, Wm. H. McBrayer, W. C. Whitaker,
John F. Fisk, James McKee, John Williams,
William C. Gillis, Thomas P. Porter, W. M. Wilson,
Samuel Haycraft, H. M. Rust, George Wright—27.

Those who voted in the negative were—

Mr. Speaker, (King,) Theo. T. Garrard, Thomas S. Grundy,

The votes by which the third reading of said bill was dispensed with, and that ordering it to be read a third time, were also reconsidered.

Mr. Buckner then moved to amend said bill, by striking out all that portion relating to the purchase of a farm.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Darnaby and Walker, were as follows, viz:

Those who voted in the affirmative were—

Mr. Speaker, (King,) Samuel Haycraft, Charles Ripley,
Landaff W. Andrews, James D. Headley, Geo. W. Silvertooth,
Joseph S. Bledsoe, David Irvine, Harrison Taylor,
John B. Bruner, Daniel Matthewson, W. C. Whitaker,
James F. Buckner, Wm. H. McBrayer, John Williams,
George T. Edwards, James McKee, Wm. M. Wilson,
William C. Gillis, William B. Read, George Wright—22.

Those who voted in the negative were—

A. D. Cosby, Asa P. Grover, James Sudduth,
Wm. S. Darnaby, Samuel Howard, E. D. Walker,
Theo. T. Garrard, John P. Smith,

Pending the further consideration of which bill, the hour arrived for taking up the orders of the day.

A message was received from the House of Representatives, asking leave to withdraw the announcement of their disagreement to a bill from the Senate, entitled,

An act authorizing an increase of the capital stock of the Commercial Bank of Kentucky, and the establishment of additional branches.

A message was received from the House of Representatives, announcing that they had adopted a resolution in relation to an extension of the session of the present General Assembly.

That they had passed a bill from the Senate, entitled,
An act authorizing an increase of the capital stock of the Commercial Bank of Kentucky, and the establishment of additional branches.

That they had passed a bill, entitled,

An act to authorize the voters of Washington county to vote on a proposition to move the county seat.

A message, in writing, was received from the Governor, by Mr. Brown, Secretary of State.

The rule of the Senate being dispensed with, said message was taken up and read as follows, viz:

EXECUTIVE DEPARTMENT,
February 13th, 1858.

Gentlemen of the Senate and House of Representatives:

By an act entitled, "an act to pay the debts now due to contractors on the Second Kentucky Lunatic Asylum, and to provide for the prosecution of the work to completion," approved March 10, 1854, it was made the duty of the governor for the time being, to appoint three commissioners to settle the accounts of the building committee, and to ascertain the amount then due to contractors; and when said settlement was made and reported to the governor, and he was satisfied that all moneys had been duly applied as required by law, he was directed to cause all bonds executed by the building commissioners and their securities to be cancelled and surrendered. I deem it proper to state to the general assembly that the commissioners appointed by my predecessor have made a satisfactory settlement with me, accompanied by the proper vouchers, and I have ordered the bonds to be cancelled and delivered up.

C. S. MOREHEAD.

The Senate resumed the unfinished order of yesterday,

A bill to amend chapter 14, title 10, Code of Practice.

Mr. Andrews withdrew the motion made by himself on yesterday, to lay said bill on the table.

Mr. Bruner renewed the motion to lay said bill on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Walker and Whitaker, were as follows, viz:

Those who voted in the affirmative, were—

Landaff W. Andrews, James D. Headley, George W. Silvertooth,
Joseph S. Bledsoe, Samuel Howard, James Sudduth,
John B. Bruner, David Irvine, Harrison Taylor,
James F. Buckner, Gibson Mallory, Cyrenius Wait,
A. D. Cosby, William H. McBrayer, C. J. Walton,
William C. Gillis, James McKee, John Williams,
Thomas S. Grundy, Thomas P. Porter, W. M. Wilson,
Samuel Haycraft, Charles Ripley, George Wright—24.
Those who voted in the negative, were—

Mr. Speaker, (King,)  
Theo. T. Garrard,  
H. M. Rust,  
William S. Darnaby,  
Asa P. Grover,  
E. D. Walker,  
George T. Edwards,  
Daniel Matthewson,  
W. C. Whitaker—11.

John F. Fisk,  
William B. Read,

The Senate took up for consideration a bill from the House of Representatives entitled,

An act concerning the Lexington and Danville Railroad Company.

Mr. Andrews moved the previous question.

And the question being taken, shall the main question be now put?

it was decided in the affirmative.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

A message was received from the House of Representatives, announcing that they had adopted a resolution authorizing the Governor to change the name of Farrell's creek, in the act creating Jackson county, to that of Terrill's creek.

Which were twice read and concurred in.

The Senate also took up for consideration a bill from the House of Representatives, entitled,

An act for the benefit of Mason Gullett, of Morgan county.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill was 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. Rust and Walker, were as follows, viz:

Those who voted in the affirmative, were—

W. S. Darnaby,  
Daniel Matthewson,  
James Sudduth,  
George T. Edwards,  
James McKee,  
Harrison Taylor,  
John F. Fisk,  
Thomas P. Porter,  
E. D. Walker,  
Theo. T. Garrard,  
William B. Read,  
C. J. Walton,  
Asa P. Grover,  
Charles Ripley,  
W. C. Whitaker,  
Thomas S. Grundy,  
H. M. Rust,  
John Williams,  
James D. Headley,  
George W. Silvertooth,  
J. P. Smith,  
Gibson Mallory,—23.
Those who voted in the negative, were —

Mr. Speaker, (King,) A. D. Cosby, David Irvine,
Landaff W. Andrews, William C. Gillis, William H. McBrayer,
Joseph S. Bledsoe, Samuel Haycraft, Cyrenius Wait,
James F. Buckner,

The Senate also took up for consideration a
A bill to establish an additional voting place in the Frankfort precinct, in Franklin county.

Said bill reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That an additional voting place be and the same is hereby established in the Frankfort precinct of Franklin county; said additional voting place to be at the market-house, in the city of Frankfort, or some other place in said city, to be selected by the county court, within the division hereinafter defined.

§ 2. All the qualified voters in said precinct who reside south of the Kentucky river, and in the city of Frankfort, south of Montgomery or Main street, in said city, shall vote at the court-house; all others to vote at the market-house, or the place selected by said county court.

Mr. Andrews moved to lay said bill on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Porter and Garrard, were as follows, viz:

Those who voted in the affirmative, were —

Mr. Speaker, (King,) Samuel Haycraft, Charles Ripley,
Landaff W. Andrews, Samuel Howard, Harrison Taylor,
Joseph S. Bledsoe, David Irvine, Cyrenius Wait,
John B. Bruner, Gibson Mallory, John Williams,
James F. Buckner, James McKee, George Wright—16.
William C. Gillis,

Those who voted in the negative, were —

A. D. Cosby, James D. Headley, John P. Smith,
William S. Darnaby, Daniel Matthewson, James Sudduth,
George T. Edwards, William H. McBrayer, E. D. Walker,
John F. Fisk, Thomas P. Porter, C. J. Walton,
Theo. T. Garrard, William B. Read, W. C. Whitaker,
Thomas S. Grundy, George W. Silvertooth,

The Senate then took a recess until 3 o'clock, P. M.

A message in writing was received from the Governor, by Mr. Bibb, Assistant Secretary of State.

The rule of the Senate being dispensed with, said message was taken up and read, as follows, viz:
Executive Department,
February 13, 1858.

Gentlemen of the Senate:

I nominate, for your advice and consent, A. J. Mason and A. P. Grover to be Notaries Public for the county of Owen.

C. S. Morehead.

Resolved, That the Senate advise and consent to said appointments.

A message was received from the Governor by Mr. Bibb, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills which originated in the Senate of the following titles, viz:

An act for the benefit of the sheriff of Hickman county.

An act regulating the sale of partnership property taken in execution for the separate debts of one of the partners.

An act to amend an act to amend the law regulating the sale of spirits, malt, and vinous liquors to free negroes and slaves, approved February 27, 1856.

An act to regulate the holding of the circuit courts in the 12th judicial district.

An act to incorporate the Scott Female Institute.

An act to regulate the terms of the circuit courts and the equity and criminal courts in the 4th judicial district.

An act to repeal an act reorganizing Transylvania University and establishing a school for teachers.

An act authorizing the trustees of the town of London to sell an alley in said town.

An act to provide for holding county courts in Covington.

An act to incorporate the Kentucky Locomotive works.

An act to repeal part of an act, entitled, an act regulating the time of holding the circuit courts, approved March 5, 1856.

An act amending section 14, chapter 56, Revised Statutes, title landlord and tenant.

An act to incorporate the Franklin Philomethian Library Association.

An act to amend and reduce into one the several acts in relation to the town of Russellville.

An act to amend an act, entitled, an act to incorporate the city of Paducah.

An act to amend an act, entitled, an act to incorporate the Clark's river Bridge Company, in McCracken county.

An act to incorporate the Flat Rock and Rogers' Mill Turnpike road Company.
Mr. Whitaker moved a suspension of the rules for the purpose of proceeding with the consideration of the orders of the day.

Mr. Porter moved the previous question.

And the question was then taken, shall the main question be now put? it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Walker and Porter, were as follows, viz:

Those who voted in the affirmative, were—

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<tr>
<th>Mr. Speaker, (King,)</th>
<th>Thomas S. Grundy</th>
<th>James Sudduth,</th>
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<tr>
<td>Joseph S. Bledsoe</td>
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<td>John F. Fisk</td>
<td>Thomas P. Porter,</td>
<td>John Williams,</td>
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<tr>
<td>Theo. T. Garrard</td>
<td>H. M. Rust,</td>
<td>W. M. Wilson,</td>
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<td>William C. Gillis</td>
<td>John P. Smith,</td>
<td>George Wright—23.</td>
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<tr>
<td>Asa P. Grover</td>
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Those who voted in the negative, were—


The question was then taken on the motion made by Mr. Whitaker, and it was decided in the negative, two-thirds not voting therefor.

The yeas and nays being required thereon, by Messrs. Walker and Porter, were as follows, viz:

Those who voted in the affirmative, were—

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<tr>
<th>Mr. Speaker, (King,)</th>
<th>Samuel Haycraft,</th>
<th>C. J. Walton,</th>
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<td>W. M. Wilson,</td>
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<tr>
<td>Geo. T. Edwards</td>
<td>Cyrenius Wait,</td>
<td>George Wright—16.</td>
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<td>William C. Gillis</td>
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<td>Asa P. Grover</td>
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Those who voted in the negative, were—

<table>
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<tr>
<th>Landaff W. Andrews,</th>
<th>Thomas S. Grundy,</th>
<th>H. M. Rust,</th>
</tr>
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<tr>
<td>A. D. Cosby</td>
<td>Gibson Mallory,</td>
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<tr>
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Mr. Mallory moved an adjournment.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Walker and Rust, were as follows, viz:
Those who voted in the affirmative, were—

Thomas S. Grundy, H. M. Rust, John Williams—4.
Gibson Mallory,

Those who voted in the negative, were—

Mr. Speaker, (King,) William C. Gillis, James Sudduth,
Laundaff W. Andrews, Asa P. Grover, Harrison Taylor,
Joseph S. Bledsoe, Samuel Haycraft, Cyrenius Wait,
John B. Bruner, David Irvine, E. D. Walker,
James F. Buckner, Daniel Matthewson, C. J. Walton,
William S. Darnaby, James McKee, W. C. Whitaker,
George T. Edwards, Thomas P. Porter, Wm. M. Wilson,
Theo. T. Garrard, John P. Smith,

The Senate took up for consideration a bill from the House of Representatives, entitled,

An act to create a Sinking Fund for the city of Frankfort.
With the amendment heretofore proposed by Mr. Porter.

Mr. Wright moved the previous question.

And the question being taken, shall the main question be now put?

it was decided in the affirmative.

The question was then taken on the adoption of the amendment proposed by Mr. Porter, and it was decided in the negative.

The yea's and nay's being required thereon by Messrs. Porter and Walker, were as follows, viz:

Those who voted in the affirmative, were—

Laundaff W. Andrews, Thomas S. Grundy, H. M. Rust,
A. D. Cosby, James D. Headley, G. W. Silvertooth,
John F. Fisk, Daniel Matthewson, John P. Smith,
Theo. T. Garrard, Thomas P. Porter, E. D. Walker,

Those who voted in the negative, were—

Mr. Speaker, (King,) Samuel Haycraft, Harrison Taylor,
Joseph S. Bledsoe, David Irvine, Cyrenius Wait,
John B. Bruner, Gibson Mallory, W. C. Whitaker,
James F. Buckner, James McKee, John Williams,
William C. Gillis, James Sudduth, George Wright—15.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Bruner then moved a suspension of the rules, for the purpose of enabling him to report, from the committee on Education, a general law in relation to the school districts of this commonwealth.
And the question being taken thereon, it was decided in the negative, two-thirds not voting therefor.

The yeas and nays being required thereon by Messrs. Andrews and Sudduth, were as follows, viz:

Those who voted in the affirmative were—

Joseph S. Bledsoe,    Daniel Matthewson,    Cyrenius Wait,
John B. Bruner,       James McKee,           E. D. Walker,
Theo. T. Garrard,     William B. Read,       C. J. Walton,
William C. Gillis,    Geo. W. Silverttooth,  W. C. Whitaker,
Samuel Howard,        John P. Smith,          John Williams,
David Irvine,         James Sudduth,          Wm. M. Wilson,
Gibson Mallory,       Harrison Taylor,        George Wright—21.

Those who voted in the negative were—

Mr. Speaker, (King,) George T. Edwards,    Samuel Haycraft,
Landaff W. Andrews,    John F. Fisk,          James D. Headley,
James F. Buckner,      Asa P. Grover,         Thomas P. Porter,
A. D. Cosby,          Thomas S. Grundy,       H. M. Rust—12.

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 the House of Representatives, entitled,

An act to authorize county courts to sell poor-house lands,
With an amendment.
Which was concurred in.
That they had concurred in the amendments proposed by the Senate, to bills from the House of Representatives, of the following titles, viz:
An act for the benefit of the public schools in Louisville,
An act concerning the quarterly courts.
That they had passed a bill, entitled,
An act concerning the Louisville and Nashville railroad.
Mr. Walker, from the committee on Sinking Fund, to whom was referred bills from the House of Representatives, of the following titles, viz:
An act relating to the Craddock Fund.
An act to establish the office of treasurer of Jessamine county.
Reported the same with an amendment to the last named bill.
Which was disagreed to.
Ordered, That said bills be read a third time.
The constitutional provisions as to the third reading of said bills being dispensed with,
Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Taylor, from the committee on Revised Statutes, to whom was
referred bills from the House of Representatives of the following titles, viz:

An act to extend the limits and amend the charter of the town of Minerva, in Mason county.
An act to amend the charter of Salvisa, in Mercer county.
An act to repeal all laws declaring Robinson's creek a navigable stream.
An act chartering the Kean & Co. Express Company.
An act to authorize the town of Paradise, in Muhlenburg county, to elect a police judge and town marshal.
An act to extend the limits of the town of Mount Carmel.
An act to incorporate Allensville Lodge, No. 182, Free and Accepted Masons.
An act changing the name of the town of Graefenburg, in Shelby county, to that of Hardinsville.
An act to incorporate T. N. Wise Lodge, No. 349, Free and Accepted Masons, in Mercer county.
An act authorizing the sale of parts of certain streets in the town of Eddyville.
An act to sell Green Chapel, in Nelson county.
An act to charter McAfee Lodge, No. 229, Free and Accepted Masons, of Cornishville, Mercer county.
An act to charter the Masonic Publication Association.
An act to amend an act, approved Feb. 27, 1856, in relation to a new road in Fleming and Lewis counties.
An act to amend an act to create the office of police judge and marshal, in the town of Shepherdsville.
An act establishing the streets and alleys in the town of Caseyville.
An act to provide a police system for Boone county.
An act defining certain powers of the trustees of the town of Winchester.
An act reviving the law licensing ten-pin alleys in Trimble county.

Reported the same with an amendment to the last named bill. Which was concurred in.

Ordered, That said bills be read a third time.
The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Taylor, from the same committee, to whom was referred a bill from the House of Representatives, entitled,
An act for the benefit of Jane and Henry, free persons of color, of Letcher county.

Reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with.

The question was then taken upon the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. Andrews and McKee, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker, (King,) James D. Headley, John P. Smith,
Joseph S. Bledsoe, Samuel Howard, James Sudduth,
John B. Bruner, David Irvine, Harrison Taylor,
James F. Buckner, Daniel Matthewson, Cyrenius Wait,
A. D. Cosby, James McKee, E. D. Walker,
George T. Edwards, Thomas P. Porter, C. J. Walton,
John F. Fisk, William B. Read, W. C. Whitaker,
Theo. T. Garrard, Charles Ripley, John Williams,
William C. Gillis, H. M. Rust, W. M. Wilson,

In the negative—Landaff W. Andrews.

Resolved, That the title of said bill be as aforesaid.

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 the House of Representatives, entitled,

An act reviving the law licensing ten-pin alleys in Trimble county.

On motion of Mr. Porter—

A message was sent to the House of Representatives, asking leave to withdraw the announcement of the Senate, of the passage of a bill, entitled,

An act to regulate the brokers of this commonwealth.

After a short time the messenger returned with said bill, which was handed in at the Clerk's table.

Mr. Edwards moved a reconsideration of the vote by which the Senate had to-day refused to dispense with the rules, for the purpose of permitting Mr. Bruner, from the committee on Education, to report a general law in relation to the school districts of this commonwealth. And the question being taken thereon, it was decided in the affirmative.

Mr. Bruner, from the committee on Education, to whom was recommitted a bill from the Senate, entitled,
An act for the benefit of common school districts in this Commonwealth,

Together with the amendment proposed by the House of Representatives,

Reported the same, with the expression of opinion that the amendment should be adopted.

And the question being taken thereon, it was decided in the affirmative.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with.

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Taylor, from the committee on Revised Statutes, to whom was referred bills from the House of Representatives of the following titles, viz:

An act concerning the town of Union, in Boone county.

An act to provide a police judge for the town of Florence, in Boone county.

An act to amend an act concerning the police judge of the town of Hawesville.

Reported the same with amendments to each of said bills. Which were concurred in.

Ordered, That said bills, as amended, be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with.

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Taylor, 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 L. Hoagland.

An act to repeal section 14, chapter 67, Revised Statutes, so far as same applies to Cornishville.

Reported the same with the expression of opinion that they ought not to pass.

The question was then taken on ordering said bills to be read a third time, and it was decided in the negative.

So the said bills were disagreed to.

On motion of Mr. Silvertooth—

The Senate took up for consideration the resolution from the House of Representatives, in relation to an extension of the present session of the general assembly, to the 17th instant, at 2 o'clock, P. M.
Which was read and adopted.

The yeas and nays being required thereon by Messrs. Wright and Matthewson, were as follows, viz:

Those who voted in the affirmative were—

Mr. Speaker, (King,) Samuel Haycraft, G. W. Silvertooth,
Landaff W. Andrews, Samuel Howard, James Sudduth,
Joseph S. Bledsoe, David Irvine, Harrison Taylor,
John B. Bruner, Daniel Matthewson, Cyrenius Wait,
James F. Buckner, James McKee, C. J. Walton,
A. D. Cosby, Thomas P. Porter, W. C. Whitaker,
John F. Fisk, William B. Read, John Williams,
Thomas S. Grundy, H. M. Rust,

Those who voted in the negative were—

George T. Edwards, James D. Headley, E. D. Walker,

The following bills were reported, viz:

By Mr. Taylor, from the committee on Revised Statutes—
A bill to provide for the building of a fire proof clerks' office in Russellville.

By same—
A bill to authorize salt, iron, flour, and tobacco to be brought into certain counties in this state.

By same—
A bill to incorporate the Eastern Kentucky coal-oil and iron manufacturing company.

By Mr. Haycraft, from the committee on the Codes of Practice—
A bill to amend the law authorizing Hardin county to take stock in the Louisville and Nashville Railroad Company.

Which were read the first time, and ordered to be read a second time.

The constitutional provision 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. Haycraft, from the committee on the Codes of Practice, 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 mechanics of the towns of Hickman and Frankfort.

Reported the same without amendment.

Ordered, That said bill be read a third time.
The constitutional provision as to the third reading of said bill being dispensed with, Resolved, That said bill do pass, and that the title thereof be as aforesaid.

A message was received from the House of Representatives, announcing that they had passed bills of the following titles, viz:
An act to compensate agents of this state for reclaiming fugitives from justice.
An act authorizing the court of appeals to condemn records from inferior courts.
An act authorizing and empowering special deputy clerks of county courts to take relinquishments of "femce covertts.
An act to amend chapter 6 Revised Statutes, in regard to bastardy.
An act to incorporate the town of Airdrie.
An act to extend the corporate limits of the town of Livermore.
An act to incorporate Kentucky Wood Works.
An act in relation to free negroes.
An act to amend section 3, article 7, chapter 28, Revised Statutes, title arson.
An act to incorporate the Lieder-kranz Society, of the city of Louisville.
An act to incorporate the Benevolent Society of the United Sons of Erin.
An act declaring the offices of circuit judge and chancellor incompatible with that of professor or lecturer in any law-school or college.
An act for the benefit of Gordonsville Lodge, No. 217, of Free and Accepted Masons.
An act to amend an act, entitled, an act to incorporate the town of Keysburg, in Logan county.
An act to incorporate Allensville Masonic Stock Company, of the county of Todd.
An act concerning the mileage of witnesses attending the circuit and quarterly courts.
An act to authorize justices of the peace to appoint special agents to execute process.
An act to incorporate the Hopkinsville and Princeton turnpike Company.
An act to amend section 1, article 17, chapter 28, Revised Statutes, title crimes and punishments.
An act to repeal sub-section 2, of section 2, of article 3, chapter 34, of Revised Statutes, title "escheats and escheators," and fixing the compensation of agents and escheators.
An act to incorporate the Rumsey and Cypress Turnpike road Company.
An act to incorporate the Jeffersonville and Stanton Turnpike road Company.
An act to incorporate the Muhlenburg Agricultural, Mechanical and Domestic Association.
An act to incorporate the Corinthian Lodge, No. 74, I. O. O. F.
An act to amend an act creating the office of Inspector of Lumber, in the city of Louisville.
An act to amend the charter of the First German Protestant Saint Peter's Congregation, of Louisville.
An act declaring it unlawful for the presiding judge and clerk of a county court to be appointed executor, administrator or guardian, in the county in which he holds his office.
An act to repeal the equity and criminal courts in Graves county.
An act to amend an act, entitled, an act to incorporate the city of Henderson.

Mr. Grover moved to reconsider the vote by which the Senate had disagreed to a bill from the House of Representatives, entitled, An act in relation to the Falmouth Seminary.
And the question being taken thereon, it was decided in the affirmative.

Mr. Grover then moved a suspension of the rules, for the purpose of taking up said bill.
And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Andrews and Read, were as follows, viz:

Those who voted in the affirmative were—
Joseph S. Bledsoe, James D. Headley, John P. Smith,
George T. Edwards, Samuel Howard, Cyrenius Wait,
John F. Fisk, Daniel Matthewson, E. D. Walker,
Theo. T. Garrard, James McKee, C. J. Walton,
Asa P. Grover, William B. Read, Wm. M. Wilson,

Samuel Haycraft.

Those who voted in the negative were—
Landaff W. Andrews, David Irvine, W. C. Whitaker,
John B. Bruner, Charles Ripley, John Williams—8,
James F. Buckner, James Sudduth.

Mr. Taylor moved to amend said bill.

Mr. Wright 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. Andrews and Edwards, were as follows, viz:

Those who voted in the affirmative were—

Mr. Speaker, (King,) James D. Headley, E. D. Walker,
Theo. T. Garrard, Cyrenius Wait,

Those who voted in the negative were—

Landaff W. Andrews, Samuel Howard, John P. Smith,
Joseph S. Bledsoe, Daniel Matthewson, James Sudduth,
John B. Bruner, James McKee, Harrison Taylor,
James F. Buckner, Thomas P. Porter, C. J. Walton,
George T. Edwards, William B. Read, W. C. Whitaker,
Asa P. Grover, Charles Ripley, John Williams,
Samuel Haycraft, Mr. Andrews moved to lay said bill and proposed amendment on the table.

And the question being taken thereon it was decided in the negative.

The yeas and nays being required thereon by Messrs. Andrews and Whitaker, were as follows, viz:

Those who voted in the affirmative were—

Landaff W. Andrews, Samuel Howard, James Sudduth,
Joseph S. Bledsoe, Daniel Matthewson, Harrison Taylor,
John B. Bruner, James McKee, W. C. Whitaker,
Samuel Haycraft, Charles Ripley,

Those who voted in the negative were—

Mr. Speaker, (King,) James D. Headley, Cyrenius Wait,
George T. Edwards, Daniel Matthewson, E. D. Walker,
John F. Fisk, William B. Read, C. J. Walton,
Theo. T. Garrard, H. M. Rust, John Williams,
Thomas S. Grundy, John P. Smith,

Mr. Buckner moved the previous question.

And the question was then taken, shall the main question be now put? It was decided in the affirmative.

The question was then taken on the motion made by Mr. Taylor, and it was decided in the negative.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill was 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. Fisk and Grover, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker, (King,) James D. Headley, George W. Silvertooth,
George T. Edwards, Daniel Matthewson, John P. Smith,
John F. Fisk, James McKee, E. D. Walker,
Theo. T. Garrard, Thomas P. Porter, C. J. Walton,
Thomas S. Grundy, H. M. Rust,

Those who voted in the negative, were—

Landaff W. Andrews, Samuel Howard, Cyrenius Wait,
Joseph S. Bledsoe, David Irvine, W. C. Whitaker,
John B. Bruner, Charles Ripley, John Williams,
James F. Buckner, James Sudduth, George Wright—14.
Samuel Haycraft, Harrison Taylor,

Resolved, That the title of said bill be as aforesaid.

Mr. Walton, from the committee on Enrollments, reported that the committee had examined enrolled bills which originated in the Senate, of the following titles, viz:

An act authorizing an increase of the capital stock of the Commercial Bank of Kentucky, and the establishment of additional branches.

An act to repeal part of an act, entitled, an act regulating the time of holding the circuit courts, approved March 5, 1856.

An act to incorporate the Kentucky Locomotive works.

An act to amend an act, entitled, an act to incorporate the Clark's river Bridge Company, in McCracken county.

An act to amend an act, entitled, an act to incorporate the city of Paducah.

An act to incorporate the Franklin Philomethian Library Association.

An act to incorporate the Flat Rock and Rogers' Mill Turnpike road Company.

An act amending section 14, chapter 56, Revised Statutes, title landlord and tenant.

An act to amend and reduce into one the several acts in relation to the town of Russellville.

And enrolled bills which originated in the House of Representatives of the following titles, viz:

An act to create the offices of police judge and town marshal in the town of West Point, Hardin county.
An act to authorize Luke Howlett to erect a dam and trap across the Rolling fork.

An act to amend the charter of the Agricultural Deposit Bank of Lexington.

An act amending the law concerning passways.

An act requiring the county judges to keep their offices and records at their respective county seats.

An act to incorporate the Russellville and Clarksville Turnpike road Company.

An act for the benefit of Arthur H. Belt.

An act to incorporate St. Philip's church, at Harrodsburg.

An act to incorporate the Harrodsburg, Duncansville and Chaplin town Turnpike road Company.

An act to incorporate the Dudaren Mill Turnpike road Company.

An act to authorize the county court of Washington county to sell Washington county Seminary.

An act to incorporate the Hustonville, Middleburg and Liberty Turnpike road Company.

An act to incorporate the Crab Orchard Springs Company.

An act to incorporate the Bowlinggreen and Scottsville Turnpike road Company.

An act for the benefit of Jas. H. Gilbraith, of Cumberland county.

An act establishing an additional voting place in Lawrence county.

An act changing and regulating the voting precincts in Clarke county.

An act to amend an act, entitled, an act to incorporate the New Castle and Carrollton Turnpike road Company.

An act directing the school commissioners to divide school district No. 22, of Trigg county.

An act to modify the charter of Trigg Academy.

An act creating a police judge and marshal for the town of Burlington.

An act authorizing the county court of Trigg to change the state road in said county.

An act for the benefit of Thomas Farlar, jailer of Harlan county.

An act to repeal an act, entitled, an act for the benefit of Steel and Lamb.

An act for the benefit of Miles Kash, adm'rs., of William Adams, dec'd., of Morgan county.

An act to amend the law in relation to county judges.

An act concerning the police judge and town marshal in Greenville.
An act to incorporate the town of Grundy.
An act for the benefit of R. N. Winn and the Lexington and Big Sandy Railroad Company.
An act to change the place of voting in the Mount Eden district in Spencer county.
An act changing Morganfield district, in Union county.
An act to change the place of holding the election in district No. 7, in the county of Greenup.
An act to incorporate the town of Monticello.
An act to amend and reduce into one the road laws of Greenup and Lewis counties.
An act to incorporate St. Thomas' Seminary, of Nelson county.
An act to authorize the citizens of Daviess to vote on a proposition to levy an additional tax.
An act to incorporate the New Liberty Branch Turnpike road Company.
An act to incorporate the Liberty and Russell's Springs Turnpike road Company.
An act for the benefit of J. B. Harper, of Louisville.
An act for the benefit of Elbert Cook, of Livingston county.
An act for the benefit of Edwin Trimble, late clerk of the Floyd circuit and county courts.
An act for the benefit of the clerk of the Boyle circuit court.
An act for the benefit of A. L. Offutt, late sheriff of Scott county.
An act to change the place of voting in precinct No. 5, in Nelson county.
An act establishing an additional voting precinct and justices' district in Wayne county.
An act creating an additional voting place in district No. 8, in Todd county.
An act to make an additional voting precinct in Jefferson county.
An act to establish an additional justices' district and election precinct in Morgan county.
An act to establish a state road from Eddyville to Paducah.
An act to incorporate the North Bend and Wolper Turnpike road Company.
An act to amend the charter of the Campbellsville Turnpike road Company.
An act establishing an additional voting precinct and justices' district in Morgan county.
An act amending the charter of the Barren county Railroad,
An act to incorporate the Sugar creek and Hickman Turnpike road Company.

An act to change the place of voting in the first election precinct in Estill county.

An act creating additional justices' district and voting place in Meade county.

An act to authorize the citizens of Eminence to elect a town marshal.

An act giving to the county of Grayson six additional days at the next fall term of the circuit court.

An act to amend the act incorporating the Louisville and Newport Branch Railroad Company.

An act to revive the charter of the Farmers' Turnpike road Company.

An act concerning the chartered turnpike roads in Montgomery county.

An act declaring the Cat fork of Blain's creek a navigable stream.

An act to amend an act, entitled, an act to revive and modify an act, entitled, an act to incorporate the Barren river Navigation and Manufacturing Company.

An act to amend the charter of the Mount Sterling and Jeffersonville Turnpike road Company.

An act amending an act incorporating the Downingsville Turnpike road Company.

An act to establish a state road from Birmingham to Mayfield.

An act to amend the charter of the town of Foster.

An act to incorporate the Ruddell's Mills and Shawhan's Station Turnpike road Company.

An act to amend an act to incorporate the People's Turnpike road Company.

An act to amend an act, entitled, an act in relation to a new road in Lewis and Carter counties.

An act to incorporate the Liberty and Bradfordsville Turnpike road Company.

An act amending an act incorporating the Hustonville and Stanford Turnpike road Company.

An act to incorporate the Boston Turnpike road Company.

An act to revive and amend the laws in regard to the sectionized land west of the Tennessee river.

An act in relation to the Louisville and Portland Railroad Company, and the Kentucky Institution for the Education of the Blind.

An act to incorporate the Hustonville Christian Academy.
An act regulating the duties of the sheriff of Warren county in regard to railroad tax.

An act for the benefit of Alexander C. Lindsey.

An act to further regulate tolls at the toll-gate in Knox county, on the Cumberland Gap road.

An act to incorporate the Manchester Turnpike road Company.

An act to incorporate the Bardstown and Simpson's creek Turnpike road Company.

An act to amend the charter of the Burlington and Florence Turnpike road Company.

An act to incorporate the North Bend Turnpike road Company.

An act to establish and incorporate the town of Charlottesville, in Pulaski county.

An act to establish a turnpike road from Franklin, in Simpson county, to the turnpike road south of Scottsville, in Allen county.

An act for the benefit of Daniel Hager, of Johnson county.

An act to incorporate the Hopkinsville, Newstead, and Linton Turnpike road Company.

And had found the same truly enrolled.

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 approval and signature.

After a short time, Mr. Walton reported that the committee had performed that duty.

At 10½ o'clock, P. M., Mr. Taylor moved an adjournment.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. Walker and Buckner, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker, (King,) Samuel Haycraft, G. W. Silvertooth,
Joseph S. Bledsoe, James D. Headley, James Sudduth,
John B. Bruner, David Irvine, Harrison Taylor,
James F. Buckner, Daniel Matthewson, Cyrenius Wait,
Geo. T. Edwards, James McKee, John Williams,
Thomas S. Grundy,

Those who voted in the negative, were—

Landaff W. Andrews, Thomas P. Porter, E. D. Walker,
John F. Fisk, Charles Ripley, C. J. Walton,
Theo. T. Garrard, H. M. Rust, W. C. Whitaker,
Samuel Howard, John P. Smith, George Wright—12.
A message was received from the House of Representatives, announcing that they had concurred in a resolution from the Senate in relation to the duties of Public Printer.

Also, in the resolution from the Senate in relation to the Federal Court.

That they had passed bills from the Senate of the following titles, viz:

- An act to prevent the loss of the public books.
- An act to amend chapter 86, Revised Statutes.
- An act to amend section 3, article 2, of chapter 32, of the Revised Statutes.
- An act to incorporate the Republic Insurance Company, of Louisville.
- An act for the benefit of Jesse Bayles.
- An act to amend the charter of the Bloomfield and Springfield Turnpike road Company.
- An act for the benefit of the examining courts of this commonwealth.
- An act providing a general mechanics' lien law for certain cities and counties.
- An act to amend an act, entitled, an act to charter the Southwestern Agricultural and Mechanical Association.
- An act to exempt hired slaves from execution or attachment.
- With amendments to the four last named bills.

That they had passed bills of the following titles, viz:

- An act to increase the county levy of Lewis county.
- An act regulating the value of property assed for taxation.
- An act creating the offices of police judge and town marshal in the town of Franklin.
- An act for the benefit of James R. Hughes, of Union county.
- An act regulating the levy of taxation in the county of Madison, for internal improvement purposes.
- An act for the benefit of school district No. 62, in Muhlenburg county.
- An act to amend the charter of the Bank of Kentucky.
Mr. Fisk read and laid on the table the following resolution.

Resolved, That the auditor be requested to immediately correspond with the treasurer of the Deaf and Dumb Asylum and with the treasurer of the Cumberland Hospital, to know why they have not complied with the 3d section of the act approved March 10, 1856, entitled, an act for the benefit of the Western Lunatic Asylum; particularly that portion relating to the original bill; and that he report their responses to the general assembly.

The rule of the Senate being dispensed with, said resolution was taken up, twice read, and adopted.

Mr. Whitaker, from the committee on Federal Relations, to whom was referred a bill from the House of Representatives, entitled,

An act concerning the Louisville and Shelbyville railroad company.

Reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as foresaid.

Mr. Whitaker, from the same committee, reported

A bill to provide for running the state line between Kentucky and Tennessee.

Which was read the first time as follows, viz:

Whereas, an act passed by the legislature of the state of Tennessee, entitled, an act to appoint commissioners to remark the state lines between Tennessee and Kentucky, east of the Mississippi river, has been presented to the general assembly of Kentucky for its consideration, and in order to have the line between the state of Kentucky and Tennessee remarked,

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That two persons be appointed by the governor of the state, to meet such commissioners as may be appointed by the state of Tennessee, to run and remark the line between the states of Tennessee and Kentucky: beginning on the east bank of the Mississippi, running thence to eastern boundary of the state of Kentucky, putting up a large stone every five miles: Provided, when rock or stone cannot be conveniently had, posts of some durable wood be substituted; that said commissioners shall have full power and authority, and it is hereby made their duty, to employ a field party, to consist of one engineer, one surveyor, one back-sight-man and one axe-man, and such others as may be necessary; the engineer and surveyor to be well qualified to make said survey upon scientific principles; said commissioners to superintend the work.

§ 2. That a copy of this act shall be transmitted by the governor of Kentucky to the governor of Tennessee; and as soon as the governor of this state shall have appointed commissioners, as provided in the 1st section of this act, it shall be the duty of said commissioners to
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proceed, as soon as practicable, to the performance of the duties required of them, and to have or cause the survey to be completed at as early a date as may be practicable.

§ 3. That said commissioners shall, by a joint report, communicate to the governor of their respective states what they may do in the premises; and that the governor of Kentucky shall communicate the same to the succeeding legislature of this state; said commissioners shall accompany their said report with a map of their survey, showing the relative positions of the former lines to the line of survey made by them, and such other information as may be necessary.

§ 4. That the auditor of this state, whenever directed by the governor, shall issue to the commissioners appointed by him, his warrant upon the treasurer of this state for the sum of three thousand dollars, to be by them appropriated to the purchase of necessary instruments, and the cost of making said survey.

§ 5. That said commissioners shall also, in their report, show the time that each of them and each of the field party was necessarily engaged in the performance of their respective duties in making said survey; the amount paid to each for his services, and also what future amount, if any, is necessary to pay the costs of the same.

§ 6. That said commissioners shall cause to be prepared and filed in the office of the secretary of state, a careful and full topographical map of the survey thus made, exhibiting the features of the country, and embodying all the geographical information that can be incidentally obtained in making such survey.

§ 7. This act to take effect from and after its passage.

Ordered, That said bill be read a second time.

The constitutional provision as to the second and third readings of said bill being dispensed with, and the same being engrossed, the question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon, by the constitution, were as follows, viz:

Those who voted in the affirmative were—

Mr. Speaker, (King,) Thomas S. Grundy, John P. Smith,
Landaff W. Andrews, Samuel Haycraft, James Sudduth,
Joseph S. Bledsoe, James D. Headley, Harrison Taylor,
James F. Buckner, Samuel Howard, Cyrenius Wait,
A. D. Cosby, James McKee, E. D. Walker,
George T. Edwards, William B. Read, C. J. Walton,
John F. Fisk, Charles Ripley, W. C. Whitaker,
Theo. T. Garrard, H. M. Rust, John Williams,

Those who voted in the negative were—

John B. Bruner, Daniel Matthewson, George Wright—3.

Resolved, That the title thereof be as aforesaid.
Mr. Whitaker, from the same committee, reported
A bill for the benefit of the Simpson creek and Bardstown Turnpike road Company.
Which was read the first time, and ordered to be read a second time.
The constitutional provision 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. Irvine, from the committee on Banks, reported
A bill concerning the Southern Bank of Kentucky.
Which was read the first time, and ordered to be read a second time.
The constitutional provision as to the second reading being dispensed with,
Ordered, That the Public Printer print 150 copies thereof for the use of the General Assembly, and that it be made the special order for this evening at 4 o'clock.

Mr. Irvine, from the same committee, to whom was referred a bill from the House of Representatives, entitled,
An act to extend the charters of the Bank of the Commonwealth of Kentucky, and of the old Bank of Kentucky,
Reported the same without amendment.
Ordered, That said bill be read a third time.
The constitutional provision as to the third reading of said bill being dispensed with,
Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they were referred, viz:

By Mr. Irvine, from the committee on Banks—
An act to incorporate Franklin Lodge of Independent Order of Odd Fellows, of Garrard county.
By same—
An act to amend an act chartering the Richmond and Boonesborough Turnpike road Company.
By Mr. Taylor, from the committee on Revised Statutes—
An act to amend article 7, chapter 83, Revised Statutes, relative to the Board of Supervisors.
By same—
An act to amend section 2, of article 3, of chapter 58, of the Revised Statutes.

By same—
An act to increase the county levy of Lewis county.

By same—
An act to amend section 17, article 4, chapter 47, of Revised Statutes, title courtesy and dower.

By same—
An act to repeal an act, entitled, an act requiring turnpike, tollbridge and plank-road companies to declare semi-annual dividends and to amend the Revised Statutes, title "revenue and taxation."

By same—
An act to amend and change the 10th section of chapter 13 of Revised Statutes, title change of venue.

By Mr. Ripley, from the committee on the Codes of Practice—
An act to regulate the fees of sheriffs.

By same—
An act to amend section 832, of chapter 3, article 1, Code of Practice.

By same—
An act to incorporate the Kentucky Wood Works.

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Irvine, from the committee on Banks, to whom was referred a bill from the House of Representatives, entitled,

An act authorizing the Madison county court to levy a tax to improve the poor-house lands in said county,

Reported the same, with the expression of opinion that it ought not to pass.

And the question being taken on ordering said bill to be read a third time, it was decided in the negative.

And so the said bill was disagreed to.

Mr. Taylor, from the committee on Revised Statutes, to whom was referred a bill from the House of Representatives of the following title, viz:

An act to amend chapter 30 of the Revised Statutes, entitled Descent and Distribution,
Reported the same without amendment.

Ordered. That said bill be placed in the orders of the day.

Mr. Taylor, from the same committee, to whom was referred a bill from the House of Representatives, entitled,

An act to repeal the 82d chapter of the Revised Statutes,

Reported the same, with the expression of opinion that it ought not to pass.

The question was then taken on ordering said bill to be read a third time, and it was decided in the negative.

And so said bill was disagreed to.

Mr. Taylor, from the same committee, to whom was referred a bill from the House of Representatives, entitled,

An act making it a felony to steal valuable dogs in the city of Louisville and Jefferson county, and providing for a voluntary tax thereupon,

Reported the same without amendment.

Ordered, That said bill be placed in the orders of the day.

Mr. Taylor, from the same committee, to whom was referred a bill from the House of Representatives, entitled,

An act concerning floating timber and logs in water courses of this commonwealth,

Reported the same with an amendment.

Mr. Fisk moved to lay said bill and amendment on the table.

And the question being taken thereon, it was decided in the affirmative.

Mr. Taylor, from the same committee, reported

A bill to incorporate the town of Cloverport.

Mr. Ripley, from the committee on Codes of Practice, reported the following bills, viz:

A bill to amend title 18, chapter 2, of the Code of Practice.

A bill empowering Rockcastle county court to appoint trustees of the seminary.

Which were read the first time, and ordered to be read a second time.

The constitutional provision 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. Ripley, from the committee on the Codes of Practice, to whom was referred a bill from the House of Representatives, entitled,

An act amending section 93, title 5, Civil Code,

Reported the same without amendment.
Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

The question was then taken on the passage of said bill, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Ripley and Wright, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker, (King,) John F. Fisk, David Irvine,
Landaff W. Andrews, William C. Gillis, Charles Ripley,
James F. Buckner, Asa P. Grover, H. M. Rust,
William S. Darnaby, Samuel Howard, Harrison Taylor—12.

Those who voted in the negative, were—

Joseph S. Bledsoe, William H. McBrayer, E. D. Walker,
John B. Bruner, James McKee, C. J. Walton,
Theo. T. Garrard, William B. Read, W. C. Whitaker,
Thomas S. Grundy, John P. Smith, John Williams,
Samuel Haycraft, James Sudduth, W. M. Wilson,
James D. Headley, Cyrenius Wait, George Wright—19.

A message was received from the House of Representatives, announcing that they had adopted a series of resolutions in relation to the admission of Kansas into the Union.

Mr. Buckner moved that the resolution heretofore adopted, requiring that business only of a local character should be transacted in the evening, be rescinded.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Fisk and Walker, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker, (King,) Samuel Howard, J. P. Smith,
Joseph S. Bledsoe, David Irvine, Harrison Taylor,
John B. Bruner, Gibson Mallory, C. J. Walton,
James F. Buckner, William H. McBrayer, W. C. Whitaker,
W. S. Darnaby, James McKee, John Williams,
William C. Gillis, Charles Ripley, W. M. Wilson,
Samuel Haycraft, George W. Silvertooth, George Wright—22.

Those who voted in the negative, were—

John F. Fisk, Daniel Matthewson, James Sudduth,
Theo. T. Garrard, William B. Read, Cyrenius Wait,

Thomas S. Grundy,
The Senate took up for consideration the resolution heretofore offered by Mr. Irvine, limiting speeches for the residue of the session to 10 minutes.

Mr. Grover moved to amend said resolution, by striking out 10 and inserting in lieu thereof 5.

Which was accepted by the mover of the original resolution.

The question was then taken on the adoption of the resolution, as amended, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Silvertooth and McKee, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker, (King,) Samuel Haycraft, Harrison Taylor,
Landaff W. Andrews, James D. Headley, Cyrenius Wait,
Joseph S. Bledsoe, Samuel Howard, C. J. Walton,
John B. Bruner, David Irvine, W. C. Whitaker,
James F. Buckner, James McKee, John Williams,
John F. Fisk, William B. Read, Wm. M. Wilson,
William C. Gillis, Charles Ripley, George Wright—23.
Asa P. Grover, John P. Smith,

Those who voted in the negative, were—

William S. Darnaby, Gibson Mallory, G. W. Silvertooth,
George T. Edwards, Daniel Matthewson, James Sudduth,
Thomas S. Grundy, H. M. Rust,

On motion of Mr. Buckner—

Leave was given to bring in a bill for the benefit of Samuel Hunt and John B. McCormick.

Which was referred to the committee on the Judiciary.

Mr. Fisk moved a call of the Senate.

And the question being taken thereon, it was decided in the negative.

A message was received from the House of Representatives, announcing that they had passed bills and adopted resolutions of the following titles, viz:

An act to amend the charter of the Maxville and Pleasant run Turnpike road Company.

An act to incorporate the Kentucky Association of Teachers.

Resolutions for raising a Regiment of Kentucky volunteers, to aid in suppressing the rebellion in Utah.

The Senate took up for consideration

An act to extend the charters of the Bank of Louisville, Bank of Kentucky and Northern Bank.
With the amendment proposed by the House of Representatives as a substitute for said bill.

Previous to the reading of the amendments as proposed by the House of Representatives,

Mr. Bruner 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. Fisk and Read, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker, (King,) David Irvine, Harrison Taylor, Gibson Mallory, Cyrenius Wait,

Landaff W. Andrews, William H. McBrayer, C. J. Walton,

Joseph S. Bledsoe, James McKee, W. C. Whitaker,

John B. Bruner, Charles Ripley, John Williams,

James F. Buckner, G. W. Silvertooth, W. M. Wilson,

William C. Gillis, John P. Smith, George Wright—22.

Samuel Haycraft,

Samuel Howard,

Those who voted in the negative, were—

William S. Darnaby, Thomas S. Grundy, H. M. Rust,

John F. Fisk, James D. Headley, James Sudduth,


Asa P. Grover, William B. Read,

Mr. Rust moved a call of the Senate.

And the question being taken thereon it was decided in the negative.

The yeas and nays being required thereon by Messrs. Walker and Darnaby, were as follows, viz:

Those who voted in the affirmative were—

Mr. Speaker, (King,) Samuel Howard, John P. Smith,

Landaff W. Andrews, David Irvine, Harrison Taylor,

Joseph S. Bledsoe, Gibson Mallory, Cyrenius Wait,

John B. Bruner, Daniel Matthewson, C. J. Walton,

James F. Buckner, William H. McBrayer, W. C. Whitaker,

John F. Fisk, James McKee, John Williams,

William C. Gillis, Charles Ripley, Wm. M. Wilson,


Samuel Haycraft,
The question was then taken upon concurring in the amendment proposed by the House of Representatives, and it was decided in the negative.

The yeas and nays being required thereon, by Messrs. Walker and Bledsoe, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker, (King,) Samuel Haycraft, Mr. Speaker, (King,) Samuel Haycraft, John P. Smith, 
Landaff W. Andrews, Samuel Howard, Harrison Taylor, 
Joseph S. Bledsoe, David Irvine, Cyrenius Wait, 
John B. Bruner, Gibson Mallory, C. J. Walton, 
James F. Buckner, Wm. H. McBrayer, W. C. Whitaker, 
A. D. Cosby, James McKee, John Williams, 
George T. Edwards, Charles Ripley, W. M. Wilson, 
William C. Gillis, George W. Silvertooth, George Wright—24.

Those who voted in the negative, were—

William S. Darnaby, Thomas S. Grundy, H. M. Rust, 
John F. Fisk, James D. Headley, James Sudduth, 
Theo. T. Garrard, Daniel Matthews, E. D. Walker—11, 
Asa P. Grover, William B. Read, 
Mr. Silvertooth moved a reconsideration of the vote by which the Senate had adopted the amendment proposed by the House of Representatives.

Mr. King moved to lay said motion on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Darnaby and Rust, were as follows, viz:

Those who voted in the affirmative were—

Mr. Speaker, (King,) Samuel Haycraft, Mr. Speaker, (King,) Samuel Haycraft, John P. Smith, 
Landaff W. Andrews, Samuel Howard, Harrison Taylor, 
Joseph S. Bledsoe, David Irvine, Cyrenius Wait, 
John B. Bruner, Gibson Mallory, C. J. Walton, 
James F. Buckner, Wm. H. McBrayer, W. C. Whitaker, 
A. D. Cosby, James McKee, John Williams, 
George T. Edwards, Charles Ripley, W. M. Wilson, 
William C. Gillis, George W. Silvertooth, 

Those who voted in the negative were—

William S. Darnaby, Thomas S. Grundy, H. M. Rust, 
John F. Fisk, James D. Headley, James Sudduth, 
Theo. T. Garrard, Daniel Matthews, E. D. Walker—11, 
Asa P. Grover, William B. Read, 

The Senate, according to order, took up for consideration an engrossed bill, entitled,
An act repealing sections 2, 3, 4, 5, 6, 7, 8, 9, 10 and 11, of article 2, chapter 93 of the Revised Statutes, entitled, slaves, runaways, free negroes and emancipation.

Was read the third time.

Mr. Taylor moved to lay said bill on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Wright and Read, were as follows, viz:

Those who voted in the affirmative were—


Those who voted in the negative were—


The question was then taken upon the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Irvine and Read, were as follows, viz:

Those who voted in the affirmative were—


Those who voted in the negative were—


Resolved, That the title of said bill be as aforesaid.

The Senate took up for consideration the resolution from the House
of Representatives in relation to the raising of a regiment to aid in the suppression of the rebellion in Utah.

Which was twice read and adopted.

Also, the report of the committee on Finance, in relation to the increase of labor to the Auditor on account of the registration laws, &c.

Mr. Grover moved to recommit the report, with instructions to the committee to bring in a bill providing pay for such additional labor as may be required in making out the registration reports, &c.

And the question being taken thereon, it was decided in the affirmative.

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 law authorizing Hardin county to take stock in the Louisville and Nashville Railroad Company.

That they had passed bills of the following titles, viz:

An act to incorporate Rippysville, in Anderson county.

An act to authorize the Barren county court to subscribe stock in the Barren county railroad.

An act empowering the Presiding Judge of Campbell county to sell and convey the poor-house farm.

An act for the benefit of Henry Forbes, Sheriff of Larue county.

An act for the benefit of John Paget.

The Senate took up for consideration

A bill to amend the charter of the Bank of Ashland.

Said bill, with an amendment proposed by the committee, and also one proposed by Mr. Rust, was, on the 9th inst., rejected, and subsequently reconsidered.

The question was then taken on the adoption of the amendment proposed by Mr. Rust, and it was again decided in the negative.

The amendment proposed by the committee was then withdrawn.

Mr. Whitaker then moved an amendment as a substitute for said bill, (it being in substance the same provision contained in the bill rechartering the Bank of Louisville, &c., with regard to dealing in exchange, and issuing small notes.)

Mr. Fisk moved an amendment to the amendment proposed by Mr. Whitaker.

And the question being taken thereon, it was decided in the affirmative.

The question was then taken on the amendment proposed by Mr. Whitaker, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Walker and Grover, were as follows, viz:
Ordered, That said bill, as amended, be read a third time.

The question was then taken on dispensing with the third reading of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Fisk and Garrard, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker, (King,) William C. Gillis, Harrison Taylor, Samuel Haycraft, Cyrenius Wait, David Irvine, C. J. Walton, Gibson Mallory, W. C. Whitaker, James McKee, John Williams, George W. Silvertooth, W. M. Wilson, John P. Smith, George Wright—21.

Those who voted in the negative, were—


Ordered, That said bill, as amended, be read a third time.

The question was then taken on the passage of said bill, as amended, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Walker and Howard, were as follows, viz:

Those who voted in the affirmative, were—

Those who voted in the negative, were—

Wm. S. Darnaby, Thomas S. Grundy, William H. McBrayer,
John F. Fisk, James D. Headley, James Sudduth,
Theo. T. Garrard, Samuel Howard, E. D. Walker,
Asa P. Grover, Daniel Matthews, George Wright—12.

Resolved, That the title thereof be as aforesaid.

On motion of Mr. Walton—

Messrs. Grundy and Darnaby were added to the committee on Enrollment.

The Senate took up for consideration a bill from the House of Representatives, entitled,
An act appropriating money to the Eastern Lunatic Asylum,
As amended.

Ordered, That said bill, as amended, be read a third time.

Until constitutional provision as to the third reading of said bill being dispensed with,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon, by the constitution, were as follows, viz:

Those who voted in the affirmative were—

Mr. Speaker, (King,) William C. Gillis, Cyrenius Wait,
Landaff W. Andrews, Samuel Haycraft, E. D. Walker,
James F. Buckner, David Irvine, C. J. Walton,
A. D. Cosby, Gibson Mallory, W. C. Whitaker,
William S. Darnaby, James McKee, John Williams,
John F. Fisk, Harrison Taylor.

Those who voted in the negative were—

Joseph S. Bledsoe, Thomas S. Grundy, William H. McBrayer,
John B. Bruner, James D. Headley, George W. Silvertoth,
Theo. T. Garrard, Samuel Howard, James Sudduth,
Asa P. Grover, Daniel Matthews, George Wright—12.

Resolved, That the title of said bill be as aforesaid.

The Senate took up for consideration the motion heretofore made by Mr. Fisk, to reconsider the vote rejecting

A bill to extend state aid to internal improvements.

And the question being taken on reconsidering said vote, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Fisk and Matthews, were as follows, viz:
Those who voted in the affirmative, were—

Landaff W. Andrews, Samuel Haycraft, John P. Smith
Joseph S. Bledsoe, Samuel Howard, John P. Smith
John B. Bruner, David Irvine, James McKee
James F. Buckner, Gibson Mallory, Charles Ripley
John F. Fisk, William C. Gillis, John Williams—17.

Those who voted in the negative, were—

Mr. Speaker, (King,) Thomas S. Grundy, E. D. Walker
A. D. Cosby, Daniel Matthewson, C. J. Walton
W. S. Darnaby, William H. McBrayer, W. M. Wilson
Asa P. Grover, George W. Silvertooth,

Mr. Fisk then moved that said bill be referred to a committee of seven.

Which was adopted.

Whereupon, the Speaker appointed Messrs. Fisk, Taylor, Buckner, Ripley, Cosby, Andrews, and Wilson said committee.

The Senate took up for consideration the reconsideration of the vote by which they had passed a bill entitled,

An act to regulate the brokers of this commonwealth.

And the question being taken on reconsidering said vote, it was decided in the negative.

Also, a bill from the House of Representatives, entitled,

An act for the benefit of Sandford Goins,

Said bill having heretofore been rejected and reconsidered.

The question was then taken on the passage of said bill, and it was decided in the negative, the constitutional majority not having voted therefor.

The yeas and nays being required thereon, by the constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker, (King,) Theo. T. Garrard, James McKee
Landaff W. Andrews, William C. Gillis, Charles Ripley
Joseph S. Bledsoe, Asa P. Grover, John P. Smith
John B. Bruner, Samuel Haycraft, Cyrenius Wait
James F. Buckner, Daniel Matthewson, E. D. Walker
John F. Fisk,

Those who voted in the negative, were—

A. D. Cosby, G. W. Silvertooth, W. C. Whitaker
Gibson Mallory, James Sudduth, John Williams—8.
William B. Read, Harrison Taylor,
Also, the resolution from the House of Representatives, requesting the Governor to change the name of Farrell's creek to that of Terrell's creek, in the bill establishing the county of Jackson.

Which was twice read and adopted.

The Senate, according to order, took up for consideration

A bill concerning the Southern Bank of Kentucky.

With the amendment heretofore proposed by Mr. Fisk.

The said bill reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky. That the president and directors of the Southern Bank of Kentucky shall have authority to open books, at such times and places as they may think proper—twenty days public notice being given of the same—for subscription of the residue of stock authorized to be taken by individuals, to be paid in as required by the original charter.

§ 2. That the governor of this state be and he is hereby authorized and directed to subscribe for all stock the commonwealth is allowed to take in said bank, to be paid for as directed by the original charter, either in money or bonds; but in case said bank will agree to reduce the interest on the $600,000, now held in the bonds of the state by said bank, to five per cent. instead of six, as now allowed, then, and in that case, the whole residue of the capital of $2,000,000 may be taken by individuals, and the commonwealth, in that event, yields and hereby relinquishes its right to subscribe for any further sum in said bank; and the lien on the assets of the bank, created by an act, entitled, "an act to amend an act, entitled, an act to establish the Southern Bank of Kentucky, approved February 15th, 1850," is then released, and the bonds of the state shall be as other stock in said bank.

§ 3. That the commissioners of the sinking fund be and they are hereby authorized to purchase the bonds of the state, now held by the Southern Bank of Kentucky, at any price not exceeding their par value, or any bonds which, under this act, may be given in exchange for them, and relieving the lien mentioned in the second section of this act, whenever, in their judgment, it would be to the interest of the state to do so. And in making said contract with said bank, said commissioners are hereby authorized to relinquish the right the state now has to subscribe for additional stock in said bank, if they think it will be to the interest of the commonwealth to do so.

§ 4. That if a contract should be made under this act, between the said bank and the commissioners of the sinking fund, by which the existing right of the state to take $400,000 of additional stock in said bank should be relinquished, in that event the president and directors of said Southern Bank, if they think proper to do so, are hereby authorized to establish an additional branch of said bank at Lebanon, in Marion county, with a capital of not less than one hundred and fifty thousand dollars.
The amendment proposed by Mr. Fisk reads as follows, viz:

§ 1. That said bank shall issue no bills or bank notes, or orders to circulate as money, of a less denomination than five dollars; and after 1870 it shall issue no bills, notes, checks, or orders, to circulate as money, of a less denomination than ten dollars; and said bank shall redeem, before 1865, all its notes and bills of a less denomination than five dollars, and shall not pay the same out again after that date; and said bank shall redeem, before 1870, all their bills and notes of a less denomination than ten dollars, and shall not pay the same out again after that date.

§ 2. That said bank shall not, at any time, buy or deal in that class of bills known by the name of "kites;" and should the officers of said bank buy or deal in any such bill or bills, knowing the character thereof, or having it in their power to ascertain the character thereof, by proper diligence and inquiry, the parties bound upon said bill shall be released from all liability thereon, and said bill shall be void and not collectible by law or otherwise; and said bank, so offending, shall be liable to all the penalties affixed to a violation of its original charter.

The question was then taken on the adoption of the amendment proposed by Mr. Fisk, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Grover and Fisk, were as follows, viz:

Those who voted in the affirmative, were—

James F. Buckner, A. D. Cosby, William S. Darnaby, John F. Fisk, Theo. T. Garrard,
Asa P. Grover, Thomas S. Grundy, James D. Headley, Samuel Howard,
Daniel Matthewson,

Those who voted in the negative, were—

Mr. Speaker, (King,) Landaff W. Andrews, Joseph S. Bledsoe, John B. Bruner,
David Irvine, Gibson Mallory, William H. McBrayer, James McKee,
Harrison Taylor, Cyrenius Wait, C. J. Walton, Charles Ripley,
John Williams, W. M. Wilson, George Wright—18.
James Sudduth, Mr. Grover then moved to amend said bill as follows, viz:

That no stock should be taken by non-residents, until the books for the subscription of stock had been kept open at least sixty days.

And the question being taken on the adoption of the amendment, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Walker and Grover, were as follows, viz:

Those who voted in the affirmative were—

A. D. Cosby, Thomas S. Grundy, William B. Read,
William S. Darnaby, James D. Headley, H. M. Rust,
John F. Fisk, Theo. T. Garrard, Asa P. Grover,


Those who voted in the negative were—

Mr. Speaker, (King,) Samuel Haycraft, Harrison Taylor,
Landaff W. Andrews, David Irvine, C. J. Walton,
Joseph S. Bledsoe, Gibson Mallory, W. C. Whitaker,
John B. Bruner, James McKee, John Williams,
James F. Buckner, Charles Ripley, Wm. M. Wilson,
George T. Edwards, James Sudduth, George Wright—19.
William C. Gillis,

Mr. Bruner then moved to strike out the 4th section of the bill.

And the question being taken upon said motion, it was decided in the negative.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Edwards and Headly, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker, (King,) Samuel Howard, Harrison Taylor,
Landaff W. Andrews, David Irvine, Cyrenius Wait,
Joseph S. Bledsoe, William H. McBrayer, C. J. Walton,
James F. Buckner, James McKee, W. C. Whitaker,
A. D. Cosby, Charles Ripley, John Williams,
George T. Edwards, G. W. Silvertooth, Wm. M. Wilson,
William C. Gillis, James Sudduth, George Wright—22.
Samuel Haycraft,

Those who voted in the negative, were—

John B. Bruner, Asa P. Grover, Daniel Matthewson,
William S. Darnaby, Thomas S. Grundy, H. M. Rust,
Theo. T. Garrard,

Resolved, That the title thereof be as aforesaid.

Mr. Irvine, from the committee on Banks, reported

A bill amending the charter of the Farmers Bank of Kentucky, by imposing a tax on the surplus profits thereof.

Which was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,
The question was then taken on ordering said bill to be printed and made the special order of the day for tomorrow at 10½ o'clock, A. M., and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Porter and Walker, were as follows, viz:

Those who voted in the affirmative were:

Mr. Speaker (King), Theo. T. Garrard, Wm. H. McBrayer,
James F. Buckner, Asa P. Grover, Thomas P. Porter,
A. D. Cosby, Thomas S. Grundy, William B. Read,
William S. Darnaby, James D. Headley, G. W. Silvertooth,
John F. Fisk, Daniel Mathewson, Cyrenius Wait—15.

Those who voted in the negative were:

Landaff W. Andrews, Samuel Howard, James Sudduth,
Joseph S. Bledsoe, David Irvine, Harrison Taylor,
John B. Bruner, Gibson Mallory, W. C. Whitaker,
George T. Edwards, James McKee, John Williams,
William C. Gillis, Charles Ripley, George Wright—16.

Ordered, That said bill be read a 3d time to-morrow at 10 o'clock, A. M.

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 amend the charter of the Providence Mining, Manufacturing and Shipping Company.

An act for the benefit of the Maysville and Lexington Railroad Company, and for other purposes.

That they had passed bills of the following titles, viz:

An act to amend the charter of the town of Cynthiana.

An act to change the time of holding elections for justices of the peace and constables.

Mr. Grover moved to dispense with the rules, for the purpose of taking up a bill from the House of Representatives, entitled,

An act to apportion representation.

And the question being taken thereon, it was decided in the affirmative.

Said bill was then taken up.

Mr. Whitaker moved to lay said bill on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. Walker and Porter, were as follows, viz:
Those who voted in the affirmative, were—

Mr. Speaker, (King,) Samuel Haycraft, James Sudduth,
Landaff W. Andrews, Samuel Howard, Harrison Taylor,
John B. Bruner, David Irvine, Cyrenius Wait,
James F. Buckner, Gibson Mallory, W. C. Whitaker,
George T. Edwards, James McKee, John Williams,
William C. Gillis, Charles Ripley, George Wright—18.

Those who voted in the negative, were—

A. D. Cosby, Thomas S. Grundy, William B. Read,
William S. Darnaby, James D. Headley, H. M. Rust,
John F. Fisk, Daniel Matthewson, George W. Silvertooth,
Asa P. Grover, Thomas P. Porter,

Mr. Porter, from the committee on Circuit Courts, to whom was referred bills from the House of Representatives of the following titles, viz:—

An act repealing in part an act establishing a criminal and equity court in the 1st judicial district.
An act to repeal the equity and criminal courts in Graves county.
Reported the same without amendment.
Ordered, That said bills be read a third time.
The constitutional provisions as to the third reading of said bills being dispensed with,
Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Bruner moved a reconsideration of the vote by which the Senate laid on the table a bill from the House of Representatives, entitled,
An act to apportion representation.
Mr. Andrews moved to lay said motion on the table.
Mr. Porter moved a call of the Senate.
And the question being taken thereon, it was decided in the negative.
The yeas and nays being required thereon by Messrs. Porter and Read, were as follows, viz:

Those who voted in the affirmative were—

A. D. Cosby, Thomas S. Grundy, William B. Read,
Wm. S. Darnaby, James D. Headley, H. M. Rust,
George T. Edwards, Daniel Matthewson, E. D. Walker,
John F. Fisk, Wm. H. McBrayer, C. J. Walton,
Asa P. Grover,
Those who voted in the negative were—

Mr. Speaker, (King,)  
Samuel Howard,  
Harrison Taylor,  
David Irvine,  
Cyrenius Wait,  
Gibson Mallory,  
W. C. Whitaker,  
James McKee,  
John Williams,  
Charles Ripley,  
George Wright—17.

Landaff W. Andrews,  
James McElroy,  
Harrison Taylor,  
Joseph S. Bledsoe,  
Cyrenius Wait,  
John B. Bruner,  
W. C. Whitaker,  
James F. Buckner,  
John Williams,  
Samuel Haycraft,  
George Wright—23.

At 5½ o'clock, Mr. Read moved that the Senate do now adjourn.

And the question being taken thereon it was decided in the negative.

The yeas and nays being required thereon, by Messrs. Andrews and Sudduth, were as follows, viz:

Those who voted in the affirmative were—

A. D. Cosby,  
Asa P. Grover,  
William B. Read,  
Wm. S. Darnaby,  
James D. Headley,  
G. W. Silvertooth—8.  
Theo. T. Garrard,  
William H. McBrayer,

Those who voted in the negative were—

Mr. Speaker, (King,)  
Samuel Howard,  
James Sudduth,  
David Irvine,  
Harrison Taylor,  
Gibson Mallory,  
Cyrenius Wait,  
Daniel Matthewson,  
E. D. Walker,  
Asa P. Grover,  
William H. McBrayer,  
William B. Read,  
Daniel Matthewson,  
E. D. Walker—11.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Andrews and McKee, were as follows, viz:

Those who voted in the affirmative, were—

A. D. Cosby,  
Thomas S. Grundy,  
Thomas P. Porter,  
Wm. S. Darnaby,  
William B. Read,  
Theo. T. Garrard,  
James D. Headley,  
E. D. Walker,  
Asa P. Grover,  
Daniel Matthewson,  
William H. McBrayer,

Those who voted in the negative, were—

Mr. Speaker, (King,)  
Samuel Howard,  
Harrison Taylor,  
David Irvine,  
Cyrenius Wait,  
Gibson Mallory,  
C. J. Walton,  
James McKee,  
W. C. Whitaker,  
Charles Ripley,  
John Williams,  
H. M. Rust,  
W. M. Wilson,  
Samuel Haycraft,  
George W. Silvertooth,  
James Sudduth,
The question was then taken on the motion of Mr. Andrews, viz: to lay the motion made by Mr. Bruner on the table, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Andrews and McKee, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker, (King,) William C. Gillis, James Sudduth,
Landaff W. Andrews, Samuel Haycraft, Harrison Taylor,
Joseph S. Bledsoe, Samuel Howard, Cyrenius Wait,
John B. Bruner, David Irvine, W. C. Whitaker,
James F. Buckner, James McKee, John Williams,
George T. Edwards, Charles Ripley, George Wright—16.

Those who voted in the negative were—

Wm. S. Darnaby, James D. Headley, H. M. Rust,
John F. Fisk, Daniel Matthewson, George W. Silvorth,
Theo. T. Garrard, Wm. H. McBrayer, E. D. Walker,
Asa P. Grover, Thomas P. Porter, C. J. Walton,

Mr. Porter then moved that a committee of conference be appointed on the part of the Senate to act in conjunction with a similar committee to be appointed by the House of Representatives, to confer in relation to the bill apportioning the representation of the state.

The Speaker decided this motion out of order, inasmuch as there had been no announcement of a disagreement between the two houses on the bill aforesaid.

The Senate took up for consideration the resolutions from the House of Representatives in relation to the admission of Kansas into the Union.

Said resolutions read as follows, viz:

1. Resolved by the General Assembly of the Commonwealth of Kentucky, That our senators in congress be instructed, and our representatives requested, to favor the immediate admission of Kansas into the Union, according to the recommendation of the president, in his message of the 3d instant, upon an equal footing with the other states of the Union.

2. Resolved, That the dominant division of the people of the territory of Kansas having elected a governor and other state officers, together with a legislature, according to the provisions of the Lecompton constitution, pledged to organize the government as soon as admitted into the Union under said constitution, and thereupon provide for the calling of a convention to amend or reconstruct said constitution in accordance with the will of the people of said state, it is obvious that the immediate admission of the state will terminate all external agitation, and in a short time must bring quiet to that distracted people, whereas the refusal to admit the state, as now proposed,
would certainly increase the excitement and prolong agitation, which must be attended with serious evils, and might terminate in results which every patriot would deplore.

3. Resolved, That a copy of these resolutions be forwarded by the governor to our senators and representatives in congress.

Mr. Whitaker moved the following amendment as a substitute for said resolutions, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That we are in favor of the admission of Kansas into the Union as a slave state, upon an equal footing with the original states, with a republican constitution; but however much we may desire the admission of Kansas into the Union as a slave state, she ought not to be admitted, if congress is satisfied that the constitution she presents is not approved by a majority of the legal voters of the territory, believing, as we do, that a contrary action would produce further agitation, rather than promote peace and harmony among the states, or the citizens of Kansas.

Resolved, That a copy of this resolution be forwarded by the governor to our senators and representatives in congress.

Mr. Bruner moved the previous question.

And the question being taken upon said motion, it was decided in the negative.

The yeas and nays being required thereon, by Messrs. Walker and Fisk, were as follows, viz:

Those who voted in the affirmative, were—

A. D. Cosby, Thomas S. Grundy, William B. Read,
Wm. S. Darnaby, James D. Headley, E. D. Walker,
John F. Fisk, Daniel Matthewson, C. J. Walton,
Asa P. Grover, Thomas P. Porter,

Those who voted in the negative, were—

Mr. Speaker, (King,) Samuel Haycraft, G. W. Silvertooth,
Landaff W. Andrews, Samuel Howard, James Sudduth,
Joseph S. Bledsoe, David Irvine, Harrison Taylor,
John B. Bruner, Gibson Mallory, Cyrenius Wait,
James F. BucKner, James McKeel, W. C. Whitaker,
Geo. T. Edwards, Charles Ripley, John Williams,
William C. Gillis, H. M. Rust, George Wright—21.

Mr. Walker moved that the Senate take a recess until 7½ o'clock.

P. M.

And the question being taken upon said motion, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Andrews and Howard, were as follows, viz:
Those who voted in the affirmative were—


Those who voted in the negative were—


The question was then taken on the motion made by Mr. Bruner, viz: for the previous question, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Walker and Read, were as follows, viz:

Those who voted in the affirmative were—


Those who voted in the negative were—


Mr. Porter then moved that the resolutions and proposed amendment be printed, and made the special order of the day for 9½ o'clock, A. M., to-morrow.

And the question being taken on the adoption of said motion, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Porter and Read, were as follows, viz:

Those who voted in the affirmative were—

Mr. Andrews moved the previous question.

Mr. Silvertooth, at 6½ o'clock, P.M., moved an adjournment. The question was then taken upon the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Andrews and Walker, were as follows, viz:

Those who voted in the affirmative, were—


Those who voted in the negative, were—


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. Walker and Read, were as follows, viz:

Those who voted in the affirmative, were—


William C. Gillis, William C. Gillis,
Those who voted in the negative, were—


The question was then taken on the amendment proposed by Mr. Whitaker, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Fisk and Walker, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker, (King,) Samuel Haycraft, Samuel Howard, James Sudduth, Harrison Taylor, Samuel Haycraft, James Sudduth, Harrison Taylor, Samuel Haycraft, James Sudduth, Harrison Taylor.


Those who voted in the negative, were—


The question was then taken on the adoption of the resolutions, as amended, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Andrews and Walton, were as follows, viz:

Those who voted in the affirmative, were—


Those who voted in the negative, were—

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 the New Orleans and Ohio Railroad.
An act to incorporate the Lumberman's and Builders' Planing Mill Company.
An act for the benefit of J. R. Botts, of Carter county.
An act to increase the jurisdiction of the police judge and marshal of Ghent.

That they had concurred in the amendment proposed by the Senate to a bill from the House of Representatives, entitled,

An act appropriating money to the Eastern Lunatic Asylum.

That they had passed bills of the following titles, viz:

An act establishing the town of Hardyville.
An act in reference to tuition in the common schools.
An act to increase the salary of the Assistant Secretary of State.
An act allowing special terms of the Livingston circuit court.

A message in writing was received from the Governor, by Mr. Bibb, Assistant Secretary of State.

The rule of the Senate being dispensed with, said message was taken up and read, as follows, viz:

EXECUTIVE DEPARTMENT,  
February 15, 1858.

Gentlemen of the Senate:
I nominate, for your advice and consent, Andrew J. Barry to be Notary Public for Hickman county; Hiram Kelsey to be Notary Public for Owen county, and James N. Early to be Notary Public for Boone county.

Resolved, That the Senate advise and consent to said appointments.

Mr. Edwards moved a reconsideration of the vote by which the Senate had rejected a bill from the House of Representatives entitled,

An act in relation to the Falmouth Seminary.

And the question being taken thereon, it was decided in the affirmative.

Ordered, That said bill be placed in the orders of the day.

The Senate took up for consideration a bill from the House of Representatives, entitled,

An act for the benefit of Miles Greenwood.

Mr. King moved to amend said bill, by substituting therefor a bill appointing Judge Robertson and R. W. Woolley as commissioners to audit the claim of said Greenwood against the commonwealth, and make report thereof to the next General Assembly.
And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. Garrard and Wilson, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker, (King,) T. S. Grundy, H. M. Rust,
L. W. Andrews, Samuel Howard, G. W. Silvertooth,
J. G. Bledsoe, Gibson Mallory, Harrison Taylor,
John B. Bruner, Daniel Matthewson, Cyrenius Wait,
James F. Buckner, W. H. McBrayer, C. J. Walton,
A. D. Cosby, T. P. Porter, W. C. Whitaker,
T. T. Garrard, W. B. Read, W. M. Wilson,
William C. Gillis, Charles Ripley, George Wright—25.
Asa P. Grover

Those who voted in the negative, were—

W. S. Darnaby, Samuel Haycraft, James McKee,
G. T. Edwards, J. D. Headley, James Sudduth,

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be asforesaid.

Mr. Walton, from the committee on Enrollments, reported that the committee had examined enrolled bills which originated in the Senate, of the following titles, viz:

An act to incorporate the Keizer’s Station and Clay Turnpike road Company.
An act to incorporate the Owingsville and Paris Turnpike road Company.
An act to amend the charter of the town of Shelbyville.
An act for the benefit of Charles Hambleton and others.
An act allowing James N. Brashear, of Perry county, to erect a mill and dam in said county.
An act for the benefit of the Slate Union church.
An act for the benefit of the Louisville and Bardstown Railroad.
An act fixing the time for the president of the board of internal improvement to take the oath of office, after his election or appointment.

An act for the benefit of Isaac H. Underwood, jailer of Washington county.
An act to limit the jurisdiction of the police judge and town marshal of the town of Calhoon, in McLean county.

An act granting further powers to the trustees of the town of Richmond.

An act to charter the Silver creek Turnpike road Company, in Madison county.

An act to incorporate the Ashland Foundry and Fire-brick Company.

An act to incorporate the Hopkinsville Library Association.

An act to incorporate the Ford's Mill Turnpike road Company, in Woodford county.

An act to amend the act incorporating the Louisville and Newport Branch Railroad Company.

An act to amend the charter of the Carrollton and Eagle creek Turnpike road Company.

An act to re-locate the state road in Whitley, and erect a toll-gate thereon.

An act to incorporate the Hardin's creek Turnpike road Company.

An act to amend the charter of the Williamsburg, Cumberland river and Tennessee railroad.

An act for the benefit of the Shelby circuit court clerk.

An act for the benefit of James H. Pogue, late sheriff of Knox county.

An act for the benefit of the Versailles and Anderson Turnpike road Company.

An act for the benefit of the town of Owensboro.

An act to amend an act incorporating the Harrodsburg and Corbinville Turnpike road Company.

An act to repeal an act, entitled, an act to create an additional civil district in Hickman county.

An act for the benefit of Bagdad and Harrisonville Turnpike road.

An act to incorporate the Stamping Ground and Harmony Turnpike road Company.

An act to amend the law creating a board of supervisors of tax.

An act to incorporate the Star Fire Company, No. 1, of Carrollton, Kentucky.

An act to incorporate the Munday's Landing and Harrodsburg Turnpike road Company.

An act to amend an act creating the offices of police judge and town marshal of Lewisport.

An act to repeal an act, entitled, an act to incorporate the town of Bledsoe, in Fulton county.
An act to incorporate the Poplar Mountain Coal and Mining Company and Manufacturing Coke Company, in Clinton county.

An act for the benefit of R. H. Stanhope.

An act to incorporate the Elizaville and Fairview Turnpike road Company.

An act to authorize the county court of Madison to levy a tax for the improvement of their poor-house property.

An act to amend the charter of the Covington and Taylor's Mill Turnpike road Company.

An act supplemental to an act incorporating the Big Sandy Navigation Company.

An act to authorize Wm. Grimes to sell negroes.

An act for the benefit of the Shelby Railroad Company.

An act allowing the citizens of the town of Burksville the power of electing a police judge and town marshal.

An act to prevent the extension of credit to minors at school, without the permission of their parents, &c.

An act for the benefit of George Stivers, sr., of Clay, and Nicholas Combs, of Perry county.

An act for the benefit of W. G. Eversol, of Perry county.

An act for the benefit of Wm. Johnson and Aaron Johnson, of Laurel county.

An act to repeal the local laws now in force in relation to the roads in Pendleton county.

An act for the benefit of Isaac Smith, late sheriff of Barren county.

An act for the benefit of James S. Coleman, Q. C. Shanks and Elijah Phipps, of Ohio county.

An act to incorporate the Cynthiana, Buena Vista and Cedar creek Turnpike road Company.

An act to legalize certain acts of the Bourbon county court.

An act to change the time of holding the quarterly courts of Harlan county.

An act for the benefit of James Davis, of Union county.

An act to incorporate Sharpsburg Lodge, No. 117, Free and Accepted Masons.

An act to incorporate the Stamping Ground and Lecompte's run Turnpike road Company.

An act to incorporate the Springfield and Knob Lick Turnpike road Company.

An act to incorporate Benton Lodge, No. 205, Free and Accepted Masons.
An act to incorporate the Maxville, Willisburg, and Beech Fork Turnpike road Company.

An act to incorporate the Millersburg Male and Female Collegiate Institute.

An act for the benefit of the Independent Washington Hose Company.

An act to incorporate the town of West Covington, in Kenton county.

An act to create an additional justices' and election district in Laurel county.

An act to amend an act incorporating the town of Murray, in Calloway county.

An act creating an additional voting place and justices' district in Owsley county.

An act for the benefit of the Rockbridge Turnpike road Company.

An act authorizing the disposition of certain books in the surveyor's office of Whitley county.

An act to create an additional election precinct in Harlan county.

An act for the benefit of the Owen county court.

An act to incorporate the town of Cromwell, in Ohio county.

An act to legalize the sale of the public well in London.

An act to create an additional justices' district and voting place in Rowan county.

An act to extend the charters of the Bank of Louisville, Bank of Kentucky and Northern Bank.

And enrolled bills which originated in the House of Representatives of the following titles, viz:

An act to refund to Wm. Ward, of Morgan county, the amount of tax on tavern license improperly collected of him.

An act to organize and carry out a general system of improving the roads in Logan county.

An act for the benefit of Robert D. Murray, common school commissioner for Hart county.

An act to amend an act incorporating Minerva Seminary.

An act to incorporate the Bunker Hill and Big Sandy Coal Mining and Lumber Company.

An act for the benefit of D. A. Weaver's sureties, late sheriff of Bracken county.

An act to incorporate the Southern Kentucky Farmers' Insurance Company.
An act to extend the power of the trustees of the town of Leesburg, in Harrison county.

An act for the benefit of the assessor of Henderson county.

An act to incorporate the North Kentucky Agricultural Association.

An act for the benefit of Robert Eastham, late sheriff of Lawrence county.

An act to incorporate the Kentucky Coal Company, of Louisville.

An act for the benefit of Harvey Helm, late sheriff of Lincoln county.

An act to establish a police court in the town of New Haven.

An act to incorporate the Rock Spring Coal Company.

An act to amend the charter of the town of Munfordsville.

An act for the benefit of Robert D. Murray, common school commissioner for Hart county.

An act to incorporate the Harrison Female Academy.

An act for the benefit of school districts in Logan county.

An act concerning the salaries of public officers.

An act compensating Wm. Strowbridge for services rendered to the State of Kentucky.

An act appropriating money to Alfred Chanslor.

An act to establish an additional voting precinct in Laurel county.

An act to incorporate the Philadelphian Literary Society of the Columbia High School.

An act to incorporate the Catlettsburg Circulating Library Association.

An act for the benefit of Alney McLean's heirs.

An act for the benefit of Mrs. E. F. Elliott, of Rockcastle county.

An act to incorporate Attalia Lodge, No. 94, I. O. O. F.

An act to incorporate the Newstead Turnpike road Company.

An act for the benefit of Geo. M. Hampton, of Morgan county.

An act to amend the charter of the North Kentucky Agricultural Society, of Boone county.

An act to incorporate the Danville Female Academy.

An act to prevent the wanton destruction of fish in Green river and its tributaries.

An act for the benefit of James White, late deputy sheriff of Campbell county.

An act to amend an act, entitled, an act to incorporate the Kentucky Ship Building and Lumber Company.
An act to incorporate Union College, at Crittenden, in Grant county.

An act to impose a tax upon dogs in Shelby and Hardin counties.

An act to amend the charter of the Bracken Academy.

An act to regulate the tenure of common school property in the city of Covington.

An act concerning the Lunatic Asylums of this commonwealth.

An act relating to the inspection of flour in Louisville.

An act for the benefit of A. B. Patrick, clerk of the circuit court of Breathitt county.

An act for the benefit of Allen Smith, late sheriff of Clinton county.

An act for the benefit of Tho. B. Keeton, of Morgan county.

An act for the benefit of the academical department of the University of Louisville.

An act for the benefit of Alfred Miller, late sheriff of Muhlenburg county.

An act to amend an act to establish a uniform weight of coal.

An act refunding to R. E. Bush, former sheriff of Clarke county, the amount of tax overpaid by him in 1856.

An act to change the boundary line of school district No. 15, in Crittenden county.

An act for the benefit of John Rapp and Frank Quarst, of Louisville.

An act to increase the pay of the night watchmen of the Jefferson county and Louisville jail.

An act for the benefit of Thomas Landrum, late sheriff of Daviess county.

An act to amend an act, entitled, an act to incorporate the Covington Library Association.

An act for the benefit of John Cummings, late sheriff of Rockcastle county.

An act to reduce into one the several acts relating to the town of Springfield.

An act for the benefit of John Daily, of Breckinridge county.

An act to sell Green Chapel, in Nelson county.

An act concerning the quarterly courts.

An act for the benefit of the public schools in Louisville.

An act to authorize the county court of Kenton county to divide justice’s districts into voting precincts, and establishing voting places therein.
An act to authorize county courts to sell poor house lands.
An act to amend an act, entitled, an act to incorporate Bethel Academy.
An act to repeal all laws declaring Robinson's creek a navigable stream.
An act authorizing the sale of parts of certain streets in the town of Eddyville.
An act to repeal in part the first section of an act, entitled, an act to amend the charter of the Henderson and Nashville Railroad Company.
An act authorizing the sale of poor-house lands in Nicholas county.
An act to extend the limits of the town of Mount Carmel.
An act to incorporate Macpelah Cemetery, at Mt. Sterling.
An act to amend an act to create the office of police judge and marshal, in the town of Shepherdsville.
An act to incorporate the Kentucky Association of Teachers.
An act to incorporate Allensville Lodge, No. 182, Free and Accepted Masons.
An act to charter McAfee Lodge, No. 229, Free and Accepted Masons, of Cornishville, Mercer county.
An act defining certain powers of the trustees of the town of Winchester.
An act to establish the office of treasurer of Jessamine county.
An act to amend an act, entitled, an act to amend the charter of the Glasgow and Scottsville Turnpike road Company, approved February 29th, 1848.
An act to amend the charter of Salvisa, in Mercer county.
An act establishing the streets and alleys in the town of Caseyville.
An act to provide a police system for Boone county.
An act to authorize the town of Paradise, in Muhlenburg county, to elect a police judge and town marshal.
An act to amend the charter of the Henderson and Nashville Railroad Company.
An act relating to the Craddock Fund.
An act chartering the Kean & Co. Express Company.
An act to incorporate T. N. Wise Lodge, No. 349, Free and Accepted Masons, in Mercer county.
An act establishing an additional election precinct in Caldwell county.
An act reviving the law licensing ten-pin alleys in Trimble county.
An act to incorporate the Jefferson Southern Pond Draining Company.

An act to amend an act, approved Feb. 27, 1856, in relation to a new road in Fleming and Lewis counties.

An act for the benefit of Jane and Henry, free persons of color, of Letcher county.

An act to extend the limits and amend the charter of the town of Minerva, in Mason county.

An act to incorporate the Lewisport Pond Draining Company.

An act to incorporate the Niagara Coal and Manufacturing Company.

An act to incorporate the Berry and Raven creek Bridge Company.

An act to repeal an act, entitled, an act requiring turnpike, tollbridge and plank-road companies to declare semi-annual dividends and to amend the Revised Statutes, title "revenue and taxation."

An act to repeal section 14, chapter 67, Revised Statutes, so far as same applies to Cornishville.

An act changing the name of the town of Graffenburg, in Shelby county, to that of Hardinsville.

An act to amend the chartering the Richmond and Boonesborough Turnpike road Company.

An act to amend section 2, of article 3, of chapter 58, of the Revised Statutes.

An act for the benefit of L. Hoagland.

An act to amend the charter of the Hamilton and Buffalo Hill Turnpike road Company.

An act to increase the county levy of Lewis county.

An act to amend an act, entitled, an act for the benefit of mechanics of the towns of Hickman and Frankfort.

An act to extend the charters of the Bank of the Commonwealth of Kentucky, and of the old Bank of Kentucky.

An act to create a Sinking Fund for the city of Frankfort.

An act to incorporate the Kentucky Wood Works.

An act to amend and change the 10th section of chapter 13 of Revised Statutes, title change of venue.

An act to amend article 7, chapter 83, Revised Statutes, relative to the Board of Supervisors.

An act to incorporate Franklin Lodge of Independent Order of Odd Fellows, of Garrard county.
An act to authorize county courts to sell poor house lands.
An act to amend an act, entitled, an act to incorporate Bethel Academy.
An act to repeal all laws declaring Robinson's creek a navigable stream.
An act authorizing the sale of parts of certain streets in the town of Eddyville.
An act to repeal in part the first section of an act, entitled, an act to amend the charter of the Henderson and Nashville Railroad Company.
An act authorizing the sale of poor-house lands in Nicholas county.
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An act to amend an act, approved Feb. 27, 1856, in relation to a new road in Fleming and Lewis counties.

An act for the benefit of Jane and Henry, free persons of color, of Letcher county.

An act to extend the limits and amend the charter of the town of Minerva, in Mason county.

An act to charter the Masonic Publication Association.

An act to incorporate the Lewisport Pond Draining Company.

An act to incorporate the Niagara Coal and Manufacturing Company.

An act to incorporate the Berry and Raven creek Bridge Company.

An act to repeal an act, entitled, an act requiring turnpike, tollbridge and plank-road companies to declare semi-annual dividends and to amend the Revised Statutes, title “revenue and taxation.”

An act to repeal section 14, chapter 67, Revised Statutes, so far as same applies to Cornishville.

An act changing the name of the town of Gransenburg, in Shelby county, to that of Hardinsville.

An act to amend the charter of the Richmond and Boonesborough Turnpike road Company.

An act to amend section 2, of article 3, of chapter 581 of the Revised Statutes.

An act for the benefit of L. Hoagland.

An act to amend the charter of the Hamilton and Buffalo, Hill Turnpike road Company.

An act to increase the county levy of Lewis county.

An act to amend an act, entitled, an act for the benefit of mechanics of the towns of Hickman and Frankfort.

An act to extend the charters of the Bank of the Commonwealth of Kentucky, and of the old Bank of Kentucky.

An act to create a Sinking Fund for the city of Frankfort.

An act to incorporate the Kentucky Wood Works.

An act to amend and change the 10th section of chapter 13 of Revised Statutes, title change of venue.

An act to amend article 7, chapter 83, Revised Statutes, relative to the Board of Supervisors.

An act to incorporate Franklin Lodge of Independent Order of Odd Fellows, of Garrard county.

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An act authorizing the Madison county court to levy a tax to improve the poor-house lands in said county;

An act to amend section 17, article 4, chapter 47, of Revised Statutes, title courtesy and dower.

An act to regulate the fees of sheriffs.

An act to amend section 832, of chapter 3, article 1, Code of Practice.

An act concerning the Louisville and Covington Railroad Company.

An act appropriating money to the Eastern Lunatic Asylum.

An act in reference to tuition in the common schools.

And had found the same truly enrolled.

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 approval and signature.

After a short time, Mr. Walton reported that the committee had performed that duty.

The Senate took up for consideration

A bill to amend the law in relation to settlements by guardians.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The Senate also took up for consideration the amendment proposed by the House of Representatives, to a bill from the Senate, entitled,

An act providing a general mechanics' lien law.

Said amendment was then amended, by striking out all that portion of the amendment which makes the bill local in its character.

The question was then taken upon concurring in the amendment, as amended, and it was decided in the affirmative.

Bills from the House of Representatives of the following titles were severally read the first time, viz:

An act in reference to tuition in the common schools.

An act allowing special terms of the Livingston circuit court.

An act to authorize the voters of Washington county to vote on a proposition to move the county seat.

Ordered, That said bill be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. Grundy—
The last named bill was amended.

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved. That said bills do pass, and that the titles thereof be as aforesaid.

The Senate took up for consideration a bill from the House of Representatives entitled,
An act to amend the law concerning roads and passways.
Mr. Whitaker moved to amend said bill.
Mr. Garrard moved to lay said bill and proposed amendment on the table.
And the question being taken thereon, it was decided in the affirmative.

A message was received from the House of Representatives, announcing that they had received official information from the Governor that he had approved and signed enrolled bills, which originated in that House, of the following titles, viz:

An act to establish a tobacco inspection warehouse at Mayfield.
An act enlarging the boundary of the town of Cadiz, in Trigg county.
An act to incorporate the Salem Baptist church, in Shelby county.
An act for the benefit of W. L. Kirk and Wm. Douglass, of Marion county.
An act for the benefit of Wm. H. Hamilton, late sheriff of Larue county.
An act to authorize the Marshall county court to change the state road from Hopkinsville to Paducah.
An act to incorporate the Harmony and Fork Turnpike road Company.
An act to charter the Southwestern Agricultural Works.
An act for the benefit of Dennis Russell and Henry Spink, of Nelson and Hardin counties.
An act for the benefit of the Methodist church at Bardstown.
An act to incorporate the Presbyterian Church at Lebanon.
An act to authorize the county court of Logan to change its subscription to the Louisville and Nashville Railroad Company.
An act to incorporate the Fowler's creek and Staffordsburg Turnpike road Company.
An act to incorporate the Russellville and Springfield Turnpike Road Company.

An act for the benefit of James E. Secrest, late sheriff of Nicholas county.

An act to amend the charter of the Oregon Turnpike road Company.

An act for the benefit of the Christian church of Winchester.

An act amending the charter of the Union Turnpike road Company.

An act for the benefit of the Mt. Pleasant Presbyterian church, in Hardin county.

An act for the benefit of John Troutman, of Nelson county.

An act for the benefit of Julian Neal, of Fulton county.

An act to allow James C. Jones to solemnize the rites of matrimony.

An act to incorporate the Columbia and Russell’s Springs Turnpike road Company.

An act to repeal an act, entitled, an act to prohibit fishing in the north fork of Licking river, in Bracken county.

An act for the benefit of the Christian church in Irvine, in Estill county.

An act to incorporate the Methodist Episcopal Church South, in the city of Henderson.

An act prescribing the means and mode of opening and working roads in the county of Boone.

An act to incorporate the St. Mary’s Turnpike road Company, in Marion county.

An act to incorporate the Stony Point and Lemon’s Mill Turnpike road Company.

An act to amend the charter of the town of Greenville.

An act to incorporate the St. Andrews church, in Louisville.

An act to incorporate the Mount Lebanon and Kentucky river Turnpike road Company.

An act for the benefit of Thomas W. Robinson.

An act for the relief of W. M. Smith, late gate keeper on the Wilderness road, in Rockcastle county.

An act to authorize the citizens of the town of Warsaw to elect a police judge and marshal.

An act to incorporate the Canton, Cadiz and Hopkinsville Turnpike road Company.

An act to incorporate the Millersburg, Indian creek Meeting house, and Cynthiana Turnpike road Company.
An act to incorporate the Rolling Fork and St. Mary's Turnpike road Company, in Marion county.

An act to amend an act, entitled, an act to amend the charter of the Lexington and Danville Railroad Company, approved March 10, 1856.

An act amending the charter of the Knob Lick Turnpike road Company.

An act to amend the charter of the Crab Orchard and Gilmore's Lick Turnpike road Company.

An act to incorporate the Liberty and Bradfordsville Turnpike road Company.

An act amending an act incorporating the Hustonville and Stanford Turnpike road Company.

An act to incorporate the Boston Turnpike road Company.

An act to revive and amend the laws in regard to the sectionized land west of the Tennessee river.

An act in relation to the Louisville and Portland Railroad Company, and the Kentucky Institution for the Education of the Blind.

An act regulating the duties of the sheriff of Warren county in regard to railroad tax.

An act for the benefit of Alexander C. Lindsey.

An act to further regulate tolls at the toll-gate in Knox county, on the Cumberland Gap road.

An act to create the offices of police judge and town marshal in the town of West Point, Hardin county.

An act to authorize Luke Howlett to erect a dam and trap across the Rolling fork.

An act to change the place of voting in the Mount Eden district in Spencer county.

An act for the benefit of R. N. Winn and the Lexington and Big Sandy Railroad Company.

An act for the benefit of Miles Kash, adm'r. of William Adams, dec'd., of Morgan county.

An act to amend the law in relation to county judges.

An act requiring the county judges to keep their offices and records at their respective county seats.

An act amending the law concerning passways.

An act to incorporate the Russellville and Clarksville Turnpike road Company.

An act to incorporate the Crab Orchard Springs Company.

An act to incorporate the Bowlinggreen and Scottsville Turnpike road Company.
An act to incorporate St. Philip's church, at Harrodsburg.
An act for the benefit of Arthur H. Belt.
An act to incorporate the Hustonville, Middleburg and Liberty Turnpike road Company.
An act to incorporate the Harrodsburg, Duncansville and Chaplintown Turnpike road Company.
An act concerning the police judge and town marshal in Greenville.
An act to incorporate the town of Grundy.
An act to incorporate the Bardstown and Simpson's creek Turnpike road Company.
An act to amend the charter of the Burlington and Florence Turnpike road Company.
An act to incorporate the Manchester Turnpike road Company.
An act to amend an act, entitled, an act in relation to a new road in Lewis and Carter counties.
An act to amend an act to incorporate the People's Turnpike road Company.
A message was received from the Governor by Mr. Bibb, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills which originated in the Senate of the following titles, viz:

An act to incorporate the Ashland Foundry and Fire-brick Company.
An act to authorize the county court of Madison to levy a tax for the improvement of their poor-house property.
An act supplemental to an act incorporating the Big Sandy Navigation Company.
An act to authorize Wm. Grimes to sell negroes.
An act for the benefit of R. H. Stanhope.
An act to amend the law creating a board of supervisors of tax.
An act for the benefit of Bagdad and Harrisonville Turnpike road.
An act to incorporate the Stamping Ground and Harmony Turnpike road Company.
An act to amend an act creating the offices of police judge and town marshal of Lewisport.
An act to prevent the extension of credit to minors at school, without the permission of their parents, &c.
An act to incorporate the Elizaville and Fairview Turnpike road Company.
An act to amend the charter of the town of Shelbyville.
An act to charter the Silver creek Turnpike road Company, in Madison county.

An act to amend the charter of the Covington and Taylor's Mill Turnpike road Company.

An act to amend the charter of the Carrollton and Eagle creek Turnpike road Company.

An act to amend the act incorporating the Louisville and Newport Branch Railroad Company.

An act allowing James N. Brashear, of Perry county, to erect a mill and dam in said county.

An act for the benefit of the town of Owensboro.

An act granting further powers to the trustees of the town of Richmond.

An act for the benefit of the Independent Washington Hose Company.

An act to incorporate the Keizer's Station and Clay Turnpike road Company.

An act to incorporate the Owingsville and Paris Turnpike road Company.

An act for the benefit of the Slate Union church.

An act for the benefit of Isaac H. Underwood, jailer of Washington county.

An act to repeal an act, entitled, an act to create an additional civil district in Hickman county.

An act for the benefit of Charles Hambleton and others.

An act fixing the time for the president of the board of internal improvement to take the oath of office, after his election or appointment.

An act to incorporate the Poplar Mountain Coal and Mining Company and Manufacturing Coke Company, in Clinton county.

An act to incorporate the Star Fire Company, No. 1, of Carrollton, Kentucky.

An act to amend an act incorporating the Harrodsburg and Corbinville Turnpike road Company.

An act to limit the jurisdiction of the police judge and town marshal of the town of Calhoun, in McLean county.

An act for the benefit of James H. Pogue, late sheriff of Knox county.

An act to repeal an act, entitled, an act to incorporate the town of Bledsoe, in Fulton county.

An act allowing the citizens of the town of Burksville the power of electing a police judge and town marshal.
An act for the benefit of the Shelby Railroad Company.
An act to incorporate the Munday's Landing and Harrodsburg Turnpike road Company.
An act for the benefit of the Versailles and Anderson Turnpike road Company.
An act to incorporate the Hopkinsville Library Association.
An act to incorporate the Ford's Mill Turnpike road Company, in Woodford county.
An act to re-locate the state road in Whitley, and erect a toll-gate thereon.
An act to incorporate the Hardin's creek Turnpike road Company.
An act for the benefit of the Shelby circuit court clerk.
An act to amend the charter of the Williamsburg, Cumberland river and Tennessee railroad.
An act for the benefit of the Louisville and Bardstown Railroad.
And then the Senate adjourned.

TUESDAY, FEBRUARY 16, 1858

A message was received from the House of Representatives, announcing that they had concurred in the amendments proposed by the Senate, to bills from that House, of the following titles, viz:
An act to provide a police judge for the town of Florence, in Boone county.
An act to change the boundary line of school district No. 15, in Crittenden county.
An act concerning the town of Union, in Boone county.
An act for the benefit of Miles Greenwood.
An act to allow John Gearin, of Calloway county, to peddle in said county without license.
With an amendment to the last named bill.
That they had disagreed to bills from the Senate of the following titles, viz:
An act for the benefit of school district No. 39, in Ohio county.
An act to change the time of holding the circuit, equity and criminal courts of the first judicial district.
That they had passed bills from the Senate of the following titles, viz:

- An act to authorize salt, iron, flour, and tobacco to be brought into certain counties in this state.
- An act for benefit of school district No. 15, in Breathitt county.
- An act to incorporate the Kentucky Coal Mining and Iron and Oil Manufacturing Company.
- An act for the benefit of the Louisville and Oldham Turnpike road Company.
- An act for the benefit of Daniel Higgins, late sheriff of Breathitt county.
- An act to charter the Fifteenth Street Turnpike road Company.
- An act to incorporate the Eastern Kentucky coal-oil and iron manufacturing company.
- An act to provide for the building of a fire proof clerks' office in Russellville.
- An act to apportion representation.
- With amendments to the two last named bills.
- That they had passed bills of the following titles, viz:
  - An act to authorize the Governor to cause a cistern to be constructed in the public grounds in Frankfort.
  - An act providing for the erection of a fire-proof room for the safekeeping of the records, files and papers of the land office.
  - An act for the benefit of Uriah Winchell.
  - An act to amend the law in relation to the town marshal of the town of Princeton.
  - An act for the benefit of Daniel Hager, of Johnson county.
  - An act to authorize the citizens of Daviess to vote on a proposition to levy an additional tax.
An act to incorporate the New Liberty Branch Turnpike road Company.
An act to incorporate the Liberty and Russell's Springs Turnpike road Company.
An act to incorporate the Hopkinsville, Newstead, and Linton Turnpike road Company.
An act establishing an additional voting precinct and justices' district in Wayne county.
An act to change the place of voting in precinct No. 5, in Nelson county.
An act for the benefit of A. L. Offutt, late sheriff of Scott county.
An act for the benefit of the clerk of the Boyle circuit court.
An act for the benefit of Thomas Farlar, jailer of Harlan county.
An act to repeal an act, entitled, an act for the benefit of Steel and Lamb.

An act to establish a state road from Eddyville to Paducah.
An act authorizing an increase of the capital stock of the Commercial Bank of Kentucky, and the establishment of additional branches.
An act amending the charter of the Barren county Railroad.
An act to incorporate the Ruddell's Mills and Shawhan's Station Turnpike road Company.
An act amending an act incorporating the Downingsville Turnpike road Company.
An act to establish a state road from Birmingham to Mayfield.
An act to change the place of holding the election in district No. 7, in the county of Greenup.
An act changing Morganfield district, in Union county.
An act directing the school commissioners to divide school district No. 22, of Trigg county.
An act to modify the charter of Trigg Academy.
An act authorizing the county court of Trigg to change the state road in said county.
An act creating a police judge and marshal for the town of Burlington.
An act changing and regulating the voting precincts in Clark's county.
An act to amend an act, entitled, an act to incorporate the New Castle and Carrollton Turnpike road Company.
An act establishing an additional voting place in Lawrence county.
An act to amend the charter of the Mount Sterling and Jeffersonville Turnpike road Company.
An act to amend an act, entitled, an act to revive and modify an act, entitled, an act to incorporate the Barren river Navigation and Manufacturing Company.

An act to revive the charter of the Farmers' Turnpike road Company.

An act to amend the act incorporating the Louisville and Newport Branch Railroad Company.

An act for the benefit of Jas. H. Gilbraith, of Cumberland county.

An act concerning the chartered turnpike roads in Montgomery county.

An act declaring the Cat fork of Blain's creek a navigable stream.

An act giving to the county of Grayson six additional days at the next fall term of the circuit court.

An act to authorize the citizens of Eminence to elect a town marshal.

An act creating additional justices' district and voting place in Meade county.

An act to change the place of voting in the first election precinct in Estill county.

An act to incorporate the Sugar creek and Hickman Turnpike road Company.

An act to incorporate St. Thomas' Seminary, of Nelson county.

An act to amend and reduce into one the road laws of Greenup and Lewis counties.

An act to amend the charter of the town of Foster.

An act to incorporate the North Bend and Wolper Turnpike road Company.

An act to incorporate the North Bend Turnpike road Company.

An act to establish a turnpike road from Franklin, in Simpson county, to the turnpike road south of Scottsville, in Allen county.

An act to establish an additional justices' district and election precinct in Morgan county.

An act for the benefit of Elbert Cook, of Livingston county.

An act for the benefit of J. B. Harper, of Louisville.

An act to make an additional voting precinct in Jefferson county.

An act creating an additional voting place in district No. 3, in Todd county.

An act to amend the charter of the Campbellsville Turnpike road Company.

An act establishing an additional voting precinct and justices' district in Morgan county.
An act to incorporate the town of Bledsoe.
An act to incorporate the Kentucky Coal Company, of Louisville.
An act for the benefit of Robert Eastham, late sheriff of Lawrence county.
An act to charter McAfee Lodge, No. 229, Free and Accepted Masons, of Cornishville, Mercer county.
An act to extend the limits of the town of Mount Carmel.
An act to amend an act to create the office of police judge and marshal, in the town of Shepherdsville.
An act to incorporate the Danville Female Academy.
An act to amend the charter of the Bracken Academy.
An act to incorporate the Newstead Turnpike road Company.
An act to amend an act incorporating Minerva Seminary.
An act to amend the charter of the North Kentucky Agricultural Society, of Boone county.
An act for the benefit of Geo. M. Hampton, of Morgan county.
An act for the benefit of John Daily, of Breckinridge county.
An act to sell Green Chapel, in Nelson county.
An act to incorporate Allensville Lodge, No. 182, Free and Accepted Masons.
An act to incorporate the Bunker Hill and Big Sandy Coal Mining and Lumber Company.
A resolution in relation to the final adjournment of the General Assembly.

Mr. Fisk, from a select committee, reported
A bill to extend state aid to railroads and turnpikes.
Which was read the first time, and ordered to be read a second time.
The constitutional provision as to the second reading being dispensed with.

Ordered, That the Public Printer print 150 copies thereof for the use of the General Assembly, and that it be made the special order for this evening at 3 o'clock.

Bills from the House of Representatives, of the following titles were reported from the committee on the Judiciary, to whom they were referred, viz:

By Mr. Buckner—
An act for the benefit of the Bank of Providence, Rhode Island.

By same—
An act to amend the charter of the Eminence Mutual Insurance Company.
JOURNAL OF THE SENATE.

By same—
An act for the benefit of the town of Bowlinggreen.

By same—
An act to incorporate the Owensboro' Printing Company.

By same—
An act to incorporate the Little River Association.

By same—
An act in relation to fees for taking depositions.

By same—
An act to empower the trustees of the Baptist church, at Dallasburg, in Owen county, to sell and convey land belonging to said church.

By same—
An act to legitimatize Robert N. Leach.

By same—

By same—
An act for the benefit of Merritt S. O'Neal, of Woodford county.

By same—
An act to authorize the Methodist church in Frankfort to sell a lot.

By same—
An act for the benefit of Isaac A. Stewart.

By same—

By same—
An act to incorporate Superior Council of Improved Order of Red Men.

By same—
An act concerning the Casey circuit court.

By same—
An act amending the city charter of Frankfort.

By Mr. Andrews—
An act to incorporate the town of Newroo.

By same—
An act to amend and reduce into one the several acts relating to the town of Elkton.

By same—
An act to amend an act, entitled, an act to incorporate the city of Henderson.
By same—
An act providing for the establishment of a jury system for the Louisville city court
By same—
An act to repeal an act, entitled, an act to incorporate the town of Williamsburg, in Whitley county.
By same—
An act to amend an act, entitled, an act to charter the city of Louisville.
By Mr. Buckner—
An act to establish a state road from Paducah to Hopkinsville.
With an amendment to the last named bill.
Which was concurred in.
Ordered, That said bills, the last as amended, be read a third time.
The constitutional provisions as to the third reading of said bills being dispensed with,
Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Buckner, from the same committee, to whom was referred a bill from the House of Representatives, entitled,
An act to pay Thomas S. Theobald, former keeper of the Kentucky penitentiary, the amount due him by the commonwealth.
Reported the same without amendment.
Ordered, That said bill be read a third time.
The constitutional provision as to the third reading of said bill being dispensed with,
The question was then taken on the passage of said bill, and it was decided in the affirmative.
The yeas and nays being required thereon, by the constitution, were as follows, viz:

Those who voted in the affirmative were—


Those who voted in the negative were—
Daniel Matthewson, G. W. Silvertooth—2.
Resolved, That the title of said bill be as aforesaid.

Mr. Andrews, from the same committee, reported
A bill to incorporate the Portland Savings Bank.
Which was read the first time as follows, viz:

§ 1. That Paul Villier, Nathaniel Plummer, David T. Monsarrat, Wm. A. Duckwall, and John M. Hueston, and their associates and successors, are hereby constituted a body corporate and politic, by the name of the Portland Savings Institution, and as such shall possess and exercise all the powers, privileges, and rights of a body corporate, and all the powers granted by this act for the term of twenty-five years, from and after the passage of this act; with a capital not exceeding two hundred thousand dollars, which shall be divided into shares of one hundred dollars each.

§ 2. That the above named corporators, together with such others as may be associated with them, shall have power, and are hereby authorized to elect, at such times and places as may be convenient, a President, Secretary, Treasurer, Attorney, and such other officers as they may deem needful for the transaction of their corporate business, and to take security from any such officers for the faithful performance of their duties; and to make and enforce such by-laws, not inconsistent with public law, as may be necessary for the conduct of said business.

§ 3. That said corporation may commence business from the time of their organization under this act.

§ 4. That said corporation shall have power, and they are hereby authorized to receive on deposit, gold and silver coin, and bank notes, and issue certificates thereon, and allow such interest as may be agreed upon, and to loan the same at legal rates of interest, and to purchase and collect and dispose of bonds and bills, and to discount notes, but in no case at a greater rate of exchange, interest, or discount, than is allowed by law to the bank of Kentucky; and to purchase and hold such real and personal estate as may be convenient for the transaction of its business; also, to take and hold any real and personal estate as security to secure the payment of any debt due said corporation; or to purchase real and personal estate at any sale made in virtue of any judgment at law or decree in equity in favor of said corporation; to receive, in satisfaction of any debt due said corporation, any real or personal estate, and to hold the same so long as will enable said corporation to dispose of the same advantageously.

§ 5. That the corporators aforementioned, or a majority of them, may meet at some convenient time and place in the town of Portland, of which due notice shall be given through some newspaper published in the city of Louisville, at which meeting they may open books and receive subscriptions to the stock of said institution: Provided, however, that the company shall not commence business until the sum of five dollars shall have been paid upon each share subscribed.

§ 6. That said said corporation shall have all the rights and privileges of the chartered Savings Institutions of the State, and shall
have a lien on the stock for debts due them, before other creditors, except the State, and for taxes.

§ 7. This charter, and all the privileges and rights therein granted, shall be forfeited by any violation of the provisions thereof, by any of the officers of the institution; and also by the failure or refusal, upon the part of the officers thereof, to pay any tax imposed by the general laws of this State.

§ 8. The Circuit Courts of Jefferson and Franklin counties shall each have jurisdiction to try and declare the forfeiture of this charter, upon the petition of the Attorney General or Commonwealth's Attorney, specifying the acts of forfeiture relied on.

§ 9. The General Assembly reserves the right to examine into the condition, business, and affairs of the institution, by any person or committee selected or appointed for that purpose, at any time, and in such manner as the General Assembly may direct.

Ordered, That said bill be read a second time.

The constitutional provision as to the second reading of said bill was dispensed with.

Mr. Fisk moved to amend said bill as follows, viz:

That if at any time a forfeiture of the charter shall be declared, as provided for in section eight of this act, in order to secure the payment of the debts of the bank each stockholder shall be required to pay a sum of money equal to the full amount of his or her stock, to the creditors of the bank, and to that extent shall be held personally liable for the debts due from said bank; and upon his or her failure to pay the same suit may be instituted against him or her, in any court of competent jurisdiction, for the recovery of the same.

The question was then taken on the adoption of the amendment proposed by Mr. Fisk, and it was decided in the negative.

The yeas and nays being required thereon, by Messrs. Grover and Fisk, were as follows, viz:

Those who voted in the affirmative, were—

William S. Garnaby,  
John F. Fisk,  
Theo. T. Garrard,  
Asa P. Grover,  
Thomas S. Grundy,  
James D. Headley,  
Daniel Matthewson,  
Wm. H. McBrayer,  
James McKee,  
William B. Read,  
H. M. Rust,  
George W. Silvertoth,  
E. D. Walker—14.

Those who voted in the negative, were—

Mr. Speaker, (King,)  
Landaff W. Andrews,  
J. G. Bledsoe,  
John B. Bruner,  
James F. Buckner,  
A. D. Cosby,  
George T. Edwards,  
William C. Gillis,  
Samuel Haycraft,  
Samuel Howard,  
David Irvine,  
Gibson Mallory,  
Charles Ripley,  
James Sudduth,  
Harrison Taylor,  
Cyrenius Wait,  
C. J. Walton,  
W. C. Whitaker,  
John Williams,  
W. M. Wilson,  
George Wright—21.

Mr. Grover then moved to amend said bill as follows, viz:
The legislature reserves to itself the power to alter, amend, or repeal this charter at any time.

And the question being taken thereon, it was decided in the affirmative.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Fisk and Mallory, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker, (King,) Samuel Haycraft, Harrison Taylor,
Landaff W. Andrews, Samuel Howard, Cyrenius Wait,
Joseph S. Bledsoe, David Irvine, C. J. Walton,
John B. Bruner, Gibson Mallory, W. C. Whitaker,
James F. Buckner, William H. McBrayer, John Williams,
A. D. Cosby, Charles Ripley, W. M. Wilson,
George T. Edwards, James Sudduth, George Wright—22.

Those who voted in the negative, were—

William S. Darnaby, Thomas S. Grundy, Thomas P. Porter,
John F. Fisk, James D. Headley, William B. Read,
Theo. T. Garrard, Daniel Matthewson, H. M. Rust,

Resolved, That the title of said bill be as aforesaid.

Mr. Ripley, from the same committee, reported
A bill to incorporate the Merchants' Deposit Bank of Louisville.

Which was read the first time as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That there is hereby established a Bank of Deposit, in the city of Louisville, with a capital of five hundred thousand dollars, in shares of one hundred dollars each, to be subscribed and paid for as hereinafter specified; and the subscribers, their associates, successors, and assigns, shall be a body politic and corporate, by the name and style of the Merchants Bank, and shall so continue for thirty years from the passage of this act; and shall be capable of contracting and being contracted with, of suing and being sued, of impleading and being impleaded, of answering and defending in all courts and places whatever; they may have a common seal, and change and renew the same at pleasure; they shall have power to receive gold and silver and bank notes on deposit, and loan the same on public and private securities; to buy and sell drafts, bills of exchange, and bonds; and the promissory notes made payable to any person or persons or order, or to said bank, and negotiable and payable at their banking house, or at any bank, and endorsed to and discounted by them, shall
be and they are hereby put upon the footing of foreign bills of exchange, and like remedy may be had thereon, jointly and severally, against the drawers and endorsers, and with like effect except as to damages; and they may allow interest on deposits, or allow depositors to share in the profits of said bank, in such manner and on such terms as may be prescribed by by-laws.

§ 2. The said corporation may acquire, hold, possess, use, occupy, and enjoy all such real estate, goods, and chattels, as shall be convenient for the transaction of its business, or which may be conveyed to it as surety for any debt, or purchased in satisfaction of any debt, judgment, or decree, and sell and convey the same; and they may make such by-laws, for their government, as they may deem necessary: Provided, the same be not contrary to the constitution and laws of this State, or of the United States.

§ 3. Said bank may appoint such officers as may be necessary for the conducting of her business, which shall be under the control and direction of four directors, each of whom 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 this State, and after the first election shall be elected annually, on the second Monday in January in each year. They shall elect one of their number President, and shall hold regular meetings at such times as may be fixed by the by-laws, and other meetings may be had whenever deemed necessary; and in case of the death or resignation of any director, the vacancy shall be filled by the Board of Directors. The Directors shall have power to declare dividends of the profits arising out of the business, and to fix, allow, and pay the officers, agents, and servants such sums, as wages and salaries, as they shall think proper and reasonable. The stock shall be deemed personal property, and shall be assignable according to such rules as the Board of Directors shall, from time to time, establish, but said corporation shall have a lien on the stock to secure any indebtedness by the stockholder.

§ 4. John C. Hull, Richard Atkinson, Sam Gwynn, Charles Ripley, and John Barbee, are hereby appointed Commissioners, any three of whom may open books and receive subscriptions for the capital stock; and when five hundred shares have been subscribed it shall be their duty to give notice, in two or more daily newspapers published in said city of Louisville, and appoint a day for the election of a Board of Directors, who shall hold their offices until the ensuing annual election. The payment for the shares subscribed shall be made as follows: Five dollars on each share at the time of subscribing, and five dollars within ten days after the election of the first Board of Directors, and the residue in installments of ten dollars on each share every thirty days: Provided, that after twenty-five thousand dollars shall have been paid the Board of Directors shall have power to prolong the time for the payment of the residue; and should any of the subscribers fail to pay for their subscriptions of stock, as herein provided, after giving notice of their intention in some daily newspaper in said city, for thirty days, may, by resolution entered on their records, forfeit such stock, and re-sell the same at such time as they may deem expedient; and all partial payments made on any stock which shall be then
§ 4. The property thereby acquired shall be conveyed to the corporation in fee simple, and the then President shall have authority to sell the same, and to convey the proceeds of such sale to the corporation; and any debt, interest, or other sum of money by which the property may be encumbered shall be paid before the conveyance is made, or such encumbrances shall be consolidated with the property conveyed, and the conveyance made subject to such encumbrances.

§ 5. It shall be the duty of the President, on the first day of January in each year, to pay into the Treasury fifty cents on each one hundred dollars of stock held and paid for in said institution, which shall be in full of all tax or bonus.

§ 6. If the Cashier, Clerks, Teller, or other officer, shall appropriate any of the funds of said corporation to his own use, or shall willfully fail to make correct entries, or knowingly make false ones, on the books of the Bank, with intent to cheat or defraud the corporation, or any other person, or to conceal any improper appropriation of funds, the officer so offending, shall be deemed guilty of felony, and shall, upon conviction thereof, be sentenced to confinement in the jail and penitentiary of this Commonwealth for a period of not less than two, nor more than twenty years.

§ 7. It shall not be lawful for said bank to issue any note or bill to be passed and used as currency.

§ 8. The General Assembly shall have the right to examine the affairs of said corporation, by any committee they may appoint for that purpose.

Ordered. That said bill be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Mr. Grover then moved to amend said bill as follows, viz:

In section 1, line 9, strike out the word "thirty," and insert the word "ten."

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon, by Messrs. Grover and Fisk, were as follows, viz:

Those who voted in the affirmative, were—

W. S. Darnaby, J. D. Headley, W. B. Read,
J. P. Fisk, Daniel Matthewson, J. P. Smith,
Asa P. Grover,

Those who voted in the negative, were—

Mr. Speaker, (King,) William C. Gillis, Harrison Taylor,
L. W. Andrews, Samuel Haycraft, Cyrenius Wait,
J. S. Bledsoe, Samuel Howard, C. J. Walton,
John B. Bruner, David Irvine, W. C. Whitaker,
James F. Buckner, Gibson Mallory, John Williams,
A. D. Cosby, James McKee, W. M. Wilson,
Mr. Grover moved further to amend said bill as follows, viz:

The stockholders shall be personally liable to creditors, in case of the failure of said bank, for all sums for which said bank may be liable, whether to note holders, depositors, or any other class of creditors.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Grover and Walker, were as follows, viz:

Those who voted in the affirmative, were—

William S. Darnaby, Samuel Howard, H. M. Rust,
George T. Edwards, Daniel Matthewson, G. W. Silvertooth,
John F. Fisk, Thomas P. Porter, John P. Smith,
Asa P. Grover,

Those who voted in the negative, were—

Mr. Speaker (King), Samuel Haycraft, Cyrenius Wait,
Landaff W. Andrews, David Irvine, C. J. Walton,
Joseph S. Bledsoe, Gibson Mallory, John Williams,
John B. Bruner, James McKee, W. M. Wilson,
James F. Buckner, Charles Ripley, George Wright—17,
William C. Gillis, Harrison Taylor,

Mr. Grover then moved to amend said bill as follows, viz:

The legislature reserves to itself the right to alter, amend, or repeal this charter at any time.

Mr. Ripley moved to amend the amendment proposed by Mr. Grover as follows, viz:

Strike out the words "at any time," and insert the words "after the year 1874."

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon, by Messrs. Grover and Fisk, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker (King), William C. Gillis, Charles Ripley,
Landaff W. Andrews, Samuel Haycraft, Harrison Taylor,
John B. Bruner, Gibson Mallory, John Williams,
James F. Buckner, James McKee, W. M. Wilson—13,
Geo. T. Edwards,

Those who voted in the negative, were—

Wm. S. Darnaby, Samuel Howard, James Sudduth,
John F. Fisk, David Irvine, Cyrenius Wait,
Theo. T. Garrard, Daniel Matthewson, E. D. Walker,
Asa P. Grover, Thomas P. Porter, C. J. Walton,
Thomas S. Grundy, H. M. Rust, George Wright—15.
The question was then taken on the adoption of the amendment proposed by Mr. Grover, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Grover and Fisk, were as follows, viz:

Those who voted in the affirmative were—

Mr. Speaker, (King,) Asa P. Grover, H. M. Rust.
Joseph S. Bledsoe, Samuel Haycraft, James Sudduth.
John B. Bruner, Samuel Howard, Harrison Taylor.
James F. Buckner, David Irvine, Cyrenius Wait.
William S. Darnaby, Gibson Mallory, E. D. Walker.
George T. Edwards, Daniel Matthewson, C. J. Walton.
John F. Fisk, James McKee, John Williams.
William C. Gillis, William B. Read, George Wright—27.

In the negative—Charles Ripley.

Said bill was then amended by striking out the word "thirty," in section 1, line 9, and inserting the word "twenty."

Ordered, That said bill, as amended, be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Fisk and Grover, were as follows, viz:

Those who voted in the affirmative were—

Mr. Speaker, (King,) Samuel Haycraft, Cyrenius Wait.
Joseph S. Bledsoe, David Irvine, John Williams.
James F. Buckner, James McKee, George Wright—17.
W. C. Gillis, James Sudduth, Charles Ripley.

Those who voted in the negative were—

Wm. S. Darnaby, Thomas S. Grundy, H. M. Rust.
John F. Fisk, Daniel Matthewson, James Sudduth.
Asa P. Grover, William B. Read.

Resolved, That the title of said bill be as aforesaid.

A message was received from the House of Representatives, announcing that they had passed bills of the following titles, viz:

An act to authorize the transcript of certain records in the Harlan county surveyor's office.
An act to change the time of holding the quarterly courts of Lawrence county.

An act for the benefit of J. W. Cruce, of Crittenden county.

An act to authorize the transfer of records from Hickman to the office of the clerk of the Fulton county court.

An act to authorize the sale of a part of the public square of the town of Stanton.

The Senate took up for consideration

A bill amending the charter of the Farmers Bank of Kentucky, by imposing a tax on the surplus profits thereof.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

A message was received from the House of Representatives, announcing that they had passed a bill from the Senate, entitled,

An act concerning the Southern Bank of Kentucky.

With an amendment.

Which was twice read and concurred in.

The Senate also took up for consideration the amendments proposed by the House of Representatives to a bill from the Senate, entitled,

An act for the benefit of the examining courts of this commonwealth.

Which was twice read and disagreed to.

Mr. Walton moved to dispense with the rules, for the purpose of taking up the amendment proposed by the House of Representatives to a bill from the Senate, entitled,

An act to apportion representation.

And the question being taken thereon, it was decided in the negative, two-thirds not voting therefor.

The yeas and nays being required thereon by Messrs. Walton and Walker, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker, (King),
A. D. Cosby,
Wm. S. Darnaby,
George T. Edwards,
John F. Fisk,
Theo. T. Garrard,
Asa P. Grover,
Samuel Hayerart,
James D. Headley,
Daniel Mathewson,
Wm. H. McBryer,
Thomas P. Porter,
William B. Read,
H. M. Rust,
George W. Silverttooth,
John P. Smith,
James Sudduth,
E. D. Walker,
C. J. Walton—19.
Mr. Porter moved to suspend the rules, for the purpose of taking up the motion heretofore made by him, to appoint a committee of conference to act in conjunction with a similar committee appointed by the House of Representatives, in relation to
An act to apportion representation.
And the question being taken thereon, it was decided in the negative, two-thirds not voting therefor.
The yeas and nays being required thereon by Messrs. Porter and Fisk, were as follows, viz:

Those who voted in the affirmative, were—


Those who voted in the negative, were—


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 the Simpson creek and Bardstown Turnpike road Company.

An act to amend the charter of the Bank of Ashland.

With an amendment to the last named bill.

A message was received from the House of Representatives, announcing that they had passed bills and adopted resolutions of the following titles, viz:

An act to amend an act, entitled, an act to amend the city charter of Frankfort.

Resolution in relation to the pay of Wm. Chenault, late a member of the House of Representatives.
Which resolution was taken up, twice read, and concurred in.

Mr. Silvertooth offered a resolution in relation to indexing and side-noting the general laws.

Which was twice read and adopted.

The Senate took up for consideration the amendments proposed by the House of Representatives to bills from the Senate of the following titles, viz:

- An act to amend an act, entitled, an act to charter the Southwestern Agricultural and Mechanical Association.
- An act to exempt hired slaves from execution or attachment.
- An act to provide for the building of a fire-proof clerk's office in Russellville.

Which were twice read and concurred in.

A bill from the House of Representatives, entitled,
An act to amend the charter of the Maxville and Pleasant run Turnpike road Company.

Was read the first time, and ordered to be read a second time.

The constitutional provision as to the second and third readings of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The Senate, also took up for consideration,

A bill to establish an additional voting place in the Frankfort precinct, in Franklin county.

Said bill reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That an additional voting place be and the same is hereby established in the Frankfort precinct of Franklin county; said additional voting place to be at the market-house, in the city of Frankfort, or some other place in said city, to be selected by the county court, within the division hereinafter defined.

§ 2. All the qualified voters in said precinct who reside south of the Kentucky river, and in the city of Frankfort, south of Montgomery or Main street in said city, shall vote at the court-house; all others to vote at the market-house, or the place selected by said county court.

The question was then taken on ordering said bill to be read a third time, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Walton and Walker, were as follows, viz:

Those who voted in the affirmative, were—

A. D. Cosby, Daniel Matthews, George W. Silvertooth, W. S. Durnaby, William H. McBrayer, John P. Smith,
And so said bill was rejected.

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 the House of Representatives, entitled,

An act to establish a state road from Paducah to Hopkinsville.

That they had passed a bill, entitled,

An act to incorporate the North Bend Turnpike road Company.

Bills from the House of Representatives of the following titles were severally read the first time, viz:

An act to amend an act, entitled, an act amending the city charter of Frankfort.

An act empowering the Presiding Judge of Campbell county to sell and convey the poor-house farm.

An act for the benefit of Henry Forbes, Sheriff of Laurel county.

An act increasing the juridical days of the November term of the Muhlenburg circuit court.

An act to amend and reduce into one the several acts incorporating the town of Madisonville, in Hopkins county.

An act to incorporate the Bethel Female High School.

An act to authorize the settlement of certain estates and guardianships, in Taylor county.

An act to amend an act, entitled, an act to incorporate the town of Keysburg, in Logan county.

An act for the benefit of James R. Hughes, of Union county.

An act regulating the fees of jailers against the United States.

An act to incorporate the Hopkinsville and Princeton turnpike Company.

An act to compensate agents of this state for reclaiming fugitives from justice.

An act authorizing the court of appeals to condemn records from inferior courts.
An act to incorporate Rippysville, in Anderson county.

Ordered, That said bills be read a second time.

The constitutional provision 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.

The Senate took up for consideration the amendment proposed by the House of Representatives to a bill from the Senate entitled, An act to amend the charter of the Bank of Ashland, which was twice read and disagreed to.

The Senate also took up for consideration A bill to extend state aid to railroads and turnpikes.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The Senate took up for consideration a bill from the House of Representatives, entitled, An act providing pay for red fox scalps.

The bill provides that the sum of two dollars shall be paid for each red fox scalp taken in the State.

Mr. Grundy moved to amend said bill by repealing all laws now in force allowing compensation for red fox scalps.

Mr. Gillis moved the previous question.

And the question was then taken, shall the main question be now put? it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Gillis and McKee, were as follows, viz:

Those who voted in the affirmative were—


Those who voted in the negative were—

The question was then taken on the adoption of the substitute proposed by Mr. Grundy, and it was decided in the negative.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Bruner and Wright, were as follows, viz:

Those who voted in the affirmative were—

Mr. Speaker, (King,) Samuel Haycraft, Geo. W. Silvertooth,
Landaff W. Andrews, James D. Headley, James Sudduth,
Joseph S. Bledsoe, David Irvine, Cyrenius Wait,
James F. Buckner, William H. McBrayer, E. D. Walker,
George T. Edwards, James McKee, C. J. Walton,
John F. Fisk, T. P. Porter, W. C. Whitaker,
William C. Gillis, H. M. Rust,

Those who voted in the negative were—

John B. Bruner, Gibson Mallory, Harrison Taylor,
William S. Darnaby, Daniel Matthewson, John Williams,
Samuel Howard,

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 making further appropriation of money for the Geological Survey.

With an amendment to the last named bill.

Which was concurred in.

Mr. Porter moved to suspend the rules for the purpose of appointing a committee to confer with the committee of the House of Representatives in relation to the apportionment bill.

And the question being taken on the adoption of said motion, it was decided in the negative, two-thirds not voting therefor.

The yeas and nays being required thereon by Messrs. Porter and Grover, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker, (King,) James D. Headley, H. M. Rust,
James F. Buckner, John P. Martin, G. W. Silvertooth,
A. D. Cosby, Daniel Matthewson, John P. Smith,
William S. Darnaby, William H. McBryer, E. D. Walker,
John F. Fisk, Thomas P. Porter, C. J. Walton,
Asa P. Grover,

Those who voted in the negative, were—
Landaff W. Andrews, Samuel Howard, Harrison Taylor,
Joseph S. Bledsoe, David Irvine, Cyrenius Wait,
John B. Bruner, Gibson Mallory, W. C. Whitaker,
George T. Edwards, James McKee, John Williams,
William C. Gillis, Charles Ripley, George Wright—17.
Samuel Haycraft, James Sudduth,

Mr. Porter then moved to suspend the rules, for the purpose of taking up the amendment proposed by the House of Representatives to a bill from the Senate, entitled,
An act to apportion representation.
And the question being taken thereon, it was decided in the affirmative.
The yeas and nays being required thereon by Messrs. Porter and Walker, were as follows, viz:
Those who voted in the affirmative, were—
Mr. Speaker, (King,) James D. Headley, G. W. Silvertooth,
A. D. Cosby, John P. Martin, John P. Smith,
William S. Darnaby, Daniel Matthewson, James Sudduth,
George T. Edwards, William H. McBryer, Harrison Taylor,
John F. Fisk, Thomas P. Porter, E. D. Walker,
Theo. T. Garrard, William B. Read, C. J. Walton,
Asa P. Grover, Charles Ripley, John Williams,

Those who voted in the negative, were—
Landaff W. Andrews, William C. Gillis, James McKee,
Joseph S. Bledsoe, Samuel Howard, Cyrenius Wait,
John B. Bruner, David Irvine, W. C. Whitaker,
James F. Buckner, Gibson Mallory, George Wright—12.

The Senate took up for consideration the amendment proposed by the House of Representatives to a bill from the Senate, entitled,
An act to apportion representation.
The question was then taken on the amendment proposed by the House of Representatives, and it was decided in the negative.
The yeas and nays being required thereon, by Messrs. Andrews and Howard, were as follows, viz:
Those who voted in the affirmative were—
A. D. Cosby, James D. Headley, H. M. Rust,
Wm. S. Darnaby, John P. Martin, John P. Smith,
John F. Fisk, Daniel Matthewson, E. D. Walker,
Theo. T. Garrard,  William H. McBrayer,  C. J. Walton,
Thomas S. Grundy,    William B. Read,

Those who voted in the negative were—

Mr. Speaker, (King,)  Samuel Haycraft,  James Sudduth,
Landaff W. Andrews,    Samuel Howard,    Harrison Taylor,
Joseph S. Bledsoe,     David Irvine,     Cyrenius Wait,
John B. Bruner,       Gibson Mallory,   W. C. Whitaker,
James F. Buckner,      James McKee,     John Williams,
George T. Edwards,     Charles Ripley,   George Wright — 19.
William C. Gillis,

Mr. Fisk reported

A bill to incorporate the town of West Covington, in Kenton county.

Which was read the first time; and ordered to be read a second time.

The constitutional provision 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 authorizing and empowering special deputy clerks of county
courts to take relinquishments of femes covertis.

Was read the first time.

On motion of Mr. Haycraft, said bill was laid on the table.

Bills from the House of Representatives of the following titles were
severally read the first time, viz:

An act to amend chapter 6 Revised Statutes, in regard to bastardy.
An act to incorporate the town of Airdrie.
An act to extend the corporate limits of the town of Livermore.
An act in relation to free negroes.
An act to authorize the Barren county court to subscribe stock in
the Barren county railroad.

Ordered, That said bill be read a second time.

The constitutional provision 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.

A message was received from the House of Representatives, by Mr.
Machen and others, announcing that they adhere to the amendment
proposed by them to a bill from the Senate, entitled, an act to appor-
tion representation, and that they had appointed a committee of con-
ference on their part, to act in conjunction with a similar committee.
to be appointed by the Senate, in relation to the disagreement between
the two houses on said bill.

Mr. Grover then moved a suspension of the rules, for the purpose of
enabling him to move the appointment of a committee for the purpose
just above indicated.

And the question being taken thereon, it was decided in the nega-
tive, two-thirds not voting therefor.

The yeas and nays being required thereon, by Messrs. Grover and
Fisk, were as follows, viz:

Those who voted in the affirmative, were—

James F. Buckner, A. D. Cosby, William S. Darnaby, George T. Edwards,
John F. Fisk, Theo. T. Garrard, Asa P. Grover, Thomas S. Grundy,
James D. Headley, David Irvine, Daniel Matthewson, Wm. H. McBrayer,
James McKee, Thomas P. Porter, William B. Read, Charles Ripley,
H. M. Rust, George W. Silvertooth, John P. Smith, Harrison Taylor,

Mr. Speaker, (King,) Samuel Haycraft, Samuel Howard, Gibson Mallory,
John B. Bruner, James Sudduth, William C. Gillis,
Mr. Sudduth moved a reconsideration of the vote just taken.

And the question being taken thereon, it was decided in the affirma-
tive.

The vote was again taken on dispensing with the rules, and it was
decided in the negative.

The yeas and nays being required thereon by Messrs. Walker and
Read, were as follows, viz:

Those who voted in the affirmative, were—

A. D. Cosby, William S. Darnaby, George T. Edwards, John F. Fisk,
Theo. T. Garrard, Asa P. Grover, Thomas S. Grundy, G. W. Silvertooth,
Daniel Matthewson, William H. McBrayer, Thomas P. Porter,
William B. Read, H. M. Rust,
G. W. Silvertooth, John P. Smith, E. D. Walker, C. J. Walton,
W. M. Wilson—17. Asa P. Grover, H. M. Rust,

Those who voted in the negative, were—

Mr. Speaker, (King,) Samuel Haycraft, Samuel Howard, David Irvine,
Joseph S. Bledsoe, John B. Bruner, James F. Buckner, W. C. Gillis,
Samuel Haycraft, Samuel Howard, David Irvine, Gibson Mallory,
James McKeel Charles Ripley,
James Sudduth, Harrison Taylor, Cyrenius Wait, W. C. Whitaker,
Harrison Taylor, Cyrenius Wait, W. C. Whitaker,
John Williams, George Wright—18.
A message was received from the Governor by Mr. Bibb, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills which originated in the Senate of the following titles, viz:

An act for the benefit of George Stivers, sr., of Clay, and Nicholas Combs, of Perry county.

An act to incorporate the Russellville and Logan county Railroad Company.

An act to amend the charter of the Providence Mining, Manufacturing and Shipping Company.

An act to incorporate the Great South Fork Cumberland river and Nashville Iron, Coal and Lumber Company.

An act to increase the jurisdiction of the police judge and marshal of Ghent.

An act for the benefit of J. R. Botts, of Carter county.

An act to amend the law authorizing Hardin county to take stock in the Louisville and Nashville Railroad Company.

An act to incorporate the Laurel Furnace Company.

An act to incorporate the Harrodsburg, Keene, and South Elkhorn Turnpike road Company.

An act for the benefit of common school districts in this Commonwealth.

An act to incorporate the Georgetown and Long Lick Turnpike road Company.

An act to amend the charter of the Bloomfield and Springfield Turnpike road Company.

An act for the benefit of the Independent Washington Hose Company.

An act to incorporate the Maxville, Willisburg, and Beech Fork Turnpike road Company.

An act to incorporate Benton Lodge, No. 205, Free and Accepted Masons.

An act for the benefit of James S. Coleman, Q. C. Shanks and Elijah Phipps, of Ohio county.

An act for the benefit of Wm. Johnson and Aaron Johnson, of Laurel county.

An act to create an additional justices' district and voting place in Rowan county.

An act to legalize the sale of the public well in London.

An act for the benefit of the New Orleans and Ohio Railroad.

An act to create an additional justices' and election district in Laurel county.
An act to incorporate the town of Cromwell, in Ohio county.
An act authorizing the disposition of certain books in the surveyor's office of Whitley county.
An act creating an additional voting place and justices' district in Owsley county.
An act to amend an act incorporating the town of Murray, in Calloway county.
An act for the benefit of the Rockbridge Turnpike road Company.
An act to create an additional election precinct in Harlan county.
An act for the benefit of the Owen county court.
An act for the benefit of W. G. Eversol, of Perry county.
An act for the benefit of Jesse Bayles.
An act to change the time of holding the September term of the Monroe quarterly court.
An act for the benefit of Daniel Higgins, of Breathitt county, and S. H. Lewis, of McCracken county.
An act to prevent the loss of the public books.
An act amending section 14, chapter 56, Revised Statutes, title landlord and tenant.
An act to amend the 3d section, 2d article, 32d chapter of the Revised Statutes.
An act to incorporate the Kentucky Farmers' Mutual Insurance Company.
An act to legalize certain acts of the Bourbon county court.
An act to repeal the local laws now in force in relation to the roads in Pendleton county.
An act to incorporate the Cynthiana, Buena Vista and Cedar creek Turnpike road Company.
An act to incorporate the Stamping Ground and Lecompte's run Turnpike road Company.
An act to incorporate Sharpsburg Lodge, No. 117, Free and Accepted Masons.
An act to incorporate the Springfield and Knob Lick Turnpike road Company.
An act to incorporate the Millersburg Male and Female Collegiate Institute.
An act for the benefit of James Davis, of Union county.
An act for the benefit of the Maysville and Lexington Railroad Company, and for other purposes.
An act to incorporate the Lumberman's and Builders' Planing Mill Company.
An act for the benefit of L. Hoagland.

An act to incorporate the town of West Covington, in Kenton county.

An act to change the time of holding the quarterly courts of Harlan county.

An act for the benefit of Isaac Smith, late sheriff of Barren county.

A resolution in relation to the duties of the public printer.

A resolution in relation to the federal court.

Bills from the House of Representatives, of the following titles, were severally read the first time, viz:

An act to amend section 3, article 7, chapter 28, Revised Statutes, title arson.

An act to incorporate the Lieder-kranz Society, of the city of Louisville.

An act to incorporate the Benevolent Society of the United Sons of Erin.

An act for the benefit of Gordonsville Lodge, No. 217, of Free and Accepted Masons.

An act to incorporate Allensville Masonic Stock Company, of the county of Todd.

An act concerning the mileage of witnesses attending the circuit and quarterly courts.

An act to authorize justices of the peace to appoint special agents to execute process.

An act to repeal sub-section 2, of section 2, of article 3, chapter 34, of Revised Statutes, title "escheats and escheators," and fixing the compensation of agents and escheators.

An act to incorporate the Rumsey and Cypress Turnpike road Company.

An act to incorporate the Jeffersonville and Stanton Turnpike road Company.

An act to incorporate the Muhlenburg Agricultural, Mechanical and Domestic Association.

An act to incorporate the Corinthian Lodge, No. 74, I. O. O. F.

An act to amend an act creating the office of Inspector of Lumber, in the city of Louisville.

An act to amend the charter of the First German Protestant Saint Peter's Congregation, of Louisville.

An act declaring it unlawful for the presiding judge and clerk of a county court to be appointed executor, administrator or guardian, in the county in which he holds his office.
An act for the benefit of school district No. 62, in Muhlenburg county.
An act creating the offices of police judge and town marshal in the town of Franklin.
An act to amend the charter of the Bank of Kentucky.
An act to amend an act, approved March 10, 1856, concerning the penitentiary.
An act to authorize the transfer of records from Hickman to the office of the clerk of the Fulton county court.
An act to amend the charter of the town of Cynthiana.
An act for the benefit of John Paget.
An act for the benefit of the assessor of Hickman county.
An act to authorize the sale of a part of the public square of the town of Stanton.
An act to authorize the transcript of certain records in the Harlan county surveyor’s office.
An act to change the time of holding the quarterly courts of Lawrence county.
An act to increase the salary of the Assistant Secretary of State.
An act to incorporate the Manchester Turnpike road Company.
An act in relation to the public treasury.
An act for the benefit of Uriah Winchell.

Ordered, That said bills be read a second time.

The constitutional provision 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.

Bills from the House of Representatives, of the following titles, were severally read the first time, viz:
An act declaring the offices of circuit judge and chancellor incompatible with that of professor or lecturer in any law-school or college.
An act to amend section 1, article 17, chapter 28, Revised Statutes, title crimes and punishments.
An act regulating the value of property assed for taxation.
An act to amend the law in relation to the town marshal of the town of Princeton.
An act to change the time of holding elections for justices of the peace and constables.
An act to amend chapter 30 of the Revised Statutes, entitled Descent and Distribution.

The question was then taken on ordering said bills to be read a 2d time, and it was decided in the negative.
So the said bills were disagreed to.
A bill from the House of Representatives, entitled,
An act regulating the levy of taxation in the county of Madison, for
internal improvement purposes.
Was read the first time, and ordered to be read a second time.
The constitutional provision as to the second reading of said bill
being dispensed with,
Said bill was then amended.
Ordered, That said bill be read a third time.
The constitutional provision as to the third reading of said bill
being dispensed with,
Resolved, That said bill do pass, and that the title thereof be as
aforesaid.
The Senate took up for consideration a bill from the House of Repre-
sentatives entitled,
An act in relation to the Falmouth Seminary.
Mr. Taylor moved to amend said bill.
Mr. Howard moved to lay said bill and proposed amendment on
the table.
And the question being taken upon said motion, it was decided in
the negative.
The yeas and nays being required thereon, by Messrs. Howard and
Grover, were as follows, viz:

Those who voted in the affirmative, were—
Mr. Speaker, (King,) Samuel Howard, James Stewart,
L. W. Andrews, David Irvine, Cyrenius Wait,
John B. Bruner, James McKee,
James F. Buckner.

Those who voted in the negative, were—
A. D. Cosby, J. D. Headley, J. P. Smith,
W. S. Darnaby, Gibson Mallory, Harrison Taylor,
J. F. Fisk, Daniel Matthewson, E. D. Walker,
T. T. Garrard, William H. McBrayer, C. J. Walton,
William C. Gillis, T. P. Porter, John Williams,
Asa P. Grover, W. B. Read, W. M. Wilson,
Thomas S. Grandy, Charles Ripley, George Wright—22
Samuel Haycraft.

The question was then taken on the amendment proposed by Mr.
Taylor, and it was decided in the negative.
Ordered, That said bill be read a third time.
The constitutional provision as to the third reading of said bill
being dispensed with,
Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

A bill from the House of Representatives, entitled,
An act establishing the town of Hardysville.
Was read the first time and ordered to be read a second time.
The constitutional provision as to the 2d reading of said bill being dispensed with,
It was referred to the committee on Propositions and Grievances.
A bill from the House of Representatives, entitled,
An act to authorize the Governor to cause a cistern to be constructed in the public grounds in Frankfort.
Was read the first time and ordered to be read a second time.
The constitutional provision as to the second and third readings of said bill 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 the constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker, (King,) Samuel Haverford, Charles Ripley,
Landaff W. Andrews, James D. Headley, John P. Smith,
Joseph S. Bledsoe, Samuel Howard, James Sudduth,
John B. Bruner, David Irvine, Harrison Taylor,
James F. Buckner, Gibson Mallory, Cyrenius Wait,
William S. Darnaby, Daniel Matthewson, E. D. Walker,
John F. Fisk, Wm. H. McBrayer, W. C. Whitaker,
Theo. T. Garrard, James McKee, John Williams,
William C. Gillis, Thomas P. Porter, W. M. Wilson,

Those who voted in the negative, were—

A. D. Cosby, C. J. Walton—2.

Resolved, That the title of said bill be as aforesaid.

A bill from the House of Representatives, entitled,
An act providing for the erection of a fire-proof room for the safekeeping of the records, files and papers of the land office.
Was read the first time, and ordered to be read a second time.
The constitutional provision as to the second and third readings of said bill being dispensed with,
The question was then taken upon the passage of said bill, and it was decided in the affirmative.
The yeas and nays being required thereon, by the constitution, were as follows, viz:
Resolved, That the title of said bill be as aforesaid.

Mr. Ripley, from the committee on the Judiciary, reported A bill for the encouragement of the fine arts. Which was read the first time, and ordered to be read a second time.

The constitutional provision 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 Senate also took up for consideration the amendment proposed by the House of Representatives to the amendment proposed by the Senate, to a bill from the House, entitled,

An act to allow John Gearin, of Calloway county, to peddle in said county without license.

The question was then taken on the adoption of the amendment, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Walton and Mallory, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker, (King,)  
Asa P. Grover,  
A. D. Cosby,  
James F. Buckner,  
Wm. S. Darnaby,  
George T. Edwards,  
John F. Fisk,  
Theo. T. Garrard,  
L. W. Andrews,  
Joseph S. Bledsoe,  
Charles Ripley,  
James Sudduth,  
Harrison Taylor,  
Cyrenius Wait.

Those who voted in the negative, were—

Mr. Speaker, (King,)  
Asa P. Grover,  
A. D. Cosby,  
James F. Buckner,  
Wm. S. Darnaby,  
George T. Edwards,  
John F. Fisk,  
Theo. T. Garrard,  
L. W. Andrews,  
Joseph S. Bledsoe,  
Charles Ripley,  
James Sudduth,  
Harrison Taylor,  
Cyrenius Wait.
The Senate took up for consideration
A bill for the benefit of Samuel D. Hunt and J. B. McCormick.
Mr. Grover moved to lay said bill on the table.
And the question being taken thereon, it was decided in the affirmative.
The yeas and nays being required thereon by Messrs. Irvine and Howard, were as follows, viz:

Those who voted in the affirmative were—
- Mr. Speaker, (King,)
- Thomas P. Porter,
- E. D. Walker,
- C. J. Walton,
- W. C. Whitaker,
- John Williams,
- Wm. M. Wilson,
- George Wright—19.

Those who voted in the negative were—
- Landaff W. Andrews,
- Wm. S. Darnaby,
- Samuel Howard,
- David Irvine,
- James McKee,
- Cyrenius Wait—12.

Mr. Smith reported
A bill to incorporate the Henry county Mutual Insurance Company.
Which was read the first time, and ordered to be read a second time.
The constitutional provision 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. Buckner, from the same committee, to whom was referred a bill from the House of Representatives, entitled,
An act to incorporate the Kentucky river Navigation Company.
Reported the same without amendment.
On motion of Mr. Irvine, said bill was then amended.
Mr. Garrard moved to amend said bill, by adding thereto the following proviso, viz:
Provided, That no tolls shall ever be charged on boats and other water-crafts descending the Kentucky river, from above the influence of slackwater navigation: Provided, That in such descent they do not go below the city of Frankfort.
And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Garrard and Howard, were as follows, viz:

Those who voted in the affirmative were—

John F. Fisk, Samuel Howard, William H. McBrayer,
Theo. T. Garrard, John P. Martin, H. M. Rust,

Those who voted in the negative were—

Mr. Speaker, (King,) Asa P. Grover, George W. Silvertooth,
Landaff W. Andrews, Samuel Haycraft, James Sudduth,
John B. Bruner, James D. Headley, Harrison Taylor,
James F. Buckner, David Irvine, W. C. Whitaker,
A. D. Cosby, Gibson Mallory, John Williams,

The said bill was read a third time.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. Irvine and Garrard, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker, (King,) William C. Gillis, Thomas P. Porter,
Joseph S. Bledsoe, Asa P. Grover, John P. Smith,
John B. Bruner, Samuel Haycraft, James Sudduth,
James F. Buckner, James D. Headley, Harrison Taylor,
Wm. S. Darnaby, Samuel Howard, W. C. Whitaker,
Geo. T. Edwards, David Irvine, John Williams,

Those who voted in the negative, were—

Theo. T. Garrard, Daniel Matthewson, G. W. Silvertooth,

Resolved, That the title of said bill be as aforesaid.

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 Socrates White.
An act appropriating money to Charles Hambleton.
An act for the appropriation of money.

Mr. Buckner, from the committee on the Judiciary, to whom was referred a bill from the House of Representatives entitled,

An act to establish additional voting places in the city of Louisville,
Reported the same without amendment.
Mr. Mallory moved to lay said bill on the table.
And the question being taken thereon, it was decided in the affirmative.
The yeas and nays being required thereon by Messrs. Porter and Garrard, were as follows, viz:

Those who voted in the affirmative, were—
George T. Edwards, Charles Ripley, William C. Gillis,

Those who voted in the negative, were—
A. D. Cosby, James D. Headley, William B. Read,
W. S. Darnaby, John P. Martin, H. M. Rust,
John F. Fisk, Daniel Matthewson, George W. Silvertooth,
Theo. T. Garrard, William H. McBryer, John P. Smith,
Thomas S. Grundy,

Mr. Buckner, from the same committee, to whom was referred a bill from the House of Representatives, entitled,
An act to charge the inhabitants of the city of Frankfort with the payment of county levy, &c.
Reported the same without amendment.
Ordered, That said bill be read a third time.
The constitutional provision as to the third reading of said bill being dispensed with,
Resolved, That said bill do pass, and that the title thereof be as aforesaid.
The Senate took up for consideration a bill from the House of Representatives, entitled,
An act in relation to free negroes.
Mr. Fisk moved to lay said bill on the table.
And the question being taken thereon, it was decided in the affirmative.
The Senate also took up for consideration a bill from the House of Representatives, entitled,
An act for the appropriation of money.
Which was read the first time, and ordered to be read a second time.
The constitutional provision as to the second reading being dispensed with,
Said bill was then amended.
Ordered, That said bill, as amended, be read a third time.
The constitutional provision as to the third reading of said bill being dispensed with,
The question was then taken on the passage of said bill, and it was decided in the affirmative.
The yeas and nays being required thereon by the constitution, were as follows, viz:

Those who voted in the affirmative were—

Mr. Speaker, (King,) Thomas S. Grundy, George W. Silvertooth, John P. Smith,
Landaff W. Andrews, Samuel Haycraft, Harrison Taylor, Cyrenius Wait,
Joseph S. Bledsoe, James D. Headley, E. D. Walker,
John B. Bruner, Samuel Howard, C. J. Walton,
James F. Buckner, David Irvine, W. C. Whitaker,
A. D. Cosby, Daniel Matthewson, John Williams,
William S. Darnaby, W. H. McBrayer, W. M. Wilson,
John F. Fisk, James McKee, George Wright—33.
Theo. T. Garrard, Thomas P. Porter,
William C. Gillis, William B. Read,
Asa P. Grover, H. M. Rust,

In the negative—none.

Resolved, That the title thereof 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 to incorporate the Merchants' Deposit Bank of Louisville.
With an amendment.
Which was twice read and concurred in.
A message was received from the House of Representatives, announcing that they insist on their amendment to a bill from the Senate, entitled,
An act for the benefit of the examining courts of this commonwealth.

Mr. Andrews, from the committee on the Judiciary, reported
A bill in reference to the new Kentucky Justice.
Which was read the first time, and ordered to be read a second time.
The constitutional provision as to the second reading of said bill was dispensed with.
Said bill was then amended.
Mr. Smith moved to lay said bill on the table.
And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Smith and Sudduth, were as follows, viz:

Those who voted in the affirmative, were—

A. D. Cosby, Samuel Howard, Cyrenius Wait,
William S. Darnaby, Daniel Matthewson, E. D. Walker,
John F. Fisk, William B. Read, John Williams,
Theo. T. Garrard, H M. Rust, W. M. Wilson,
Asa P. Grover, John P. Smith, George Wright—17,
Thomas S. Grundy, James Sudduth,

Those who voted in the negative, were—

Mr. Speaker, (King,) Samuel Haycraft, Charles Ripley,
Landaff W. Andrews, David Irvine, G. W. Silvertooth,
Joseph S. Bledsoe, William H. McBrayer, Harrison Taylor,
John B. Bruner, James McKee, C. J. Walton,
James F. Buckner, Thomas P. Porter, W. C. Whitaker—16,
W. C. Gillis,

Mr. Bledsoe moved a reconsideration of the vote by which the Senate had, on the 15th instant, disagreed to a bill from the House of Representatives, entitled,

An act for the benefit of Sandford Goins.

And the question being taken on reconsidering said vote, it was decided in the affirmative.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by the constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker, (King,) Asa P. Grover, Charles Ripley,
Landaff W. Andrews, Thomas S. Grundy, G. W. Silvertooth,
Joseph S. Bledsoe, Samuel Haycraft, John P. Smith,
John B. Bruner, James D. Headley, Cyrenius Wait,
James F. Buckner, Samuel Howard, E. D. Walker,
A. D. Cosby, David Irvine, C. J. Walton,
William S. Darnaby, William H. McBrayer, W. C. Whitaker
John F. Fisk, James McKee, John Williams,
Theo. T. Garrard, Thomas P. Porter, Wm. M. Wilson,
William C. Gillis, Wm. B. Read, George Wright—30,

Those who voted in the negative, were—

James Sudduth, Harrison Taylor—2.
Resolved, That the title thereof be as aforesaid.

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, of the following title, viz:

An act to incorporate the Kentucky river Navigation Company.

Mr. Andrews moved to dispense with the rules, for the purpose of enabling him to move the appointment of a committee of conference, to act in conjunction with a similar committee on the part of the House of Representatives, in relation to a bill, entitled,

An act to apportion representation.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. Walker and Howard, were as follows, viz:

Those who voted in the affirmative were—


In the negative—John Williams.

Whereupon, Messrs. Whitaker, Darnaby, Bruner, McBrayer, Ripley, Howard, and Gillis were appointed said committee of conference.

Messrs. Silvertooth and Bledsoe were appointed a committee to inform the House of Representatives of the appointment of said committee.

On motion of Mr. Ripley he was excused from serving on said committee, and Mr. Taylor appointed in his stead.

A message was received from the House of Representatives, announcing that they had disagreed to the amendments proposed by the Senate to a bill from the House of Representatives, entitled,

An act for the appropriation of money.

And the question being taken on receding from the amendment as proposed by the Senate, it was decided in the affirmative.

Bills from the House of Representatives of the following titles were severally read the first time, viz:
An act appropriating money to Charles Hambleton.
An act for the benefit of Socrates White.
An act to revive and amend the charter of the town of Lockport, in Henry county.
An act to charter the Kentucky White Sulphur and Chalybeate Springs Company.
An act to incorporate Springdale, in Henderson county.

Ordered, That said bills be read a second time.
The constitutional provision 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.

A message was received from the House of Representatives, announcing that they insist upon their amendment to a bill from the Senate, entitled,

An act providing a general mechanics' lien law.
And the question being taken, will the Senate recede from their disagreement to said amendment? it was decided in the affirmative.
So the Senate concur in the amendment aforesaid.

A message was received from the House of Representatives, announcing their disagreement to a bill from the Senate of the following title, viz:

An act to extend state aid to railroads and turnpikes.

A message was received from the House of Representatives, announcing that they adhere to the amendment proposed by them to a bill from the Senate, entitled,

An act for the benefit of the examining courts of this Commonwealth.
And that they had appointed a committee of conference on their part, to act in conjunction with a similar committee to be appointed by the Senate, in relation to the disagreement between the two Houses on said bill.

Messrs. Fisk, Porter and Taylor were appointed a committee to inform the House of Representatives that the Senate adhere to their disagreement to the amendment proposed by the House of Representatives to the bill aforesaid, and that they had been appointed a committee, to act in conjunction with a committee of the House, in relation to said bill.

Mr. Wright, from the committee on Religion, reported

A bill to amend the law of costs, in prosecutions for vagrancy.
Which was read the first time, and ordered to be read a second time.
The constitutional provision as to the 2d reading of said bill being dispensed with,
And the question being taken on ordering said bill to be engrossed and read a third time, it was decided in the negative.
And so the said bill was rejected.
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 prevent the taking of usury under the color of exchange.
An act amending the charter of the Farmers Bank of Kentucky, by imposing a tax on the surplus profits thereof.
With amendments to each of said bills.
Which were twice read and concurred in.
A message, in writing, was received from the Governor, by Mr. Brown, Secretary of State.
A message in writing was received from the Governor, by Mr. Bibb, Assistant Secretary of State.

EXECUTIVE DEPARTMENT,
February 16th, 1858.

Gentlemen of the Senate:
I nominate, for your advice and consent, the following persons, to be Notaries for the counties named, viz:
William Johnson, for Nelson county.
J. M. Clarke, for Jefferson county.
P. B. Atwood, for Jefferson county.
John W. Tydings, for Bullitt county.
James S. Whitaker, for Shelby county.
Joseph S. Burton, for Jefferson county.
Francis W. Dickson, for Jefferson county.
J. W. Kenningham, for Knox county.
John M. Harlan, for Franklin county.

Resolved, That the Senate advise and consent to said appointments.

Mr. Fisk, from the committee of conference, made the following report, viz:
The committee of conference appointed by the two houses of this general assembly, on the bill, entitled, "an act for the benefit of the examining courts of this commonwealth," have met, and upon conference have agreed, first, that the House recede from its first amendment, and that the Senate recede from their disagreement to the second amendment of the House, and concur in the same, which will be the second section of the bill.
Which was concurred in.

Mr. Porter, from the committee on Circuit Courts, to whom was
referred a bill from the House of Representatives of the following title, viz:

An act establishing a court of common pleas in the town of Columbus, in Hickman county.

Reported the same without amendment.

The question was then taken on ordering said bill to be read a third time, and it was decided in the negative.

And so said bill was disagreed to.

Mr. Walton, from the committee on Enrollments, reported that the committee had examined enrolled bills and resolutions which originated in the Senate, of the following titles, viz:

An act to amend the charter of the Providence Mining, Manufacturing and Shipping Company.
An act for the benefit of the Maysville and Lexington Railroad Company, and for other purposes.
An act to incorporate the Russellville and Logan county Railroad Company.
An act for the benefit of J. R. Botts, of Carter county.
An act to increase the jurisdiction of the police judge and marshal of Ghent.
An act to incorporate the Great South Fork Cumberland river and Nashville Iron, Coal and Lumber Company.
An act to incorporate the Lumberman's and Builders' Planing Mill Company.
An act to incorporate the Kentucky Farmers' Mutual Insurance Company.
An act for the benefit of common school districts in this Commonwealth.
An act to incorporate the Georgetown and Long Lick Turnpike road Company.
An act to incorporate the Laurel Furnace Company.
An act to amend chapter 86, Revised Statutes.
An act to amend the 3d section, 2d article, 32d chapter of the Revised Statutes.
An act to prevent the loss of the public books.
An act to change the time of holding the September term of the Monroe quarterly court.
An act to amend the law authorizing Hardin county to take stock in the Louisville and Nashville Railroad Company.
An act for the benefit of Jesse Bayles.
An act to amend the charter of the Bloomfield and Springfield Turnpike road Company.
An act for the benefit of Daniel Higgins, of Breathitt county, and S. H. Lewis, of McCracken county.

An act amending article 2, chapter 56, Revised Statutes, title landlord and tenant.

An act to incorporate the Harrodsburg, Keene, and South Elkhorn Turnpike road Company.

An act to change the boundary lines of precinct No. 2, in Franklin county.

An act to incorporate the Millersburg and Cane ridge Turnpike road Company.

An act for benefit of school district No. 15, in Breathitt county.

An act for the benefit of the Simpson creek and Bardstown Turnpike road Company.

An act for the benefit of the Louisville and Oldham Turnpike road Company.

An act to incorporate the Eastern Kentucky coal-oil and iron manufacturing company.

An act to incorporate the Kentucky Coal Mining and Iron and Oil Manufacturing Company.

An act to charter the Fifteenth Street Turnpike road Company.

An act to incorporate the Republic Insurance Company, of Louisville.

A resolution in relation to the duties of the public printer.

A resolution in relation to the federal court.

And enrolled bills which originated in the House of Representatives of the following titles, viz:

An act allowing special terms of the Livingston circuit court.

And had found the same truly enrolled.

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 approval and signature.

After a short time, Mr. Walton reported that the committee had performed that duty.

And then the Senate adjourned.
WEDNESDAY, FEBRUARY 17, 1858.

A message was received from the House of Representatives, announcing that they had adopted a resolution in relation to Daniel Clark.

Which was twice read and concurred in.

Mr. Cosby moved the following resolution, viz:

Resolved, That the Public Printer be requested to forward to each of the Senators, by mail, two hundred copies of the synopsis of the acts passed at the present session of the General Assembly; also, the remaining sheets of the Journal of the Senate, yet unpublished.

Which was adopted.

A message was received from the House of Representatives, announcing that they had passed a bill from the Senate of the following title, viz:

An act for the benefit of James Edmunston, of Hopkins county, and John Bone, of Cumberland county.

With an amendment.

Which was concurred in.

Mr. Sudduth moved a suspension of the rules, for the purpose of enabling him to move a resolution requesting the Governor to dismiss the Geological Corps, and to wind up the business, by selling out the outfit, and to provide for the safe keeping or disposal of the instruments, &c., belonging to the state.

And the question being taken thereon it was decided in the negative.

The yeas and nays being required thereon by Messrs. Howard and Walker, were as follows, viz:

Those who voted in the affirmative, were—

Theo. T. Garrard, Samuel Howard, G. W. Silvertooth,
Asa P. Grover, David Irvine, John P. Smith,

Those who voted in the negative, were—

Mr. Speaker, (King,) William C. Gillis, Harrison Taylor,
Landaff W. Andrews, Samuel Haycraft, Cyrenius Wait,
John B. Bruner, James D. Headley, E. D. Walker,
A. D. Cosby, Daniel Matthewson, W. C. Whitaker,
William S. Darnaby, Thomas P. Porter, Wm. M. Wilson,
John F. Fisk,
The Senate took up for consideration a bill from the House of Representatives, entitled, An act to repeal the act annexing South Frankfort to the city of Frankfort.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky,* That the act approved March 1, 1850, in relation to annexing South Frankfort to the city of Frankfort, be and the same is hereby repealed, and all laws in force at the time of the passage of said act of 1850, in relation to South Frankfort, be and the same are hereby revived and declared to be in full force.

§ 2. The mayor and council of the city of Frankfort and trustees of South Frankfort shall settle, or cause to be settled, all matters between the city and town, growing out of the taxation and other matters authorized by the act annexation; and the city of Frankfort shall have full power and authority to disconnect the water-pipes crossing from the city to South Frankfort, and to remove the water-pipes, fireplugs, and other connections to said water-pipes, unless the said city of Frankfort can, by law, continue said water-pipes into South Frankfort, and the mayor and council and trustees can and do agree a continuance of the same; and said mayor and council and trustees shall settle and adjust all matters touching the cost of taking said water-pipes to South Frankfort, and the use of the water therefrom, according to the orders and agreements in relation to taking said water-pipes into South Frankfort: Provided, always, that nothing herein contained shall be held or deemed to affect in any way or manner any liabilities heretofore contracted, assumed, or undertaken by South Frankfort, or the citizens thereof, while the annexation continued in force.

§ 3. That it shall be lawful for the trustees of the said town of South Frankfort to levy a tax upon all the property of said town, which by law is subject to taxation for revenue purposes, not exceeding fifty cents upon each one hundred dollars in value thereof; and also upon the tithables of said town, not exceeding one dollar and fifty cents per each tithe.

Mr. Whitaker moved to lay said bill on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. Grover and Garrard, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker, (King,)  
Asa P. Grover,  
James S. Bledsoe,  
Samuel Haycraft,  
John B. Bruner,  
James F. Buckner,  
A. D. Cosby,  
George W. Silvertooth,  
James Suduth,  
Harrison Taylor,  
Cyrenius Wait,  
C. J. Walton,  
Wm. H. McBrayer,  
W. C. Whitaker,
William S. Darnaby,  
George T. Edwards,  
William O. Gillis,  
John Williams,  
William B. Read,  
Charles Ripley,  
George Wright—26.

Those who voted in the negative, were—

John F. Fisk,  
Daniel Matthewson,  
Thomas S. Grundy,  
John P. Smith,  

A message was received from the House of Representatives, announcing that they had passed a bill of the following title, viz:

An act to change the boundary line of precinct No. 2, in Franklin county.

Which was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Mr. Buckner moved to strike out the second section of the bill.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Porter and Grundy, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker, (King,)  
Landaff W. Andrews,  
Joseph S. Bledsoe,  
John B. Bruner,  
James F. Buckner,  
George T. Edwards,  
William C. Gillis,  
Samuel Haycraft,  
Samuel Howard,  
David Irvine,  
Gibson Mallory,  
Daniel Matthewson,  
James McKee,  
James Sudduth,  
Harrison Taylor,  
Cyrenius Wait,  
W. C. Whitaker,  
George Williams,  
George Wright—19.

Those who voted in the negative, were—

A. D. Cosby,  
W. S. Darnaby,  
John F. Fisk,  
Theo. T. Garrard,  
Asa P. Grover,  
Thomas S. Grundy,  
George W. Silvertooth,  
James D. Headley,  
William H. McBryer,  
Thomas P. Porter,  
William B. Read,  
John P. Smith,  
E. D. Walker,  
C. J. Walton,  

Ordered, That said bill be read a third time.

Mr. Whitaker, from the committee of conference on the bill apportioning the representation of the state, reported that the committee of the two houses had had under consideration the disagreement between the two houses in relation to the said bill, and could not agree, and recommended that the Senate insist on their amendment.

Which was adopted.
The committee then asked to be discharged from the further consideration of the same.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Porter and Grover, were as follows, viz:

Those who voted in the affirmative were:

Landaff W. Andrews, George T. Edwards, Charles Ripley,
Joseph S. Bledsoe, William C. Gillis, Harrison Taylor,
John B. Bruner, Samuel Howard, W. C. Whitaker—11.
James F. Buckner, David Irvine,

Those who voted in the negative were:

Mr. Speaker, (King,) Gibson Mallory, John P. Smith,
A. D. Cosby, Daniel Matthewson, James Sudduth,
William S. Darnaby, William H. McBrayer, Cyrenius Wait,
John F. Fisk, James McKee, E. D. Walker,
Theo. T. Garrard, Thomas P. Porter, C. J. Walton,
Asa P. Grover, William B. Read, John Williams,
Thomas S. Grundy, H. M. Rust, W. M. Wilson,
Samuel Haycraft, George W. Silvertooth, George Wright—25.
James D. Headley,

On motion of Mr. Whitaker—

A message was sent to the House of Representatives, asking leave to withdraw the announcement of the disagreement of the Senate to an amendment proposed by that House to a bill from the Senate, entitled,

An act to amend the charter of the Bank of Ashland.

The question was then taken on concurring in the amendment proposed by the House of Representatives, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Fisk and Howard, were as follows, viz:

Those who voted in the affirmative were:

Joseph S. Bledsoe, Samuel Haycraft, Charles Ripley,
John B. Bruner, James D. Headley, Geo. W. Silvertooth,
James F. Buckner, Samuel Howard, John P. Smith,
William S. Darnaby, David Irvine, E. D. Walker,
John F. Fisk, Gibson Mallory, C. J. Walton,
Theo. T. Garrard, Daniel Matthewson, W. C. Whitaker,
Asa P. Grover, William H. McBrayer, John Williams,
Those who voted in the negative were—

Landaff W. Andrews, James Sudduth, Cyrenius Wait,
George T. Edwards, Harrison Taylor, George Wright—7.
William C. Gillis.

A message was received from the House of Representatives, announcing that they had concurred in a resolution from the Senate in relation to indexing the general laws of the present session of the General Assembly.

That they had passed bills from the Senate of the following titles, viz:

An act to incorporate the town of Cloverport.
An act to empower the Rockcastle county court to appoint trustees of her seminary.
An act to incorporate the Portland Savings Bank.
An act to provide for running the state line between Kentucky and Tennessee.
An act for the benefit of George Gist.
An act to incorporate the Henry county Mutual Insurance Company.

That they had disagreed to a bill from the Senate of the following title, viz:

An act for the encouragement of the fine arts.

Mr. Walton, from the committee on Enrollments, reported that the committee had examined enrolled bills and resolutions which originated in the Senate, of the following titles, viz:

An act for the benefit of George Gist.
An act empowering Rockcastle county court to appoint trustees of her Seminary.
An act to provide for the building of a fire-proof clerk's office in Russellville.
An act amending the charter of the Farmers Bank of Kentucky, by imposing a tax on the surplus profits thereof.
An act to incorporate the Merchants Deposit Bank.
An act for the benefit of James Edmonston, of Hopkins county.
An act making further appropriation of money for the Geological Survey.
An act to prevent the taking of usury, under color of exchange.
An act providing a general mechanics' lien law for certain cities and counties.
An act to authorize salt, iron, flour, and tobacco to be brought into certain counties in this state.
An act to exempt hired slaves from execution or attachment.
An act for the benefit of Daniel Higgins, late sheriff of Breathitt county.

An act concerning the Southern Bank of Kentucky.

An act for the benefit of the examining courts of this commonwealth.

An act to amend an act, entitled, an act to charter the Southwestern Agricultural and Mechanical Association.

An act to provide for running the state line between Kentucky and Tennessee.


Resolution in relation to indexing the general laws of the present General Assembly.

And enrolled bills and resolutions which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the Kentucky Association of Teachers.

An act concerning the Lexington and Danville Railroad Company.

An act to incorporate the Owensboro' Printing Company.

An act to incorporate the Benevolent Society of the United Sons of Erin.

An act concerning the mileage of witnesses attending the circuit and quarterly courts.

An act appropriating money to Charles Hambleton.

An act to incorporate the Jeffersonville and Stanton Turnpike road Company.

An act to incorporate Superior Council of Improved Order of Red Men.

An act to amend the charter of the Maxville and Pleasant run Turnpike road Company.

An act for the benefit of Henry Forbes, Sheriff of Laurel county.

An act empowering the Presiding Judge of Campbell county to sell and convey the poor-house farm.

An act to amend an act, entitled, an act amending the city charter of Frankfort.

An act to amend an act, entitled, an act to incorporate the city of Henderson.

An act to incorporate the Greenville Cemetery Association.

An act to incorporate the Corinthian Lodge, No. 74, I. O. O. F.

An act to authorize the Barren county court to subscribe stock in the Barren county railroad.

An act for the benefit of Isaac A. Stewart.

An act concerning the Casey circuit court.
An act to legitimatize Robert N. Leach.
An act to empower the trustees of the Baptist church, at Dallasburg, in Owen county, to sell and convey land belonging to said church.
An act for the benefit of the town of Bowlinggreen.
An act in reference to tuition in the common schools.
An act for the benefit of Carrrsville and citizens, of Livingston county.
An act in relation to fees for taking depositions.
An act repealing in part an act establishing a criminal and equity court in the 1st judicial district.
An act for the benefit of Merritt S. O’Neal, of Woodford county.
An act to authorize the Methodist church in Frankfort to sell a lot.
An act for the benefit of Socrates White.
An act to incorporate the Lieder-kranz Society, of the city of Louisville.
An act to change the time of holding the quarterly courts of Lawrence county.
An act to amend and reduce into one the several acts relating to the town of Elkton.
An act to authorize the transfer of records from Hickman to the office of the clerk of the Fulton county court.
An act to incorporate Springdale, in Henderson county.
An act to extend the corporate limits of the town of Livermore.
An act to authorize justices of the peace to appoint special agents to execute process.
An act providing pay for red fox scalps.
An act for the benefit of James R. Hughes, of Union county.
An act to amend an act, entitled, an act to incorporate the town of Keysburg, in Logan county.
An act providing for the establishment of a jury system for the Louisville city court
An act to charge the inhabitants of the city of Frankfort, with the payment of county levy, &c.
An act to incorporate the Hopkinsville and Princeton turnpike Company.
An act to incorporate the Little River Association.
An act amending the city charter of Frankfort.
An act regulating the fees of jailers against the United States.
An act to authorize the transcript of certain records in the Harlan county surveyor’s office.
An act to incorporate the town of Newrose.
An act to incorporate Rippysville, in Anderson county.
An act to repeal the equity and criminal courts in Graves county.
An act authorizing the court of appeals to condemn records from inferior courts.
An act to amend chapter 6 Revised Statutes, in regard to bastardy.
An act to create the office of Inspector of Lumber, in the city of Louisville.
An act for the benefit of the assessor of Hickman county.
An act in relation to the Falmouth Seminary.
An act to compensate agents of this state for reclaiming fugitives from justice.
An act to authorize the voters of Washington county to vote on a proposition to move the county seat.
An act creating the offices of police judge and town marshal in the town of Franklin.
An act to amend the charter of the First German Protestant Saint Peter's Congregation, of Louisville.
An act to amend the charter of the town of Cynthiana.
An act increasing the juridical days of the November term of the Muhlenburg circuit court.
An act to incorporate the Kentucky river Navigation Company.
An act to incorporate the Muhlenburg Agricultural, Mechanical and Domestic Association.
An act to authorize the settlement of certain estates and guardianships, in Taylor county.
An act to incorporate the Bethel Female High School.
An act to amend and reduce into one the several acts incorporating the town of Madisonville, in Hopkins county.
An act to amend the several laws in relation to peddlers.
An act to incorporate Allensville Masonic Stock Company, of the county of Todd.
An act to authorize the Governor to cause a cistern to be constructed in the public grounds in Frankfort.
An act for the benefit of Uriah Winchell.
An act for the benefit of school district No. 62, in Muhlenburg county.
An act to amend the charter of the Bank of Kentucky.
An act in relation to the public treasury.
An act declaring it unlawful for the presiding judge and clerk of a county court to be appointed executor, administrator or guardian, in the county in which he holds his office.
Resolution authorizing the Governor to change a name in an enrolled act.

Resolution in relation to the pay of Wm. Chenault, late a member of the House of Representatives.

Resolution appropriating money to Daniel Clark, ancient governor.

And had found the same truly enrolled.

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 approval and signature.

After a short time Mr. Walton reported that the committee had discharged that duty.

A message was received from the House of Representatives, announcing that they had received official information from the Governor that he had approved and signed enrolled bills, which originated in that House, of the following titles, viz:

An act for the benefit of John Paget.

An act to amend the charter of the Eminence Mutual Insurance Company.

An act for the benefit of the Bank of Providence, Rhode Island.

An act to authorize the sale of a part of the public square of the town of Stanton.

An act to repeal sub-section 2, of section 2, of article 3, chapter 34 of Revised Statutes, title "escheats and escheators," and fixing the compensation of agents and escheators.

An act to amend section 3, article 7, chapter 28, Revised Statutes, title arson.

An act for the benefit of Gordonsville Lodge, No. 217, of Free and Accepted Masons.

An act to revive and amend the charter of the town of Lockport, in Henry county.

An act to establish a state road from Paducah to Hopkinsville.

An act to increase the salary of the Assistant Secretary of State.

An act for the benefit of Sanford Goins.

An act to incorporate the town of Airdrie.

An act to amend an act, approved March 10, 1856, concerning the penitentiary.

An act providing for the erection of a fire-proof room for the safekeeping of the records, files and papers of the land office.

An act for the appropriation of money.

An act to establish and incorporate the town of Charlottsville, in Pulaski county.
An act to amend the charter of the town of Cynthiana.
An act in relation to fees for taking depositions.
An act repealing in part an act establishing a criminal and equity court in the 1st judicial district.
An act appropriating money to Charles Hambledon.
An act concerning the mileage of witnesses attending the circuit and quarterly courts.
An act to amend chapter 6 Revised Statutes, in regard to bastardy.
An act authorizing the court of appeals to condemn records from inferior courts.
An act concerning the Lexington and Danville Railroad Company.
An act for the benefit of Merritt S. O'Neal, of Woodford county.
An act to authorize the Methodist church in Frankfort to sell a lot.
An act to change the time of holding the quarterly courts of Lawrence county.
An act for the benefit of James R. Hughes, of Union county.
An act to amend an act entitled, an act to incorporate the town of Keysburg, in Logan county.
An act to authorize the Barren county court to subscribe stock in the Barren county railroad.
An act to amend and reduce into one the several acts relating to the town of Elkton.
An act to incorporate the town of Newroe.
An act to amend the charter of the Maxville and Pleasant run Turnpike road Company.
An act empowering the Presiding Judge of Campbell county to sell and convey the poor-house farm.
An act amending the city charter of Frankfort.
An act to incorporate the Little River Association.
An act providing for the establishment of a jury system for the Louisville city court.
An act to incorporate Superior Council of Improved Order of Red Men.
An act for the benefit of the assessor of Hickman county.
An act to amend an act creating the office of Inspector of Lumber, in the city of Louisville.
An act to authorize the transcript of certain records in the Harlan county surveyor's office.
An act to incorporate Springdale, in Henderson county.
An act to authorize the transfer of records from Hickman to the office of the clerk of the Fulton county court.
An act to empower the trustees of the Baptist church, at Dallasburg, in Owen county, to sell and convey land belonging to said church.

An act for the benefit of the town of Bowling-green.

An act in relation to the Falmouth Seminary.


An act to incorporate Allensville Masonic Stock Company, of the county of Todd.

An act to amend the several laws in relation to pedlers.

An act to compensate agents of this state for reclaiming fugitives from justice.

An act in relation to the public treasury.

An act declaring it unlawful for the presiding judge and clerk of a county court to be appointed executor, administrator or guardian, in the county in which he holds his office.

An act to amend the charter of the Bank of Kentucky.

An act for the benefit of Uriah Winchell.

An act to authorize the Governor to cause a cistern to be constructed in the public grounds in Frankfort.

An act for the benefit of school district No. 62, in Muhlenburg county.

An act to amend and reduce into one the several acts incorporating the town of Madisonville, in Hopkins county.

An act regulating the fees of jailers against the United States.

An act to incorporate the Jeffersonville and Stanton Turnpike road Company.

An act to incorporate the Benevolent Society of the United Sons of Erin.

An act to authorize the voters of Washington county to vote on a proposition to move the county seat.

An act concerning the Casey circuit court.

An act to legitimatize Robert N. Leach.

An act in reference to tuition in the common schools.

An act for the benefit of Carrsville and citizens, of Livingston county.

An act to incorporate the Lieder-Krans Society, of the city of Louisville.

An act for the benefit of Socrates White.

An act to incorporate the Corinthian Lodge, No. 74, I. O. O. F.

An act to incorporate the Greenville Cemetery Association.
An act to charge the inhabitants of the city of Frankfort with the payment of county levy, &c.

An act for the benefit of Isaac A. Stewart.

Resolution in relation to the pay of Wm. Chenault, late a member of the House of Representatives.

An act to incorporate the Hopkinsville and Princeton turnpike Company.

An act for the benefit of Henry Forbes, Sheriff of Laurel county.

An act to amend an act, entitled, an act amending the city charter of Frankfort.

An act increasing the juridical days of the November term of the Muhlenburg circuit court.

An act to incorporate the Kentucky river Navigation Company.

Resolution appropriating money to Daniel Clark, ancient governor.

An act to incorporate the Bethel Female High School.

An act to incorporate the Muhlenburg Agricultural, Mechanical and Domestic Association.

An act to incorporate the Rumsey and Cypress Turnpike road Company.

An act providing pay for red fox scalps.

Resolution authorizing the Governor to change a name in an enrolled act.

An act to extend the corporate limits of the town of Livermore.

An act to authorize justices of the peace to appoint special agents to execute process.

An act to repeal the equity and criminal courts in Graves county.

An act to incorporate Rippysville, in Anderson county.

An act to amend an act, entitled, an act to incorporate the city of Henderson.

An act creating the offices of police judge and town marshal in the town of Franklin.

An act to amend an act, entitled, an act to charter the city of Louisville.

An act to amend the charter of the First German Protestant Saint Peter's Congregation, of Louisville.

An act to incorporate the Owensboro' Printing Company.

A message in writing was received from the Governor, by Mr. Bibb, Assistant Secretary of State.

The rule of the Senate being dispensed with, said message was taken up and read, as follows, viz:
Executive Department,
February 17, 1858.

Gentlemen of the Senate:

I nominate, for your advice and consent, George Hurton, to be Notary Public for Union county.

C. S. MOREHEAD.

Resolved, That the Senate advise and consent to said appointment.

A message was received from the Governor by Mr. Bibb, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills which originated in the Senate of the following titles, viz:

- An act to regulate the manner in which the rates of exchange charged by banks shall be fixed.
- An act for the encouragement of the fine arts.
- An act providing a general mechanics' lien law for certain cities and counties.
- An act making further appropriation of money for the Geological Survey.
- An act for the benefit of James Edmonston, of Hopkins county.
- An act to authorize salt, iron, flour, and tobacco to be brought into certain counties in this state.
- An act for the benefit of Daniel Higgins, late sheriff of Breathitt county.
- An act amending the charters of the several banks of Kentucky.
- An act to authorize the settlement of certain estates and guardianships, in Taylor county.
- An act to provide for the building of a fire-proof clerk's office in Russellville.
- An act to incorporate the Merchants Deposit Bank.
- An act concerning the Southern Bank of Kentucky.
- An act to exempt hired slaves from execution or attachment.
- An act to amend an act, entitled, an act to charter the Southwestern Agricultural and Mechanical Association.
- An act for the benefit of the examining courts of this commonwealth.
- An act to change the boundary line of precinct No. 2, in Franklin county.
- An act to amend the charter of the Bank of Ashland.
- An act to incorporate the Portland Savings Bank.
- Resolution in relation to indexing, &c., the general laws of the present session of the General Assembly.
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An act to charter the Fifteenth Street Turnpike road Company.
An act to incorporate the Millersburg and Cane ridge Turnpike road Company.
An act for the benefit of William Brown, of Jessamine county.
An act to incorporate the Kentucky Coal Mining and Iron and Oil Manufacturing Company.
An act to incorporate the Republic Insurance Company, of Louisville.
An act to incorporate the Eastern Kentucky coal-oil and iron manufacturing company.
An act for the benefit of the Simpson creek and Bardstown Turnpike road Company.
An act for the benefit of school district No. 15, in Breathitt county.
An act for the benefit of the Louisville and Oldham Turnpike road Company.
An act for the benefit of George Gist.
An act to incorporate the Henry county Mutual Insurance Company.
An act to provide for running the state line between Kentucky and Tennessee.
An act to empower the Rockcastle county court to appoint trustees of her seminary.

Mr. Buckner moved the following resolution, viz:
Resolved, That we will do no further act of legislation during the present session of the General Assembly.

Which was adopted.

Mr. Silvertooth moved the following resolution, viz:
Resolved, That the thanks of the Senate be and they are hereby tendered to the Speaker of the Senate, Hon. John Q. A. King, for the very able, dignified, and impartial manner in which he has discharged the onerous and responsible duties of his office during the present session.

Which was unanimously adopted.

Also, the following resolution, viz:
Resolved, That the thanks of the Senate are hereby tendered to J. Russell Hawkins, Secretary of the Senate, and W. N. Sudduth, Assistant Secretary, for the able, efficient, and courteous manner in which they have performed their respective duties of Secretary and Assistant Secretary of the Senate.

Which was unanimously adopted.

Also, the following resolution, viz:
Resolved, That the thanks of the Senate are hereby tendered to J. W. Pruett, Sargeant-at Arms of the Senate, and Wm. P. Watson,
Doorkeeper, for the efficient and courteous manner in which they have discharged the duties of their respective offices to the Senate.

Which was unanimously adopted.

Also, the following resolution, viz:

Resolved, That the thanks of the Senate are hereby tendered to the various clergymen who attended and opened the sessions with prayer.

Which was unanimously adopted.

Also, the following resolution, viz:

Resolved, That the thanks of the Senate are hereby tendered to G. W. Lewis and Ben. J. Monroe, the gentlemanly reporters for the Commonwealth and Kentucky Yeoman newspapers, for their very correct and impartial reports of our proceedings.

Which was unanimously adopted.

Mr. Fisk moved the following resolution, viz:

Resolved, That the thanks of the Senate are hereby tendered to J. W. Pruett, jr., and Charls T. Campbell, pages to the Senate, for the efficient and courteous manner in which they have discharged the duties of their respective offices in the Senate.

Which was unanimously adopted.

Mr. Walton offered the following resolution, viz:

Resolved, That a message be sent to the House of Representatives, to inform them that we have completed our legislative business, and that the Senate is now ready to adjourn.

Which was adopted.

Messrs. Walton and Haycraft were appointed said committee, who in a short time reported that they had performed their duty.

A message was received from the House of Representatives, by Mr. Huston and others, announcing that they had finished their legislative business, and were now ready to adjourn; and that they had appointed a committee on their part, to wait upon the Governor, inform him of the intended adjournment of the General Assembly, and to know if he had any further communication to make.

Mr. Walton then offered the following resolution, viz:

Resolved, That a committee be appointed by the Senate, to act in conjunction with such committee as may be appointed by the House, to inform the Governor that we have completed our legislative business, and are now ready to adjourn sine die.

Which was adopted.

Whereupon, Messrs. Walton, Taylor, and Grover were appointed said committee, who, in a short time after their retirement, reported that they had performed the duty assigned them, and that they were informed by the Governor that he had no further communication to make to either branch of the General Assembly, other than that he
returned to the Senate his thanks for their uniform courtesy towards him, and most cordially hoped that on their return to their respective homes, they would find their families in the enjoyment of health and prosperity, and would receive from their constituents the welcome plaudit, “well done good and faithful servants.”

Mr. Irvine then moved that the Senate do now adjourn sine die.

Whereupon, Mr. Speaker King made the following address:

Gentlemen of the Senate:

Before announcing the final adjournment of this body, permit me to say, that during the session I may have met the disapproval of some of you, in the discharge of my duties as your presiding officer, and may have wounded the feeling of others; but let me assure you, in the sacredness of truth, that I have at all times attempted to discharge the duties of the Chair with fairness, promptness, and impartiality, and have never, at any time, intentionally wounded the feelings of any senator; if I have, I now frankly ask his forgiveness. The position of Speaker, in a deliberative body like this, is a delicate and responsible one, more especially when excitement prevails, when party spirit runs high, and when motion after motion is made in quick succession, involving intricate parliamentary questions. I have tried to be calm and listen to both sides, to enable me to decide correctly and promptly, divesting myself of any feeling which would have a tendency to bias my judgment in forming and pronouncing a decision. How far I have succeeded in doing so I leave you to decide. If any credit has been or may be given to the Chair, for the manner in which its duties have been discharged, that credit is attributable to you, for your kind aid and assistance, and generous forbearance, for which I return you my sincere acknowledgments.

In parting with you, gentlemen, I feel an emotion of sadness I cannot repress. The ties that have bound us together in pleasant associations for two months and a half, are about to be severed forever: Like the gentle chord that binds the family circle around the domestic hearth-stone, when snapped asunder, leaves nothing but gloom and sorrow where once reigned happiness and affection.

I am reminded of the death of my immediate predecessor in the Chair, which occurred after the adjournment of the last session and the meeting of the present; and in the dispensations of Providence it may be the lot of some of us, before the meeting of the next General Assembly, to pass from time to an endless eternity.

I think it probable, if not certain, we may all never meet again on earth; whether we do or not, I shall at all times cherish a lively recollection of the pleasant associations of the present session.

Wishing you a speedy and happy re-union with your families, and the approbation of your constituents, I bid each and all of you farewell.

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