JOURNAL

OF THE

CALLED SESSION OF

THE SENATE

OF THE

COMMONWEALTH OF KENTUCKY,

BEGUN AND HELD IN THE TOWN OF FRANKFORT ON MONDAY, THE SIXTH DAY OF MAY, IN THE YEAR OF OUR LORD 1861, AND OF THE COMMONWEALTH THE SIXTY-NINTH.

FRANKFORT, KY.: PRINTED AT THE KENTUCKY YEOMAN OFFICE, JNO. B. MAJOR, STATE PRINTER. 1861.
MONDAY, MAY 6, 1861.

At a General Assembly begun and held in the town of Frankfort on Monday, the 6th of May, 1861, in obedience to the following proclamation of the Governor, viz:

Recent events are of so startling a character as to render it imperatively necessary that the Legislature of Kentucky be again convened in extraordinary session. It is now apparent that the most energetic measures are being resorted to by the Government at Washington to prosecute a war upon an extended scale with the seceded States. Already large sums of money and supplies of men are being raised in the Northern States for that purpose. The tread of armies is the response which is being made to the measures of pacification which are being discussed before our people, whilst up to this moment we are comparatively in a defenseless attitude.

Whatever else should be done, it is, in my judgment, the duty of Kentucky, without delay, to place herself in a complete position for defense. The causes for apprehension are now certainly grave enough to impel every Kentuckian to demand that this be done, and to require of the Legislature of the State such additional action as may be necessary for the general welfare. To this end, I now call upon the members of the General Assembly to convene at the Capitol, in Frankfort, on the 6th day of May, 1861.

In testimony whereof, I, Beriah Magoffin, Governor of the Commonwealth of Kentucky, have hereunto subscribed my name, and caused the seal of the Commonwealth to be affixed. Done at the city of Frankfort, the 24th day of April, 1861, and in the 69th year of the Commonwealth.

B. MAGOFFIN.

By the Governor:
       Thos. B. Monroe, Jr., Sec'y of State.
The following Senators appeared, answered to their names, and took their seats.

Mr. Speaker Porter, George Denny, Wm. H. McBrayer,
Landaff W. Andrews, John F. Fisk, John A. Prall,
Samuel H. Boles, Asa P. Grover, Albert G. Rhea,
Charles Chambers, Thomas S. Grundy, L. H. Rousseau,
Benjamin P. Cissell, Samuel Haycraft, Cyrenius Wait,
William S. Darnaby, John L. Irван, E. Dudley Walker,
Alex. L. Davidson, Samuel H. Jenkins, W. C Whitaker—23.
Samuel E. DeHaven, John M. Johnson,

Mr. Andrews offered the following resolution, viz:

Resolved, That the rules of the Senate and joint rules of the Senate and House of Representatives of the last session of the Legislature be, and the same are, adopted for the government of the Senate until otherwise changed by resolution of the Senate, and that the Public Printer forthwith print 150 copies of same for use of Senate.

Which was adopted.

Mr. Johnson moved the appointment of a committee to wait upon, and inform the House of Representatives, that the Senate had met, and were ready to proceed to business.

Ordered, That Messrs. Johnson, Rhea, and DeHaven constitute said committee.

Said committee retired, and in a short time returned and reported that they had discharged the duties assigned them, and that the House of Representatives not having a quorum, had adjourned.

On motion of Mr. DeHaven,

Ordered, That the Senate adjourn until to-morrow at 10 o'clock, A. M.

TUESDAY, MAY 7, 1861.

Mr. Johnson, from the committee appointed on yesterday to inform the House of Representatives that the Senate had met, organized, and were ready to proceed to business, reported that they had discharged the duties assigned.

Whereupon said committee was discharged.

A message was received from the House of Representatives, by the hands of Mr. Goodloe, informing the Senate that they had met, organi-
ized, and were ready to proceed to business, and that they had appointed a committee to wait, in conjunction with a similar committee to be appointed by the Senate, upon the Governor, and inform him that the two Houses of the General Assembly had organized, and were now ready to receive any communication he might deem necessary to make.

Mr. Fisk offered the following resolution, viz:

Resolved, That a committee of three be appointed, to act with a similar committee from the House, and wait upon the Governor, and notify him that the General Assembly is organized, and ready to receive any communication it may be his pleasure to make.

Which was adopted.

Ordered, That Messrs. Fisk, Chambers, and Haycraft, constitute said committee.

Said committee retired, and in a short time returned and reported that they had discharged the duty assigned them, and were informed by his Excellency, the Governor, that he would communicate a message in writing to the General Assembly.

A message in writing was received from the Governor, by the hands of Hon. Thos. B. Monroe, jr., Secretary of State, which is as follows, viz:

Gentlemen of the Senate and House of Representatives:

Since your recent adjournment events of the most startling character have followed in rapid succession. The comparative quiet in which the public mind was then lulled by the semi-official announcement of a pacific policy on the part of the Federal Administration has been broken, and the patriotic hope for a peaceful solution of our political complications, inspired by the proposed mediatorial interposition of the border slave States, has been disappointed by the sudden development of an evidently pre-determined purpose of the President and his supporters, the attempted execution of which has not only sealed the separation of the States, but has involved the country in civil war, and, if not successfully resisted, will prove fatal to the liberties of the people.

Powers not conferred by the Constitution have been usurped by the President of the United States; a standing army of gigantic proportions, gathered exclusively from one section, and mad with sectional hate, is being rapidly organized without authority of law; the Federal Capital is become a military camp, and martial law practi-
cally reigns in the District of Columbia; the Southern coast is blockaded by the armed vessels of the Federal navy, and the commerce of our western rivers is arrested by the interposition of military force; large bodies of armed men are collected in military posts along the line of our Northern frontier, impeding the lawful trade and menacing the safety of our peaceful citizens; in a word, the President of the United States has, without the advice or sanction of either branch of Congress, declared a war of subjugation or extermination against the people of ten or more sovereign States; and is with extraordinary energy gathering his strength for the unnatural conflict. You are now called upon, standing in the presence of a violated Constitution, a subverted Government, and a broken Union, to adopt such measures as, in your wisdom, may be demanded for the honor of the Commonwealth and the safety of the people.

Seven States of the late American Union, for causes unnecessary now to discuss, have severed their relations with the Government of the United States, and established a new Confederacy. That Government is now fully organized in all its departments, and seems to receive the cordial and undivided allegiance of the entire population within its limits. The State of Virginia has formally asserted her independence and entered into an alliance with the "Confederate States," looking to an early admission to full and equal membership. The States of North Carolina, Tennessee, and Arkansas will undoubtedly, at the earliest practicable moment, establish similar relations. In Missouri, Maryland, and Delaware, a strong public sentiment favors a like step, and the subject is now receiving the thoughtful attention of the people and authorities of those States. The deliberate action of ten sovereign States, moving in the capacity of political governments, and sustained by the approving voice of millions of American freemen, has been treated by the President as an insurrection of disorderly citizens, which he proposes to quell without the sanction or co-operation of the legislative branch of the Government. He has, in the prosecution of that unholy purpose, called out the militia of the States, amounting in the aggregate to 158,000 men, to be enlisted for periods varying from three months to three years; and this gigantic army, exceeding in proportions any military force ever before organized upon this continent, is in rapid process of organization at a daily cost to the Government of over three quarters of a million of dollars.

A call was made upon me for four regiments of militia, the quota
assigned to Kentucky of this army; I promptly responded to the Secretary of War, that Kentucky had no troops to furnish for the wicked purpose of subduing her sister Southern States. (Appendix A.) I have thus, as far as lay in my power, entered the public protest of Kentucky against this unnatural measure, and against her assumption of any part of the enormous debt now being contracted. Virginia, North Carolina, Tennessee, Arkansas, and Missouri have each emphatically refused to contribute any portion of the quota demanded of them. Maryland has not yet responded to the call by the tender of a single regiment. But the non-slaveholding States, without an exception, have, with unwonted alacrity, exceeding any zeal heretofore exhibited by them, responded to the call, and sent forth their troops. Moreover, an united public sentiment in the Northern States seems to sustain all these extraordinary usurpations of the President with a degree of enthusiasm amounting to the frenzy of fanaticism.

In view of these events, it is idle longer to refuse to recognize the fact that the late American Union is dissolved; that ten slaveholding States are now practically united in a separate and independent government, and that war exists between those States so combined and the non-slaveholding States, acting under the United States Government. The avowed purpose of the United States Government is to compel the allegiance of the people of the seceded States, and enforce the supremacy of its jurisdiction throughout their limits. The achievement of this end involves the armed invasion of the seceded States, and the unlimited slaughter of their citizens. The sole object of the Confederate States, as authoritatively announced, is to maintain their independence and govern themselves. The condition of peace, as avowed by the President of the United States, is the overthrow of the Confederate State Government, and the reduction of the people of the South to unresisting submission to the United States Government, administered upon principles of the political platform adopted by the nominating convention at Chicago. The Confederate States make no other condition to the cessation of hostilities than "to be let alone."

What attitude shall Kentucky occupy in this deplorable conflict? Shall she continue her alliance with the Northern States, adhere to the United States Government, and assume her portion of the enormous war debt being incurred? Shall she declare her own independence, and prepare single-handed to maintain it? Shall she ally herself with the remaining slave States, and make common cause with them?
I do not propose to discuss this subject. I recommend that these momentous questions, affecting so nearly and vitally the dearest rights, the liberties, the safety, and the honor of our people, be referred to their sovereign arbitrament. Both the Executive and Legislative departments of our State Government were constituted at a time when the public mind did not anticipate the grave issues now pressing for solution. We were elected two years ago at a time when no such subjects as those now under consideration were revolved in the public mind. Let us not attempt to employ our official power thus acquired to control this mighty question. Rather let us provide a legal and orderly mode for a full, deliberate, and final disposition, by the people themselves, of their own destinies. Not only does this plan of action commend itself to me as eminently just and right, but I verily believe it is the surest, if not the only mode, by which can be secured that unanimity of feeling and unity of action so necessary to enable Kentucky to move with the dignity and power answerable to her historic character. In view of the distracted condition of public sentiment in our State, the violent antagonism already excited, and daily becoming more embittered, the expressions of public opinion, through county meetings and private petitions, urging and demanding that opportunity be given to the people to pass upon this subject at the polls, and the manifest danger of internal commotion, I can see no other path of domestic peace and safety than through a reference of the question to the people. To their decision, expressed according to all the forms of law, every true and loyal Kentuckian will bow in loyal obedience. I cannot err when I say that unanimity of feeling among ourselves, and united action by our people, is not only the first desire of every patriot, but should be the very highest and controlling aim of your legislation. I appeal to you, therefore, as you hold dear the peace of the Commonwealth, not to ignore the feelings of the people in every locality of the State; but rather recognize the existing differences of opinion touching the duty of Kentucky, and secure the loyal acquiescence and willing allegiance of all the people by referring these mighty issues to that tribunal which alone can command the obedience of all. I would urge no hasty or inconsiderate action; would be far from advising any rash measures; but would greatly prefer that the action of the people in the premises be taken with all the thoughtful consideration and reflection which the subject demands. I renew the recommendation of a previous message for the passage of a law providing
for the submission to the people of the question of a Convention and the election of delegates.

When last I had the honor of communicating with you touching the condition of our Federal affairs, I signified my ready purpose to cooperate with you in any proper measures looking first to the restoration of friendly relations between all the States, and, failing in that, to their peaceful separation. But at the same time I did not conceal my apprehensions of the futility of all such efforts, and the early precipitation of the direful issues now upon us. I then urged active and energetic steps to place the State in an attitude of thorough military defense. I regret that I was unable at that time to impress upon you the impending necessity of such preparation. Allow me again to commend the subject to you, as one demanding immediate and energetic attention. The public necessity has been so clearly exhibited by the logic of events as to need no elaborate statement. We cannot conceal the fact that our State is comparatively defenseless. The very homes and firesides of our people are unprotected against invasion from without, or servile insurrection within. Every mail brings to me the most earnest appeals from the people, in all localities, for arms. Brave hearts and strong arms are now eager for the weapons of defense. Withhold them no longer.

The estimates of military appropriation demanded by the public necessity, as supplied by the Inspector General, a gentleman of known ability and thorough education, are herewith submitted. I recommend the adoption of the necessary measures to place the Commonwealth in a condition of military defense, and enable her to maintain whatever position her people, by authorized action, may determine to assume.

Realizing our exposed condition, when the clouds of civil war gathered thick and heavy over the land, I assumed the responsibility, even before your convocation, of appointing agents to purchase arms for the defense of the State. You will readily see that no time was to be lost, and that the step was justified by the necessity of the hour. Some of these agents were partially successful; but the limited means at my command defeated the more efficient negotiations I had instituted. In order to enable me to meet the contracts of these agents, I applied to the banks of issue of the State for temporary loans until provision could be made by the Legislature. The Southern Bank of Kentucky nobly responded to the application by placing to my official credit sixty
thousand dollars. The Bank of Louisville and the Commercial Bank each furnished ten thousand dollars, and the President of the People’s Bank notified me that that institution was ready to supply its quota. The other banks of the State declined my application, and I very much fear that opportunities have been lost of securing large supplies of effective guns and munitions of war. I have thus employed every resource at my command to supply the State with the necessary means of defense, and have now to recommend the adoption of measures to repay the loan to those banks which have so nobly and generously responded to the call upon them.

In order to secure the funds contemplated in your appropriation, I recommend provision for the issue of bonds of $1,000 each. Generous and wealthy citizens, impelled by a patriotic desire to come to the rescue of their State in an hour of danger, will find in them a safe investment. Provision should also be made by the imposition of an additional tax for the payment of the accruing interest on the bonds, and of the principal as it may fall due.

At your regular session of 1859–60 I recommended the passage of a militia law as a measure of the highest importance. The law was passed, but no appropriation for arms was made. By a timely arrangement with the then Secretary of War, the quota of arms due the State was commuted for repairs upon a large number of guns lying in our arsenal and regarded as worthless. By this means thousands of available guns have been secured, and a heavy expense to the State saved.

I am gratified to communicate that our existing militia law is proving itself a most complete and efficient system of military organization. No State can boast a more gallant corps than our “State Guard,” composed, as it is, of the very best material in the State, and embracing men of all parties. The soldiers are gentlemen, and the officers men of the highest tone and character. All that is now needed is a proper supply of arms to swell its ranks and constitute the Guard a reliable army of defense for the State.

Pending the excitement occasioned by the extraordinary events of the past twenty days, my efforts have been constant and unrelaxed to maintain the friendly relations and commercial intercourse heretofore existing between the citizens of Kentucky and the people of the contiguous States on the North. I have endeavored by every means in my power, and every influence at my command, to restrain our own cit-
izens from any acts which might have even the appearance of aggression upon the rights of the people of the neighboring States. In these efforts I have been, so far as I can learn, entirely successful. Our citizens have abstained with laudable forbearance not only from aggressions, but from any acts of retaliation, in the face of flagrant invasions of their rights. My especial attention has been directed to the continuance of commercial relations with the neighboring States, and to prevent any interruption of the usual and lawful trade of the States, regarding this character of intercourse as the very strongest bond of amity and peace.

I was much gratified to receive a commissioner from Governor Dennison, of Ohio, who called upon me to express the regret of the Executive of Ohio that any circumstance should interrupt the friendly relations and good understanding between the citizens of the two States, and his desire and readiness, at all times, to employ his official influence for the suppression of any acts of violence or aggression attempted to be practiced by citizens of Ohio towards the people of this State. I responded in the same spirit, and pledged my most earnest efforts to co-operate with the Governor of Ohio in this endeavor to maintain the peace along our border, and to continue free and open all the channels of trade. A similar understanding was effected with the Governor of Indiana; and, so far, I have no reason to doubt that either has failed to adhere in good faith to the amicable arrangement. I have labored to carry it out with our citizens, and have most happily succeeded.

I regret to say, however, that the Executives of Ohio and Indiana, though, no doubt, sustained by the mass of their own conservative people, have not been equally successful in their efforts to control some of their lawless citizens. Acts of aggression have been committed by citizens of those States upon the rights of our people. Private property belonging to citizens of this State in lawful transit has been stopped, the trade of our people is impeded by force, our commerce is interrupted, and citizens of Kentucky guilty of no act of pretended disloyalty to the State or Federal Governments, are now suffering serious and heavy losses by reason of these lawless acts. As yet, no act of retaliation has reached my notice. But you can readily understand that this condition of affairs cannot be long endured without collision. It will be impossible to restrain retaliatory measures, and prevent the early precipitation of armed collision along our whole border, unless effective measures are taken to remove the increasing provocation.
Encouraged by the manifestations of a desire for peace between the States, as exhibited by the Governors of Ohio and Indiana, I proposed to them to co-operate with me in a proposition to the General Government for a suspension of pending hostilities until the meeting of Congress, hoping that body might be able to point out a peaceful solution of our national troubles. The correspondence on that subject is hereto appended. In that mission, you will see that I met with no success.

I have directed all the power of the office to which a generous and confiding people elected me to the promotion of what I believed to be their highest interests. I have labored throughout the painful and trying ordeal of the day to save our people from dissensions at home, or unnecessary conflicts without. And now let me implore you, by all you hold sacred, to so shape your councils and actions as to secure unity of feeling and unity of action on the part of our people, as the first and highest object of patriotism. Let us lay aside all party feeling—expel from our minds all past jealousies, and unite our counsels as one man, in an earnest effort to maintain the peace, the honor, and the safety of those who have intrusted us with their dearest interests, invoking Almighty God for that wisdom which will lead us safely and successfully through the perils that surround us.

B. MAGOFFIN.

APPENDIX A.

Telegraphic correspondence with the Secretary of War.

WASHINGTON, APRIL 15.

To his Excellency, Beriah Magoffin:

Call made on you by to-night’s mail for four regiments of militia for immediate service.

SIMON CAMERON,
Secretary of War.

EXECUTIVE OFFICE,
Frankfort, April 15, 1861

To Hon. Simon Cameron, Secretary of War, Washington City:
Your dispatch is received. In answer I say, emphatically, that Kentucky will furnish no troops for the wicked purpose of subduing her sister Southern States.

B. MAGOFFIN,
Governor of Kentucky.
Correspondence with the Governor of Ohio.

STATE OF OHIO, EXECUTIVE DEPARTMENT,
COLUMBUS, April 17, 1861.

To His Excellency, Hon. Beriah Magoffin, Governor of Kentucky:

Sir: This note will be presented to you by my friend, the Hon. T. M. Key, a Democratic member of the Ohio Senate, who is a native Kentuckian and a gentleman of the highest honor and intelligence. Judge Key is thoroughly conversant with the condition of affairs in this State, and the assurances he will give you of the sincere desire of the people of Ohio that nothing may occur to interrupt the kindly and neighborly feeling of the people of these States you can rely upon absolutely both as the expression of their sentiment, and my own very brief acquaintance with him will satisfy you that you can freely confer with him in regard to the condition of the people upon your common border, and as to the proper means of removing all apprehension of strife between them. It is my most earnest wish that the action of both States may be animated by the same complete devotion to the Constitution and Union of the United States; and to aid in this object, and in preserving mutual confidence between our people, I have desired Judge Key to assist you in this whole matter. Judge Key will express my sentiments, and I sincerely hope you will further his patriotic desire by conferring frankly and fully with him.

With the greatest respect, I remain,

[Signed,] W. DENNISON,
Governor of Ohio.

To Gov. Dennison:

Will you co-operate with me in a proposition to the Government for peace by the border States, as mediators between the contending parties? I was highly gratified to receive and confer with Judge Key. I have a similar understanding with Gov. Morton. Answer.

[Signed,] B. MAGOFFIN.

COLUMBUS, April 26.

To Gov. Magoffin, Louisville:

I have your dispatch of yesterday; and will communicate with you in relation to it, through my friend Col. Noah H. Swayne, of this city, who will meet you in a day or two. Where will he find you—say on Monday? [Signed,] W. DENNISON.

LOUISVILLE, April 26.

Gov. Dennison:

I propose to meet Col. N. H. Swayne, or will send a representative, at the Spencer House in Cincinnati, next Tuesday, at 4 o'clock, P. M. Have taken the liberty to invite Gov. Morton, of Indiana, to the conference.

[Signed,] B. MAGOFFIN.
Gov. Magoffin:

Col. Swayne will meet your representative at the Spencer House in Cincinnati, at the time you mention. I am glad to know that you have invited Gov. Morton.

[Signed.]

WM. DENNISON.

CINCINNATI, April 30.

To the Hon. William Dennison, Governor of Ohio:

Dear Sir: I have been instructed by the Hon. B. Magoffin, Governor of Kentucky, to solicit the co-operation of the Hon. O. P. Morton, Governor of Indiana, and yourself, in an effort to bring about a truce between the General Government and the seceded States, until the meeting of Congress in extraordinary session, in the hope that the action of that body may point out the way to a peaceful solution of our national troubles.

I have the honor to be, very respectfully and truly, your obedient servant,

[Signed.]

T. L. CRITTENDEN.

Columbus, May 1, 1861.

To Col. T. L. Crittenden:

Dear Sir: I have received your communication of yesterday in which you say you have been instructed by the Hon. B. Magoffin Governor of Kentucky, to solicit the co-operation of the Hon. O. P. Morton, Governor of Indiana, and myself, in an effort to bring about a truce between the General Government and the seceded States, until the meeting of Congress, in extraordinary session, in the hope that the action of that body may point out the way to a peaceful solution of our national troubles. In reply, I have to remark that, believing the General Government to be wholly in the right, I can see no reason for the interposition suggested. If it be desired by Governor Magoffin, I will cordially unite with him in an appeal to the seceded States at once to return to their allegiance to the Government of the Union, and thus terminate the difficulties which their conduct has brought upon the country. Any other peaceful solution is impossible, a truce would only aggravate the impending evils.

Please submit this communication to Governor Magoffin. With great respect, very truly yours,

[Signed.]

W. DENNISON.

Correspondence with the Governor of Indiana.

Louisville, April 25.

To Gov. Morton: Will you co-operate with me in a proposition to the Government at Washington for peace, by the border States, as mediator between the contending parties?

B. MAGOFFIN.
INDIANAPOLIS, April 25.

To Gov. Magoffin, Louisville, Ky.: I will unite in any effort for the restoration of the Union and peace, which shall be constitutional and honorable to Indiana and the Federal Government; and will, if you so appoint, meet you to-morrow at Jeffersonville. Answer.

O. P. MORTON, Gov. of Ind.

LOUISVILLE, April 26.

To Gov. Morton: I have answered a dispatch from Gov. Dennison, of Ohio, that I would meet his representatives or send commissioners, at Spencer House, in Cincinnati, on Tuesday evening, at 4 o'clock. Please, meet us there or send commissioners. I can't go to Jeffersonville to-morrow. Answer.

B. MAGOFFIN.

INDIANAPOLIS, April 26.

To Gov. Magoffin, Louisville, Ky.: I will meet your Excellency at the Spencer House, Cincinnati, on Tuesday next, at 4 o'clock. I expect to meet you in person.

O. P. MORTON.

CINCINNATI, April 30, 1861.

To Hon. O. P. Morton, Governor of Indiana:

Dear Sir: I have been instructed by the Hon. B. Magoffin, Governor of the State of Kentucky, to solicit the co-operation of yourself and the Hon. William Dennison, Governor of the State of Ohio, in an effort to bring about a truce between the General Government and the seceded States, until the meeting of Congress in extraordinary session, in the hope that the action of that body may point out the way to peaceful solution of our national troubles. I have the honor to be, very respectfully and truly, your obedient servant,

T. L. CRITTENDEN.
becomes my duty to state that I do not recognize the right of any State to act as mediator between the Federal Government and a rebellious State.

I hold that Indiana and Kentucky are but integral parts of the nation, and as such, are subject to the Government of the United States; and bound to obey the requisitions of the President, issued in pursuance of his constitutional authority; that it is the duty of every State Government to prohibit, by all means in its power; the transportation from within its own limits of arms, military stores, and provisions to any State in open rebellion and hostility to the Government of the United States, and to restrain her citizens from all acts giving aid and comfort to the enemy; that there is no ground in the Constitution midway between the Federal Government and a rebellious State, upon which another State can stand, holding both in check; that a State must take a stand upon the one side or upon the other; and I invoke the State of Kentucky, by all the sacred ties that bind us together, to take her stand with Indiana, promptly and efficiently, on the side of the Union.

The action of the Federal Government in the present contest being strictly in accordance with the Constitution and the law of the land, and entertaining the views above indicated, I am compelled to decline the co-operation solicited by you.

I take this occasion to renew the expression of my earnest desire that Kentucky may remain in the Union, and that the intimate, political, social, and commercial relations which exist between her and Indiana, may never be disturbed, but be cemented and strengthened through all coming years. With great respect,

O. P. MORTON, Governor of Indiana.

To Hon. B. Magoffin, Governor of Kentucky.

Mr. Grover offered the following resolution, viz:

Resolved, That the Public Printer be directed to print 150 copies of the Governor’s message and accompanying documents, for the use of each member of the Senate, done up in wrappers.

Which was adopted.

Mr. Grover read and laid upon the table the following joint resolution, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That this General Assembly will entertain no subject of legislation at this extra session not embraced in the Executive message, or relating to the financial condition of the State.

Under a suspension of the rules of the Senate requiring joint resolutions to lie one day on the table,

Mr. DeHaven offered the following amendment, viz:

Amend the resolution by adding after the word message, “or necessarily connected therewith, as touching our federal relations.”

Which was adopted.
The question was then taken on adopting said resolution, as amended.

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

Those who voted in the affirmative, were—


Those who voted in the negative, were—


And so said resolution was adopted.

Mr. Fisk offered the following resolution, viz:

Resolved, That so much of the Governor's message as refers to national affairs be referred to the Committee on Federal Relations; and so much as refers to the arming of the State to the Committee on Military Affairs; and so much of said message as refers to the payment of the loan and raising the means mentioned therein, be referred to the Committee on Finance.

Which was adopted.

Mr. Grundy offered the following resolution, viz:

Resolved, That the Speaker of the Senate be requested to invite the Ministers of the Gospel, resident in this city, to open the present session of the Senate each morning with prayer.

Which was adopted.

Mr. Fisk offered the following resolution, viz:

Resolved, That his Excellency, the Governor of this Commonwealth, be requested to communicate to the Senate any official correspondence he may have had with the acting government of the Confederate States since its organization.

Which was adopted.

1. Mr. Haycraft presented the petition of sundry wives, mothers, sisters, and daughters of Elizabethtown, praying that Kentucky may be allowed "to maintain inviolate her armed neutrality."

2. Mr. Haycraft presented the petition of the Home Guard of Frank-
fort, praying that arms be furnished them to defend the Capitol of the State.

3. Mr. Johnson presented the petition of sundry citizens of McCracken county, asking an appropriation of money to erect a fortification for the defense of Paducah.

Which were received, the reading dispensed with, and referred—the 1st to the Committee on Federal Relations, and the 2d and 3d to the Committee on Military Affairs.

And then the Senate adjourned.

WEDNESDAY, MAY 8, 1861.

The Speaker appointed the following Senators as members of the various standing committees hereinafter named:


May 8.] JOURNAL OF THE SENATE.


JOINT COMMITTEES.


Mr. Andrews—1. Petition of sundry mothers, wives, daughters, and sisters of Nicholas county, praying that Kentucky may maintain inviolate her armed neutrality.

By same—2. A similar petition from Flemingsburg and vicinity.

By Mr. Marshall—3. A similar petition from Bracken county.

By same—4. A similar petition from Covington.

By Simpson—5. A similar petition from Clarke county.

By Mr. Grover—6. Two similar petitions from Pendleton county.
By Mr. Read—7. A similar petition from Nelson county.
By Mr. Alexander—8. A similar petition from Boyle county.
By Mr. Prall—9. A similar petition from Bourbon county.
By same—10. A similar petition from Bath county.
By Mr. Taylor—11. A similar petition from Mason county.
By Mr. Alexander—12. A similar petition from Boyle county.
By Mr. Fisk—13. A similar petition from the corporate authorities of Covington.
By same—14. A similar petition from Campbell county.

Which were received, the reading of all save the 6th dispensed with, and referred to the Committee on Federal Relations.

Ordered, That the Public Printer forthwith print 150 copies of the 3d for the use of the members of the General Assembly, as follows:

To the General Assembly of the Commonwealth of Kentucky, to be convened in extra session on May 6th, 1861:

We, the undersigned, Mothers, Wives, Sisters, Daughters of Kentucky, as those who guard the Home Altars for the chivalric sons of our native State, beseech you, on our bended knees, to grant us a boon, entirely in your gift, and which, to us in the receiving, and to you in the granting, would be “more precious than rubies.”

Oh! true-hearted, gallant Kentuckians, by the memory of your Mothers, guard us from the direful calamity of Civil War, by allowing Kentucky to maintain inviolate her “armed neutrality.”

Her present position wins for her, and for you, immortal renown.

How does she stand to-day? A peacemaker among Brothers bound by the closest ties of blood; linked by the same majestic memories of the past!—Kentucky stands guarding the dust of our great commander, Henry Clay, his immortal reiteration—“never, never, NEVER!” when asked if our Union should be broken—trembling on her lips; one hand she stretches to the palmy South—one to the pine-clad North—and, so standing, she presents a sublime spectacle of moral power, before which every other history of the world grows dim!

Your honorable body has power; we are defenseless. Grant our petition for the sake of hearts that are breaking with anxiety—for the sake of happy homes, of which civil war would make only a desolation!

Mrs. E. L. McKibben,
C. V. Streoube,
Mrs. S. T. Powers,
Mrs. Mary A. Doniphan,
Mrs. W. C. Marshall,
Miss Lizzie Marshall,
Miss A. B. McCormick,
Mrs. Thornton F. Marshall,
Miss M. L. Marshall,
Miss C. B. Hodges,

Mrs. A. G. Hodges,
Mrs. H. E. Thomas,
Mrs. M. L. Bradford,
Miss Lizzie Metcalfe,
Mrs. Ann Case,
Miss Case,
Mrs. Thompson,
Mrs. Monenon,
Miss Ann Howell,
Miss Letitia Howell,
MAY 8.] JOURNAL OF THE SENATE. 21

Mrs. MARY FLEMING,  
Miss SARAH DORA,  
Mrs. SARAH DORA,  
Mrs. JOSEPH ARMOR,  
MARIAM SCHMIDT,  
Mrs. E. J. ARMSTRONG,  
Mrs. MARY THEOBOLD,  
Mrs. ELIZABETH OWENS,  
Miss MATILDA ARMOR,  
Miss ELIZABETH ARMOR,  
Mrs. MARY ARMOR,  
Mrs. HESTER ARMOR,  
Mrs. MARY BOWMAN,  
Mrs. JOHN E. LUDWIG,  
Miss LOUISA LUDWIG,  
Mrs. NANCY BLADES.  
Mrs. N. S. TALBOT,  
Mrs. J. W. BRYSON,  
Mrs. GEORGE O’NEAL,  
Mrs. ANN G. KEITH,  
Miss MINERVA POWER,  
Miss LAURA TAYLOR,  
Mrs. JOHN TAYLOR,  
Mrs. ALICE YANDYKE,  
Mrs. ELIZABETH WELDIN,  
Mrs. DORCAS WELDIN,  
Mrs. ELLEN COOK,  
Mrs. AGAN,  
Mrs. ELEAZIAN H. INGLIS,  
Mrs. FRANCES FIGGINS,  
Miss LIZZIE FIGGINS,  
Miss ANGIE THOMAS,  
Miss NORA THOMAS,  
Miss HELEN THOMAS,  
Mrs. MAHALY FISHBACK,  
Mrs. SNYDER,  
Mrs. A. N. MYERS,  
Mrs. THOS. MYERS,  
Miss LUCY MYERS,  
Mrs. MARY METTAM,  
Miss LIZZIE PERRINE,  
Miss LUCY PERRINE,  
Mrs. MARY McCORMICK,  
Mrs. J. B. RYAN,  
Mrs. LAURA F. DILTZ,  
Mrs. C. ADAMS,  
Mrs. MARTHA TAYLOR,  
Mrs. HOWK,  
Miss SAMARIA TAYLOR.

Mrs. S. J. JEWELL,  
Miss KATY BAKER,  
Mrs. MARY E. KEITH,  
Miss ANN MARTIN,  
Mrs. MARGARET MEYER,  
Miss SARAH VINCENT,  
Mrs. MARY SELLS,  
Miss ADA DILTZ,  
Miss LOU DILTZ,  
Mrs. MARIAH B. WELLS,  
Mrs. L. J. BRADFORD,  
Mrs. AMELIA WELDIN,  
Mrs. W. S. MCKIBBIN,  
Miss BELLE RANKIN,  
Mrs. ELIZA BRIARLY,  
Miss JANE FLEMING,  
Mrs. ISAAC DILTZ,  
Mrs. MATILDA SISSON,  
Mrs. JANE FALLEN,  
Miss NEPP FALLEN,  
Miss MARTHA STROUBE,  
Miss LOU HUCHY,  
Miss LAURA FALLEN,  
Miss ZOU FALLIN,  
Mrs. JOSEPH DONIPHAN,  
Mrs. WASHINGTON WARD,  
Mrs. EDWARD CASE,  
Mrs. ELIZA TEEGARDEN,  
Miss MATILDA CASE,  
Mrs. WM. CROSSWELL,  
Miss ANNA CROSSWELL,  
Miss MARIAH HUCHISON,  
Miss MOLLIE BRADFORD,  
Miss VIRGINIA MORGAN,  
Mrs. C. R. SMITH,  
Miss CARRIE SMITH,  
Miss MINERVA SMITH,  
Miss SALLIE HESLER,  
Mrs. LOUIS SIBLEY,  
Miss MARTHA YANCEY,  
Miss MARGARET YANCEY,  
Mrs. LEWIS B. WELLS,  
Mrs. CHARLES BARR,  
Mrs. MARGARETTA DAUM,  
Miss EMMA BARR,  
Mrs. SARAH HAMILTON,  
Miss MATILDA HAMILTON,  
Miss LOUISA HAMILTON,  
Miss SARAH J. HAMILTON.
Mrs. VACHEL WELDIN,  
Miss MALINDA PERKINS,  
Mrs. ELIZA BOYD,  
Miss BELLE M. RENO,  
Miss LOU McKIBBIN,  
Mrs. MARGARET REESE,  
Mrs. MALINDA FORSET,  
Mrs. ELIZA PATTERSON,  
Miss SARAH PATTERSON,  
Miss CARRIE PATTERSON,  
Mrs. GEORGE W. REESE,  
Miss LOUISA REESE,  
Miss MARY A. WILLIAMS,  
Mrs. E. D. ISBELL,  
Mrs. JANE SELLARS,  
Mrs. RACHEL FAKREN,  
Mrs. JANE SELLARS,  
Mrs. MARY CALLEN,  
Mrs. ELIZABETH VEACH,  
Mrs. MINERVA REESE,  
Miss JULIA REESE,  
Miss MARY KEEN,  
Mrs. SARAH KILPATRICK,  
Mrs. REBECCA LANCASTER,  
Mrs. SARAH FRIBBLE,  
Mrs. JOHN WINTER,  
Miss SUSAN DUDLEY WINTER,  
Mrs. MARY SELLS,  
Miss LOUISA BAKER,  
Mrs. REBECCA LYTHE,  
Miss REBECCA DILTZ,  
Miss HARRIET DILTZ,  
Miss LIZZIE DILTZ,  
Mrs. MARGARET JONES,  
Mrs. SAMUEL POE,  
Mrs. SARAH LOVELL,  
Mrs. MARIAH MACKIE,  
Mrs. MARY PFERER,  
Mrs. H. J. RANKINS,  
Mrs. ISABELLA SILVERTHORN,  
Mrs. PETER H. RUDD,  
Mrs. A. C. ARMSTRONG,  
Mrs. BUCKNER ORR,  
Miss LOU. ROBINSON,  
Miss G. A. SHARP,  
Mrs. AMANDA CLARK,  
Miss MARY E. CLARK,  
Mrs. JACOB SWITZER,  
Mrs. CORNELIUS DINZLER,  
Miss MOLLIE HAMILTON,  
Mrs. JOHN AMMER,  
Miss ALLIE McKIBBIN,  
Mrs. J. T. McKIBBIN,  
Mrs. SUSAN SCHOOLFIELD,  
Miss ELIZA SCHOOLFIELD,  
Mrs. IDLE,  
Miss MARY TROUTMAN,  
Mrs. THORNTON WELDIN,  
Mrs. M. L. MCCOLLUM,  
Miss BELLE McCOLLUM,  
Miss LOUISA McCOLLUM,  
Miss MARY WOOD,  
Mrs. MARGARET MYER,  
Mrs. JANE BAKER,  
Mrs. ALEX. KEENE,  
Miss ANNA THORNE,  
Miss SARAH VINCENT,  
Mrs. GEORGE REESE,  
Mrs. ANDREW REESE,  
Mrs. AMANDA PERRINE,  
Miss JULIA PERRINE,  
Mrs. JAMES BROOKS,  
Mrs. JOHN BROOKS,  
Miss JANE BROOKS,  
Miss AMANDA PERRINE,  
Miss CHRISTINA WARD,  
Miss BELLE REYNOLDS,  
Mrs. WILLIAM REYNOLDS,  
Miss SELENCIA REYNOLDS,  
Mrs. JOSEPH DRAKE,  
Mrs. CARTER,  
Mrs. HESTER TAYLOR,  
Miss MARIA TAYLOR,  
Miss CAROLINE TAYLOR,  
Miss SUSAN TAYLOR,  
Miss CARMELITA TAYLOR,  
Miss MARY WOODS,  
Miss SUSAN WOODS,  
Mrs. JOHN WOOD,  
Mrs. LOUIS DUNCAN,  
Mrs. WILLIAM ORR,  
Mrs. CHRISTOPHER ROBINSON,  
Miss CLARA ROBINSON,  
Mrs. C. FEE,  
Miss L. J. FEE,  
Miss ANNA FEE,  
Miss E. M. SHAW,  
Miss MOLLIE KIRK,  
Miss MARY HARROD,
Mrs. DINZLER,  Miss VICTORIA SMITH,  
Mrs. LARUE;  Miss MARTHA TOLEMAN,  
Mrs. JOHN SWITZER,  Miss NANCY FIELDS,  
Mrs. SARAH ARMSTRONG,  Mrs. T. D. RYAN,  
Mrs. S E. BRADFORD,  Mrs. H. BUDDEMEYER,  
Mrs. SEMANTHA TAYLOR,  Mrs. WM. SHERLOCK,  
Mrs. MARTHA HECKE,  Miss ELIZA TERRY,  
Miss LIZZIE HECKE,  Miss TILLIE MARSHALL,  
Mrs. PENNIAH TAYLOR,  Mrs. E. A. BAGBY,  
Miss NANCY HOOK,  Miss LUCY C. BAGBY,  
Mrs. MARTHA TAYLOR,  Miss ELIZABETH EVANS,  
Miss FRANCES PICKERELL,  Miss MAGGIE PICKERELL,  
Mrs. L. PICKERELL,  

Mr. Simpson read and laid upon the table the following joint resolution, viz:

WHEREAS, There is reason to believe, from recent developments, that an attack by armed men, upon the troops stationed at Cairo, is now in contemplation; and as such an attack, if permitted to be made, would be alike inconsistent with our obligations to the Federal Government and with the attitude of neutrality which we have assumed, and would necessarily tend to inflame the already excited passions of the people in the southern part of this State; therefore,

Resolved by the General Assembly of the Commonwealth of Kentucky, That the Governor be, and he is hereby, requested to issue a proclamation immediately, prohibiting the passage of armed men from the State of Tennessee or elsewhere, through any part of this State, for the purpose of making an attack upon the troops at Cairo, in the State of Illinois.

Mr. Fisk read and laid upon the table the following joint resolutions, viz:

Considering the deplorable condition of the country, and for which the State of Kentucky is in no way responsible, and looking to the best means to preserve the internal peace, and secure the lives, liberty, and property of the citizens of the State; therefore,

Resolved by the General Assembly of the Commonwealth of Kentucky, That this State, and the citizens thereof, should take no part in the civil war now being waged, except as mediators and friends to the belligerent parties; and that Kentucky should, during the contest, occupy the position of strict neutrality.

Resolved further, That the act of the Governor in refusing to furnish troops, or military force, upon the call of the Executive authority of the United States, under existing circumstances, is approved.

Under a suspension of the rules, 

Ordered. That the Public Printer forthwith print 150 copies of each of said resolutions for the use of the members of the General Assembly.

Mr. Walton offered the following resolution, viz:
Resolved, That the Committee on Military Affairs be, and they are hereby, requested to inquire into the expediency of providing for arming the State.

Which was adopted.

Mr. Fisk offered the following resolution, viz:

Resolved, That the Committee on Military Affairs be instructed to bring in a bill permitting the organization and arming of companies of Home Guards throughout the State.

Mr. Walker offered the following amendment, viz:

"Be requested to inquire into the propriety of reporting."

Which was adopted.

Said resolution, as amended, was then adopted.

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

On motion of Mr. Prall—1. A bill to incorporate the Paris Home Guard.

On motion of Mr. Rhea—2. A bill authorizing the banks to suspend specie payment.

On motion of Mr. Whitaker—3. A bill incorporating the Home Guard of Shelbyville.

On motion of same—4. A bill to amend the execution law.

On motion of Mr. Bruner—5. A bill amending the charter of the Hardinsburg and Cloverport turnpike road company.

On motion of Mr. Cosby—6. A bill for the benefit of John Johnson, of McLean county.

On motion of Mr. Barrick—7. A bill to charter the Bell's Station, Diamond Cave, and Mammoth Cave Branch railroad company.

On motion of Mr. Rousseau—8. A bill authorizing the appointment of an assistant constable in a district named therein.

On motion of Mr. Whitaker—9. A bill amending the military law.

On motion of Mr. Cosby—10. A bill for the benefit of school district No. 10, in McLean county.

On motion of Mr. Glenn—11. A bill to amend the Revised Statutes.

On motion of Mr. Pennebaker—12. A bill amending the law providing for the inspection of flour.

On motion of Mr. Taylor—13. A bill to incorporate the town of Leesburg, in Mason county.

On motion of Mr. Gillis—15. A bill changing the voting place in the 9th election precinct, in Whitley county.

Ordered, That the Committee on Military Affairs prepare and bring in the 1st and 3d; the Committee on Banks the 2d; the Committee on Circuit Courts the 4th; the Committee on Finance the 6th; Messrs. Bruner, Taylor, and Grundy the 5th; the Committee on Internal Improvement the 7th; the Committee on the Judiciary the 8th, 11th, and 12th; Messrs. Whitaker, Rousseau, Taylor, and Bruner the 9th; the Committee on Education the 10th; the Committee on Revised Statutes the 13th and 14th, and the Committee on Privileges and Elections the 15th.

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

1. An act for the benefit of the Kentucky Agricultural and Mechanical Association.
2. An act to amend the charter of the Southern College of Kentucky.
3. An act to amend the charter of Bowling-Green.
4. An act to amend the charter of Russellville.
5. An act declaring Eagle creek a navigable stream.

Said bills were taken up, read the first time, and ordered to be read a second time.

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

Mr. Grover moved to lay the first upon the table.

The yeas and nays being required on said motion by Messrs. Taylor and Whitaker, were as follows, viz:

Those who voted in the affirmative, were—

T. T. Alexander, William S. Darnaby, John L. Irvan,
William T. Anthony, Alex. L. Davidson, Samuel H. Jenkins,
James R. Barrick, George Denny, William H. McBrayer,
Samuel H. Boles, Asa P. Grover, William B. Read,
Charles Chambers, Thomas S. Grundy, C. J. Walton—16.
Benjamin P. Cissell,

Those who voted in the negative, were—

Mr. Speaker, Porter, Samuel Haycraft, Henry M. Rust,
Landaff W. Andrews, John M. Johnson, James Simpson,
John B. Bruner, Thornton F. Marshall, Harrison Taylor,
A. D. Cosby, John A. Prall, Cyrenius Watt,
John F. Fisk, Albert G. Rhea, E. Dudley Walker,
Robert E. Glenn,

And so the Senate refused to lay said bill on the table.
Ordered, That the first named bill be referred to the Committee on Agriculture and Manufactures; the 2d to the Committee on Education; the 3d to the Committee on the Judiciary, and that the 4th and 5th be read a third time.

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

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

Mr. Bruner, from a select committee, reported a bill of the following title, viz:

A bill to amend the charter of the Hardinsburg and Cloverport turnpike road company.

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

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

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

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

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

And then the Senate adjourned.

THURSDAY, MAY 9, 1861.

On motion of Mr. Read,

Ordered, That the reading of the Journal of yesterday be dispensed with.

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

An act to amend the charter of the Harrodsburg and Cornishville turnpike road company.
An act authorizing the establishment of a work-house in Frankfort.
An act appointing trustees for Moscow Seminary, in Hickman county.
An act to amend the charter of the Stanford and Hall's Gap turnpike road company.
An act to amend the charter of the Knob Lick turnpike road company.
An act to incorporate the town of Maxville.
An act to change the line between the Wyoming and Bethel precincts, in Bath county.
An act to change the line of a voting precinct in Montgomery county.

1. Mr. Haycraft presented the following petition of the Baptist Association held at Lexington, Ky., praying that this General Assembly may take such action as will maintain peace, insure domestic tranquility, and prevent civil war in our midst, viz:

To the Legislature of Kentucky, assembled at Frankfort, May 6, 1861:

At the annual meeting of the Baptist ministers of Kentucky, assembled in the city of Lexington, on the 2d, 3d, 4th, 5th, and 6th of May, 1861, a committee, consisting of R. T. Dillard, John Dale, William Vaughn, John Bryce, and D. R. Campbell, was appointed to prepare the following memorial, to be presented to your honorable body, as expressive of the feelings and wishes of said meeting, viz:

"That, in the opinion of this body of ministers of the Gospel, the interests of religion and humanity, unitedly and equally, require that your deliberations and action, in view of the critical condition of public affairs, which has brought you together, shall be characterized by the highest practical wisdom and caution; that you should rise above the excitement and confusion of party, and of the times, and deliberately, in the fear of God, seek only, first, the good, the very best possible good, of our Commonwealth, and, then, of other portions of our country; and that you should especially endeavor, by all lawful and honorable means, to avert from our soil, our homes, our women, and our children, the dreadful scourge of civil war. Let your earnest and continuous efforts be to preserve the State in a condition of honorable peace with all our neighbors, on every side. Your mission, as our mission, should be one of peace and good will, if it can possibly be accomplished. If our State, under your counsels and actions, shall be able successfully to occupy so noble and humane a position in this day of trial, generations unborn will call you blessed.

"As the custodians of the public weal, then, let those things be your study and aim which make for peace; and your memorialists, with thousands of other pious followers of the Prince of Peace, will ever pray."
The foregoing petition was reported by the committee appointed to prepare it, and, after a season of earnest and solemn prayer, led by Elder John Bryce, it was unanimously adopted, and ordered to be carried to Frankfort, by the same committee, to secure its presentation to both Houses of the Legislature.

D. R. CAMPBELL,  
Chairman of the Ministers’ Meeting.

D. N. PORTER, Secretary.

Upon motion, duly made and considered, the foregoing memorial was unanimously adopted by the General Association of Baptists of Kentucky; and Henry Wingate is added to the foregoing committee to bear it to the General Assembly of Kentucky, when convened in Frankfort, on Monday, May 6, 1861.

J. S. COLEMAN, President.

W. Pope Yeaman, Secretary.

2. Mr. Fisk presented a similar petition from sundry ladies, daughters of the loyal old Commonwealth of Kentucky.

3. Mr. Anthony presented the petition of sundry citizens of Warren county, praying the passage of some measure calculated to give relief to the citizens of that county.

Which were received, read, and referred—the 1st and 2d to the Committee on Federal Relations, and the 3d to the Committee on the Judiciary.

And then the Senate adjourned.

FRIDAY, MAY 10, 1861.

1. Mr. Rhea presented a petition of sundry citizens of Butler county, praying the passage of an act for their benefit.

2. Mr. Denny presented the petition of sundry ladies of Garrard county, praying that peace may be preserved, and that Kentucky might be permitted to maintain inviolate her armed neutrality.

3. Mr. Gillis presented a similar petition from Whitley county.

4. Mr. Simpson presented a similar petition from Clarke county.

5. Mr. McBrayer presented a similar petition from the county of Anderson.
6. Mr. Rousseau presented a similar petition from the city of Louisville.
7. Mr. Taylor presented a similar petition from the county of Mason.
8. Mr. Gillis presented a similar petition from the county of Knox.
9. Mr. Prall presented a similar petition from the county of Fayette.
10. Mr. Gillis presented a similar petition from sundry citizens of Laurel county.
11. Mr. Cosby presented the petition of Will H. Briggs, of Hopkins county, praying the passage of an act for his benefit.
12. Mr. Davidson presented the petition of Hon. John P. Martin, praying that Kentucky may take an honorable position under present circumstances.
13. Mr. Walker presented the petition of sundry citizens of Muhlenburg county, asking that the terms of their courts be suspended.

Which were received, the reading dispensed with, and referred—the 1st to the Committee on the Judiciary; the 2d, 3d, 4th, 5th, 6th, 7th, 8th, 9th, 10th, and 12th to the Committee on Federal Relations; the 11th to the Committee on Education, and the 13th to the Committee on the Court of Appeals.

On motion of Mr. Alexander, the Committee on Finance was ordered to prepare and bring in a bill amending the registration law.

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 voting place of Moreland precinct, in Bourbon county.
- An act for the benefit of William P. Conner, of Bath county.
- An act to amend the charter of the New Castle and Carrollton turnpike road company.
- An act for the benefit of Granville Redman, constable in district No. 4, Wayne county.
- An act to amend an act for the benefit of Dickey & Thomas, of Edmonson county.
- An act to amend the charter of Muldrough's Hill, Campbellsville, and Columbia turnpike road company.
- An act to amend an act for the better organization of the militia, approved April 4, 1861.

Bills of the following titles were reported, viz:

By Mr. Cissell, from the Committee on the Judiciary—
1. A bill to suspend the circuit and other courts in this Commonwealth, and for other purposes.
   By Mr. Simpson, from the same committee—

2. A bill to incorporate the Frankfort Fire, Marine, and Life Insurance Company.
   By Mr. Cissell, from the same committee—

3. A bill to amend the charter of the Louisville and Nashville railroad company.
   By Mr. Walker, from the Committee on the Court of Appeals—

4. A bill concerning the courts in Muhlenburg county.
   By Mr. Taylor, from the Committee on Internal Improvement—

5. A bill to amend the charter of the Bell’s Station, Diamond Cave, and Mammoth Cave, Branch railroad company.
   By Mr. Irvan, from the Committee on Privileges and Elections—

6. A bill changing the place of voting in the 9th election district, in Whitley county.
   By Mr. Taylor, from the Committee on the Revised Statutes—

7. A bill to incorporate and establish the town of Leesburg, in Lewis county.

8. A bill to amend title 1 of the Code of Practice in civil cases.
   Which were severally read the first time, and ordered to be read a second time.

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

Ordered, That the Public Printer forthwith print 150 copies of the 1st for the use of the members of the General Assembly, and that it be made the special order for to-morrow morning at half-past ten o’clock, and that the further consideration of the 3d be postponed until to-morrow at 11 o’clock, A. M.; that the 4th be referred to the Committee on the Judiciary; that the 2d, 5th, 6th, 7th, and 8th be engrossed and read a third time.

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

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

By Mr. Cissell, from the Committee on the Judiciary, to whom had been referred House bill of the following title, viz:

An act to amend the charter of Bowling-Green.
By Mr. Glenn, from the Committee on Agriculture and Manufactures—

An act for the benefit of the Kentucky Agricultural and Mechanical Association.

Ordered, That said bills be read a third time.

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

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

Mr. Johnson, from the Committee on Banks, reported a bill of the following title, viz:

A bill to legalize the suspension of any of the banks of issue.

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

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

Mr. Fisk offered to amend said bill.

The hour fixed by the rules of the Senate for considering the orders of the day having arrived, the Senate refused to suspend the rules, and proceeded to consider the business in the orders of the day.

Resolution requesting a proclamation from the Governor, forbidding troops passing through Kentucky to attack Cairo.

Mr. Grover offered the following as a substitute for the above styled resolution, viz:

WHEREAS, The people of this State are earnest in their desire to prevent the passage of troops from any of the adjoining States into or through the State of Kentucky, for any purpose whatever, whether from the Confederate States for purposes hostile to the States of the Federal Union, or from the latter States with like hostile intent on the Confederate States, or the State of Kentucky;—intending, as we do, by all lawful means, to defend our soil from the inroads and aggressions of hostile forces from any section, with the design to be quartered upon our soil or to subjugate our people; therefore,

1. Resolved by the General Assembly of the Commonwealth of Kentucky, That the Governor be, and he is hereby, requested forthwith to issue his proclamation embodying the foregoing principles, and solemnly protesting against the passage of troops from any quarter, North or South, into or over the sovereign soil of Kentucky, or from their being quartered within the limits of this State.

2. Resolved, That a copy of the foregoing preamble and resolution be communicated by the Governor of this State to the Executives of the Federal Union and of the Confederate States, and to the Governors of each of the States.
Ordered, That the Public Printer forthwith print 150 copies of said substitute for the use of the members of the General Assembly, and that the resolution and substitute be referred to the Committee on Federal Relations.

Resolutions providing for the neutrality of Kentucky, and indorsing the refusal of the Governor to furnish troops in accordance with the requisition of the President of the United States of America.

Ordered, That said resolution be referred to the Committee on Federal Relations.

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

1. An act to amend the charter of the Harrodsburg and Cornishville turnpike road company.
2. An act authorizing the establishment of a work-house in Frankfort.
3. An act appointing trustees for Moscow Seminary, in Hickman county.
4. An act to amend the charter of the Stanford and Hall's Gap turnpike road company.
5. An act to amend the charter of the Knob Lick turnpike road company.
6. An act to incorporate the town of Maxville.
7. An act to change the line between the Wyoming and Bethel precincts, in Bath county.
8. An act to change the lines of a voting precinct in Montgomery county.
9. An act to change the voting place of Moreland precinct, in Bourbon county.
10. An act for the benefit of William P. Conner, of Bath county.
11. An act to amend the charter of the Newcastle and Carrollton turnpike road company.
12. An act for the benefit of Granville Redman, constable in district No. 4, Wayne county.
13. An act to amend an act for the benefit of Dickey & Thomas, of Edmonson county.
14. An act to amend the charter of the Muldrough's Hill, Campbellsville, and Columbia turnpike road company.
15. An act to amend an act for the better organization of the militia.
Which were read the first time, and ordered to be read a second time.

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

Ordered, That the 1st, 2d, and 12th be referred to the Committee on the Judiciary; the 10th to the Committee on Circuit Courts; the 14th to the Committee on Internal Improvement; the 15th, with the amendment offered by Mr. Whitaker, to the Committee on Military Affairs, and that the 3d, 4th, 5th, 6th, 7th, 8th, 9th, 11th, and 13th be read a third time.

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

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

Mr. Whitaker moved a suspension of the rules of the Senate to enable him to offer the following resolution, viz:

Be it resolved by the Senate of the Commonwealth of Kentucky, That the Governor of this State be, and he is hereby, requested to furnish the Senate official information as to whether any one has been sent by Executive authority on any mission for the purchase of arms; to what points they have been sent; by what authority they were sent; what power was given them; whether any; what number and kind of arms have been negotiated for; and if negotiated for; whether they have been received or are in transit; what means have been provided for paying for them; and on what representations of the uses to which they were to be applied were they obtained.

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

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

Those who voted in the affirmative, were—

Mr. Speaker, Porter, George Denny, Albert G. Rhea,
T. T. Alexander, John F. Fisk, Henry M. Rust,
William T. Anthony, William C. Gillis, James Simpson,
Landaff W. Andrews, Robert E. Glenn, Harrison Taylor,
James R. Barrick, Thomas S. Grundy, Cyrenius Wait,
John B. Bruner, Samuel Haycraft, E. Dudley Walker,
A. D. Cosby, Thornton F. Marshall, Claiborne J. Walton,
Alex. L. Davidson, Chas. D. Pennebaker, W. C. Whitaker—26,
Samuel E. DeHaven, John A. Prall,
Those who voted in the negative, were—

Samuel H. Boles, Asa P. Grover, John M. Johnson,
William S. Darnaby, Samuel H. Jenkins,

And so the rules were suspended.

Said resolution was then offered, read, and adopted.

Under a suspension of the rules, Mr. Glenn read and laid upon the table the following joint resolutions, viz:

WHEREAS, The unsettled condition of our national affairs is a source of regret to every lover of his country; therefore,

Resolved by the General Assembly of the Commonwealth of Kentucky, That we protest against the unnatural strife existing between the States that once composed this Union; that we urge the propriety of immediate steps being taken to settle these unhappy differences; that if an amicable settlement cannot be made, they should separate as brothers and patriots, taking as their guide the principles which actuated the fathers of the revolution.

Resolved, That we do most solemnly protest against the use of force by either section, believing such a course would be the means of further estrangement and a violation of the laws of God and humanity.

Resolved, That we recommend that each party select commissioners, to meet at such time and place as may be agreed upon by said commissioners, for the purpose of consulting, and, if possible, settling these differences, or agree upon a plan of peaceable separation; and that their acts be submitted to their respective sections for ratification.

Resolved, That his Excellency, the Governor, be requested to forward a copy of these resolutions to the governments at Washington and Montgomery.

Mr. Johnson offered the following amendment, viz:

1. And Abram went up out of Egypt, he and his wife, and all that he had, and Lot with him, into the south.
2. And Abram was very rich, in cattle, in silver, and in gold.
3. And he went on his journeys from the south, even to Bethel, unto the place where his tent had been at the beginning, between Bethel and Hai;
4. Unto the place of the altar, which he had made there at the first, and there Abram called on the name of the Lord.
5. And Lot also, which went with Abram, had flocks, and herds, and tents.
6. And the land was not able to bear them, that they might dwell together: for their substance was great, so that they could not dwell together.
7. And there was a strife between the herdmen of Abram's cattle, and the herdmen of Lot's cattle. And the Canaanite and the Perizzite dwelled then in the land.
8. And Abram said unto Lot, Let there be no strife, I pray thee,
between me and thee, and between my herdmen and thy herdmen; for we be brethren.

9. Is not the whole land before thee? Separate thyself, I pray thee, from me: if thou wilt take the left hand, then I will go to the right; or if thou depart to the right hand, then I will go to the left.

10. And Lot lifted up his eyes, and beheld all the plain of Jordan, that it was well watered every where, before the Lord destroyed Sodom and Gomorrah, even as the garden of the Lord, like the land of Egypt, as thou comest unto Zoar.

11. Then Lot chose him all the plain of Jordan; and Lot journeyed east: and they separated themselves the one from the other.

12. Abraham dwelled in the land of Canaan, and Lot dwelled in the cities of the plain, and pitched his tent toward Sodom.

13. But the men of Sodom were wicked, and sinners before the Lord exceedingly.

14. And the Lord said unto Abram, after that Lot was separated from him, Lift up now thine eyes, and look from the place where thou art, northward, and southward, and eastward, and westward:

15. For all the land which thou seest, to thee will I give it, and to thy seed also be numbered.

16. And I will make thy seed as the dust of the earth: so that if a man can number the dust of the earth, then shall thy seed also be numbered.

17. Arise, walk through the land, in the length of it, and in the breadth of it: for I will give it unto thee.

18. Then Abram removed his tent, and came and dwelt in the plain of Mamre, which is in Hebron, and built there an altar unto the Lord.

Ordered, That said resolutions and proposed amendment be printed, and referred to the Committee on Federal Relations.

And then the Senate adjourned.

SATURDAY, MAY 11, 1861.

1. Mr. Bruner presented a petition from sundry mothers, wives daughters, and sisters of Breckinridge county, praying that Kentucky might be permitted to maintain her armed neutrality.

2. Mr. Alexander presented a similar petition from the county of Adair.
3. Mr. Prall presented a similar petition from the county of Bath.
4. Mr. Jenkins presented a similar petition from the county of Graves.
5. Mr. DeHaven presented a similar petition from the county of Henry.
6. Mr. Alexander presented the petition of sundry lawyers of Boyle county, praying that the courts of that county might not be suspended.

Which were received, the reading of all save the 4th dispensed with, and referred—the 1st, 2d, 3d, 4th, and 5th to the Committee on Federal Affairs, and the 6th to the Committee on the Judiciary.

A message was received from the House of Representatives, announcing that they had passed a bill of the following title, viz:

An act for the benefit of R. T. Benton, late sheriff of Estill county.

The Senate then, according to special order, took up for consideration a bill of the following title, viz:

A bill legalizing the suspension of the banks of issue,

The pending question being the amendment proposed by Mr. Fisk on yesterday,

Said amendment was adopted.

Ordered, That the Public Printer forthwith print 150 copies of said bill, as amended, for the use of the members of the General Assembly, and that the further consideration of said bill be postponed until Monday, at 11 o'clock, A. M.

The Senate then, according to special order, resumed the consideration of a bill of the following title, viz:

A bill to suspend the circuit and other courts of this Commonwealth, and for other purposes.

Mr. Whitaker offered two several amendments to said bill.

Which were adopted.

Mr. DeHaven offered the following amendment, viz:

Amend the bill by inserting after the word "requiring," in the first line, the words "court of appeals."

The yeas and nays being required on the adoption of said amendment by Messrs. Cissell and Denny, were as follows, viz:

Those who voted in the affirmative, were—

James R. Barrick, Samuel E. DeHaven, Albert G. Rhea,
John B. Bruner, John F. Fisk, Harrison Taylor,
Charles Chambers, Thornton F. Marshall, E. Dudley Walker,
Alex. L. Davidson,
Those who voted in the negative, were—

Mr. Speaker, Porter, William C. Gillis, John A. Prall,
T. T. Alexander, Robert E. Glenn, William B. Read,
William T. Anthony, Samuel Haycraft, L. H. Rousseau,
Landaff W. Andrews, John L. Irvan, Henry M. Rust,
Benjamin P. Cissell, Samuel H. Jenkins, James Simpson,
A. D. Cosby, John M. Johnson, Cyrenius Wait,

Mr. Pennebaker offered the following amendment, viz:

§ 3. And be it further enacted, That nothing herein contained shall prevent the institution and trial of actions in the Louisville chancery court for the settlement of the estates of decedents, and the partition and distribution of such estates, for the settlement of all fiduciary accounts, and all other actions wherein provisional remedies and other relief, not involving the payment of money, are sought; nor to prevent the trial of any and all causes now pending in said court; the final process, order, or decree to be subject to the restrictions contained in section 2 of this act.

Mr. Fisk offered the following amendment to the amendment proposed by Mr. Pennebaker, viz:

Provided, however, That the several judges of the equity and circuit courts shall hold the terms of their several courts at the times now fixed by law for the trial of criminal and penal prosecutions; and for the purpose of the assignment of dower, for the making the partition of land, ordering the distribution of estates ratably amongst the creditors, and for the trial of actions of tort, action of forcible entry and detainer, and forcible detainer, and of cases where the title to land or other property is in dispute, or where the boundary of land is involved, or a party is seeking to establish or complete by judgment or order of court title to lands; and all causes between principal and agent, between trustee and cestui que trust, and between landlord and tenant, and for all other cases of law or equity where a decree or judgment for money is not to be rendered, and for the taking all proper steps for the preparation of cases in said courts, and for the making of all orders for the disposition of property or money in the custody of the court, or its effects.

Mr. Whitaker offered a substitute for the same.
Which was adopted.

Mr. Alexander offered the following amendment, viz:

Add to the 1st section, after the word “effect,” in the 12th line, “Provided. That in the county of Boyle the regular terms of the circuit court as now fixed by law may be held for the trial of all contested cases pending and untried in said court at its February term, 1861; And provided further, That the November term, 1861, of the Adair circuit court, shall be held as now provided by law.”
The yeas and nays being required on the adoption of said amendment by Messrs. Alexander and Fisk, were as follows, viz:

Those who voted in the affirmative, were—

T. T. Alexander, Thornton F. Marshall, James Simpson,
John F. Fisk, Chas. D. Pennebaker, Harrison Taylor,
William C. Gillis, Albert G. Rhea,
Samuel Haycraft, Cyrenius Wait—10.

Those who voted in the negative, were—

Mr. Speaker, Porter, Alex. L. Davidson, Samuel H. Jenkins,
William T. Anthony, Samuel E. DeHaven, John M. Johnson,
James R. Barrick, George Denny, William H. McBrayer,
Samuel H. Boles, J. E. Gibson, Henry M. Rust,
John B. Bruner, Robert E. Glenn, E. Dudley Walker,
Charles Chambers, Thomas S. Grundy, Claiborne J. Walton,
Benjamin P. Cissell, John L. Irvan, W. C. Whitaker—22,
William S. Darnaby,

And so said amendment was rejected.

Mr. Andrews offered the following amendment, viz:

Provided, That the provisions of this bill shall not apply to the courts of the counties of Fleming, Rowan, and Nicholas, and the chancery court of Louisville.

The yeas and nays being required on the adoption of said amendment by Messrs. Pennebaker and Andrews, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker Porter, Samuel Haycraft, Henry M. Rust,
T. T. Alexander, Thornton F. Marshall, James Simpson,
Landaff W. Andrews, Chas. D. Pennebaker, Harrison Taylor,

Those who voted in the negative, were—

William T. Anthony, Samuel E. DeHaven, Samuel H. Jenkins,
James R. Barrick, George Denny, John M. Johnson,
Samuel H. Boles, J. E. Gibson, William H. McBrayer,
John B. Bruner, William C. Gillis, Albert G. Rhea,
Charles Chambers, Robert E. Glenn, L. H. Rousseau,
Benjamin P. Cissell, Thomas S. Grundy, Claiborne J. Walton,
William S. Darnaby, John L. Irvan, W. C. Whitaker—22,
Alex. L. Davidson,

And so said amendment was rejected.

Mr. Fisk offered the following amendment, viz:

Add after 1862, in the 3d line of section 1, "Provided, That the December terms of the Kenton circuit courts for the year 1861 shall be held as usual."
The yeas and nays being required on the adoption of said amendment by Messrs. Rousseau and Fisk, were as follows, viz:

Those who voted in the affirmative, were—

T. T. Alexander, Samuel Haycraft, Albert G. Rhea,
Landaff W. Andrews, Thornton F. Marshall, James Simpson,
John F. Fisk,

Those who voted in the negative, were—

Mr. Speaker, Porter, Samuel E. DeHaven, John M. Johnson,
William T. Anthony, George Denny, William H. McBrayer,
James R. Barrick, J. E. Gibson, Chas. D. Pennebaker,
Samuel H. Boles, William C. Gillis, L. H. Rousseau,
John B. Bruner, Robert E. Glenn, Henry M. Rust,
Benjamin P. Cissell, Thomas S. Grundy, Harrison Taylor,
William S. Darnaby, John L. Irvan, Claiborne J. Walton,
Alex. L. Davidson, Samuel H. Jenkins, W. C. Whitaker—24.

And so said amendment was rejected.

On motion of Mr. Whitaker, said bill was further amended.

Mr. Andrews moved that the bill be printed, and have its third reading on Monday, at half-past ten o'clock, A. M.

The yeas and nays being required on the adoption of said motion by Messrs. Fisk and Rust, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker, Porter, William S. Darnaby, Thornton F. Marshall,
T. T. Alexander, Samuel E. DeHaven, John A. Prall,
Landaff W. Andrews, George Denny, L. H. Rousseau,
Samuel H. Boles, John F. Fisk, James Simpson,
John B. Bruner, Samuel Haycraft, Harrison Taylor—16.
A. D. Cosby,

Those who voted in the negative, were—

William T. Anthony, Robert E. Glenn, Chas. D. Pennebaker,
James R. Barrick, Thomas S. Grundy, Albert G. Rhea,
Benjamin P. Cissell, John L. Irvan, Henry M. Rust,
Alex. L. Davidson, Samuel H. Jenkins, Cyrenius Wait,
J. E. Gibson, John M. Johnson, Claiborne J. Walton,

At half-past 1 o'clock, P. M., Mr. Denny moved to adjourn.

The yeas and nays being required on said motion by Messrs. Rhea and Alexander, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker, Porter, George Denny, John A. Prall,
T. T. Alexander, John F. Fisk, L. H. Rousseau,
Landaff W. Andrews, Samuel Haycraft, James Simpson,
Samuel E. DeHaven,
Those who voted in the negative, were—

William T. Anthony, J. E. Gibson, William H. McBrayer,
James R. Barrick, William C. Gillis, Chas. D. Pennebaker,
Samuel H. Boles, Robert E. Glenn, Albert G. Rhea,
John B. Bruner, Thomas S. Grundy, Henry M. Rust,
Benjamin P. Cissell, John L. Irvan, Cyrenius Wait,
William S. Darnaby, Samuel H. Jenkins, Claiborne J. Walton,
Alex. L. Davidson, John M. Johnson, W. C. Whitaker—21.

And so the Senate refused to adjourn.

Mr. Whitaker moved that the bill be printed, and referred to a select committee of three, with instructions to report the same back to the Senate on Monday, at half-past 10 o'clock, A. M.

The yeas and nays being required on said motion by Messrs. Andrews and Johnson, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker, Porter, George Denny, John A. Prall,
Landaff W. Andrews, John F. Fisk, L. H. Rousseau,
John B. Bruner, William C. Gillis, James Simpson,
Charles Chambers, Samuel Haycraft, Harrison Taylor,
Benjamin P. Cissell, John L. Irvan, Cyrenius Wait,
A. D. Cosby, Thornton F. Marshall, E. Dudley Walker,
Samuel E. DeHaven,

Those who voted in the negative, were—

T. T. Alexander, J. E. Gibson, William H. McBrayer,
William T. Anthony, Robert E. Glenn, William B. Read,
James R. Barrick, Thomas S. Grundy, Albert G. Rhea,
Samuel H. Boles, Samuel H. Jenkins, Henry M. Rust,
Alex. L. Davidson, John M. Johnson, W. C. Whitaker—15.

Ordered, That the Public Printer forthwith print 150 copies of the same for the use of the members of the General Assembly, and that the said bill be referred to Messrs. Whitaker, Cissell, and Rhea, with instructions to report the same back to the Senate on Monday next, at half-past 10 o'clock, A. M.

And then the Senate adjourned.
1. Mr. Andrews presented the petition of sundry citizens of the town of Hillsborough, in Fleming county, praying the passage of an act extending the limits of said town.
2. Mr. Prall presented the petition of sundry ladies of Bourbon county, praying that Kentucky may be permitted to maintain inviolate her armed neutrality.
3. Mr. Simpson presented a similar petition from the county of Clarke.
4. Mr. Alexander presented a similar petition from the county of Adair.
5. Mr. Grover presented the petition of sundry ladies of Grant county, praying for peace, neutrality, and a restoration of the Union. Which were received, the reading of all save the 5th dispensed with, and referred—the 1st to the Committee on the Judiciary; the 2d, 3d, 4th, and 5th to the Committee on Federal Relations.

Mr. Johnson, from the Committee on Banks, reported a bill of the following title, viz:

A bill to amend the charter of the Merchants' Bank of Kentucky.

Mr. Irvin, from a select committee, reported a bill of the following title, viz:

A bill to regulate the time of holding the circuit courts in the counties of Calloway and Marshall.

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

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

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

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

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

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

On motion of Mr. Simpson—1. A bill fixing a time for the meeting of the next General Assembly.
On motion of Mr. Rhea—2. A bill incorporating the town of Gordonville, in Logan county.

On motion of Mr. Darnaby—3. A bill repealing an act, entitled "An act for the benefit of Martha Corbin."

On motion of Mr. Barrick—4. A bill for the benefit of the sheriffs of Barren and Metcalfe counties.

On motion of same—5. A bill concerning the Western Lunatic Asylum.

Ordered, That Messrs. Simpson, Taylor, and Fisk prepare and bring in the 1st; the Committee on County Courts the 2d; the Committee on the Judiciary the 3d; the Committee on Finance the 4th, and Messrs. Barrick, Boles, and Cosby the 5th.

Mr. Rust read and laid upon the table the following joint resolutions, viz:

1. Resolved by the General Assembly of the Commonwealth of Kentucky, That we most solemnly protest against the recent act of Abraham Lincoln, President of the United States, in blockading the port at the city of Louisville.

2. Resolved, That the course of his Excellency, Governor Magoffin, in refusing to furnish the quota of troops, under the requisition from the General Government, for the purpose of coercing the Southern States, meets with our full and cordial approval.

3. Resolved, That, as Kentucky is in no way responsible for the present war between the Government at Washington and the Confederate States, the same having been precipitated upon us at a time when Kentucky was doing everything in her power to bring about a peaceful adjustment of the difficulties that unhappily afflict our country, it is the deliberate judgment of this General Assembly that Kentucky ought not to pay one cent of the enormous debt that is being incurred for the prosecution of the war; and we hereby, in the name of the people of Kentucky, protest against the same.

4. Resolved, That the act of the President in calling out troops to coerce the Southern States being without the authority of law, and, in our judgment, wholly unconstitutional, Kentucky asserts the right to determine for herself the position she will occupy during the present war, and, in the exercise of that right, elects to preserve an armed neutrality, until forced to abandon that position by some aggressive act on the part of either of the belligerent parties now engaged in said war.

Under a suspension of the rules, on the motion of Mr. Andrews,

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

Mr. Whitaker offered the following resolution, viz:

In the present condition of public affairs the Senate deem it of the highest importance to the people of Kentucky that the exact corres-
pontence which has taken place between the Governor of Kentucky and the Secretary of War of the Confederate States should be known; and as the Governor has announced in his message that his answer in reply to the note of L. P. Walker, Secretary of War of said Confederate States, of the 22d ult., cannot be furnished because no copy was preserved; therefore,

Resolved, That a committee of three be appointed to ascertain and report to the Senate the answer of the Governor of this State to the requisition for troops by said Secretary of War; and also copies of any other notes that may have passed between said persons; and said committee shall have power to send for persons and papers.

The yeas and nays being required on the adoption of said resolution by Messrs. Cissell and Marshall, were as follows, viz:

Those who voted in the affirmative, were—


Those who voted in the negative, were—


And so said resolution was rejected.

Mr. Cissell, from a select committee, to whom had been referred the following bill, reported the same with sundry amendments, which were adopted, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That all laws requiring circuit courts, equity and criminal courts, quarterly courts, justices' courts, and all courts of police and city, judges of towns and cities, except for the trial of criminal and penal causes, in this Commonwealth, be, and they are hereby, repealed until the 1st day of January, 1862: Provided, That after the expiration of said time, said courts shall be held and governed by all the laws now in force: And provided further, That all civil process of every kind, returnable to said terms, shall be continued until the next regular terms of said courts after the 1st day of January, 1862; and nothing herein contained shall be construed so as to interfere in any manner whatever with the trial of criminal and penal causes in said courts at their regular terms, as though this act had not taken effect.
§ 2. That the several judges of the equity and circuit courts shall hold the terms of their several courts at the times now fixed by law for the trial of criminal and penal prosecutions; and for the purpose of the assignment of dower, for the trial of cases of divorce, for the probate of wills, for making the partition of land, ordering the distribution of estates ratably amongst the creditors, and for the trial of actions of tort, action of forcible entry and detainer, and forcible detainer, and of cases where the title to land or other property is in dispute, or where the boundary of land is involved, or a party is seeking to establish or complete by judgment or order of court title to lands; and all causes between principal and agent, between trustee and cestui que trust, and for all other cases of law or equity where a decree or judgment for money is not to be rendered, and for the taking all proper steps for the preparation of cases in said courts.

§ 3. That all executions in this Commonwealth, which shall have been issued since the 1st day of January, 1861, up to the time this act takes effect, shall be returned as soon as practicable after this act takes effect, to the office from which the same issued, and forthwith re-issued and made returnable on the 1st day of March, 1862; and all executions hereafter issued in this Commonwealth by the officers authorized to issue the same, shall be made returnable on the 1st day of March, 1862; after which time executions shall be issued and regulated according to the laws now in force; and no officer, by authority of any execution issued under this act, shall sell any personal property of any kind, until he has caused said property to be appraised, as land is now required to be appraised, unless such property shall at such sale bring at least two thirds of its appraised value; and all sales of such property which shall be made under any such executions, for less than two thirds of its appraised value, shall be null and void, and invest the purchaser with no title to the same; but said execution shall still hold and retain a lien on said property: Provided, That any lien which may have been acquired or created by the issuing of an execution, shall not be released or impaired by the return of said execution, but shall continue in full force on any subsequent execution that may be issued: And provided further, That this act shall not release the liability or responsibility of any assignor or assigns to his or their assignor or assignees, on any assignment or transfer on any note, bond, or contract, or any surety on any note or contract, on which suit has not been instituted, or on which judgment has been rendered: Provided, This act shall not be so construed as to prohibit any person whatever from bringing suits in any of the courts aforesaid and obtaining any provisional remedy under existing laws; and judges and justices of the peace of said courts shall have power, under existing laws, to make any necessary order for the sale or preservation of attached property; or to enter any order authorized by the present laws for the distribution of any money whatever among the parties entitled to receive the same, in any case pending in any of said courts.

§ 4. That in all cases where replevin bond or bonds have heretofore been executed, the obligors to such replevin bonds shall not have the
benefit of this act until they shall give their consent, in writing, that they accept the benefit of the extension of time given them by the issuing of any execution on any replevin bond; and that this consent shall be filed in the office where the replevin bond is filed or whence the execution issued.

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

Mr. Pennebaker offered the following amendment, viz:

After the word “courts,” in the 29th line of section 3, add “And be it further provided, That this act shall not be construed to prevent the Louisville chancery court from hearing and determining all causes now pending therein, and all that may hereafter be instituted in said court; the final process, order, or decree to be under the restrictions of this act only so far as the payment of money is adjudged thereby.”

Mr. Fisk offered the following amendment to the amendment offered by Mr. Pennebaker, viz:

After the word “court,” in the 3d line, add the following: “and all the other courts of this Commonwealth.”

Mr. Glenn 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 offered by Mr. Fisk,

And it was decided in the negative.

The yeas and nays being required on said question by Messrs. Fisk and Taylor, were as follows, viz:

Those who voted in the affirmative, were—

T. T. Alexander, Alex. L. Davidson, Thornton F. Marshall,
Landaff W. Andrews, George Denny, John A. Prall,
Charles Chambers, John F. Fisk, James Simpson,
William S. Darnaby,

Those who voted in the negative, were—

Mr. Speaker, Porter, Asa P. Grover, William B. Read,
William T. Anthony, Thomas S. Grundy, Albert G. Rhea,
James R. Barrick, Samuel Haycraft, L. H. Rousseau,
Samuel H. Boles, John L. Irvan, Henry M. Rust,
John B. Bruner, Samuel H. Jenkins, Cyrenius Wait,
Benjamin P. Cissell, John M. Johnson, E. Dudley Walker,
Samuel E. DeHaven, William H. McBrayer, Claiborne J. Walton,
J. E. Gibson, Chas. D. Pennebaker, W. C. Whitaker—25.
Robert E. Glenn,

The yeas and nays were then required by Messrs. Pennebaker and
Rousseau on the amendment proposed by Mr. Pennebaker, and were as follows, viz:

Those who voted in the affirmative, were—


Samuel H. Jenkins,

Those who voted in the negative, were—


William T. Anthony, John F. Fisk, James R. Barrick, J. E. Gibson, Charles Chambers, Asa P. Grover, Benjamin P. Cissell, Thomas S. Grundy, A. D. Cosby, Samuel Haycraft, William S. Darnaby, John L. Irvan, Alex. L. Davidson,

And so said amendment was rejected.

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

The rule of the Senate, constitutional provision, and third reading of said bill having been 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. Taylor and Andrews, were as follows, viz:

Those who voted in the affirmative, were—


J. E. Gibson, William H. McBrayer,

Those who voted in the negative, were—


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

Mr. Gillis, from the Committee on Enrollments, reported that they had examined sundry enrolled bills originating in the House of Representatives, of the following titles, viz:

An act for the benefit of the Kentucky Agricultural and Mechanical Association.

An act to amend the charter of Russellville.

An act to amend the charter of Bowling-Green.

An act declaring Eagle creek a navigable stream.

An act to amend the charter of the New Castle and Carrollton turnpike road company.

And that the same were correctly enrolled.

Whereupon the Speaker affixed his signature to said bills, and they were returned to the committee to be by them presented to the Governor for his signature and approval.

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 Thomas Johnson.

An act to change the line between the 1st and 2d voting precincts, in Knox county.

An act to amend the charter of Frankfort.

An act to incorporate the Hopkinsville Oil and Mining Company.

According to special order, the Senate took up for consideration a bill of the following title, viz:

A bill to amend the charter of the Louisville and Nashville railroad company.

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

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

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

According to order, the Senate then took up for consideration a bill entitled, 'An act to legalize the suspension of any of the banks of issue.'

Said bill reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That any of the banks of issue of this State are hereby authorized to suspend the payment of specie, without a forfeiture of any of their
chartered privileges: Provided, That said banks resume payment when ordered by the Legislature of Kentucky, after six months' notice being first given to said banks; but any bank failing to resume specie payment on such notice being given, shall forfeit its charter for such failure.

§ 2. This act shall take effect from and after its passage.

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

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

The question was taken on its passage, 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—

William T. Anthony, Asa P. Grover, William B. Read,
James R. Barrick, Thomas S. Grundy, Albert G. Rhea,
Samuel H. Boles, John L. Irvan, L. H. Rousseau,
Benjamin P. Cissell, Samuel H. Jenkins, Henry M. Rust,
J. E. Gibson, John M. Johnson, Cyrenius Wait,
William C. Gillis, Thornton F. Marshall, Claiborne J. Walton,

Those who voted in the negative, were—

Mr. Speaker Porter, William S. Darnaby, Chas. D. Pennebaker,
T. T. Alexander, Alex. L. Davidson, John A. Pratt,
Landaff W. Andrews, Samuel E. DeHaven, James Simpson,
John B. Bruner, John F. Fisk, Harrison Taylor,
Charles Chambers, Samuel Haycraft, E. Dudley Walker—16.

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

And then the Senate adjourned.
Mr. Alexender presented a petition from sundry ladies of Adair county, praying that Kentucky might be permitted to maintain inviolate her armed neutrality.

Which was received, read, and referred to the Committee on Federal Relations.

Mr. Rust presented the response of the Attorney General to a resolution of the Legislature, directing him to take such steps as he might deem necessary to obtain such specimens of minerals, &c., belonging to the State of Kentucky, as were in the possession of the personal representative of the late Dr. Owen.

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

Bills were reported, originating in the House of Representatives, of the following titles, viz:

By Mr. Cissell, from the Committee on the Judiciary—
1. An act to amend the charter of the Harrodsburg and Cornishville turnpike road company.
2. An act for the benefit of Granville Redman, constable in district No. 4, Wayne county.
3. An act authorizing the establishment of a work-house in Frankfort.

By Mr. Whitaker, from the Committee on Circuit Courts—
4. An act for the benefit of William P. Conner, of Bath county.

By Mr. Taylor, from the Committee on Internal Improvement—
5. An act to amend the charter of the Muldrough's Hill, Campbellsville, and Columbia turnpike road company.

Ordered, That the 1st and 2d be rejected, and that the 3d, 4th, and 5th be read a third time.

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

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

Mr. Rousseau, from the Committee on the Judiciary, reported a
bill, entitled "An act authorizing the appointment of an assistant or deputy constable in Jefferson county."

Said bill reads as follows, viz.:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the constable in the justices' district adjacent to the city of Louisville, in Jefferson county, known as the Blankenbaker district, in which Presley B. Bland was lately elected constable, be, and he is authorized, to appoint one assistant or deputy constable in and for that district; said appointment shall be made by and with the approval of the Jefferson county court; and such appointment may be revoked at pleasure by such constable; before such deputy shall proceed to act, he shall take the oath required of the constable; such assistant shall have all the powers, and be bound to do and perform all the duties his principal has and is bound to do and perform; and all persons, in anywise [injured] by the official acts of such assistant, such persons shall have the same right of action, and extent and manner of recovery against the principal, as though the same had been done or committed by the constable; and such assistant shall be liable over to the constable for any damages he may have sustained by reason of such acts of the assistant.

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

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

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

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

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

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

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

Those who voted in the affirmative, were—

T. T. Alexander, Samuel Haycraft, L. H. Rousseau,
James R. Barrick, Samuel H. Jenkins, Henry M. Rust,
Benjamin P. Cissell, John M. Johnson, James Simpson,
A. D. Cosby, Thornton F. Marshall, Harrison Taylor,
George Denny, Chas. D. Pennebaker, Cyrenius Wait,
John F. Fisk, John A. Prall, E. Dudley Walker,
William C. Gillis, William B. Read, C. J. Walton,
Those who voted in the negative, were—

Mr. Speaker, Porter, Charles Chambers, Robert E. Glenn,
Landaff W. Andrews, William S. Darnaby, Thomas S. Grundy,
Samuel H. Boles, Alex. L. Davidson, John L. Irvan,

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

By Mr. Alexander, from the Committee on Finance—
A bill for the benefit of the sheriffs of Barren and Metcalfe counties.
By Mr. Taylor, from the Committee on Internal Improvement—
A bill to aid in the construction of the Lexington and Southern
Kentucky railroad company.
A bill to amend the charter of the Lexington and Southern Ken-
ty railroad company.
Which were read the first time, and ordered to be read a second
time.
The rule of the Senate, constitutional provision, and second reading
of said bills having been dispensed with,
Ordered, That said bills be engrossed and read a third time.
The rule of the Senate, constitutional provision, and third reading
of said bills having been dispensed with, and the same having been
engrossed,
Resolved, That said bills do pass, and that the titles thereof be as
aforesaid.
By Mr. Alexander, from the Committee on Finance—
A bill to amend the registration law.
Which was read the first time, and ordered to be read a second
time.
The rule of the Senate, constitutional provision, and second reading
of said bill having been dispensed with,
Mr. Pennebaker offered the following amendment, viz:
Strike out the words "$800," in 1st section, and insert the words
"such compensation as provided for by the act establishing said
officer."
The yeas and nays being required on the adoption of said motion
by Messrs. Pennebaker and Grover, were as follows, viz:

Those who voted in the affirmative, were—

George Denny, Samuel H. Jenkins, L. H. Rousseau,
Samuel Haycraft,
Those who voted in the negative, were—


A. D. Cosby,

And so said amendment was rejected.

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

Mr. Alexander moved to dispense with the third reading of said bill.

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. Pennebaker and Walton, were as follows, viz:

Those who voted in the affirmative, were—


Benjamin P. Cissell, Thornton F. Marshall,

Those who voted in the negative, were—


Ordered, That said bill be read a third time to-morrow morning, at 10 o'clock and 10 minutes, A. M.

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

An act to amend the charter of the Hardinsburg and Cloverport turnpike road company.

An act to suspend the circuit and other courts in this Commonwealth, and for other purposes.
An act to incorporate the Frankfort Fire, Marine, and Life Insurance Company.

An act to change the place of voting in the 9th election district, in Whitley county.

An act to incorporate and establish the town of Lewisburg, in Mason county.

An act to regulate the time of holding the circuit courts in Calloway and Marshall counties.

An act to amend the charter of the Merchants' Bank of Kentucky.

A bill to amend the charter of the Louisville and Nashville railroad company.

With an amendment to the last named bill.

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

An act authorizing the Harrison county court to purchase arms and implements of war.

An act to amend the law in relation to foreign administrators and executors.

An act for the benefit of George Higginson, late a constable of Union county.

An act to amend the charter of the Millersburg, Indian Creek Church, and Cynthiana turnpike road company.

An act for the benefit of H. L. Tye.

An act establishing an additional precinct in the county of Crittenden.

An act for the benefit of A. P. Lacy.

An act for the benefit of the commissioners of the penitentiary.

An act for the benefit of Sarah A. Walker.

An act to charter Grove No. 3, of the Ancient Order of Druids, of Louisville.

An act to amend an act to incorporate the town of Liberty.

An act for the benefit of John B. Gowan.

An act to extend the town limits of Mt. Vernon.

An act to prevent the destruction of fish in the waters of Dix river and Hanging Fork.

An act to amend the charter of the town of Danville.

An act changing the place of voting in Henderson precinct, in Lewis county.

An act to amend the charter of the city of Louisville.

An act to amend the charter of the Sayre Female Institute.

An act to amend the charter of the town of Carrollton.
An act giving the county court of Pendleton county jurisdiction over State roads.

An act in relation to the Wilderness road, in Knox county.

An act in relation to the town of Frankfort.

Mr. Gillis, from the Committee on Enrollments, reported that they had examined sundry enrolled bills originating in the House of Representatives, of the following titles, viz:

An act to change the line between the Wyoming and Bethel precincts, in Bath county.

An act to change the line of a voting precinct in Montgomery county.

An act to amend the charter of the Knob Lick turnpike road company.

An act appointing trustees for Moscow Seminary, in Hickman county.

An act to amend the charter of the Stanford and Hall's Gap turnpike road company.

An act to incorporate the town of Maxville.

An act to change the voting place in Moreland precinct, in Bourbon county.

An act to amend an act for the benefit of Dickey & Thomas, of Edmonson county.

Also a bill originating in the Senate of the following title, viz:

An act to regulate the times of holding the circuit courts in the counties of Calloway and Marshall.

And that the same were correctly enrolled.

Whereupon the Speaker affixed his signature to said bills, and they were returned to the committee to be by them presented to the Governor for his approval and signature.

The Senate then, according to general order, took up for consideration resolutions and bills of the following titles, viz:

Resolutions offered by Mr. Glenn upon the state of the country.

Resolutions offered by Mr. Rust on the federal relations of Kentucky.

Mr. Fisk offered an amendment by way of a substitute for the resolutions offered by Mr. Rust.

1. An act to amend the charter of the city of Louisville.


3. An act to amend the charter of Frankfort.
4. An act to incorporate the Hopkinsville Oil and Mining Company.
5. An act to amend the law in relation to foreign administrators and executors.
6. An act for the benefit of George Higginson, late constable of Union county.
7. An act for the benefit of Thomas Johnson.
8. An act to change the line between the 1st and 2d voting precincts, in Knox county.
9. An act to amend the charter of the Millersburg, Indian Creek Church, and Cynthiana turnpike road company.
10. An act for the benefit of H. L. Tye.
11. An act establishing an additional precinct in the county of Crittenden.
12. An act for the benefit of A. P. Lacy.
13. An act for the benefit of the commissioners of the penitentiary.
15. An act to charter Grove No. 3, of the Ancient Order of Druids, of Louisville.
16. An act to amend an act to incorporate the town of Liberty.
17. An act for the benefit of John B. Gowan.
18. An act to extend the town limits of Mount Vernon.

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

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

Mr. Cissell offered an amendment to the 15th.

Which was adopted.

Ordered, That the 3d, 4th, 5th, 10th, and 14th be referred to the Committee on the Judiciary; the 7th and 17th to the Committee on Finance; the 9th to the Committee on Internal Improvement; the 13th to the Committee on the Penitentiary, and that the 1st, 2d, 6th, 8th, 11th, 12th, 15th, 16th, and 18th be read a third time.

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

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

Also a Senate bill of the following title, which the House of Representatives had passed, with an amendment.

An act to amend the charter of the Louisville and Nashville railroad company.
Ordered, That the Senate concur in the amendment proposed by the House of Representatives.

On motion of Mr. Irivan, the rules were suspended, and Messrs. Jenkins, Andrews, and Whitaker were ordered to prepare and bring in a bill changing the boundary of the city of Columbus.

And then the Senate adjourned.

WEDNESDAY, MAY 15, 1861.

Mr. Barrick, from the Committee on Education, to whom had been referred a bill originating in the House of Representatives, of the following title, viz:

An act to amend the charter of the Southern College of Kentucky,
Reported the same without amendment.

Ordered, That said bill be read a third time.

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

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

The hour fixed by an order of the Senate on yesterday, at which a bill, entitled "An act to repeal an act, entitled 'An act requiring the registration of births, marriages, and deaths; and to compensate those who have rendered services under said act,'" should be read a third time having arrived, said bill was read, as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the Auditor of Public Accounts be, and he is hereby, authorized and directed to draw his warrant on the treasury, in favor of Samuel M. Bemiss, for the sum of eight hundred dollars, in full for services rendered by him as Registrar of births, marriages, and deaths for the year 1860, under the act of the General Assembly approved March 3, 1860.

§ 2. That the assessor shall receive two cents for each list faithfully recorded in the regular discharge of duty under said act, for the year 1861; and that all other persons who have rendered services under said act, be allowed as prescribed in said act.
§ 3. That the act, entitled "An act to amend an act requiring the registration of births, marriages, and deaths," approved March 3, 1860, be, and the same is hereby, repealed.

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

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

The yea and nay being required thereon by the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker Porter, Alex. L. Davidson, William H. McBrayer,
T. T. Alexander, Samuel E. DeHaven, John A. Prall,
William T. Anthony, J. E. Gibson, William B. Read,
Landaff W. Andrews, William C. Gillis, Henry M. Rust,
James R. Barwick, Robert E. Glenn, James Simpson,
Samuel H. Boles, Asa P. Grover, Harrison Taylor,
John B. Bruner, Thomas S. Grundy, Cyrenius Wait,
Charles Chambers, John L. Irvan, E. Dudley Walker,
William S. Darnaby,

Those who voted in the negative, were—

A. D. Cosby, Samuel H. Jenkins, Albert G. Rhea,
George Denny, John M. Johnson, L. H. Rousseau,
Samuel Haycraft,

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

Mr. Walker, from the Committee on the Codes of Practice, reported a bill of the following title, viz:

A bill for the benefit of H. D. Rothrock, late sheriff of Muhlenburg county.

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

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

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

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

Resolved, That said bill do pass, and that the title thereof be as aforesaid.
Mr. Simpson, from a select committee, reported a bill, entitled "An act to change the time appointed by law for the meeting of the General Assembly."

Said bill reads as follows, viz:

WHEREAS, In the unsettled condition of the country, it is important that the next General Assembly, nearly all the members of which will be fresh from the people, should convene at as early a day as practicable after the August election; therefore,

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the General Assembly, which, under the Constitution, is required to meet in the year 1861, shall convene on the first Monday in September next.

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

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

Mr. Grundy moved to amend said bill by striking out the word "September," and insert "November" in lieu thereof.

Mr. Denny called for a division of the question.

Mr. Boles moved to lay said bill on the table.

The yeas and nays being required on the adoption of said motion by Messrs. Fisk and Rust, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker, Porter, William S. Darnaby, John L. Irvan,
William T. Anthony, Alex. L. Davidson, Samuel H. Jenkins,
James R. Barrick, J. E. Gibson, William H. McBrayer,
Samuel H. Boles, Robert E. Glenn, Albert G. Rhea,
Charles Chambers, Asa P. Groover, Henry M. Rust,
Benjamin P. Cissell, Thomas S. Grundy, Cyrenius Wait—18.

Those who voted in the negative, were—

T. T. Alexander, William C. Gillis, L. H. Rousseau,
Landaff W. Andrews, Samuel Haycraft, James Simpson,
John B. Bruner, Thornton F. Marshall, Harrison Taylor,
A. D. Cosby, Chas. D. Pennebaker, E. Dudley Walker,
Samuel E. DeHaven, John A. Prall, Claiborne J. Walton,

And so the Senate refused to lay said bill on the table.

The further consideration of said bill was postponed by the arrival of the hour by which, according to the rules of the Senate, the Senate proceeds to the consideration of the orders of the day.
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 county lines between Laurel and Rockcastle counties.
Also a resolution fixing a day for final adjournment of the General Assembly.
A message in writing was received from the Governor by the hands of the Hon. Thomas B. Monroe, jr., Secretary of State.
Said message is as follows, viz:

**Executive Department, May 15, 1861.**

*Gentlemen of the Senate:*

In response to the resolution adopted by your honorable body, asking information touching matters of public interest, I have to submit, in addition to the information upon the same subject embodied in my late message, the following:

There has been no official correspondence between myself or any authorized agent, and the President of the Confederate States, or any officer, agent, or commissioner of said President or government.

No requisition has been made upon Kentucky for troops by any officer of the Confederate States.

In this connection I deem it proper to mention, that on or about the 22d ult., I received a telegraphic note, dated Montgomery, Ala., and signed L. P. Walker, Secretary of War. In that note Mr. Walker expressed the belief, based upon my previous response to the requisition of the United States Government, that our people were prepared to unite in repelling the common enemy of the South, recited the fact that Virginia needed our aid, and requested me to send one regiment to rendezvous at Harper's Ferry, without delay. I promptly, and in the fewest words, declined to comply with the request. Manifestly I could have made no other reply. As the Governor of the State, I had no authority in the premises, and I did not for a moment regard the request of Mr. Walker as an official communication, so far as my Executive functions were involved. The notes were interchanged during my visit to Louisville, were not held to be of an official character, and no copies were preserved. The original note of Mr. Walker was retained, and is herewith transmitted for your inspection.

Upon the recent commencement of hostilities between the United States Government and the Confederate States, the Commonwealth of Kentucky, as you are well aware, was almost entirely defenseless. The vigorous measures instituted by the President of the United States for the overthrow of the Confederate States Government, and the reduction of the people of the seceded States to submissive allegiance to his administration, at once aroused the wildest excitement in the non-slaveholding States; and created the most imminent danger of lawless invasion of our soil by the people of the contiguous States on the North. Not only was civil war inaugurated, but for a time it seemed that the populace of the Northern States would not await the
authorized direction and organization of their hostilities. In the
midst of this mighty convulsion Kentucky stood unarmed and defense-
less, her soil unprotected from hostile invasion, and her citizens exposed
to any assault which the mad fanaticism of the hour might suggest.
From every section of the State came up to me the most urgent
appeals for arms. My table was covered with earnest petitions of loyal
citizens, asking from their State the means of self-protection. No
time was to be lost. Every day of delay increased the difficulties of
procuring arms and munitions. It was manifest none could be pro-
cured from the North. As communicated to you in my recent message,
I did then assume the responsibility of dispatching agents to the points
I thought most available, with instructions to make known the posture
of our State, and the defenseless condition of its people, and, if possi-
ble, purchase arms.
I authorized and employed Dr. Luke P. Blackburn, of the city of
Louisville, to proceed to the States of Arkansas and Louisiana, and
instructed him, first, to explain to the Governors of those States the
position of Kentucky as being an attitude of strict self-defense, to
make known our defenseless situation, and then to contract for the
most effective arms and munitions upon the best terms he could
arrange. That I may be clearly understood, I mention here that about
the same time, in pursuance to the line of policy I had adopted for
the maintenance of peace and the prevention of any collision along our
Northern border, I accredited Gen. S. B. Buckner an agent to proceed
to Indianapolis and Jefferson City, with instructions to explain to the
Governors of those States the position of Kentucky. His instructions
in regard to the position held by Kentucky were identical with those
given to Dr. Blackburn. The attitude of Kentucky was represented
alike to all the State authorities with whom I was in any mode in
communication. Gen. Buckner was prevented from visiting Indian-
apolis by an unforeseen call to Cairo, Ills., the nature of which will be
fully understood from the correspondence herewith transmitted.
I constituted Messrs. Hewitt, Norton & Co., of New Orleans, the
agents of the State, instructed to inspect, receive, pay for, and for-
ward to this State such arms and munitions as were contracted for by
Dr. Blackburn. At a later day, I constituted Hewitt, Norton & Co.,
the sole agents of the State in the premises.
I constituted Mr. A. O. Brannin and Mr. B. J. Adams, of the city
of Louisville, the agents of the State, to transmit to Hewitt, Norton
& Co., the funds so used by them, as the same might be needed, and
transferred to their credit the amount advanced to me by the three
banks mentioned in my recent message.
Upon application made to me by certain members of the Louisville
city council, I handed to the gentlemen selected by that body to go to
Virginia and purchase arms, machinery, &c., for the city of Louisville,
a letter of introduction addressed to Governor Letcher of that State.
I verbally requested those gentlemen, when they had procured the
requisite arms and machinery for the city of Louisville, to contract for
similar supplies for the State of Kentucky, and report to me the
result.
At the request of Mr. Henry R. Orr, a citizen of Bourbon county, who was proceeding to the southern States as the agent of citizens of that county, to procure arms, I gave him letters of introduction to the Governors of several of those States. I also verbally requested him to report to me at what points and on what terms arms could be procured for the State.

Dr. Luke P. Blackburn, as the agent of the State, succeeded in purchasing the following arms and munitions:

1053 muskets, flintlock, $8.------------ $8,434.00
332 muskets, percussion, $17.--------- 5,644.00
797½ thousand musket and rifle caps, $1.75 1,395.63
26 thousand English double water-proof caps, $3.25 84.50
4 boxes water-proof caps, $1.50 6.00

Drayage 24.50

Making a total expenditure of $15,578.63

These goods were purchased of the European and Southern Direct Trading Company, were shipped to Tho. H. Hunt & Co., Louisville, on the 2d inst., as evidenced by the bill of lading now in my office. I have not yet been advised of their arrival, and have made no disposition of them.

At my direction, Gen. S. B. Buckner closed a contract with an Eastern firm for the delivery of 13,000 guns, of the best character, in this State. I am advised that it will be impossible for the contracting parties to comply with their obligation.

No other expenditure of the funds supplied by the banks have yet been reliably communicated to me, except a few guns bought by Mr. Brannin, and the balance is in the hands of the agents of the State at Louisville or New Orleans.

B. MAGOFFIN.

Correspondence with Col. Prentiss.

COLUMBUS, Ky., April 30, 1861.

Sir: I have instituted proper inquiries at this point in relation to the subject of our interview yesterday. I assured you that I was of opinion that your information in reference to any aggressive purpose on your post or State from this point was incorrect. My inquiries amongst the citizens and authorities confirm me in my opinion. No hostile purpose has been attempted or conceived at this point, or, as far as the citizens here know, by the people south of here, with a view of directing it through this point, or any other part of Kentucky, against any part of Illinois.

Your information in reference to the proposed stopping of the trips of the steamer Cheney by the citizens of this place is equally incorrect. Their indignation on that subject is confined entirely to what they regard as an unauthorized detention of that steamer under your
authority at Cairo. It is to be regretted that you felt authorized, on such imperfect information, to express to me your purpose to prevent the passage of any arms or ammunition which the citizens of this place or vicinity might wish to provide for their own use. Under the circumstances, such an act, when no aggressive purpose is even meditated here, would not even find its justification in the plea of self-defense, which you urged, much less in law, justice, or that comity which should exist between neighboring States.

I have the honor to be, very respectfully, your obedient servant,

S. B. BUCKNER,
Inspector General of Kentucky.

To Col. PRENTISS, Commanding at Cairo, Illinois.

HEADQUARTERS ILLINOIS VOLUNTEER MILITIA,
Cairo, Illinois, April 30, 1861.

Gen. S. B. Buckner—Dear Sir: I have the honor to acknowledge the receipt of your letter of this instant.

In all candor, I trust that our apprehensions, as to the aggressive purposes of the points which you have mentioned, are as ungrounded as the results of your inquiries seem to indicate. But rest assured, sir, that the respect and friendship of Kentucky shall always be solicitously cultivated from this quarter; and I have no doubt but that I express the universal heart of my fellow Illinoisans in saying that any injustice ever done by Illinois toward her sister States, which God forbid shall be promptly and honorably repaired.

I have the honor, sir, to be your obedient servant,

B. M. PRENTISS, Commandant.

Communication from Gen. Buckner.

HEADQUARTERS KY. STATE GUARD,
Louisville, May 3d, 1861.

To the Adjutant-General of Kentucky: On the 29th ultimo, in company with Senator Johnson, of McCracken county, I called on the commanding officer of the military force now stationed at Cairo, Ill. The object of our visit was to ascertain, in an official form, the authority under which that force acted, and the object of their occupying that station in reference to the citizens or to the State of Kentucky.

I informed the commanding officer that our purpose was to maintain with our neighbors relations of the most cordial friendship, to abstain, ourselves, from any acts, which might have even the appearance of an aggression on their rights, and to claim in return an equal respect from them; and that I desired to obtain from him such assurances as would tend to quiet the excitement occasioned in Kentucky by the seizure and detention at Cairo of private property by an armed force under his command. I had previously, on the 19th of April, instructed the commander of the active militia in that section of Kentucky "to spare no exertions to prevent all lawless action, or action calculated to precipitate difficulties."
In reply to my inquiries, the commanding officer at Cairo stated that he was then acting, and had been acting, under the orders of the Governor of Illinois, but expected very soon to be acting under the authority of the United States; that he had made no seizures of boats or property except under special instructions; that arms or ammunition belonging to the State of Kentucky, in passing from a United States arsenal, would not be seized under the instructions under which he then acted.

I asked if arms or ammunition, the property of citizens of Kentucky, and procured for their own use, would, under his instructions, be seized or detained at Cairo? He replied that they would not; but qualified his reply by stating that it would depend upon the point to which they might be destined; if, for instance, they were destined to Columbus in Kentucky, he would not permit such property to pass his point. He further qualified his answer by remarking that he wished to be fully understood, and that "it would not be safe" for any large quantities of arms or ammunition, however destined, to attempt to pass his post. I asked him, in reply, if I understood him to imply that the Governor of Illinois claimed the right to decide what citizens of Kentucky should and what citizens should not be entitled to receive property which they had provided for their own use?

He replied that no such claim was asserted; but that he would seize such arms on the principle of self-defense, claiming the right to detain arms which he had reason to think would be used against himself. I asked if there was any reason to believe that any hostile purpose was designed by the citizens of Columbus or its vicinity? He replied that he was satisfied such purpose was designed both by the citizens of Columbus and persons from other States co-operating with them; that his post had been threatened from that quarter, and that the citizens of that place had gone so far as to threaten to prevent the trips of the steamer which connected that point with Cairo. I asked if he had notified the authorities of Kentucky of the hostile purpose of its citizens, or of the designs of the citizens of other States to use her territory for aggressive purposes? He replied that he had not. I suggested that such a course would be advisable before adopting towards the citizens of Kentucky the policy which he indicated; that the policy of Kentucky was not to intermeddle with the affairs of any of her neighbors; and that she felt competent to prevent aggressions on her neighbors through her territory, if she were notified that such aggression was designed; and that she did not recognize the right of other parties to pass through her territories for the purpose of redressing their grievances against each other. He replied that the question of such a right would involve the discussion of many points. To which I replied that the question as between Kentucky and Illinois did not admit of argument; that the citizens of Kentucky recognized no authority in the Governor of Illinois to invade the jurisdiction of Kentucky, or to interfere with the rights of her citizens.

I further assured the officer in command that I would visit Columbus in order to ascertain the correctness of his information. My letter to Col. Prentiss, herewith inclosed, will show that he labored under an entire misapprehension of the facts.
In conclusion, I asked Col. Prentiss if his instructions contemplated the occupancy by his forces of any part of the soil of Kentucky. To which he replied unhesitatingly, that they did not.

I am, sir, very respectfully,

Your obedient servant,

S. B. BUCKNER,
Inspector General.

To the Adjutant General of Kentucky, Frankfort, Kentucky.

Under a suspension of the rules, on motion of Mr. Fisk,

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

The Senate then, according to general order, took up for consideration bills of the following titles, viz:

1. An act authorizing the Harrison county court to purchase arms and implements of war.
2. An act to amend the charter of the town of Danville.
3. An act changing the place of voting in Henderson's precinct, in Lewis county.
4. An act to amend the charter of the Sayre Female Institute.
5. An act to amend the charter of Carrollton.
6. An act giving the county court of Pendleton county jurisdiction over State roads.

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

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

Mr. Simpson proposed to amend the 1st named bill by way of a substitute therefor.

Ordered, That the Public Printer forthwith print 150 copies of the 1st, with the proposed amendment, and that the further consideration be postponed until to-morrow at half-past 10 o'clock; that the 4th be referred to the Committee on the Judiciary; that the 6th be referred to the Committee on the Revised Statutes, and that the 2d, 3d, and 5th be read a third time.

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

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

Mr. Gillis, from the Committee on Enrollments, reported that they
had examined an enrolled bill originating in the House of Represent­atives, of the following title, viz:

An act to amend the charter of the city of Louisville.

And that the same was correctly enrolled.

Whereupon the Speaker affixed his signature to said bill, and it was returned to them to be by them presented to the Governor for his approval and signature.

And then the Senate adjourned.

THURSDAY, MAY 16, 1861.

1. Mr. Cosby presented the petition of sundry mothers, wives, sisters, and daughters of the county of McLean, asking that Kentucky might be permitted to maintain inviolate her armed neutrality.

2. Mr. Gillis presented a petition from sundry citizens of Laurel county, praying the passage of an act repealing an act, entitled "An act for the benefit of James D. Ballard."

3. Mr. Marshall presented the petition of sundry citizens of Bracken county, praying nothing may be done by which Kentucky's present relations towards the Union might be changed.

Which were received, the 1st one read, the reading of 2d and 3d dispensed with; and also referred—the 1st and 3d to the Committee on Relations; and the 2d to the Committee on Propositions and Grievances.

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

On motion of Mr. Haycraft—1. A bill providing for a clerk in the Treasurer's office.

On motion of Mr. Gillis—2. A bill for the benefit of Joseph L. McCarty, of Whitley county.

On motion of same—3. A bill creating the office of county treasurer for Whitley county.

On motion of Mr. Simpson—4. A bill for the benefit of Alfred Hensley.

On motion of Mr. Prall—5. A bill to amend the charter of North Middletown.
On motion of Mr. Taylor—6. A bill for the benefit of William P. Fox, of Mason county.

On motion of Mr. Irvan—7. A bill for the benefit of the Union Democrat, of Trigg county.

On motion of Mr. Rousseau—8. A bill to amend the revenue laws.

On motion of same—9. A bill to secure the administration of the criminal laws.

On motion of Mr. Alexander—10. A bill to prevent the destruction of fish in Russell's creek, in Adair county.

On motion of Mr. Barrick—11. A bill to amend the charter of Glasgow.

On motion of Mr. Walker—12. A bill to amend the execution laws.

On motion of same—13. A bill to amend the limitation laws.


On motion of Mr. Barrick—15. A bill providing for the payment of the money borrowed by the Governor for the purchase of arms and munitions of war for the defense of the State.

Ordered, That the Committee on Finance prepare and bring in the 1st, 2d, 4th, 6th, and 15th; the Committee on County Courts the 3d; the Committee on the Judiciary the 5th, 8th, 9th, and 11th; the Committee on the Revised Statutes the 13th; Messrs. Irvan, Johnson, and DelHaven the 7th, and Messrs. Walker, Whitaker, and Rousseau the 12th.

Bills of the following titles were reported, viz:

By Mr. Andrews, from the Committee on the Judiciary—
1. A bill to incorporate the town of Hillsborough, in Fleming county.

By Mr. Rhea, from the Committee on County Courts—
2. A bill to incorporate the town of Granville, in Logan county.

By Mr. Barrick, from the Committee on Education—
3. A bill for the benefit of school district No. 24, in Hopkins county.

4. A bill to amend the common school law.

By Mr. Jenkins, from a select committee—
5. A bill changing the boundary of the city of Columbus.

By Mr. Pennebaker, from the Committee on the Revised Statutes—
6. 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 rule of the Senate, constitutional provision, and second reading of said bills having been dispensed with,

Ordered, That the Public Printer forthwith print 150 copies of the 4th, for the use of the members of the General Assembly, and that the 1st, 2d, 3d, 5th, and 6th be engrossed and read a third time.

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

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

Mr. Cissell, from the Committee on the Judiciary, to whom it had been referred, reported a House bill of the following title, viz:

An act to incorporate the Hopkinsville Oil and Mining Company.

By Mr. Grover, from the Committee on the Revised Statutes—
An act giving the county court of Pendleton county jurisdiction over State roads.

Ordered, That said bills be read a third time.

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

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

Mr. Cissell, on behalf of the Judiciary, asked to be discharged from the further consideration of a leave to bring in a bill, entitled "A bill to repeal an act, entitled 'An act for the benefit of Martha A. Corbin,'" approved April 4, 1861.

Which was granted.

And so said committee was discharged.

Mr. Darnaby, from the Committee on the Penitentiary, reported a bill of the following title, which originated in the House of Representatives, viz:

An act for the benefit of the commissioners of the penitentiary.

With an amendment to said bill by way of a substitute.

Said amendment is as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the Governor be, and he is hereby, authorized and empowered to pay to Dr. Hugh Rodman two hundred and fifty dollars; to Joseph Patterson one hundred dollars, and to C. Drake fifty dollars, out of the money unexpended of the appropriation made for improvements in the penitentiary, in payment for their services as commissioners in superintending the construction of said improvements.

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

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

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

The question was taken on its passage.

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

Those who voted in the affirmative, were—

Mr. Speaker, Porter, George Denny, Chas. D. Pennebaker, John A. Prall,
T. T. Alexander, John F. Fisk, William B. Read,
William T. Anthony, J. E. Gibson, Albert G. Rhea,
Landaff W. Andrews, William C. Gillis, L. H. Rousseau,
James R. Barrick, Robert E. Glenn, Henry M. Rust,
Samuel H. Boles, Asa P. Grover, James Simpson,
John B. Bruner, Thomas S. Grundy, Harrison Taylor,
Charles Chambers, Samuel Haycraft, Cyrenius Wait,
Benjamin P. Cissell, John L. Irvan, E. Dudley Walker,
A. D. Cosby, Samuel H. Jenkins, C. J. Walton,
William S. Darnaby, John M. Johnson, William H. McBrayer,
Alex. L. Davidson, W. C. Whitaker—37.
Samuel E. DeHaven,

In the negative—none.

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

The Senate resumed the consideration of the bill reported on yesterday, by Mr. Simpson, from a select committee, entitled

A bill to change the time appointed by law for the meeting of the General Assembly.

The pending question being the amendment offered by Mr. Grundy, as follows, viz:

Strike out “September,” in last line, and insert “November.”

Mr. Denny called for a division of the question.

The question being taken on striking out the word September,

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

Those who voted in the affirmative, were—

Mr. Speaker, Porter, Alex. L. Davidson, Samuel H. Jenkins,
William T. Anthony, J. E. Gibson, John M. Johnson,
James R. Barrick, Robert E. Glenn, W. H. McBrayer,
Samuel H. Boles, Asa P. Grover, Albert G. Rhea,
Charles Chambers, Thomas S. Grundy, Henry M. Rust—17,
William S. Darnaby, John L. Irvan,
Those who voted in the negative, were—

George Denny, William B. Read, John F. Fisk,

And so the Senate refused to strike out.

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

The rule of the Senate, constitutional provision, and third reading of said bill having been dispensed with, and the same having been 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. Irvan and Boles, were as follows, viz:

Those who voted in the affirmative, were—

George Denny, L. H. Rousseau, John F. Fisk,

Those who voted in the negative, were—


According to special order, the Senate took up for consideration a House bill of the following title, viz:

An act authorizing the Harrison county court to purchase arms and implements of war.

The Speaker decided the amendment offered by Mr. Simpson out of order, and could not be proposed.

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

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 line of the Williamsburg magistrates' and election district in Whitley county.

An act to change the place of voting in justices' district No. 7, in Monroe county, and to change the line of said district.

An act to charter the Louisville, Pittsburg, St. Louis, Nashville, and Tennessee River Pilots' Association.

An act for the benefit of D. A. Houseman, of Graves county.

Mr. Gillis, from the Committee on Enrollments, reported that they had examined enrolled bills of this House, of the following titles, viz:

An act to amend the charter of the Hardinsburg and Cloverport turnpike road company.

An act to suspend the circuit and other courts in this Commonwealth, and for other purposes.

An act to amend the charter of the Louisville and Nashville railroad company.

An act to change the place of voting in the 9th election district, in Whitley county.

An act to incorporate and establish the town of Lewisburg, in Mason county.

An act to amend the charter of the Merchants' Bank of Kentucky.

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature to said bills, and they were returned to the committee to be by them presented to the Governor for his approval and signature.

The Senate then, according to general order, took up bills of the House of Representatives, of the following titles, viz:

1. An act to prevent the destruction of fish in the waters of Dix river and Hanging Fork.


3. An act to change the county line between Laurel and Rockcastle counties.

4. An act in relation to the city of Frankfort.

5. An act to change the line of the Williamsburg magistrates' and election district in Whitley county.

6. An act to change the place of voting in justices' district No. 7, in Monroe county, and to change the line of said district.


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

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

Ordered, That the 1st, 4th, 5th, and 6th bills be read a third time; that the 2d be referred to the Committee on Internal Improvement; the 3d to the Committee on Propositions and Grievances; the 7th to the Committee on the Judiciary, and the 8th to the Committee on Finance.

The rule of the Senate, constitutional provision, and third reading of the 1st, 4th, 5th, and 6th bills having been dispensed with,

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

Also a resolution originating in the House of Representatives, fixing a day for the final adjournment of the General Assembly.

Ordered, That the further consideration of said resolution be postponed until Saturday next, at half-past 10 o'clock, A. M.

And then the Senate adjourned.

FRIDAY, MAY 17, 1861.

On motion of Mr. Gibson,

Ordered, That the reading of the journal of yesterday be dispensed with.

Bills of the following titles were reported, viz:

By Mr. Cissell, from the Committee on the Judiciary—
A bill to amend the charter of Glasgow.

By Mr. Rust, from the Committee on County Courts—
A bill to create the office of county treasurer for Whitley county.

By Mr. Grundy, from the Committee on Propositions and Grievances—
A bill to repeal an act for the benefit of James D. Ballard.

By Mr. Irvan, from a select committee—
A bill for the benefit of the Union Democrat.
Which were read the first time, and ordered to be read a second time.

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

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

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

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

Bills of the following titles, originating in the House of Representatives, were reported from the various committees to which they had been referred:

By Mr. Cissell, from the Committee on the Judiciary—
1. An act to charter the Louisville, Pittsburg, St. Louis, Nashville, and Tennessee River Pilots' Association.

With amendments to said bill.

Which were adopted.

2. An act to amend the charter of Carrollton.

3. An act to amend the law in relation to foreign administrators and executors.

By Mr. Grundy, from the Committee on Propositions and Grievances—
4. An act to change the county line between Laurel and Rockcastle counties.

By Mr. Taylor, from the Committee on Internal Improvement—
5. An act in relation to the Wilderness road, in Knox county.

6. An act to amend the charter of the Millersburg, Indian Creek Church, and Cynthiana turnpike road company.

With amendments to said bill.

Which were adopted.

Ordered, That the 3d be rejected, and that the 1st, 2d, 4th, 5th, and 6th be read a third time.

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

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

Mr. Cissell, from the Committee on the Judiciary, reported a bill for the benefit of Sarah A. Walker.

Said bill reads as follows, viz:
§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That Sarah A. Walker is hereby made capable in law of making contracts, and of acquiring and holding property, real or personal, free from the control of her husband, Green Walker, and in the same manner as if she were a feme sole; and she may dispose of property that she may acquire by gift, purchase, or otherwise.

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

With the expression of opinion that said bill ought to be rejected.

And the question being taken on concurring in said report, it was decided in the negative.

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

Those who voted in the affirmative, were—

Mr. Speaker, Porter, Benjamin P. Gissell, Thomas S. Grundy,
William T. Anthony, William S. Darnaby, Albert G. Rhea,
Landaff W. Andrews, Samuel E. DeHaven, James Simpson,
John B. Bruner,

Those who voted in the negative, were—

T. T. Alexander, Asa P. Grover, John A. Prall,
James R. Barrick, Samuel Haycraft, William B. Read,
Charles Chambers, John L. Irvan, L. H. Rousseau,
A. D. Cosby, Samuel H. Jenkins, Henry M. Rust,
Alex. L. Davidson, John M. Johnson, Cyrenius Wait,
John F. Fisk, Thornton F. Marshall, E. Dudley Walker,
J. E. Gibson, William H. McBryder, Claiborne J. Walton,
Robert E. Glenn,

And so the Senate refused to concur in said report.

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

The question was taken on the passage of said bill.

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

Those who voted in the affirmative, were—

T. T. Alexander, Asa P. Grover, John A. Prall,
James R. Barrick, Samuel Haycraft, William B. Read,
Charles Chambers, John L. Irvan, L. H. Rousseau,
A. D. Cosby, Samuel H. Jenkins, Henry M. Rust,
Alex. L. Davidson, John M. Johnson, Cyrenius Wait,
John F. Fisk, Thornton F. Marshall, E. Dudley Walker,
J. E. Gibson, Wm. H. McBrayer, Claiborne J. Walton,
Robert E. Glenn,

Those who voted in the negative, were—

Mr. Speaker Porter, Benjamin P. Cissell, Thomas S. Grundy,
William T. Anthony, William S. Darnaby, Albert G. Rhea,
Landaff W. Andrews, Samuel E. DeHaven, James Simpson,
John B. Bruner,

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 originating in the Senate of the
following titles, viz:

An act to legalize the suspension of any of the banks of issue.
And that they had passed bills of the following titles, viz:
An act for the benefit of T. W. M. Winn, of Barren county.
An act for the benefit of the schools in the city of Paducah.
An act to incorporate the Mount Sterling and Spencer Creek turn-
pike road company.
An act to amend the act creating the offices of police judge and
town marshal of Franklin.
An act supplemental to an act legalizing a suspension of specie
payment by the banks of this State.
An act empowering the Harrison county court to borrow money for
poor-house purposes.
An act to suspend the spring terms of the Adair and Hopkins circuit
courts.
An act to provide for the appointment of an additional inspector of
flour at Louisville.

Mr. Gillis, from the Committee on Enrollments, reported that they
had examined sundry enrolled bills originating in the Senate, of the
following titles, viz:
An act to incorporate the Frankfort Fire, Marine, and Life Insur-
ance Company.
An act to legalize the suspension of any of the banks of issue.
Also House bills of the following titles, viz:
An act in relation to the town of Frankfort.
An act for the benefit of R. T. Benton, late sheriff of Estill county.
An act to amend the charter of the Southern College of Kentucky.
An act authorizing the establishment of a work-house in Frankfort.

An act for the benefit of William P. Conner, of Bath county.

An act to amend the charter of Muldrough's Hill, Campbellsville, and Columbia turnpike road company.

An act to amend the charter of the town of Danville.

And that the same were correctly enrolled.

Whereupon the Speaker affixed his signature to said bills, and they were returned to the committee to be by them presented to the Governor for his approval and signature.

Mr. DeHaven, from the Committee on Finance, asked to be discharged from the further consideration of a leave to bring in a bill for the benefit of Alfred Hensley.

Further proceedings upon said motion was suspended by the arrival of 12 o'clock, and the Senate proceeded to consider a bill of the following title, viz:

A bill to amend the common school law.

Said bill is as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That chapter 88, article 1, section 1, of the Revised Statutes, be so amended as to read as follows, viz: The Auditor shall, once in each month, make a transfer to the credit of the school fund of all receipts into the treasury, for the benefit of common schools, up to the date of such transfer.

§ 2. He shall apportion each year the revenue of the school fund among the several counties of the State, according to the number of free white children in each between the ages of six and eighteen years, as shown by the returns of the assessors in his office, and the reports of the school commissioners to the Superintendent. Whenever the number of children reported by the assessors exceeds the number reported by the school commissioners to the Superintendent, the county so reported is to be credited with such excess; and the Governor shall execute to the Board of Education a bond of the State therefor, redeemable at the pleasure of the Legislature, and not transferable; interest payable annually. But in all cases which have arisen heretofore, or which may arise hereafter, where the county or counties thus entitled to a surplus have drawn, or may hereafter draw, money out of the treasury, under the provisions of acts for the benefit of common school districts not regularly reported, the amounts thus drawn by each county are to be deducted from the surplus secured to it as aforesaid.

§ 3. The Superintendent, in addition to the allowances for clerk hire, office rent, and traveling expenses—which shall be paid him as heretofore, under orders from the Auditor on the treasury, payable out of the school fund—shall be entitled to one copy of Stanton's Revised
Statutes, and to one copy hereafter of the Acts of the General Assembly and Journals of the Senate and House of Representatives.

§ 4. That the Auditor be directed to draw his warrant on the treasury, which is to be paid out of the school fund, in favor of C. Bailey, Assistant Auditor, for two hundred dollars, for services rendered by said Bailey in making out the school tables, under the provisions of the acts of 1859-60 and 1860-61, for the benefit of common school districts not regularly reported.

§ 5. This act shall take effect from and after its passage.

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

The rule of the Senate, constitutional provision, and third reading of said bill having been dispensed with, and the same having been 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 the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker, Porter, George Denny, John A. Pratt,
T. T. Alexander, John F. Fisk, Albert G. Rhea,
William T. Anthony, J. E. Gibson, L. H. Rousseau,
Landaff W. Andrews, William C. Gillis, Henry M. Rust,
James R. Barrick, Robert E. Glenn, James Simpson,
John B. Bruner, Samuel Haycraft, Harrison Taylor,
Benjamin P. Cissell, John M. Johnson, Cyrenius Wait,
A. D. Cosby, Thornton F. Marshall, E. Dudley Walker,
William S. Darnaby, William H. McBrayer, Claiborne J. Walton,
Alex. L. Davidson, Chas. D. Pennebaker, W. C. Whitaker—30.

Those who voted in the negative, were—


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

1. An act amending an act creating the office of police judge and town marshal in the town of Franklin.
3. An act for the benefit of the schools in the city of Paducah.
4. An act to incorporate the Mount Sterling and Spencer Creek turnpike road company.
5. An act supplemental to an act legalizing a suspension of specie payment by the banks of this State.
6. An act empowering the Harrison county court to borrow money for poor-house purposes.
7. An act to suspend the spring terms of the Adair and Hopkins circuit courts.
8. An act changing the county line between Graves and Hickman.
9. An act to provide for the appointment of an additional inspector of flour at Louisville.

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

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

Ordered, That the 3d be referred to the Committee on the Judiciary; the 5th to the Committee on Banks; the 8th to the Committee on Propositions and Grievances; the 9th to the Committee on the Revised Statutes, and that the 1st, 2d, 4th, 6th, and 7th be read a third time.

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

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

Under a suspension of the rules, Mr. Whitaker read and laid upon the table the following joint resolutions, viz:

WHEREAS, On the 20th day of December last, a convention in the State of South Carolina passed an Ordinance of Secession, at a time when all the departments of the Government were under the control of those opposed to the present Administration—proceeded to throw off the authority of the Constitution and of the Government of the United States, and to wage war against it by overthrowing its courts, by seizing its custom-houses and revenues, and by assuming and exercising the right to regulate and tax foreign and inter-State commerce—by taking forcible possession of its arsenals—by levying war-taxes and mustering troops—by taking possession, with armed forces, of undefended national forts—by planting batteries around and regularly investing Sumter, garrisoned by troops of the nation, under command of an officer of the Government, and a loyal citizen of this State—by cutting off the supplies of the garrison—and, finally, by bombarding the fort, hauling down its flag, and taking prisoners its defenders:

And whereas, these unconstitutional and revolutionary acts were followed and participated in by conventions called and elected by predominant portions of the people of other States—frequently aggravated by treachery to the Government and forcible seizure and spoliation of its posts, property on land and sea, its customs and revenues—and consolidated and rendered formidable by revolutionary State and Confederate governments, assuming—without waiting for—the consent of the people:

And whereas, these responsible and fatal measures were precipitated without consultation or co-operation with the other States of this Union, and particularly Kentucky—always suffering more than them
all under the grievances assigned for these acts, and to suffer still more than all the consequences of revolution—but in every instance the ruling power in each seceding State claiming and exercising the right of separate action, regardless of the interests, honor, and sacred rights of the other States, or the binding force of the Federal compact, and sometimes (as in Virginia) in open violation of solemn legislative act and the will of the people:

And whereas, during the progress of these extraordinary and war-like proceedings, the Federal Government and the several States now loyal to the Union, refrained from aggression or war towards the seceding powers; levied no taxes, planted no batteries, mustered no troops in arms, until the supplies of its feeble garrison were cut off; its fort bombarded, its soldiers taken prisoners, and its flag hauled down and supplanted by a banner unknown to the Constitution and history of this Republic; and its capital, bearing the name of Washington, threatened with assault, capture, and pillage; And whereas, the people of Kentucky, true to the memory and spirit of their ancestors, abounding in a common love to the people of all these free and equal States, and placing a high and incalculable value upon that Liberty and Union which was and is their inalienable inheritance and right, deplored and condemned these revolutionary proceedings in the beginning, during their progress, and now more and more deplore and condemn them, and cannot any longer, without disregard to their honor, their interests, their rights, and their very liberty and safety, remain silent or quiescent; therefore,

We, the Representatives of the people of the State of Kentucky, declare, That the doctrine of secession finds no warrant in the Constitution; that the right of revolution against government perverted into an engine of oppression, or, for the achievement of liberty, exists, and is sacred; that no sufficient cause for revolution on the part of the people who have taken up arms against the Government existed, nor does exist; and it is therefore their duty to lay down their arms, cease to aggress upon the Government, and to prosecute their rights in the Union and under the Constitution; that the people of this State have no heart for this war, and will continue, as heretofore, by peaceable discussion and compromise, to labor for their own rights and security; for the cessation of hostilities between the Government and its citizens; and for the restoration and perpetuity of the Union; but that the Union of the States and the fraternity of their people is a necessity to Kentucky; for all her interests, all her hopes, all her liberties are bound up in it; if all her her history and traditions, all the virtue, all the intelligence, all the patriotism of all her generations, are not delusions or falsehoods.

Therefore we further declare, that our interests and duty are with the Union and the Government of our country, and not with the enemies of both; and if forced, by the violence and injustice of those in arms against us—while we will never consent to the overthrow of the constitutional rights of the people of any of the States—we will combat revolution in defense of ourselves and our fellow-countrymen, within and without the seceded States, so long as the Government shall act
in defense of its capital, the honor of its flag, and its constitutional functions.

Mr. Irvan offered the following substitute, viz:

1. Resolved by the General Assembly of the Commonwealth of Kentucky, That we cordially approve of the patriotic course of our Executive in refusing to comply with the requisition made upon him by Abraham Lincoln for Kentucky's quota of soldiers to wage war upon our Southern brothers.

2. Resolved, That there is no authority in the Constitution of the United States to coerce a State, the framers of that instrument having expressly refused to engraft any such provision therein.

3. Resolved, That every consideration of interest, of honor, and of duty, impels us to unite our fortunes with our sister Southern States; that our entire sympathies are with them and for them; that their cause is our cause; their destiny shall be our destiny.

4. Resolved, That our State ought immediately to be put in a posture of defense, and for that purpose this General Assembly should pass a bill appropriating a sufficient amount of money to arm her citizens thoroughly.

5. Resolved, That a convention of the people ought to be called at the earliest practicable day, to determine what position Kentucky will occupy in the present crisis of our national affairs.

Mr. Fisk offered the following amendment to the amendment proposed by Mr. Irvan, viz:

Whereas, There exists a civil war between the National Government and the seceded States, which Kentucky deeply deplores; a war she had no voice in creating, and in which she has hitherto refused to take a part, and she now refuses. Being a part of the National Government, in the enjoyment of its benefits—such as mail facilities, national hospitals, federal courts, protection at home and abroad, a garrison paid out of the national treasury, into which she is paying revenue, and having a representation in Congress—Kentucky ought, at least, to remain neutral till the end of the controversy; neither hindering the National Government in the exercise of its authority, nor furnishing men, as a State, to either of the belligerents; nor asking aid from either to maintain her position; she will, all the time, be ready and anxious to mediate between the belligerents, and will be profoundly happy, should she be able to reconcile the contending parties, and arrest the shedding of fraternal blood by fraternal hands. With this position, Kentucky is willing to go before the civilized world, and let her conduct pass into history, and await the candid and calm judgment of future and disinterested generations. Being connected with the seceded States geographically, and having the same domestic institution, she is unwilling to take up arms against them. Being attached to the National Government, under which she has always lived and greatly prospered, and having no cause for war against it, she cannot take up arms to overthrow it. Having, in good
faith, taken this position, she asks the belligerents to respect it; therefore,

1. Resolved by the General Assembly of the Commonwealth of Kentucky, That Kentucky will not sever her connection with the National Government, nor will she take up arms for either of the belligerent parties, but will arm herself for the one purpose of preserving tranquility and peace within her own borders.

2. Resolved, That Kentucky now tenders, and to the end of the war, all the time, will tender herself as mediator, and that she will constantly be ready to do all in her power to bring about a just and honorable peace.

3. Resolved, That the Governor be directed to transmit a copy of the foregoing preamble and resolutions to the Presidents of the United States and of the seceded States, and to the Governors of each of the thirty-four States.

Mr. DeHaven moved to adjourn.

The yeas and nays being required on the adoption of said motion by Messrs. Anthony and Cissell, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker, Porter, William C. Gillis, James Simpson,
T. T. Alexander, Samuel Haycraft, Harrison Taylor,
Landaff W. Andrews, Thornton F. Marshall, Cyrenius Wait,
John B. Bruner, Chas. D. Pennebaker, E. Dudley Walker,
A. D. Cosby, John A. Prall, C. J. Walton,
George Denny, John F. Fisk,

 Those who voted in the negative, were—

William T. Anthony, Robert E. Glenn, John M. Johnson,
Samuel H. Boles, Asa P. Grover, William H. McBrayer,
Benjamin P. Cissell, Thomas S. Grundy, Albert G. Rhea,
Alex. L. Davidson, John L. Irvan, Henry M. Rust—14.
J. E. Gibson, Samuel H. Jenkins,

And then the Senate adjourned.
SATURDAY, MAY 18, 1861.

1. Mr. Read presented the following petition, viz:

To the honorable, the Senate and House of Representatives of Kentucky, in extra session sitting:

The ladies of Larue county, feeling deeply the perilous condition of their beloved State, and dreading the horrors of civil war, and particularly their helpless condition amid scenes of bloodshed and violence, feel constrained to appeal to the noble bodies assembled in Frankfort to use every honorable effort to prevent the strife of the contending parties being enacted upon our soil. We do not wish the gallant and brave men of our State to spill their blood in such a cause, or be forced to leave their wives and innocent children to the ravages of the merciless and wicked; but that they may be honorably permitted to protect their own firesides in peace.

Kentucky has pleaded in vain with both sections to forbear—picturing, in vivid colors, the sad consequences of civil war—but her voice has been disregarded. Now, shall we be plunged into a difficulty we have taken no part in bringing about? If this war is wrong, can we, under any past or present circumstances, be justified in engaging in it? We already feel the frowns of Heaven gathering fast and thick, to avenge the acts of wrong committed, and surely ours would not escape the vengeance of a just and holy God, who says, "You shall know I am the Lord your God." Therefore, we plead with you (praying Heaven to direct our prayers and inspire the means of restoration to peace) to do all that is within your mightiest effort to save our country, our homes, our families, from destruction and desolation.

We know that all now are too prone to over-excitement—that reason is often wavering—that reports are calculated to check calm and dispassionate thought. Therefore, let us appeal to you to fortify your minds against excitement, that you may, with dispassionate calmness and Divine aid, save our country, our homes, our women and children, from sorrow, ruin, and destruction.

[Signed by 143 ladies of Larue county.]

2. Mr. Denny presented the petition of sundry wives, mothers, daughters, and sisters of Kentucky, praying that Kentucky might be permitted to maintain inviolate her armed neutrality.

Which were received and read.

Ordered, That the Public Printer forthwith print 150 copies of the 1st for the use of the members of the General Assembly, and that it, together with the one presented, be referred to the Committee on Federal Relations.
Under a suspension of the rules of the Senate, leave was granted to bring in bills of the following titles, viz:

On motion of Mr. Grundy—1. A bill concerning the chancery and criminal terms of the 5th district.

On motion of Mr. Fisk—2. A bill to amend chapter 27, article 13, title "Election of Special Judges," of the Revised Statutes.

On motion of Mr. Simpson—3. A bill concerning the militia of the State.

Ordered, That the Committee on Circuit Courts prepare and bring in the 1st; the Committee on the Judiciary the 2d, and Messrs. Simpson, Andrews, and Pennebaker the 3d.

Mr. Gibson moved a suspension of the rules to enable him to introduce the following resolution, viz:

Whereas, The Senator from Shelby, on the 18th day of May, 1861, offered the attached preamble and resolutions on federal affairs; and whereas, said preamble and resolutions contain sentiments which cannot, and are not, indorsed by the friends of Southern Rights; yet, believing they were offered in good faith, as reflecting the sentiments of the Union party in this State, and being desirous of having a direct vote on the same; therefore,

Resolved, That the Committee on Federal Relations be instructed to report back to the Senate said preamble and resolutions on Monday next, at half-past 10 o'clock, A. M., and that they be made the special order for that hour.

Preamble and resolutions offered by Mr. Whitaker, viz:

Whereas, On the 20th day of December last, a convention in the State of South Carolina passed an Ordinance of Secession, at a time when all the departments of the Government were under the control of those opposed to the present Administration—proceeded to throw off the authority of the Constitution and of the Government of the United States, and to wage war against it by overthrowing its courts, by seizing its custom-houses and revenues, and by assuming and exercising the right to regulate and tax foreign and inter-State commerce—by taking forcible possession of its arsenals—by levying war-taxes and mustering troops—by taking possession, with armed forces, of undefended national forts—by planting batteries around and regularly investing Sumter, garrisoned by troops of the nation, under command of an officer of the Government, and a loyal citizen of this State—by cutting off the supplies of the garrison—and, finally, by bombarding the fort, hauling down its flag, and taking prisoners its defenders:

And whereas, these unconstitutional and revolutionary acts were followed and participated in by conventions called and elected by predominant portions of the people of other States—frequently aggravated by treachery to the Government and forcible seizure and spolia-
tion of its posts, property on land and sea, its customs and revenues—and consolidated and rendered formidable by revolutionary State and Confederate governments, assuming—without waiting for—the consent of the people:

And whereas, these responsible and fatal measures were precipitated without consultation or co-operation with the other States of this Union, and particularly Kentucky—always suffering more than them all under the grievances assigned for these acts, and to suffer still more than all the consequences of revolution—but in every instance the ruling power in each seceding State claiming and exercising the right of separate action, regardless of the interests, honor, and sacred rights of the other States, or the binding force of the Federal compact, and sometimes (as in Virginia) in open violation of solemn legislative act and the will of the people:

And whereas, during the progress of these extraordinary and war-like proceedings, the Federal Government and the several States now loyal to the Union, refrained from aggression or war towards the seceding powers; levied no taxes, planted no batteries, mustered no troops in arms, until the supplies of its feeble garrison were cut off, its fort bombarded, its soldiers taken prisoners, and its flag hailed down and supplanted by abanner unknown to the Constitution and history of this Republic; and its capital, bearing the name of Washington, threatened with assault, capture, and pillage: And whereas, the people of Kentucky, true to the memory and spirit of their ancestors, abounding in a common love to the people of all these free and equal States, and placing a high and incalculable value upon that Liberty and Union which was and is their inalienable inheritance and right, deplored and condemned these revolutionary proceedings in the beginning, during their progress, and now more and more deplore and condemn them, and cannot any longer, without disregard to their honor, their interests, their rights, and their very liberty and safety, remain silent or quiescent; therefore,

We, the Representatives of the people of the State of Kentucky, declare, That the doctrine of secession finds no warrant in the Constitution; that the right of revolution against government perverted into an engine of oppression, or, for the achievement of liberty, exists, and is sacred; that no sufficient cause for revolution on the part of the people who have taken up arms against the Government existed, nor does exist; and it is therefore their duty to lay down their arms, cease to aggress upon the Government, and to prosecute their rights in the Union and under the Constitution; that the people of this State have no heart for this war, and will continue, as heretofore, by peaceable discussion and compromise, to labor for their own rights and security; for the cessation of hostilities between the Government and its citizens; and for the restoration and perpetuity of the Union; but that the Union of the States and the fraternity of their people is a necessity to Kentucky; for all her interests, all her hopes, all her liberties are bound up in it; if all her her history and traditions, all the virtue, all the intelligence, all the patriotism of all her generations, are not delusions or falsehoods.
Therefore we further declare, that our interests and duty are with the Union and the Government of our country, and not with the enemies of both; and if forced, by the violence and injustice of those in arms against us—we will never consent to the overthrow of the constitutional rights of the people of any of the States—we will combat revolution in defense of ourselves and our fellow-countrymen, within and without the seceded States, so long as the Government shall act in defense of its capital, the honor of its flag, and its constitutional functions.

Objection being made thereto,

The question was taken on said motion, and it was decided in the negative.

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

Those who voted in the affirmative, were—


Those who voted in the negative, were—


And so the Senate refused to suspend the rules for that purpose.

Mr. Gillis, from the Committee on Enrollments, reported that they had examined an enrolled House bill of the following title, viz:

An act to suspend the spring term of the Adair and Hopkins circuit courts.

And that the same was correctly enrolled.

Whereupon the Speaker affixed his signature to said bill, and it was returned to the committee to be by them presented to the Governor for his approval and signature.

The Senate resumed the consideration of the report made on yesterday by the Finance Committee, asking to be discharged from the further consideration of a leave to bring in a bill for the benefit of Alfred Hensley.

The question being taken on concurring in said report, it was decided in the affirmative.
The yeas and nays being required thereon by Messrs. Cissell and Alexander, were as follows, viz:

Those who voted in the affirmative, were—

T. T. Alexander, John F. Fisk, W. H. McBrayer,
William T. Anthony, J. E. Gibson, William B. Read,
James R. Barrick, William C. Gillis, Albert G. Rhea,
Samuel H. Boles, Robert E. Glenn, James Simpson,
A. D. Cosby, Asa P. Grover, Harrison Taylor,
William S. Darnaby, Samuel Haycraft, Cyrenius Wait,
Alex. L. Davidson, John L. Irvan, E. Dudley Walker,
George Denny,

Those who voted in the negative, were—

Mr. Speaker, Porter, Thomas S. Grundy, L. H. Rousseau,
Landaff W. Andrews, John M. Johnson, Henry M. Rust,
Benjamin P. Cissell, John A. Prall,

According to special order, the Senate took up for consideration the resolution from the House of Representatives, fixing a day for final adjournment.

Ordered, That the further consideration of said resolution be postponed until Monday, the 20th, at half-past 10 o'clock, A. M.

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

An act to aid in the construction of the Lexington and Southern Kentucky railroad company.
An act to amend the charter of the Lexington and Southern Kentucky railroad company.
An act to amend the charter of the city of Louisville.
An act supplemental to an act, entitled "An act to postpone the holding of the several courts of this Commonwealth."

A message was received from the Governor by the hands of the Hon. Thomas B. Monroe, jr., Secretary of State, announcing that he had approved and signed sundry enrolled bills originating in the Senate, of the following titles, viz:

An act to regulate the times of holding the circuit courts in the counties of Calloway and Marshall.
An act to change the place of voting in the 9th election district, in Whitley county.
An act to incorporate and establish the town of Lewisburg, in Mason county.
An act to amend the charter of the Louisville and Nashville railroad company.

And also the following communication, viz:

Executive Office,
Frankfort, Ky., May 18, 1861.

Gentlemen of the Senate:
I nominate for your advice and consent the following persons to be Notaries Public in the counties named:
M. R. McCulloch for Hardin county.
Charles B. Cotton for Jefferson county.
Nathaniel Wolfe for Jefferson county.
Joshua Tevis for Jefferson county.
John T. Parker for Lewis county.
A. H. Sinclair for Scott county.

B. Magoffin.

Under a suspension of the rules of the Senate, the above communication was taken up for consideration.

Ordered, That the Senate advise and consent to the nominations therein named.

Mr. Alexander, from the Committee on Finance, to whom it had been referred, reported a House bill of the following title, viz:
An act for the benefit of Thomas Johnson,
With the expression of an opinion that said bill ought to be rejected.

Ordered, That said bill be rejected.

Mr. Andrews, from the Committee on Military Affairs, asked to be discharged from the further consideration of the following leaves, petition, and resolution:
Leave to bring in a bill to incorporate the Paris Home Guard.
Leave to bring in a bill to incorporate the Shelbyville Home Guard.
Petition of the Frankfort Home Guard for arms to defend the Capital of the State.

Resolved, That the Committee on Military Affairs be requested to inquire into the propriety of reporting a bill permitting the organization and arming of companies of Home Guards throughout the State.
Which was granted.

Mr. Andrews, from the same committee, reported a House bill of the following title, viz:
An act authorizing the Harrison county court to purchase arms and implements of war.
With an amendment to said bill.

Ordered, That the proposed amendment be rejected.
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 Fisk, were as follows, viz:

Those who voted in the affirmative, were—


Samuel H. Boles,

Those who voted in the negative, were—


And so said bill was rejected.

Mr. DeHaven, from the Committee on Finance, asked to be discharged from the further consideration of the following leave:

Leave to bring in a bill to better secure the collection of the revenue of the State.

The yeas and nays being required on granting said discharge by Messrs. Pennebaker and Rousseau, were as follows, viz:

Those who voted in the affirmative, were—


Those who voted in the negative, were—


And so said committee were discharged.

According to general order, the Senate took up for consideration the resolutions offered by Mr. Whitaker on Federal Affairs, with the substitute submitted by Mr. Irvan, and the amendment to the substitute proposed by Mr. Fisk.
Ordered, That said resolutions, amendment, and substitute be referred to the Committee on Federal Relations.

An act supplemental to an act, entitled "An act to postpone the holding of the several courts of the Commonwealth."

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

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

Mr. Taylor proposed to amend said bill.

Ordered, That the Public Printer forthwith print 150 copies of said bill and proposed amendment, and that they be referred to the Committee on the Judiciary.

Under a suspension of the rules, bills of the following titles were reported, viz:

By Mr. Alexander, from a select committee—
A bill to prevent the wanton destruction of fish in the counties of Adair, Shelby, and Spencer.

By Mr. Walton, from the Committee on Executive Affairs—
A bill to amend the charter of the Hart County Seminary.

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

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

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

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

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

Under a suspension of the rules, Mr. Andrews offered the following resolution, viz:

Resolved, That when the Senate adjourns to-day, it will adjourn to meet again at 3 o'clock, P. M.

The yeas and nays being required on the adoption of said resolution by Messrs. Marshall and Barrick, were as follows, viz:

Those who voted in the affirmative, were—

T. T. Alexander, J. E. Gibson, L. H. Rousseau,
Landaft W. Andrews, William C. Gillis, James Simpson,
James R. Barrick, Robert E. Glenn, Harrison Taylor,
John B. Bruner, Samuel Haycraft, Cyrenius Wait,
A. D. Cosby, Thornton F. Marshall, E. Dudley Walker,
Samuel E. DeHaven, Chas. D. Pennebaker, C. J. Walton,
George Denny, John A. Prall, W. C. Whitaker—23.
John F. Fisk, William B. Read,

Those who voted in the negative, were—

Mr. Speaker, Porter, William S. Darnaby, Samuel H. Jenkins,
William T. Anthony, Alex. L. Davidson, John M. Johnson,
Charles Chambers, Asa P. Grover, William H. McBrayer,
Benjamin P. Cissell, Thomas S. Grundy, Albert G. Rhea—12.

Under a suspension of the rules, Mr. Cissell, from the Committee on
the Judiciary, reported a bill of the following title, viz:

A bill concerning the courts of Muhlenburg county.

Mr. Rhea moved an amendment,
Which was adopted.

Mr. Gibson proposed further to amend said bill.

Ordered, That said bill and amendment be referred to the Commit­
tee on Revised Statutes, with instructions to report this afternoon at
4 o'clock.

Ordered, That the Senate adjourn until 3 o'clock, P. M.

Senate met pursuant to adjournment.

Mr. Fisk, from the Committee on the Revised Statutes, to whom had
been referred a House bill of the following title, viz:

An act to provide for the appointment of an additional inspector of
flour at Louisville.

Ordered, That said bill be read a third time.

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

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

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

Those who voted in the affirmative, were—

Landaff W. Andrews, Asa P. Grover, James Simpson,
James R. Barrick, Samuel Haycraft, Harrison Taylor,
William S. Darnaby, William B. Read, Cyrenius Wait,
John F. Fisk, L. H. Rousseau, E. Dudley Walker,
J. E. Gibson, Henry M. Rust, C. J. Walton—16.
Robert E. Glenn,

Those who voted in the negative, were—

Mr. Speaker, Porter, Benjamin P. Cissell, Thomas S. Grundy,
T. T. Alexander, A. D. Cosby, John M. Johnson.
And so said bill was rejected.

According to special order,

Mr. Pennebaker, from the same committee, reported a bill, entitled "An act concerning the courts of Muhlenburg, Butler, Simpson, Estill, Allen, and the county court of Jefferson.

Said bill reads as follows:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That all laws requiring the May term of the circuit court, and the June and September terms of the quarterly, police, and justices' courts of Muhlenburg county, 1861, be repealed until the 15th of October next: Provided, After the expiration of said time said courts shall be held and governed by all the laws now in force: And provided further, That all civil process of every kind, returnable to said terms, shall be continued until the next regular terms of said courts after the 15th of October, 1861.

§ 2. That the judge of the circuit court shall hold his regular term of said court at the time now fixed by law for the trial of criminal and penal prosecutions, and for the purpose of the assignment of dower, for the trial of cases of divorce, for the probate of wills, for making the partition of land, ordering the distribution of estates ratably amongst the creditors, and for the trial of actions of tort, action of forcible entry and detainer, and forcible detainer, and of cases where the title to land or other property is in dispute, or where the boundary of land is involved, or a party is seeking to establish or complete, by judgment or order of court, title to lands, and all causes between principal and agent, between trustee and cestui que trust, and for all other cases of law or equity where a decree or judgment for money is not to be rendered, and for the taking all proper steps for the preparation of cases in said courts.

§ 3. This act shall not be so construed as to prohibit any person whatever from bringing suits in any of the courts aforesaid, and obtaining any provisional remedy under existing laws; and judges and justices of the peace of said courts shall have power, under existing laws, to make any necessary orders for the sale or preservation of attached property, or to enter any order authorized by the present laws for the distribution of any money whatever among the parties entitled to receive the same, in any case pending in said courts.

§ 4. The provisions of this act shall apply to the spring or summer term of the circuit court, the equity and criminal court, and the quarterly and justices' courts of Butler county, and Simpson county, and the spring or summer terms of the circuit court of Estill county, and the quarterly and the justices' courts of said county, until the 15th of October next; and also the Jefferson county court.

§ 5. This act shall take effect from its passage.
Mr. Anthony offered the following amendment, viz:

After the words "Jefferson county court," insert also "the fall term of the Allen circuit court, and the summer and fall terms of the quarterly court, and all the courts of justices of the peace for said county."

Which was adopted.

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

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

The question was taken on its passage, and it was decided in the negative.

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

Those who voted in the affirmative, were—

William T. Anthony, Robert E. Glenn, Albert G. Rhea,
James R. Barrick, Samuel H. Jenkins, L. H. Rousseau,
Samuel H. Boles, John M. Johnson, Henry M. Rust,
Benjamin P. Cissell, Thorton F. Marshall, E. Dudley Walker,

Those who voted in the negative, were—

Mr. Speaker, Porter, George Denny, John L. Irvan,
T. T. Alexander, John P. Fisk, Chas. D. Pennebaker,
Landaff W. Andrews, William C. Gillis, James Simpson,
John B. Bruner, Asa P. Grover, Harrison Taylor,
Charles Chambers, Thomas S. Grundy, Cyrenius Wait,

And so said bill was rejected.

Mr. Pennebaker, from the Committee on the Revised Statutes, reported a bill of the following title, viz:

A bill for the benefit of Mrs. Petty, of Mercer county; Mrs. Hoffman, wife of H. C. W. Hoffman, of Louisville; and Mrs. M. L. Richardson, of Ballard county.

Which was read the first time.

And the question being taken on ordering said bill to a second reading, it was decided in the negative.

And so said bill was rejected.

Mr. Johnson, from the Committee on Banks, to whom it had been referred, reported a House bill of the following title, viz:
An act supplemental to an act legalizing a suspension of specie payment by the banks of this State.

Ordered, That said bill be read a third time.

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

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

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

Those who voted in the affirmative, were—

William T. Anthony, William C. Gillis, Thornton F. Marshall,
James R. Barrick, Robert E. Glenn, Albert G. Rhea,
Samuel H. Boles, Asa P. Grover, L. H. Rousseau,
John B. Bruner, Thomas S. Grundy, Henry M. Rust,
Benjamin P. Cissell, John L. Irvan, Cyrenius Wait,
Samuel E. DeHaven, Samuel H. Jenkins, Claiborne J. Walton,
George Denny, John M. Johnson, W. C. Whitaker—21.

Those who voted in the negative, were—

Mr. Speaker Porter, John F. Fisk, William B. Read,
T. T. Alexander, J. E. Gibson, James Simpson,
Landaff W. Andrews, Samuel Haycraft, Harrison Taylor,
William S. Darnaby,

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

Mr. Simpson, from a select committee, reported a bill, entitled "An act for the regulation and to provide for the arming of the militia of the State of Kentucky."

Said bill reads as follows:

WHEREAS, It is deemed necessary for the purposes of defense to arm the State; and to accomplish this object money will have to be borrowed; therefore,

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the following named persons, viz: Gov. B. Magoffin, Samuel Gill, Peter Dudley, George T. Wood, and H. I. Todd, are hereby constituted a Board of Commissioners, and authorized to borrow from the banks of issue in this State a sum not exceeding one million of dollars, for the term of ten years, and to execute to said banks, for and on behalf of the State of Kentucky, bonds for the amount borrowed from each of them, not to exceed in the aggregate the sum aforesaid, which bonds are to bear interest at the rate of six per centum per annum, payable semi-annually.

§ 2. Said board of commissioners are authorized, with the money so borrowed, to purchase arms and munitions of war; and in making
said purchases may, if they think proper to do so, ratify the contracts for the purchase of arms heretofore made by the Governor of this Commonwealth and pay for the same; all of which arms and munitions of war, when purchased, they shall distribute in such a manner as they may deem best calculated to promote the general welfare and the public safety, under such rules and regulations as they may think proper to prescribe, not inconsistent with any of the provisions of this act. But no part of said arms or munitions of war are to be furnished to any body of troops until they all, officers and privates, have taken an oath, in conformity with the requisition of our constitution, to support the Constitution of the United States and the Constitution of the State of Kentucky. In making distribution of a portion of said arms and munitions of war, among what is called the Home Guards, due regard shall be had to the most exposed parts of the State, and to those counties where servile insurrection is most to be apprehended. A majority of said commissioners may exercise any of the powers hereby conferred on said board.

§ 3. The money borrowed under the provisions of this act shall be paid by the banks into the State treasury, and upon the requisition of said board, or a majority thereof, in writing, stating the purpose for which the money called for is to be applied, the Auditor of the State shall issue his warrant upon the Treasurer for the sum contained in such requisition: Provided, however, That the whole amount thus drawn from the treasury shall not exceed the sum borrowed from the banks and paid by them into the treasury.

§ 4. Said board shall have the power, if it shall be found necessary to exercise it, to have one or more mills for the manufacture of gunpowder erected and put into operation at convenient points within the State; and also to adopt and carry into effect such other measures as they may deem expedient to enable them to furnish the arms and munitions of war which they are authorized by this act to procure.

§ 5. An additional ad valorem tax of five cents on each one hundred dollars' worth of all the property and estate subject to taxation for revenue purposes within this Commonwealth, is hereby imposed for the purpose of paying the interest on the money so borrowed, and it shall be collected by the proper officer in each county in this State at the time the other tax is collected, and be paid into the public treasury; and all laws regulating the collection and payment of the revenue tax of the State shall apply to and regulate the collection and payment into the treasury of the additional tax hereby imposed. Any balance of said tax that may remain after the payment of the interest above-said shall constitute a part of the sinking fund, and be applied towards the payment of the debt hereby created.

§ 6. No officer, soldier, or other person in the military service of the State, nor any person whatever, shall be subject to arrest, trial, or punishment for refusing to execute, or for disobedience to any illegal military order or command whatever.

§ 7. Companies of Home Guards may be organized for home and local defense exclusively; but the members of such companies shall not be exempt from the military duties to which they are subject under
the present military laws of the State; nor shall such companies be considered as any part of the organized militia of the State, or be subject, as companies, to be called into the service of the State. They are, when organized, to be furnished with arms by said board, so far as it can be done, having in view the object mentioned in the 2d section of this act, upon the following terms and conditions, viz: Application for arms for a company of Home Guards shall be made by the Captain of the company, who must produce to the board a certificate from the county judge that a company has been organized in his county; that the applicant has been duly elected Captain thereof; and that all the officers and members of the company have taken an oath before him to support the Constitution of the United States and of the State of Kentucky. Said applicant must also execute a bond, with good security, to the Commonwealth of Kentucky, containing a covenant that the arms shall be safely kept, and shall be returned to the State arsenal, at Frankfort, at the expiration of five years or sooner, if the company shall be previously dissolved; and the county judge must also certify that the person or persons offered as surety in the bond are good and sufficient to secure the performance of said covenant, or to answer for its breach.

§ 8. The arms and munitions of war which now belong to the State of Kentucky, and all that may be purchased or procured under the provisions of this act, shall be subject to the control and disposition of said board. The State arsenal shall also be under its exclusive control and management.

§ 9. The arms and munitions of war shall be distributed between the State Guards and the Home Guards, in such proportion as said board shall deem right and proper. A part of the money borrowed may be used for the purpose of having the Active Militia suitably trained.

§ 10. The militia which may be hereafter organized as State Guards, shall be required, both officers and men, to take an oath to support the Constitution of the United States, and the Constitution of the State of Kentucky, in the form prescribed by the Constitution of this State; and any person or persons who shall refuse to take this oath, shall not be received into the service by the officer in command. And if any officer shall permit a company to be mustered into service as part of the Active Militia of the State, without conforming to this requisition, he shall be deemed guilty of a military offense, and shall likewise be dismissed from the service, by a court martial, which shall be called for that purpose.

§ 11. The Commissioners appointed by this act, before they enter upon the discharge of their duties, are required to take an oath to support the Constitution of the United States, and of this State, and that they will faithfully execute the provisions of this act to the best of their ability. Each of said Commissioners who act under this appointment, shall be paid out of the money borrowed as aforesaid the sum of five hundred dollars per annum, payable quarterly, as a compensation for their services; they may also appoint a secretary for the board, and allow him a reasonable compensation for his services, payable out of the same fund; the amount of which allowance shall be certified
by them to the Auditor of Public Accounts. And they are hereby authorized to act under this appointment for the term of two years, unless, in the meantime, their services shall be dispensed with by an act of the Legislature.

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

Which was read the first time,
And the question being taken on ordering it to be read a second time, it was decided in the negative.

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

Those who voted in the affirmative, were—

T. T. Alexander, John F. Fisk, L. H. Rousseau,
Landaff W. Andrews, William C. Gillis, James Simpson,
John B. Bruner, Samuel Haycraft, Harrison Taylor,
A. D. Cosby, Thornton F. Marshall, E. Dudley Walker,
Samuel E. DeHaven, Chas. D. Pennebaker, Claiborne J. Walton,

Those who voted in the negative, were—

Mr. Speaker, Porter, William S. Darnaby, John L. Irvan,
William T. Anthony, Alex. L. Davidson, Samuel H. Jenkins,
James R. Barrick, J. E. Gibson, John M. Johnson,
Samuel H. Boles, Robert E. Glenn, Albert G. Rhea,
Charles Chambers, Asa P. Grover, Henry M. Rust,
Benjamin P. Cissell, Thomas S. Grundy, Cyrenius Wait—18.

And so said bill was rejected.

Mr. Grover moved to adjourn.

The yeas and nays being required on said motion by Messrs. Denny and Pennebaker, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker Porter, Benjamin P. Cissell, John L. Irvan,
William T. Anthony, William S. Darnaby, Samuel H. Jenkins,
James R. Barrick, Alex. L. Davidson, John M. Johnson,
Samuel H. Boles, J. E. Gibson, Chas. D. Pennebaker,

Those who voted in the negative, were—

T. T. Alexander, William C. Gillis, Henry M. Rust,
Landaff W. Andrews, Robert E. Glenn, Harrison Taylor,
John B. Bruner, Samuel Haycraft, Cyrenius Wait,
A. D. Cosby, Thornton F. Marshall, E. Dudley Walker,
Samuel E. DeHaven, William B. Read, C. J. Walton,

And so the Senate refused to adjourn.
Messrs. Wait and Rhea moved to reconsider the vote by which the Senate rejected a bill, entitled
A bill concerning the militia of Kentucky.
The rules were suspended, and said motion taken up.
Ordered, That said vote be reconsidered.
The rule of the Senate, constitutional provision, and second reading of said bill having been dispensed with,
Mr. Cissell offered the following amendment by way of a substitute for said bill, viz:

An act to more fully provide for the military defense of the State.

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the following sums of money are hereby appropriated for the military defense of the State, viz:
1. For the purchase of not less than forty thousand muskets, rifles, and carbines, and such other small arms as the service may demand, and for cannon sufficient to organize three batteries of artillery for field service, and not exceeding fifty pieces for fortification purposes, with the implements and accoutrements necessary to each class of arms, the sum of one million three hundred thousand dollars, ($1,300,000.)
2. For drilling, instructing, and qualifying the militia of the State for efficient defensive service, in accordance with existing laws, and for all necessary and incidental expenses thereunto, the sum of six hundred thousand dollars, ($600,000.)
3. For the purchase of ammunition, and preparing the same for use in the service of the State, the sum of one hundred and sixty thousand dollars, ($160,000.)

§ 2. That the Governor of Kentucky, the Inspector General, and Chief Engineer, be, and they are hereby, constituted a military board for the purchase of arms and ammunition and the distribution of the same, in accordance with existing laws; two of whom shall concur in whatever is done in pursuance of their appointment.

§ 3. That all free white males over the age of forty-five, and between the ages of fifteen and eighteen years, being members of the “Militia of the Reserve,” may organize themselves into companies in their respective counties, to be styled the “Home Guard;” each company having the same organization as the State Guard. Such organizations shall file a roll of their members and officers with the Mayors of cities, if organized therein, or with the county judges of the county courts; and shall act under the authority of the Mayor, or other civil officer authorized to call out the militia, as a police force for the protection of public property, and as a patrol force in times of public danger. Like the Enrolled Militia, they shall be subject to the orders of the Commander-in-Chief, but shall not be liable to be called into the active service of the State beyond the limits of their respective counties, unless they shall have been supplied with public arms, or in case of actual invasion. They may, in the discretion of the military
board created herein, be supplied with public arms in the same man-
ner that companies of the State Guard are supplied; and such arms
shall be recalled whenever the public necessity for which they were
issued shall no longer exist.
§ 4. This act shall take effect from and after its passage.

Ordered, That the Public Printer forthwith print 150 copies of said
bill and amendment, for the use of the members of the General Assem-
by; and that the same be referred to the Committee on Military
Affairs.

And then the Senate adjourned.

MAY 20.] JOURNAL OF THE SENATE. 97

MONDAY, MAY 20, 1861.

On motion of Mr. Denny,

Ordered, That the reading of the Journal of Saturday be dispensed
with.

Mr. Alexander offered the following resolution, viz:

Resolved by the Senate, until otherwise ordered, That hereafter the
Senate will meet each day at 9 o'clock, A. M., and at 1 o'clock, P. M.,
take a recess until 3 o'clock, P. M.

According to the rules of the Senate, said resolution lies one day on
the table.

According to special order, the Senate then took up for considera-
tion a resolution from the House of Representatives, fixing a day for
final adjournment of the General Assembly.

Mr. Alexander moved to amend said resolution by striking out
“Monday, the 20th,” and insert “Wednesday, the 22d.”

Mr. Grover moved that the resolution and proposed amendment be
made the special order for to-morrow, at half-past 10 o'clock, A. M.

Mr. Andrews moved to lay the resolution, proposed amendment, and
said motion on the table.

The yeas and nays being required on said motion by Messrs. Mar-
shall and Rust, were as follows, viz:

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Those who voted in the affirmative, were—

Landaff W. Andrews, John L. Irvan, Albert G. Rhea,
Benjamin P. Cissell, John M. Johnson, Henry M. Rust,
William S. Darnaby, Chas. D. Pennebaker, E. Dudley Walker,
Alex. L. Davidson, John A. Prall, W. C. Whitaker—12.

Those who voted in the negative, were—

Mr. Speaker, Porter, George Denny, Thornton F. Marshall,
T. T. Alexander, John F. Fisk, W. H. McBrayer,
William T. Anthony, J. E. Gibson, William B. Read,
James R. Barrick, William C. Gillis, L. H. Rousseau,
Samuel H. Boles, Robert E. Glenn, James Simpson,
John B. Bruner, Asa P. Grover, Henry M. Rust,
Charles Chambers, Thomas S. Grundy, Cyrenius Wait,
Samuel E. DeHaven, Samuel H. Jenkins,

And so the Senate refused to lay said proposition on the table.

The question was then taken on the motion made by Mr. Grover,
and it was decided in the affirmative.

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

Those who voted in the affirmative, were—

Mr. Speaker, Porter, George Denny, William H. McBrayer,
William T. Anthony, John F. Fisk, Chas. D. Pennebaker,
James R. Barrick, J. E. Gibson, John A. Prall,
Samuel H. Boles, Robert E. Glenn, William B. Read,
Benjamin P. Cissell, Asa P. Grover, Albert G. Rhea,
William S. Darnaby, John L. Irvan, Henry M. Rust,
Alex. L. Davidson, Samuel H. Jenkins, Cyrenius Wait—23.
Samuel E. DeHaven, John M. Johnson,

Those who voted in the negative, were—

T. T. Alexander, William C. Gillis, Harrison Taylor,
Landaff W. Andrews, Samuel Haycraft, E. Dudley Walker,
John B. Bruner, Thornton F. Marshall, Claiborne J. Walton,
A. D. Cosby, James Simpson,

Mr. Fisk moved a suspension of the rules to permit him to offer the
following resolution, viz:

Resolved, That after to-day the Senate shall meet at 9 o'clock, A. M.,
and adjourn at 1 o'clock, and meet again at 3 o'clock, P. M.

The yeas and nays being required on said motion by Messrs. Walton
and Fisk, were as follows, viz:
Those who voted in the affirmative, were—

Mr. Speaker, Porter, George Denny, William H. McBrayer,
T. T. Alexander, John F. Fisk, John A. Prall,
William T. Anthony, J. E. Gibson, William B. Read,
Landaff W. Andrews, William C. Gillis, Henry M. Rust,
James R. Barrick, Robert E. Glenn, James Simpson,
Samuel H. Boles, Asa P. Grover, Harrison Taylor,
John B. Bruner, Samuel Haycraft, Cyrenius Wait,
Charles Chambers, John L. Irvan, E. Dudley Walker,
Alex. L. Davidson, Thornton F. Marshall,

Those who voted in the negative, were—

Benjamin P. Cissell, John M. Johnson, L. H. Rousseau,
A. D. Cosby, Chas. D. Pennebaker, W. C. Whitaker—8.
Samuel E. DeHaven, Albert G. Rhea,

And so the rules were suspended.

Said resolution was then read.

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 resolution be adopted.

Mr. Marshall offered the following resolution, viz:

Resolved, That the Committee on Military Affairs be instructed to report a bill for the purpose of arming the State, at 11 o’clock, A. M., to-morrow.

Mr. DeHaven 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 said resolution, and it was decided in the affirmative.

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

Those who voted in the affirmative, were—

T. T. Alexander, J. E. Gibson, John A. Prall,
Samuel H. Boles, William C. Gillis, William B. Read,
John B. Bruner, Robert E. Glenn, Albert G. Rhea,
Charles Chambers, Asa P. Grover, L. H. Rousseau,
Benjamin P. Cissell, Samuel Haycraft, Henry M. Rust,
A. D. Cosby, John L. Irvan, James Simpson,
William S. Darnaby, Samuel H. Jenkins, Harrison Taylor,
Alex. L. Davidson, John M. Johnson, Cyrenius Wait,
Samuel E. DeHaven, Thornton F. Marshall, E. Dudley Walker,
John F. Fisk,
Those who voted in the negative, were—

Mr. Speaker Porter, James R. Barrick, W. C. Whitaker—5.
William T. Anthony, Chas. D. Pennebaker,

And so said resolution was adopted.

Mr. Read offered the following resolution, viz:

Resolved, That the Speaker of the Senate appoint a committee of six, to be composed of three of each party, for the purpose of preparing and reporting a military bill for arming the State, and that said committee be requested to report, by bill or otherwise, on Tuesday, at half-past 10 o'clock, May 21, 1861.

Which was adopted.

The Speaker, in accordance with the above resolution, appointed Messrs. Read, Rhea, Pennebaker, Cissell, Grover, and Andrews on said committee.

Messrs. Marshall and DeHaven moved to reconsider the vote by which the Senate adopted the resolution offered by Mr. Marshall this morning.

Ordered, That said vote be reconsidered.

By leave of the Senate, Mr. Marshall withdrew said resolution.

Mr. Gillis moved to reconsider the vote by which the Senate rejected, on Saturday, a bill from the House of Representatives, of the following title, viz:

An act to provide for the appointment of an additional inspector of flour at Louisville.

The question being taken on said motion, it was decided in the negative.

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

Those who voted in the affirmative, were—

Landaff W. Andrews, Samuel Haycraft, Henry M. Rust,
James R. Barrick, John L. Irvan, James Simpson,
Samuel H. Boles, John M. Johnson, Harrison Taylor,
John F. Fisk, John A. Prall, Cyrenius Wait,

Those who voted in the negative, were—

Mr. Speaker, Porter, William S. Darnaby, Thornton F. Marshall,
T. T. Alexander, Alex. L. Davidson, Wm. H. McBrayer,
William T. Anthony, George Denny, Chas. D. Pennebaker,
John B. Bruner, J. E. Gibson, Albert G. Rhea,
Charles Chambers, Robert E. Glenn, L. H. Rousseau,
Benjamin P. Cissell, Asa P. Grover, C. J. Walton,
And so the Senate refused to reconsider said vote.

Mr. Rust, from the Committee on Geological Survey, made a report. 

Ordered, That the further consideration of said report be indefinitely postponed.

Bills originating in the House of Representatives, of the following titles, were reported from the committees to which they had been severally referred:

1. An act changing the county lines between the counties of McCracken and Hickman.

2. An act for the benefit of John B. Gowan.

Ordered, That the 3rd be rejected, and that the 1st be read a third time.

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

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

Mr. Whitaker, from the Committee on Circuit Courts, asked to be discharged from the further consideration of a leave to bring in a bill concerning the courts in the 5th judicial district.

Which was granted.

Mr. DeHaven, from the Committee on Finance, asked to be discharged from the further consideration of a leave to bring in a bill for the benefit of N. C. Beckham, of McLean county.

Which was granted.

Mr. Grundy, from the Committee on Military Affairs, reported a bill, entitled "An act for the regulation and to provide for the arming of the State."

Whereas, It is deemed necessary, for the purposes of defense, to arm the State; and, to accomplish this object, money will have to be borrowed; therefore,

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the following named persons, viz.: The Governor of Kentucky, Inspector General, Chief Engineer, Thomas L. Crittenden, and George T. Wood, are hereby constituted a Board of Commissioners, and authorized to borrow, from the banks of issue in this State, a sum not exceeding one million one hundred thousand dollars, for the term of ten years, and to execute to said banks, for and on behalf of the
State of Kentucky, bonds for the amount borrowed from each of them, not to exceed in the aggregate the sum aforesaid, which bonds are to bear interest at the rate of six per centum per annum, payable semi-annually.

§ 2. Said board of commissioners are authorized, with the money so borrowed, to purchase arms and munitions of war; and in making said purchases, shall ratify the contracts for the purchase of arms heretofore made by the Governor of this Commonwealth, and pay for the same; all of which arms and munitions of war, when purchased, they shall distribute in the manner and under the regulations as now provided by law, excepting after first arming the State Guard, the Home Guard shall be armed, and then the residue of the militia. In making distribution of a portion of said arms and munitions of war among what is called the Home Guard, due regard shall be had to the most exposed parts of the State, and to those counties where servile insurrection is most to be apprehended. A majority of said commissioners may exercise any of the powers hereby conferred on said board.

§ 3. The money borrowed under the provisions of this act shall be paid by the banks into the State treasury, and upon the requisition of said board, or a majority thereof, in writing, stating the purpose for which the money called for is to be applied, the Auditor of the State shall issue his warrant upon the Treasurer for the sum contained in such requisition: Provided, however, That the whole amount thus drawn from the treasury shall not exceed the sum borrowed from the banks and paid by them into the treasury.

§ 4. Said board shall have the power, if it shall be found necessary to exercise it, to have one or more mills for the manufacture of gunpowder erected and put into operation at convenient points within the State; and also to adopt and carry into effect such other measures as they may deem expedient to enable them to furnish the arms and munitions of war which they are authorized by this act to procure: Provided, That no mill or armory shall be erected in any border county, the city of Lexington, or Frankfort.

§ 5. Companies of Home Guards may be organized for home and local purposes exclusively; but the members of such companies shall not be exempt from the military duties to which they are subject under the present military law of the State; nor shall such companies be considered as any part of the organized militia of the State, or be subject, as companies, to be called into the service of the State. They are, when organized, to be furnished with arms by said board, as provided for in the second section of this act, upon the following terms and conditions, viz: Application for arms for a company of Home Guards shall be made by the Captain of the company, who must produce to the board a certificate from the county judge that a company has been organized in his county; that the applicant has been duly elected Captain thereof, and that all the officers and members of the company have taken the obligation now required by law to be taken by the officers and members of the State Guard. Said applicant must also execute a bond, with good security, to the Commonwealth of Kentucky, containing a covenant that the arms shall be safely kept,
and shall be returned to the State arsenal at Frankfort at the expiration of five years, or sooner if the company shall be previously dissolved; and the county judge must also certify that the person or persons offered as surety in the bond, are good and sufficient to secure the performance of said covenant or to answer for its breach.

§ 6. The arms and munitions of war which now belong to the State of Kentucky, and all that may be purchased or procured under the authority herein given, shall be subject to the control and disposition of said board under the provisions of this act. The State arsenal shall also be under its exclusive control and management.

§ 7. That a part of the money borrowed may be used for the purpose of having the active militia suitably trained, and the purchase of camp and other equipage necessary to the active service of troops.

§ 8. The commissioners appointed by this act, before they enter upon the discharge of their duties, are required to take an oath that they will faithfully execute the provisions of this act to the best of their ability. Each of said commissioners who act under this appointment shall be paid out of the money borrowed as aforesaid, the sum of five hundred dollars per annum, payable quarterly, as a compensation for their services. They may also appoint a secretary for the board and allow him a reasonable compensation for his services out of the same fund, the amount of which allowance shall be certified by them to the Auditor of Public Accounts; and they are hereby authorized to act under this appointment for the term of two years, unless, in the meantime, their services shall be dispensed with by an act of the Legislature.

§ 9. Nothing contained in this act shall be so construed as to authorize said board, or any of the military organizations created by the militia law of this State, to use in any wise the arms and munitions of war herein authorized to be purchased, or those already belonging to the State, against the Government of the United States, nor against the Confederate States, unless in protecting our soil, rights, or sovereignty from invasion by either of the belligerent parties or of any State, it being the intention alone that said arms and munitions of war are to be used for the strict defense of the State of Kentucky.

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

Mr. Andrews, from the same committee, made a minority report, which is as follows:

An act for the regulation and to provide for the arming of the militia of the State of Kentucky.

WHEREAS, It is deemed necessary for the purposes of defense to arm the State; and to accomplish this object money will have to be borrowed; therefore,

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the following named persons, viz: Gov. B. Magoffin, Samuel Gill, Peter Dudley, George T. Wood, and H. I. Todd, are hereby constituted a Board of Commissioners, and authorized to borrow from the banks of issue in this State a sum not exceeding one million of dollars, for the term of ten years, and to execute to said
banks, for and on behalf of the State of Kentucky, bonds for the amount borrowed from each of them, not to exceed in the aggregate the sum aforesaid, which bonds are to bear interest at the rate of six per centum per annum, payable semi-annually.

§ 2. Said board of commissioners are authorized, with the money so borrowed, to purchase arms and munitions of war; and in making said purchases may, if they think proper to do so, ratify the contracts for the purchase of arms heretofore made by the Governor of this Commonwealth and pay for the same; all of which arms and munitions of war, when purchased, they shall distribute in such a manner as they may deem best calculated to promote the general welfare and the public safety, under such rules and regulations as they may think proper to prescribe, not inconsistent with any of the provisions of this act. But no part of said arms or munitions of war are to be furnished to any body of troops until they all, officers and privates, have taken an oath, in conformity with the requisition of our constitution, to support the Constitution of the United States and the Constitution of the State of Kentucky. In making distribution of a portion of said arms and munitions of war, among what is called the Home Guards, due regard shall be had to the most exposed parts of the State, and to those counties where servile insurrection is most to be apprehended. A majority of said commissioners may exercise any of the powers hereby conferred on said board.

§ 3. The money borrowed under the provisions of this act shall be paid by the banks into the State treasury, and upon the requisition of said board, or a majority thereof, in writing, stating the purpose for which the money called for is to be applied, the Auditor of the State shall issue his warrant upon the Treasurer for the sum contained in such requisition: Provided, however, That the whole amount thus drawn from the treasury shall not exceed the sum borrowed from the banks and paid by them into the treasury.

§ 4. Said board shall have the power, if it shall be found necessary to exercise it, to have one or more mills for the manufacture of gunpowder erected and put into operation at convenient points within the State; and also to adopt and carry into effect such other measures as they may deem expedient to enable them to furnish the arms and munitions of war which they are authorized by this act to procure.

§ 5. No officer, soldier, or other person in the military service of the State, nor any person whatever, shall be subject to arrest, trial, or punishment for refusing to execute, or for disobedience to any illegal military order or command whatever.

§ 6. Companies of Home Guards may be organized for home and local defense exclusively; but the members of such companies shall not be exempt from the military duties to which they are subject under the present military laws of the State; nor shall such companies be considered as any part of the organized militia of the State, or be subject, as companies, to be called into the service of the State. They are, when organized, to be furnished with arms by said board, so far as it can be done, having in view the object mentioned in the 2d section of this act, upon the following terms and conditions, viz: Appli-
cation for arms for a company of Home Guards shall be made by the Captain of the company, who must produce to the board a certificate from the county judge that a company has been organized in his county; that the applicant has been duly elected Captain thereof, and that all the officers and members of the company have taken an oath before him to support the Constitution of the United States and of the State of Kentucky. And to enable the county judge to make such a certificate, he is empowered to conduct the election for officers of the company, who are to be elected by the members thereof. Said applicant must also execute a bond, with good security, to the Commonwealth of Kentucky, containing a covenant that the arms shall be safely kept, and shall be returned to the State arsenal, at Frankfort, at the expiration of five years or sooner, if the company shall be previously dissolved; and the county judge must also certify that the person or persons offered as surety in the bond are good and sufficient to secure the performance of said covenant, or to answer for its breach.

§ 7. The arms and munitions of war which now belong to the State of Kentucky, and all that may be purchased or procured under the provisions of this act, shall be subject to the control and disposition of said board. The State arsenal shall also be under its exclusive control and management.

§ 8. The arms and munitions of war shall be distributed between the State Guards and the Home Guards, in such proportion as said board shall deem right and proper. A part of the money borrowed may be used for the purpose of having the Active Militia suitably trained.

§ 9. The militia which may be hereafter organized as State Guards, shall be required, both officers and men, to take an oath to support the Constitution of the United States, and the Constitution of the State of Kentucky, in the form prescribed by the Constitution of this State; and any person or persons who shall refuse to take this oath, shall not be received into the service by the officer in command. And if any officer shall permit a company to be mustered into service as part of the Active Militia of the State, without conforming to this requisition, he shall be deemed guilty of a military offense, and shall likewise be dismissed from the service, by a court-martial, which shall be called for that purpose.

§ 10. The Commissioners appointed by this act, before they enter upon the discharge of their duties, are required to take an oath to support the Constitution of the United States and of this State, and that they will faithfully execute the provisions of this act to the best of their ability. Each of said Commissioners who act under this appointment, shall be paid out of the money borrowed as aforesaid the sum of five hundred dollars per annum, payable quarterly, as a compensation for their services; they may also appoint a secretary for the board, and allow him a reasonable compensation for his services, payable out of the same fund; the amount of which allowance shall be certified by them to the Auditor of Public Accounts. And they are hereby authorized to act under this appointment for the term of two years,
unless, in the meantime, their services shall be dispensed with by an act of the Legislature.

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

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

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

Ordered, That the Public Printer forthwith print 150 copies of said bill, and the proposed substitute, for the use of the members of the General Assembly, and that the further consideration of said subject be postponed until to-morrow, at half-past 10 o'clock, A. M.

And then the Senate adjourned.

TUESDAY, MAY 21, 1861.

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

An act to amend title I of the Code of Practice in civil cases,
An act for the benefit of the sheriffs of Barren and Metcalfe counties.
An act for the benefit of H. D. Rothrock, late sheriff of Muhlenburg county.
An act to incorporate the town of Hillsborough, in Fleming county.
An act to incorporate the town of Gordonsville, in Logan county.
An act for the benefit of school district No. 34, in Hopkins county.
An act to amend the common school laws.
An act to amend the charter of Glasgow.
An act to create the office of county treasurer for Whitley county.
An act for the benefit of the Union Democrat.
And that they had agreed to amendments proposed by the Senate to House bills, of the following titles, viz:
An act to charter the Louisville, Pittsburg, St. Louis, Nashville, and Tennessee River Pilots' Association.

An act to amend the charter of Carrollton.

An act to amend the charter of the Millersburg, Indian Creek Church, and Cynthiana turnpike road company.

An act for the benefit of the commissioners of the penitentiary.

And that they had disagreed to an amendment proposed by the Senate to a House bill of the following title, viz:

An act to charter Grove No. 3, of the Ancient Order of Druids, of Louisville.

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

An act to amend an act to permit the personal representatives of non-resident decedents to sue in this State.

An act for the benefit of William Henderson, jr.

An act to alter the lines of Gradyville voting district.

An act relating to Eggnor's Ferry across the Tennessee river, at Aurora.

An act to establish an additional voting place in District No. 4, in Taylor county.

An act to change the boundary of the Newcastle magistrates' district, in Henry county.

And that they had received official information from the Governor, that he had approved and signed bills originating in that House, of the following titles, viz:

An act to amend the charter of Russellville.

An act declaring Eagle creek a navigable stream.

An act to amend the charter of Bowling-Green.

An act to amend the charter of the New Castle and Carrollton turnpike road company.

An act for the benefit of the Kentucky Agricultural and Mechanical Association.

An act appointing trustees for Moscow Seminary, in Hickman county.

An act to change the voting place in Moreland precinct, in Bourbon county.

An act to change the line between the Wyoming and Bethel precincts, in Bath county.

An act to amend the charter of the Knob Lick turnpike road company.

An act to incorporate the town of Maxville.
An act to amend the charter of the city of Louisville.

An act for the benefit of Dickey & Thomas, of Edmonson county.

An act to change the line of a voting precinct in Montgomery county.

An act to amend the charter of the Stanford and Hall's Gap turnpike road company.

An act for the benefit of R. T. Benton, late sheriff of Estill county.

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

Resolved by the General Assembly of the Commonwealth of Kentucky, That our Senators in Congress be instructed, and our Representatives requested, to procure a repeal of the law or laws establishing a district court of the United States at Paducah, Louisville, and Covington; and in case said law is not repealed, that they have the State of Kentucky laid off into four districts, and the jurisdiction of each court restricted to the district in which said court is held.

Mr. Chambers moved to suspend the rules requiring joint resolutions to lie one day on the table.

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

The yeas and nays being required on said motion by Messrs. Rousseau and Alexander, were as follows, viz:

Those who voted in the affirmative, were—

Charles Chambers, William S. Darnaby, William H. McBrayer,

Those who voted in the negative, were—
Benjamin P. Cissell, John F. Fisk, L. H. Rousseau,
Samuel E. DeHaven, John L. Irvan, C. J. Walton—S.
George Denny, Samuel H. Jenkins,

Said resolution was then twice read, and adopted.

Mr. Whitaker offered the following resolution, viz:

Resolved, That the Governor be respectfully requested to furnish the Senate the estimates of military appropriations by the Inspector General, and to which he refers in his message as having been therewith submitted; the same not having reached the Senate.

Which was adopted.
Under a suspension of the rules, the Senate took up for consideration House bills of the following titles, viz:

1. An act to charter Grove No. 3, of the Ancient Order of Druids, of Louisville.
2. An act to amend an act to permit personal representatives of non-resident decedents to sue in this State.
3. An act for the benefit of William Henderson, Jr.
4. An act to alter the lines of Gradyville voting district.
5. An act relating to Eggnor’s Ferry across Tennessee river, at Aurora.
6. An act to establish an additional voting place in district No. 4, in Taylor county.
7. An act to change the boundary of the Newcastle magistrates’ district, in Henry county.

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

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

Ordered, That the Senate recede from the proposed amendment to No. 1; that No. 2, be referred to the Committee on the Judiciary; No. 3 to the Committee on Finance; No. 7 to the Committee on Privileges and Elections, and that Nos. 4, 5, and 6 be read a third time.

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

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

On motion of Mr. Gillis,

Ordered, That the Committee on Education prepare and bring in a bill for the benefit of school district No. 65, in Whitley county.

Mr. Pennebaker, from the Committee on Military Affairs, reported a House bill of the following title, viz:

An act to amend an act for the better organization of the militia, approved April 4, 1861,

With the following amendment by way of a substitute for said bill:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That an act, entitled “An act to amend the militia law,” approved April 4, 1861, and an act, entitled “An act to carry into effect certain provisions of an act for the better organization of the militia,” approved April 4, 1861, shall take effect and be in force from and after the passage of this act.

§ 2. This act shall take effect from and after its passage.
Mr. Whitaker offered the following amendment, viz:

Be it further enacted, That the Inspector General shall exercise no other command, and hold no other rank under the militia law of this State, than is now exercised by an Inspector General under the military law and regulations of the regular army of the United States; and all laws giving him any authority, rank, or command, other than as an Inspector General, according to said rules and regulations, be, and the same are hereby, repealed.

The yeas and nays being required on the adoption of said amendment by Messrs. Whitaker and Cissell, were as follows, viz:

Those who voted in the affirmative, were—

Landaff W. Andrews, William C. Gillis, Harrison Taylor,
John B. Bruner, Thornton F. Marshall, Cyrenius Wait,
A. D. Cosby, L. H. Rousseau, E. Dudley Walker,
John F. Fisk,

Those who voted in the negative, were—

Mr. Speaker, Porter, Alex. L. Davidson, John M. Johnson,
T. T. Alexander, J. E. Gibson, Wm. H. McBrayer,
W. T. Anthony, Robert E. Glenn, Chas. D. Pennebaker,
James R. Barrick, Asa P. Grover, William B. Read,
Samuel H. Boles, Thomas S. Grundy, Albert G. Rhea,
Charles Chambers, Samuel Haycraft, Henry M. Rust,
Benjamin P. Cissell, John L. Irvan, C. J. Walton—23.
William S. Darnaby, Samuel H. Jenkins,

And so said amendment was rejected.

Mr. Rhea offered the following amendment.

§- That all the members of the State Guard heretofore organized under the militia law, shall be required to take the oath now required to be taken by the officers of said Guard; and any member refusing to do so, shall be regarded no longer a member of that corps, and so treated by the officers of the company to which said member was attached.

The yeas and nays being required on the adoption of said amendment by Messrs. Cissell and Rousseau, were as follows, viz:

Those who voted in the affirmative, were—

T. T. Alexander, William C. Gillis, L. H. Rousseau,
Landaff W. Andrews, Samuel Haycraft, James Simpson,
John B. Bruner, John M. Johnson, Harrison Taylor,
A. D. Cosby, Thornton F. Marshall, Cyrenius Wait,
Samuel E. DeHaven, Chas. D. Pennebaker, E. Dudley Walker,
George Denny, John A. Prall, C. J. Walton,
J. E. Gibson, Albert G. Rhea,
Those who voted in the negative, were—

Mr. Speaker, Porter, Benjamin P. Cissell, John L. Irvan,
William T. Anthony, William S. Darnaby, Samuel H. Jenkins,
James R. Barrick, Alex. L. Davidson, William H. McBrayer,
Charles Chambers, Asa P. Grover,

And so said amendment was adopted.

Mr. Rousseau offered the following amendment, viz:

After the words “said Guard,” add this: “Within thirty days after the passage of this act.”

The yeas and nays being required on the adoption of said amendment by Messrs. Grover and Denny, were as follows, viz:

Those who voted in the affirmative, were—

T. T. Alexander, William C. Gillis, James Simpson,
Landaff W. Andrews, Samuel Haycraft, Harrison Taylor,
John B. Bruner, Thornton F. Marshall, Cyrenius Wait,
A. D. Cosby, Chas. D. Pennebaker, E. Dudley Walker,
Samuel E. DeHaven, John A. Prall, C. J. Walton,
John F. Fisk, L. H. Rousseau,

Those who voted in the negative, were—

Mr. Speaker, Porter, William S. Darnaby, Samuel H. Jenkins,
William T. Anthony, G. E. Gibson, John M. Johnson,
James R. Barrick, Robert E. Glenn, William H. McBrayer,
Samuel H. Boles, Asa P. Grover, Albert G. Rhea,
Charles Chambers, John L. Irvan, Henry M. Rust—16.
Benjamin P. Cissell,

The question was then taken on adopting the substitute, as amended, and it was decided in the affirmative.

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

Those who voted in the affirmative, were—

T. T. Alexander, William C. Gillis, L. H. Rousseau,
Landaff W. Andrews, Samuel Haycraft, James Simpson,
John B. Bruner, Thornton F. Marshall, Harrison Taylor,
A. D. Cosby, Chas. D. Pennebaker, Cyrenius Wait,
Samuel E. DeHaven, John A. Prall, E. Dudley Walker,
George Denny, William B. Read, Claiborne J. Walton,

Those who voted in the negative, were—

Mr. Speaker, Porter, William S. Darnaby, John L. Irvan,
William T. Anthony, Alex. L. Davidson, Samuel H. Jenkins,
James R. Barrick, J. E. Gibson, John M. Johnson,
Samuel H. Boles, Robert E. Glenn, William H. McBrayer,
Benjamin P. Cissell,
Ordered, That said bill, as amended, be read a third time.

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

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

Mr. Gillis, from the Committee on Enrollments, reported that they had examined sundry enrolled bills originating in the House of Representatives, of the following titles, viz:

An act to amend the charter of the Sayre Female Institute.
An act changing the place of voting in Henderson precinct, in Lewis county.
An act to prevent the destruction of fish in the waters of Dix river and Hanging Fork.
An act to extend the town limits of Mount Vernon.
An act for the benefit of Sarah A. Walker.
An act for the benefit of A. P. Lacy.
An act establishing an additional precinct in the county of Crittenden.
An act to change the line between the 1st and 2d voting precincts in Knox county.
An act for the benefit of George Higginson, late a constable of Union county.
An act to incorporate the Hopkinsville Oil and Mining Company.
And that the same were correctly enrolled.

Whereupon the Speaker affixed his signature to said bills, and they were returned to the committee to be by them presented to the Governor for his approval and signature.

Mr. Read, from a select committee, reported a bill, entitled "An act for the regulation and to provide for the arming of the State."

Said bill reads as follows, viz:

Whereas, It is deemed necessary for the purposes of defense to arm the State; and to accomplish this object money will have to be borrowed; therefore,

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the following named persons, viz: Hon. B. Magoffin, Governor of this Commonwealth, Samuel Gill, George T. Wood, Gen. Peter Dudley, and Dr. John B. Peyton, are hereby constituted a Board of Commissioners, and authorized to borrow from the banks of issue in this State a sum not exceeding one million and sixty thousand dollars, for the term of ten years, and to execute to said banks, for and on behalf of the State of Kentucky, bonds for the amount borrowed from each of them, not to exceed in the aggregate the
sum aforesaid, which bonds are to bear interest at the rate of six per centum per annum, payable semi-annually.

§ 2. Said board of commissioners are authorized, with the money so borrowed, to purchase arms and munitions of war; and in making said purchases shall ratify the contracts for the purchase of arms heretofore made by the Governor of this Commonwealth and pay for the same: Provided, Seven hundred and fifty thousand dollars only of said sum authorized to be borrowed shall be expended in the purchase of arms and accoutrements. Said arms, accoutrements, and munitions of war shall be equally distributed between the State Guard, the organization of which is now provided for by the military law, and such Home Guards as shall hereafter be organized in accordance with the provisions of this act. In making distribution of the arms and munitions of war among said Home Guards, due regard shall be had to the most exposed parts of the State, and to those counties where servile insurrection is most to be apprehended. A majority of said commissioners may exercise any of the powers hereby conferred on said board.

§ 3. The money borrowed under the provisions of this act shall be paid by the banks into the State treasury, and upon the requisition of said board, or a majority thereof, in writing, stating the purpose for which the money called for is to be applied, the Auditor of the State shall issue his warrant upon the Treasurer for the sum contained in such requisition: Provided, however, That the whole amount thus drawn from the treasury shall not exceed the sum borrowed from the banks and paid by them into the treasury.

§ 4. Said board shall have the power, if it shall be found necessary to exercise it, to have one or more mills for the manufacture of gunpowder erected and put into operation at convenient points within the State; and also to adopt and carry into effect such other measures as they may deem expedient to enable them to furnish the arms and munitions of war which they are authorized by this act to procure: Provided, That no mill or armory shall be erected in any border county, the city of Lexington, or Frankfort.

§ 5. Companies of Home Guards may be organized for home and local defense exclusively; but the members of such companies shall not be exempt from the military duties to which they are subject under the present military laws of the State; nor shall such companies be considered as any part of the organized militia of the State, or be subject, as companies, to be called into the service of the State. They are, when furnished with arms by said board, as provided for in the second section of this act, upon the following terms and conditions, viz: Application for arms for a company of Home Guards shall be made by the Captain of the company, who must produce to the board a certificate from the county judge that a company has been organized in his county; that the applicant has been duly elected Captain thereof, and that all the officers and members of the company have taken the oath now required by law to be taken by the officers of the State Guard. And to enable the county judge to make such a certificate, he is empowered to conduct the election for
officers of the company, who are to be elected by the members thereof. Said applicant must also execute a bond, with good security, to the Commonwealth of Kentucky, containing a covenant that the arms shall be safely kept, and shall be returned to the State arsenal at Frankfort at the expiration of five years, or sooner, if the company shall be previously dissolved; and the county judge must also certify that the person or persons offered as surety in the bond, are good and sufficient to secure the performance of said covenant or to answer for its breach.

§ 6. The arms and munitions of war which now belong to the State of Kentucky, and all that may be purchased or procured under the authority herein given, shall be subject to the control and disposition of said board under the provisions of this act. The State arsenal shall also be under its exclusive control and management.

§ 7. That a part of the money borrowed may be used for the purpose of having the active militia suitably trained, and the purchase of camp and other equipage necessary to the active service of troops: Provided, That no part of the seven hundred and fifty thousand dollars appropriated for the purchase of arms and accoutrements shall be used for this purpose.

§ 8. All persons receiving arms under the provisions of this act shall take the oath now required by law to be taken by the officers of the State Guard.

§ 9. The commissioners appointed by this act, before they enter upon the discharge of their duties, are required to take an oath that they will faithfully execute the provisions of this act to the best of their ability. Each of said commissioners who act under this appointment shall be paid out of the money borrowed as aforesaid, the sum of five hundred dollars per annum, payable quarterly, as a compensation for their services. They may also appoint a secretary for the board and allow him a reasonable compensation for his services out of the same fund, the amount of which allowance shall be certified by them to the Auditor of Public Accounts; and they are hereby authorized to act under this appointment for the term of two years, unless, in the meantime, their services shall be dispensed with by an act of the Legislature.

§ 10. Nothing contained in this act shall be so construed as to authorize said board, or any of the military organizations created by the militia law of this State, to use in any wise the arms and munitions of war herein authorized to be purchased, or those already belonging to the State, against the Government of the United States, nor against the Confederate States, unless in protecting our soil from unlawful invasion; it being the intention alone that said arms and munitions of war are to be used for the sole defense of the State of Kentucky.

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

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

The rule of the Senate, constitutional provision, and second reading of said bill having been dispensed with,
Ordered, That the Public Printer forthwith print 150 copies of the same for the use of the members of the General Assembly.

The hour of 1 o'clock having arrived, the Senate adjourned until 3 o'clock, P.M.

The Senate met pursuant to adjournment.

Mr. Whitaker moved a call of the roll.

The following Senators responded to their names:


Ordered, That a call of the Senate be had.

The roll was called, and the following Senators responded to their names:


Ordered, That a call of the Senate be had.

The roll was called, and the following Senators responded to their names:

Landaff W. Andrews,  J. E. Gibson,  Albert G. Rhea,
James R. Barrick,  William C. Gillis,  L. H. Rousseau,
Samuel H. Boles,  Robert E. Glenn,  Henry M. Rust,
John B. Bruner,  Asa P. Grover,  James Simpson,
Charles Chambers,  Samuel Haycraft,  Harrison Taylor,
Benjamin P. Cissell,  John L. Irvan,  Cyrenius Wait,
A. D. Cosby,  John M. Johnson,  E. Dudley Walker,
William S. Darnaby,  Thornton F. Marshall,  C. J. Walton,
Absent—
Thomas S. Grundy,  Samuel H. Jenkins—8.

The names of the absentees were again called, and no response being made,

The door was locked, and the key placed on the Speaker's table.

Mr. Whitaker moved to adjourn.

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

Those who voted in the affirmative, were—

John F. Fisk,  L. H. Rousseau,  C. J. Walton,
Chas. D. Pennebaker,  Cyrenius Wait,

Those who voted in the negative, were—

Mr. Speaker, Porter,  A. D. Cosby,  John M. Johnson,
T. T. Alexander,  Alex. L. Davidson,  Thornton F. Marshall,
William T. Anthony,  Samuel E. DeHaven,  William H. McBrayer,
Landaff W. Andrews,  George Denny,  John A. Prall,
James R. Barrick,  J. E. Gibson,  William B. Read,
Samuel H. Boles,  William C. Gillis,  Albert G. Rhea,
John B. Bruner,  Robert E. Glenn,  Henry M. Rust,
Charles Chambers,  Asa P. Grover,  Harrison Taylor,
Benjamin P. Cissell,  John L. Irvan,  E. Dudley Walker—27.

And so the Senate refused to adjourn.

On motion of Mr. Andrews,

Ordered, That the further proceedings under the call of the Senate be dispensed with.

The Senate resumed the consideration of the bill reported by Mr. Read, from a select committee.

Mr. Simpson offered the following amendment, viz:

Amend section eight as follows: "The same oath shall be administered to the privates in all the companies of the State Guards which shall have been organized before this act takes effect; and any part of said State Guards, who shall refuse to take said oath, shall be deprived of their arms and dismissed from the service by the officer in command."
Mr. Alexander 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. Whitaker and Marshall, were as follows, viz:

Those who voted in the affirmative, were—

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<tr>
<th>Mr. Speaker Porter</th>
<th>Benjamin P. Cissell</th>
<th>Thomas S. Grundy</th>
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<tr>
<td>T. T. Alexander</td>
<td>William S. Darnaby</td>
<td>John L. Irvan</td>
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<td>William T. Anthony</td>
<td>Alex. L. Davidson</td>
<td>John M. Johnson</td>
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<td>James R. Barrick</td>
<td>J. E. Gibson</td>
<td>Thornton F. Marshall</td>
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<td>Samuel H. Boles</td>
<td>Robert E. Glenn</td>
<td>W. H. McBrayer-17</td>
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<tr>
<td>Charles Chambers</td>
<td>Asa P. Grover</td>
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Those who voted in the negative, were—

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<th>Landaff W. Andrews</th>
<th>Samuel Haycraft</th>
<th>James Simpson</th>
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<td>John B. Bruner</td>
<td>Samuel H. Jenkins</td>
<td>Harrison Taylor</td>
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<td>A. D. Cosby</td>
<td>Chas. D. Pennebaker</td>
<td>Cyrenius Wait</td>
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<td>Samuel E. DeHaven</td>
<td>William B. Read</td>
<td>E. Dudley Walker</td>
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<td>George Denny</td>
<td>Albert G. Rhea</td>
<td>C. J. Walton</td>
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<tr>
<td>John F. Fisk</td>
<td>L. H. Rousseau</td>
<td>W. C. Whitaker-19</td>
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<tr>
<td>William C. Gillis</td>
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The question was then taken on the amendment proposed by Mr. Simpson, and it was decided in the negative.

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

Those who voted in the affirmative, were—

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<tr>
<th>John B. Bruner</th>
<th>William C. Gillis</th>
<th>Harrison Taylor</th>
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<tr>
<td>A. D. Cosby</td>
<td>Samuel Haycraft</td>
<td>Cyrenius Wait</td>
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<td>Samuel E. DeHaven</td>
<td>Thornton F. Marshall</td>
<td>E. Dudley Walker</td>
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<tr>
<td>George Denny</td>
<td>L. H. Rousseau</td>
<td>Claiborne J. Walton</td>
</tr>
<tr>
<td>John F. Fisk</td>
<td>James Simpson</td>
<td>W. C. Whitaker-15</td>
</tr>
</tbody>
</table>

Those who voted in the negative, were—

<table>
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<tr>
<th>Mr. Speaker Porter</th>
<th>William S. Darnaby</th>
<th>John M. Johnson</th>
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<tr>
<td>T. T. Alexander</td>
<td>Alex. L. Davidson</td>
<td>William H. McBrayer</td>
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<td>William T. Anthony</td>
<td>J. E. Gibson</td>
<td>Chas. D. Pennebaker</td>
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<td>Landaff W. Andrews</td>
<td>Robert E. Glenn</td>
<td>John A. Prall</td>
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<td>James R. Barrick</td>
<td>Asa P. Grover</td>
<td>William B. Read</td>
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<td>Samuel H. Boles</td>
<td>Thomas S. Grundy</td>
<td>Albert G. Rhea</td>
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<tr>
<td>Charles Chambers</td>
<td>John L. Irvan</td>
<td>Henry M. Rust-22</td>
</tr>
<tr>
<td>Benjamin P. Cissell</td>
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Mr. Rousseau offered the following amendment, viz:

Strike out section 10, and insert the following: “The arms and munitions of war aforesaid shall be, and are intended to be, used for the sole defense of the State of Kentucky.”
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. Rousseau and Grover, were as follows, viz:

Those who voted in the affirmative, were—

John B. Bruner, Thornton F. Marshall, Cyrenius Wait,
A. D. Cosby, L. H. Rousseau, C. J. Walton,
George Denny, James Simpson, W. C. Whitaker—11.
John F. Fisk, Harrison Taylor,

Those who voted in the negative, were—

Mr. Speaker, Porter, Alex. L. Davidson, John M. Johnson,
T. T. Alexander, Samuel E. DeHaven, William H. McBrayer,
William T. Anthony, G. E. Gibson, Chas. D. Pennebaker,
Landaff W. Andrews, William C. Gillis, John A. Prall,
James R. Barrick, Robert E. Glenn, William B. Read,
Samuel H. Boles, Asa P. Grover, Albert G. Rhea,
Charles Chambers, Thomas S. Grundy, Henry M. Rust,
William S. Darnaby, John L. Irvan,

Mr. Taylor offered the following amendment, viz:

Amend section 9, line 3, after the word "ability," by adding the following: "And to support the Constitution of the United States and the State of Kentucky."

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

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

Those who voted in the affirmative, were—

Landaff W. Andrews, William C. Gillis, Harrison Taylor,
John B. Bruner, Samuel Haycraft, Cyrenius Wait,
A. D. Cosby, Thornton F. Marshall, E. Dudley Walker,
Samuel E. DeHaven, L. H. Rousseau, C. J. Walton,
George Denny, James Simpson, W. C. Whitaker—16.
John F. Fisk,

Those who voted in the negative, were—

Mr. Speaker, Porter, William S. Darnaby, John M. Johnson,
T. T. Alexander, Alex. L. Davidson, William H. McBrayer,
William T. Anthony, J. E. Gibson, Chas. D. Pennebaker,
James R. Barrick, Robert E. Glenn, John A. Prall,
Samuel H. Boles, Asa P. Grover, William B. Read,
Charles Chambers, Thomas S. Grundy, Albert G. Rhea,

Mr. Whitaker offered the following amendment, viz:

Amend the 2d section by inserting after the words "pay for the same," in the 4th line, the words "to the extent of $15,578 63."
Mr. Glenn 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. Walker and Rousseau, were as follows, viz: 

Those who voted in the affirmative, were—

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<tr>
<th>Mr. Speaker, Porter</th>
<th>William S. Darnaby,</th>
<th>Samuel Haycraft,</th>
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<tr>
<td>W. T. Anthony</td>
<td>Alex. L. Davidson,</td>
<td>John L. Irvan,</td>
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<td>James R. Barrick</td>
<td>J. E. Gibson,</td>
<td>John M. Johnson,</td>
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<td>Samuel H. Boles</td>
<td>Robert E. Glenn,</td>
<td>Wm. H. McBrayer,</td>
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<tr>
<td>Benjamin P. Cissell</td>
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Those who voted in the negative, were—

| T. T. Alexander,            | William C. Gillis, | James Simpson,  |
| Landaff W. Andrews,         | Thornton F. Marshall, | Harrison Taylor,|
| John B. Bruner,             | Chas. D. Pennebaker, | Cyrenius Wait,  |
| A. D. Cosby,                | John A. Pratt,      | E. Dudley Walker,|
| Samuel E. DeHaven,          | Albert G. Rhea,     | C. J. Walton,   |
| John F. Fisk,               | Henry M. Rust,      |                 |

The question was then taken on the amendment offered by Mr. Whitaker, and it was decided in the negative. 
The yeas and nays being required thereon by Messrs. Rhea and Fisk, were as follows, viz: 

Those who voted in the affirmative, were—

| John B. Bruner,             | Thornton F. Marshall, | Harrison Taylor,|
| George Denny,               | L. H. Rousseau,       | C. J. Walton,   |
| Samuel Haycraft,            |                      |                 |

Those who voted in the negative, were—

| Mr. Speaker, Porter          | Alex. L. Davidson,   | John M. Johnson,|
| T. T. Alexander,             | Samuel E. DeHaven,   | William H. McBrayer,|
| William T. Anthony,          | J. E. Gibson,        | Chas. D. Pennebaker,|
| Landaff W. Andrews,          | William C. Gillis,   | John A. Pratt,   |
| James R. Barrick             | Robert E. Glenn,     | William B. Read, |
| Samuel H. Boles              | Asa P. Grover,       | Albert G. Rhea,  |
| Charles Chambers             | Thomas S. Grundy,    | Henry M. Rust,   |
| Benjamin P. Cissell          | John L. Irvan,       | Cyrenius Wait,   |
| William S. Darnaby,          |                      |                 |

Mr. Andrews offered the following amendment, viz: 

Amend 4th section: After the word "erected," insert "under the provisions of this act."

Which was adopted.
Mr. Simpson offered the following amendment by way of substitute for said bill, viz:

WHEREAS, It is deemed necessary for the purposes of defense to arm the State; and to accomplish this object money will have to be borrowed; therefore,

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the following named persons, viz: Gov. B. Magoffin, Samuel Gill, Peter Dudley, and George T. Wood, and H. I. Todd, are hereby constituted a Board of Commissioners, and authorized to borrow from the banks of issue in this State a sum not exceeding one million of dollars, for the term of ten years, and to execute to said banks, for and on behalf of the State of Kentucky, bonds for the amount borrowed from each of them, not to exceed in the aggregate the sum aforesaid, which bonds are to bear interest at the rate of six per centum per annum, payable semi-annually.

§ 2. Said board of commissioners are authorized, with the money so borrowed, to purchase arms and munitions of war; and in making said purchases may, if they think proper to do so, ratify the contracts for the purchase of arms heretofore made by the Governor of this Commonwealth, and pay for the same; all of which arms and munitions of war, when purchased, they shall distribute in such a manner as they may deem best calculated to promote the general welfare and the public safety, under such rules and regulations as they may think proper to prescribe, not inconsistent with any of the provisions of this act. But no part of said arms or munitions of war are to be furnished to any body of troops until they all, officers and privates, have taken an oath, in conformity with the requisition of our constitution, to support the Constitution of the United States and the Constitution of the State of Kentucky. In making distribution of a portion of said arms and munitions of war among what is called the Home Guards, due regard shall be had to the most exposed parts of the State, and to those counties where servile insurrection is most to be apprehended. A majority of said commissioners may exercise any of the powers hereby conferred on said board.

§ 3. The money borrowed under the provisions of this act shall be paid by the banks into the State treasury, and upon the requisition of said board, or a majority thereof, in writing, stating the purpose for which the money called for is to be applied, the Auditor of the State shall issue his warrant upon the Treasurer for the sum contained in such requisition: Provided, however, That the whole amount thus drawn from the treasury shall not exceed the sum borrowed from the banks and paid by them into the treasury.

§ 4. Said board shall have the power, if it shall be found necessary to exercise it, to have one or more mills for the manufacture of gunpowder erected and put into operation at convenient points within the State; and also to adopt and carry into effect such other measures as they may deem expedient to enable them to furnish the arms and munitions of war which they are authorized by this act to procure.

§ 5. No officer, soldier, or other person in the military service of the State, nor any person whatever, shall be subject to arrest, trial, or
punishment for refusing to execute, or for disobedience to any illegal military order or command whatever.

§ 6. Companies of Home Guards may be organized for home and local defense exclusively; but the members of such companies shall not be exempt from the military duties to which they are subject under the present military laws of the State; nor shall such companies be considered as any part of the organized militia of the State, or be subject, as companies, to be called into the service of the State. They are, when organized, to be furnished with arms by said board, so far as it can be done, having in view the object mentioned in the 2d section of this act, upon the following terms and conditions, viz: Application for arms for a company of Home Guards shall be made by the Captain of the company, who must produce to the board a certificate from the county judge that a company has been organized in his county; that the applicant has been duly elected Captain thereof, and that all the officers and members of the company have taken an oath before him to support the Constitution of the United States and of the State of Kentucky. And to enable the county judge to make such a certificate, he is empowered to conduct the election for officers of the company, who are to be elected by the members thereof. Said applicant must also execute a bond, with good security, to the Commonwealth of Kentucky, containing a covenant that the arms shall be safely kept, and shall be returned to the State arsenal, at Frankfort, at the expiration of five years or sooner, if the company shall be previously dissolved; and the county judge must also certify that the person or persons offered as surety in the bond are good and sufficient to secure the performance of said covenant, or to answer for its breach.

§ 7. The arms and munitions of war which now belong to the State of Kentucky, and all that may be purchased or procured under the provisions of this act, shall be subject to the control and disposition of said board. The State arsenal shall also be under its exclusive control and management.

§ 8. The arms and munitions of war shall be distributed between the State Guards and the Home Guards, in such proportion as said board shall deem right and proper. A part of the money borrowed may be used for the purpose of having the Active Militia suitably trained.

§ 9. The militia which may be hereafter organized as State Guards, shall be required, both officers and men, to take an oath to support the Constitution of the United States, and the Constitution of the State of Kentucky, in the form prescribed by the Constitution of this State; and any person or persons who shall refuse to take this oath, shall not be received into the service by the officer in command. And if any officer shall permit a company to be mustered into service as part of the Active Militia of the State, without conforming to this requisition, he shall be deemed guilty of a military offense, and shall likewise be dismissed from the service, by a court-martial, which shall be called for that purpose. The militia which have been heretofore organized shall also be required to take the same oath; and if any part thereof
shall refuse to do so, the persons so refusing shall be deprived of their arms, and be dismissed from the service by the officer in command.

§ 10. The Commissioners appointed by this act, before they enter upon the discharge of their duties, are required to take an oath to support the Constitution of the United States and of this State, and that they will faithfully execute the provisions of this act to the best of their ability. Each of said Commissioners who act under this appointment, shall be paid out of the money borrowed as aforesaid the sum of five hundred dollars per annum, payable quarterly, as a compensation for their services; they may also appoint a secretary for the board, and allow him a reasonable compensation for his services; payable out of the same fund; the amount of which allowance shall be certified by them to the Auditor of Public Accounts. And they are hereby authorized to act under this appointment for the term of two years, unless, in the meantime, their services shall be dispensed with by an act of the Legislature.

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

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. Rhea and Irvan, were as follows, viz:

Those who voted in the affirmative, were—

John B. Bruner, William C. Gillis,  Cyrenius Wait,
A. D. Cosby,  Thornton F. Marshall,  E. Dudley Walker,
Samuel E. DeHaven,  L. H. Rousseau,  C. J. Walton,
George Denny,  James Simpson,  W. C. Whitaker—14,
John F. Fisk,  Harrison Taylor,

Those who voted in the negative, were—

Mr. Speaker, Porter,  William S. Darnaby,  Samuel H. Jenkins,
T. T. Alexander,  Alex. L. Davidson,  John M. Johnson,
William T. Anthony,  J. E. Gibson,  William H. McBrayer,
Landaff W. Andrews,  Robert E. Glenn,  Chas. D. Pennebaker,
James R. Barrick,  Asa P. Grover,  John A. Prall,
Samuel H. Boles,  Thomas S. Grundy,  William B. Read,
Charles Chambers,  Samuel Haycraft,  Albert G. Rhea,
Benjamin P. Cissell,  John L. Irvan,  Henry M. Rust—24.

Mr. Walton offered the following amendment, viz:

Amend by striking out all after the word "county," in the 6th line of the 4th section.

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. Cissell and Irvan, were as follows, viz:
Those who voted in the affirmative, were—

Mr. Speaker, Porter, Samuel E. DeHaven, William B. Read,
T. T. Alexander, George Denny, L. H. Rousseau,
Landaff W. Andrews, John F. Fisk, James Simpson,
James R. Barrick, William C. Gillis, Harrison Taylor,
John B. Bruner, Thomas S. Grundy, E. Dudley Walker,
Charles Chambers, Samuel Haycraft, C. J. Walton,
A. D. Cosby, Thornton F. Marshall, W. C. Whitaker—23,
William S. Darnaby, William H. McBrayer,

Those who voted in the negative, were—

William T. Anthony, Robert E. Glenn, John M. Johnson,
Samuel H. Boles, Asa P. Grover, Albert G. Rhea,
Benjamin P. Cissell, John L. Irvan, Henry M. Rust,
Alex. E. Davidson, Samuel H. Jenkins, Cyrenius Wait—13,
J. E. Gibson,

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

The rule of the Senate, constitutional provision, and third reading of said bill having been dispensed with, and the same having been 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. Taylor and Fisk, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker, Porter, Samuel E. DeHaven, John M. Johnson,
T. T. Alexander, George Denny, Thornton F. Marshall,
William T. Anthony, John F. Fisk, William H. McBrayer,
Landaff W. Andrews, J. E. Gibson, Chas. D. Pennebaker,
James R. Barrick, William C. Gillis, John A. Prall,
Samuel H. Boles, Robert E. Glenn, William B. Read,
John B. Beginner, Asa P. Grover, Albert G. Rhea,
Charles Chambers, Thomas S. Grundy, Henry M. Rust,
Benjamin P. Cissell, Samuel Haycraft, Cyrenius Wait,
A. D. Cosby, John L. Irvan, E. Dudley Walker,
William S. Darnaby, Samuel H. Jenkins, C. J. Walton—34,
Alex. L. Davidson,

Those who voted in the negative, were—

L. H. Rousseau, Harrison Taylor, W. C. Whitaker—4
James Simpson,

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

And then the Senate adjourned.
WEDNESDAY, MAY 22, 1861.

Mr. Rousseau presented the petition of sundry ladies of Louisville, in favor of a union of the States, or armed neutrality.

Which was received, read, and referred to the Committee on Federal Relations.

Mr. Rousseau, from the Committee on the Judiciary, reported a bill of the following title, viz:

A bill to incorporate the Galen's Head Dispensary, in Louisville.

Mr. Gillis, from the Committee on Education, reported a bill of the following title, viz:

A bill for the benefit of school district No. 65, in Whitley county.

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

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

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

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

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

Mr. Cissell, from the Committee on the Judiciary, reported a House bill of the following title, viz:

An act to amend an act to permit the personal representatives of non-resident decedents to sue in this State.

With the expression of an opinion that said bill ought to be rejected.

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

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

Those who voted in the affirmative, were—

Mr. Speaker, Porter, William S. Darnaby, John M. Johnson,
T. T. Alexander, Alex. L. Davidson, Wm. H. McBrayer,
W. T. Anthony, J. E. Gibson, Chas. D. Pennebaker,
Landaff W. Andrews, William C. Gillis, Albert G. Rhea,
James R. Barrick, Robert E. Glenn, James Simpson,
Benjamin P. Cissell, John L. Irvan, Those who voted in the negative, were—

John B. Bruner, Thomas S. Grundy, L. H. Rousseau,
A. D. Cosby, Samuel H. Jenkins, Harrison Taylor,
Samuel E. DeHaven, Thornton F. Marshall, E. Dudley Walker,
John F. Fisk,

And so said bill was rejected.

Messrs. Pennebaker and Walton moved to reconsider the vote by which the Senate rejected the above named bill.

Mr. Cissell moved to lay said motion upon the table.

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

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

Those who voted in the affirmative, were—

Mr. Speaker, Porter, Alex. L. Davidson, John M. Johnson,
William T. Anthony, J. E. Gibson, William H. McBrayer,
Samuel H. Boles, Robert E. Glenn, Albert G. Rhea,
Charles Chambers, Asa P. Grover, Cyrenius Wait,
Benjamin P. Cissell, John L. Irvan, C. J. Walton—17.
William S. Darnaby, Samuel H. Jenkins,

Those who voted in the negative, were—

T. T. Alexander, John F. Fisk, William B. Read,
Landaff W. Andrews, William C. Gillis, L. H. Rousseau,
James R. Barrick, Samuel Haycraft, James Simpson,
John B. Bruner, Thornton F. Marshall, Harrison Taylor,
A. D. Cosby, Chas. D. Pennebaker, E. Dudley Walker,
George Denny,

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

Mr. DeHaven, from the Committee on Finance, reported a bill of the following title, viz:

An act for the benefit of D. A. Houseman, of Graves county.

Mr. Irvan, from the Committee on Privileges and Elections, reported a House bill of the following title, viz:

An act to change the boundary of the Newcastle magistrates’ district, in Henry county.

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

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

Under a suspension of the rules of the Senate, the resolution of the House of Representatives, fixing a day for the final adjournment of the General Assembly, was taken up.

Mr. Read offered the following amendment, viz:

Amend by inserting “Friday, 24th.”

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

Those who voted in the affirmative, were—

William T. Anthony, J. E. Gibson, William B. Read,
Laudaff W. Andrews, William C. Gillis, L. H. Rousseau,
John B. Bruner, Robert E. Glenn, Henry M. Rust,
Benjamin P. Cissell, John L. Irvan, James Simpson,
William S. Darnaby, Samuel H. Jenkins, Harrison Taylor,
Alex. L. Davidson, Thornton F. Marshall, Cyrenius Wait,
John F. Fisk,

Those who voted in the negative, were—

Mr. Speaker, Porter, A. D. Cosby, William H. McBrayer,
T. T. Alexander, George Denny, Chas. D. Pennebaker,
James R. Barrick, Asa P. Grover, Albert G. Rhea,
Samuel H. Boles, Thomas S. Grundy, E. Dudley Walker,
Charles Chambers, John M. Johnson, C. J. Walton—15.

And so said amendment was adopted.

Said resolution, as amended, was then read and adopted.

The Senate, according to special order, took up for consideration a bill of the following title, viz:

A bill for the regulation of the militia, and to provide for the arming of the State.

Ordered, That the further consideration of said bill be postponed until to-morrow, at 12, M.

Mr. Andrews, from the Committee on Military Affairs, asked to be discharged from the further consideration of the following resolution, viz:

Resolved, That the Committee on Military Affairs be, and they are hereby, requested to inquire into the expediency of providing for arming the State.

Which was granted.
A message was received from the House of Representatives, announcing that they had passed a bill of the following title, viz:

An act to amend the charter of the town of Carlisle.

A message was received from the Governor, by the hands of Hon. Thomas B. Monroe, jr., Secretary of State, which is as follows, viz:

IN SENATE, May 21, 1861.

Resolved, That the Governor be respectfully requested to furnish the Senate the estimates of military appropriation by the Inspector General, and to which he refers in his message as having been therewith submitted—the same not having reached the Senate.

Twice read and adopted.

Attest:

J. C. WICKLIFFE, S. S.

FRANKFORT, KY., May 22, 1861.

Sir: The resolution of the Senate of yesterday, calling upon the Governor of the Commonwealth for my "estimates of military appropriation," has been referred to me.

The result of my estimates was submitted to the Military Committee of the House of Representatives, in two conferences held with them at their request. A bill reported from that committee by its chairman was based chiefly upon those estimates, and its details correspond very nearly with my suggestions. I have not before me a copy of that bill, nor have I, in my possession, a detailed estimate. The necessity of making a detailed estimate was, in my opinion, superseded by the action of the committee.

My views on this subject are contained in my response to the House resolution of the 8th instant, herewith transmitted. I have seen no reason to change my opinion in reference to what is necessary for the "defense of the State."

I am, very respectfully,

Your obedient servant,

S. B. BUCKNER,
Inspector General.

To Gen. Scott Brown, Adjutant General of Kentucky, Frankfort, Ky.

Response of Inspector General Buckner to a resolution of the House, passed on the 8th instant, viz:

FRANKFORT, KY., May 14, 1861.

To the Speaker of the House of Representatives:

Sir: I have received a copy of the resolution of the House of Representatives, of the 8th inst., calling on me to furnish estimates "for the military defense of the State;" to which I have the honor to reply, that, under the orders of the Military Committee, I have conferred at length with them in reference to the subject of the House resolution.
In my judgment, the least sum that can be advantageously appropriated at this time for the military defense of the State is three millions of dollars. I base this estimate upon the fact that the State must either sustain, by its military arm, the policy of the United States government; must withdraw from their support of that government; or must take a position of neutrality, preserving civil order at home. In either case it would, in my opinion, be absolutely necessary to make extensive military preparations, if there should be any purpose to carry out the policy which the Legislature of the State may adopt.

In the States around us there are now in camp, and in preparation for active service, from eighty thousand to one hundred thousand troops—some of them acting under the authority of the United States, and some under the authority of different State governments. In the midst of this vast camp Kentucky has not in the field a single soldier to support the policy which her Legislature may adopt. She is insufficiently armed. Her Militia are insufficiently organized and instructed.

In order to make prudent preparations, it is necessary to call her Active Militia into camp for instruction. It is necessary to place on foot sufficient batteries of light artillery and a small number of cavalry. It is necessary to instruct a large Reserve Corps, and to collect supplies and munitions of war.

To accomplish these objects, or any portion of them, it is essential to call into the service of the State an educated and an efficient Staff Department, capable of instructing the Militia, and of preparing the necessary munitions.

Above all, it is necessary that the military strength of the State be not paralyzed by dividing its force into numerous fragments—virtually independent of each other—but that every means of defense be placed under the control of those who are charged with, and are responsible for, the public safety.

I have the honor to be, sir,
Very respectfully, your obedient servant,
S. B. BUCKNER,
Inspector General.

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

Mr. Andrews, from the Committee on Military Affairs, asked to be discharged from the further consideration of a petition from the citizens of Paducah, praying that the State would erect a fort at the mouth of the Tennessee river.

Before any action was taken on said report, the Senate adjourned until to-morrow morning at 9 o'clock, A. M.
THURSDAY, MAY 23, 1861.

The Senate resumed the consideration of the report from the Committee on Military Affairs, asking to be discharged from the further consideration of the following petition:

PADUCAH, KY., April 18, 1861.

To the General Assembly of the Commonwealth of Kentucky:

The undersigned, your petitioners, would respectfully represent that the city of Paducah, and surrounding country, in view of impending hostilities, is every way exposed, and totally without the means of safety from the calamities attendant upon inevitable war; and we ask an appropriation of money for the erection of such fortifications and defenses as may be necessary to protect us and our families from the horrors that await us without them; and as in duty bound, will ever pray, &c.

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

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

Those who voted in the affirmative, were—


Those who voted in the negative, were—


Mr. Haycraft offered the following resolution, viz:

Resolved, That the Public Printer be directed to print as early as possible all acts of a public nature passed at the present extra session, and have them paper bound, with an index, and deposit them with the Secretary of State, whose duty it shall be to transmit by mail one copy thereof to the following persons: Each Senator and Representative, each Circuit Judge, each County Judge, each Sheriff, each Clerk, of the County and Circuit Courts, each Master Commissioner, the Auditor, Treasurer, Judges and Clerks of the Court of Appeals, Adjutant;
General, and Inspector General, and that one copy thereof be forwarded by mail to each Commonwealth's Attorney, and County Attorney, and to the officers of the Senate.
Which was adopted.

Bills of the following titles were reported, viz:

By Mr. Fisk, from the Committee on the Revised Statutes—
A bill regulating the fees of sheriffs in certain cases.

By Mr. Walker, from a select committee—
A bill to amend the execution laws.

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

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

Ordered, That said bills be laid on the table.

Mr. Prall read and laid upon the table the following joint resolution, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That in order that the next Legislature shall be fully advised as to the will of the people of Kentucky, a poll shall be opened in the various precincts at the election to be held on the first Monday in August, 1861, with two columns—one of which shall be headed, "For the Secession of Kentucky," and the other "Against the Secession of Kentucky," and the votes of the legally qualified voters of the State shall be recorded as they announce them upon the issue thus presented; and all laws of the State applicable to general elections shall be in full force in relation to the election to be thus held; and it shall be the duty of the Governor to communicate the result of said vote to the General Assembly which shall meet next thereafter.

Mr. Alexander offered the following resolution, viz:

Resolved by the Senate, That the Quartermaster-General be requested to inform the Senate what number of guns and arms have been distributed since the first of January last, and to what companies such arms were given.

Under the rules of the Senate, said resolutions remain on the table one day.

House bills of the following titles were reported, viz:

By Mr. Cissell, from the Committee on the Judiciary—
An act to amend an act to permit personal representatives of non-resident decedents to sue in this State.
An act to amend the charter of Frankfort.

By Mr. Read, from the Committee on Finance—
An act for the benefit of William Henderson, jr.

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

Resolved, That 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 bills originating in the Senate of the following titles, viz:

An act to amend the charter of the Hart County Seminary.
An act to change the boundary of the city of Columbus.
An act for the regulation of the militia, and to provide for the arming of the State.
An act to incorporate the Galen's Head Dispensary, in the city of Louisville.

An act for the benefit of school district No. 65, in Whitley county. And that they had passed bills of the following titles, viz:

An act to charter the Paducah Printing Office Company.
An act for the benefit of R. A. Spalding, late sheriff of Union county, and other sheriffs.
An act for the appropriation of money.
An act supplemental to the act for the regulation of the militia, and arming the State. And that they had concurred in amendments proposed by the Senate to a House bill of the following title, viz:

An act to amend an act for the better organization of the militia, approved April 4, 1861.

Also the amendment proposed by the Senate to a resolution from the House, fixing a day for final adjournment.

Under a suspension of the rules, the Senate took up for consideration House bills of the following titles, viz:

An act to amend the charter of the town of Carlisle.
An act for the benefit of the town of Newcastle.
An act to charter the Paducah Printing Office Company.
Which were read the first time, and ordered to be read a second time.

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

Ordered, That said bills be read a third time.

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

An act for the benefit of R. A. Spalding, late sheriff of Union county, and other sheriffs.

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

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

Mr. Pennebaker offered an amendment to said bill.

Mr. DeHaven moved to lay said bill and amendment on the table.

The yeas and nays being required on said motion by Messrs DeHaven and Walton, were as follows, viz:

Those who voted in the affirmative, were—


Those who voted in the negative, were—


And so said motion was rejected.

Mr. Denny offered a substitute for said bill and amendment.

Mr. Walton moved to lay said bill, with the amendment and substitute, on the table.

The yeas and nays being required on said motion, by Messrs. Fisk and Rust, were as follows, viz:

Those who voted in the affirmative, were—


Those who voted in the negative, were—

William T. Anthony, John L. Irvan, L. H. Rousseau; Benjamin P. Cissell, John M. Johnson, Henry M. Rust; Alex. L. Davidson, W. H. McBrayer, Cyrenius Wait,
And so said motion was rejected.

Ordered. That said bill and amendments be referred to the Committee on Finance.

An act for the appropriation of money.

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

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

Ordered. That said bill be read a third time.

The rule of the Senate, constitutional provision, and third reading of said bill having been 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 the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker Porter, John F. Fisk, Chas. D. Pennebaker, John A. Prall, J. E. Gibson.
T. T. Alexander, J. E. Gibson, William B. Read.
John B. Bruner, Samuel H. Jenkins, Harrison Taylor.
Benjamin P. Cissell, John M. Johnson, E. Dudley Walker.
A. D. Cosby, Alexander L. Davidson.

In the negative—none.

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

An act supplemental to the act for the regulation of the militia, and arming the State.

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

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

Mr. Andrews offered an amendment to said bill, which was adopted.

Mr. Pennebaker moved further to amend said bill by striking out "six
hundred dollars," the amount fixed for the Quartermaster-General’s salary, and insert "eight hundred dollars."

A division of the motion being required,

The question was taken on striking out, and it was decided in the negative.

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

Those who voted in the affirmative, were—

T. T. Alexander, J. E. Gibson, James Simpson,
Landaff W. Andrews, William C. Gillis, Harrison Taylor,
John B. Bruner, Thornton F. Marshall, Cyrenius Wait,
A. D. Cosby, Chas. D. Pennebaker, E. Dudley Walker,
George Denny, L. H. Rousseau, W. C. Whitaker—15.

Those who voted in the negative, were—

William T. Anthony, Robert E. Glenn, W. H. McBrayer,
Benjamin P. Cissell, Asa P. Grover, John A. Prall,
William S. Darnaby, Samuel Haycraft, William B. Read,
Alex. L. Davidson, John L. Irvan, Albert G. Rhea,
Samuel E. DeHaven, Samuel H. Jenkins, Henry M. Rust,

Ordered, That said bill be referred to the Committee on Military Affairs, and that they have permission to sit during the session of the Senate.

Said committee retired, and in a short time returned, and, through Mr. Andrews, reported said bill back to the Senate with sundry amendments, which were adopted.

The question was then taken on ordering said bill to a third reading by sections.

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

The yeas and nays being required by Messrs. Taylor and Bruner on ordering the second section to be read a third time, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker, Porter, John F. Fisk, William H. McBrayer,
T. T. Alexander, Robert E. Glenn, Chas. D. Pennebaker,
William T. Anthony, Asa P. Grover, John A. Prall,
Benjamin P. Cissell, Samuel Haycraft, Albert G. Rhea,
William S. Darnaby, Samuel H. Jenkins, Henry M. Rust,
Alex. L. Davidson, John M. Johnson, Cyrenius Wait—18.
Those who voted in the negative, were—

Landaff W. Andrews, J. E. Gibson, E. Dudley Walker,
John B. Bruner, William C. Gillis, C. J. Walton,
A. D. Cosby, James Simpson, W. C. Whitaker—11.
George Denny, Harrison Taylor,

Ordered, That the second section be read a third time.

The yeas and nays were required on ordering the third section to be read a third time by Messrs. Rhea and Cissell, and were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker, Porter, William C. Gillis, Chas. D. Pennebaker,
T. T. Alexander, Asa P. Grover, John A. Prall,
William T. Anthony, Samuel Haycraft, Henry M. Rust,
Landaff W. Andrews, Samuel H. Jenkins, James Simpson,
William S. Darnaby, John M. Johnson, Cyrenius Wait,
John F. Fisk,

Those who voted in the negative, were—

John B. Bruner, Alex. L. Davidson, Albert G. Rhea,
Charles Chambers, J. E. Gibson, Harrison Taylor,
Benjamin P. Cissell, Robert E. Glenn, W. C. Whitaker—10.
A. D. Cosby,

Ordered, That the third section be read a third time.

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

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

The question was taken on its passage, 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, Porter, Alex. L. Davidson, William H. McBrayer,
T. T. Alexander, John F. Fisk, Chas. D. Pennebaker,
William T. Anthony, Robert E. Glenn, John A. Prall,
Landaff W. Andrews, Asa P. Grover, Albert G. Rhea,
Charles Chambers, Samuel Haycraft, Henry M. Rust,
William S. Darnaby, John M. Johnson,

Those who voted in the negative, were—

John B. Bruner, J. E. Gibson, Harrison Taylor,
A. D. Cosby, William C. Gillis, Cyrenius Wait,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.
On motion of Mr. Rhea, leave of absence after to-day was granted to Messrs. Marshall, Boles, Taylor, Chambers, McBrayer, and Denny.

Mr. Fisk, from the Committee on Education, reported a bill of the following title, viz:

A bill to amend the charter of the University at Paducah.

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

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

Mr. Whitaker offered an amendment by way of a substitute for said bill.

Mr. Pennebaker moved to lay said bill and amendment on the table.

On motion of Mr. Alexander,

Ordered, That a call of the roll be had.

The following Senators responded to their names:


John F. Fisk,

Absent—


On motion of Messrs. Alexander and Whitaker,

Ordered, That a call of the Senate be had.

The following Senators responded to their names:


George Denny, Chas. D. Pennebaker,

Absent—

James R. Barrick, Samuel E. DeHaven, Wm. H. McBrayer, Samuel H. Boles, Asa P. Grover, John A. Prall,
The names of the absentees were again called, and, on motion of Mr. Walton, Mr. Jenkins was excused.

The door was then locked, and the key placed on the Speaker's table.

Ordered, That the Sergeant-at-Arms take the absentees into custody, and bring them before the bar of the Senate.

In a short time the Sergeant-at-Arms brought before the Senate the following Senators:

Alex. L. Davidson, Asa P. Grover, William H. McBrayer,
Samuel E. DeHaven, John L. Irwan, William B. Read.

On motion of Mr. Andrews, the above named Senators were excused.

On motion of Mr. Andrews,

Ordered, That further proceedings under the call of the Senate be dispensed with.

Mr. Gillis, from the Committee on Enrollments, reported that they had examined sundry enrolled bills of the House of Representatives, of the following titles, viz:

An act to amend the charter of the Millersburg, Indian Creek Church, and Cynthiana turnpike road company.

An act for the benefit of the Commissioners of the Penitentiary.

An act to amend an act to incorporate the town of Liberty.

An act to change the county line between Laurel and Rockcastle counties.

An act to amend the charter of the town of Carrollton.

An act giving the county court of Pendleton county jurisdiction over State roads.

An act in relation to the Wilderness road, in Knox county.

An act to change the line of the Williamsburg magistrates' and election district, in Whitley county.

An act to change the place of voting in justices' district No. 7, in Monroe county, and to change the line of said district.

An act for the benefit of T. H. M. Winn, of Barren county.

An act to incorporate the Mount Sterling and Spencer Creek turnpike road company.
An act to amend an act creating the office of police judge and town marshal in the town of Franklin.

An act supplemental to an act legalizing a suspension of specie payment by the banks of this State.

An act empowering the Harrison county court to borrow money for poor-house purposes.

An act changing the county line between the counties of Graves and Hickman.

An act to alter the lines of Gradyville voting district.

An act for the benefit of the town of Newcastle.

An act for the benefit of D. A. Houseman, of Graves county.

Also, enrolled Senate bills of the following titles, viz:

An act to aid in the construction of the Lexington and Southern Kentucky railroad company.

An act to amend the charter of the Lexington and Southern Kentucky railroad company.

An act to amend the charter of the city of Louisville.

An act to amend title 1 of the Code of Practice in civil cases.

An act for the benefit of the sheriffs of Barren and Metcalfe counties.

An act to incorporate the town of Hillsborough, in Fleming county.

An act to incorporate the town of Gordonsville, in Logan county.

An act for the benefit of school district No. 34, in Hopkins county.

An act to amend the common school laws.

An act to amend the charter of Glasgow.

An act to create the office of county treasurer for Whitley county.

An act for the benefit of the Union Democrat.

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature to said bills, and they were returned to the committee to be by them presented to the Governor for his approval and signature.

And then the Senate adjourned.
The Senate resumed the consideration of a bill amending the charter of the University of Paducah.

Ordered, That said bill and proposed amendments be laid on the table.

A message was received from the House of Representatives, announcing that they had passed a bill of the following title, viz:

An act for the benefit of the city of Lexington.

Under a suspension of the rules, said bill was taken up, read the first time, and ordered to be read a second time.

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

Ordered, That said bill be read a third time.

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

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

Mr. Walton, from the Committee on Public Offices, reported a bill of the following title, viz:

A bill to change the boundary line between the counties of Hart, Barren, and Metcalfe.

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

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

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

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

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

Mr. Gillis, from the Committee on Enrollments, reported that they had examined sundry enrolled bills originating in the Senate, of the following titles, viz:

An act for the benefit of H. D. Rothrock, late sheriff of Muhlenburg county.
An act to amend the charter of the Hart County Seminary.

An act changing the boundary of the city of Columbus.

An act for the benefit of school district No. 65, in Whitley county.

An act for the regulation of the militia, and to provide for the arming of the State.

An act to change the time appointed by law for the meeting of the General Assembly.

An act to incorporate the Galen's Head Dispensary, in the city of Louisville.

And that they had also examined sundry House bills of the following titles, viz:

An act for the appropriation of money.

An act to amend the charter of the town of Carlisle.

An act for the benefit of the town of Newcastle.

An act to change the boundary of the Newcastle magistrates' district, in Henry county.

An act for the benefit of William Henderson, jr.

An act to amend an act to permit personal representatives of non-resident decedents to sue in this State.

An act to amend an act for the better organization of the militia, approved April 4, 1861.

An act to amend the charter of Frankfort.

An act to charter the Louisville, Pittsburg, St. Louis, Nashville, and Tennessee River Pilots' Association.

An act to charter Grove No. 3, of the Ancient Order of Druids, of Louisville.

An act relating to Eggnor's Ferry across the Tennessee river, at Aurora.

An act to establish an additional voting place in District No. 4, in Taylor county.

An act to charter the Paducah Printing Office Company.

And that the same were correctly enrolled.

Whereupon the Speaker affixed his signature to said bills, and they were returned to the committee to be by them presented to the Governor for his approval and signature.

A message was received from the House of Representatives, announcing that they had passed a Senate bill of the following title, viz:

An act to change the boundary line between the counties of Hart, Barren, and Metcalfe.
And that they had passed bills of the following titles, viz:
An act for the benefit of the city of Lexington.
An act imposing an additional tax on taxable property.
An act to continue the investigation of certain charges contained in resolutions referred to the Committee on Federal Relations of the House of Representatives.
Also the following resolutions, viz:
Resolution making an additional appropriation.
Resolution prolonging the session of the General Assembly until half-past 2 o'clock, P. M., to-day.
Mr. Gilliss, from the Committee on Enrollments, reported that they had examined an enrolled Senate bill of the following title, viz:
An act to change the boundary line between the counties of Hart, Barren, and Metcalfe.
Also a House bill, entitled
An act for the benefit of the city of Lexington.
And a resolution fixing a day for final adjournment of the General Assembly.
And that the same were correctly enrolled.
Whereupon the Speaker affixed his signature to said bills and resolutions, and said bills were returned to the committee to be by them presented to the Governor for his approval and signature.
Under a suspension of the rules of the Senate,
Mr. Andrews offered the following resolution, viz:
Resolved, That the thanks of the Senate are due, and are hereby tendered, to the Hon. Thomas P. Porter, for the perfectly fair and impartial manner in which he has discharged his duties as Speaker of the Senate, during its present session.
Which was unanimously adopted.
Mr. Tevis, from the House of Representatives, announced that that House had completed its legislative business, were now ready to adjourn, and had appointed a committee to wait upon the Governor, in conjunction with a similar committee to be appointed by the Senate, and inform him that the two Houses were now ready to adjourn, provided he had no further communication to make.
Messrs. Irvan, Walton, and Gibson were appointed as a committee on the part of the Senate, in obedience to the above request.
Who retired, and in a short time returned, and informed the Senate that they had discharged the duties assigned them.
A message from the Governor, in writing, was received by the
hands of Hon. Thos. B. Monroe, jr., Secretary of State, which is as follows, viz:

_Gentlemen of the Senate:_

I hereby nominate for your advice and consent the following appointments:

- S. B. Buckner, Inspector-General.
- Scott Brown, Adjutant-General.
- M. D. West, Quartermaster-General.

B. MAGOFFIN.

The Governor has approved and signed the following enrolled bills originating in the Senate, viz:

- An act to amend the charter of the Merchants' Bank of Kentucky.
- An act to amend the charter of the Hardinsburg and Cloverport turnpike road company.
- An act to incorporate the Frankfort Fire, Marine, and Life Insurance Company.
- An act to suspend the circuit and other courts in this Commonwealth, and for other purposes.

Under a suspension of the rules of the Senate, the nominations above made were taken up for consideration.

_Ordered_, that the Senate advise and consent to the nominations made by the Governor in the above message.

Mr. Whitaker offered the following resolution, viz:

_Resolved_, that we tender the thanks of the Senate to the clerks of this legislative body for the faithful and very courteous manner in which they have performed their duties; and also to the sergeant-at-arms, the door-deeper, and pages, for their efficiency and promptness in discharging the duties of their several positions as officers of this Senate, the reporters for the Commonwealth and Yeoman; also to Mr. Gillis, as Chairman of the Committee on Enrollments.

Which was unanimously adopted.

Under a suspension of the rules of the Senate, a House bill of the following title was taken up:

-An act imposing an additional tax upon taxable property.

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

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

_Ordered_, that said bill be read a third time.

The rule of the Senate, constitutional provision, and third reading of said bill having been dispensed with,
Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Rhea moved to suspend the rules of the Senate for the purpose of taking up the following House resolution:

IN HOUSE OF REPRESENTATIVES,  
May 24, 1861.

Resolved by the General Assembly of the Commonwealth of Kentucky, That the present session of the General Assembly be continued until half-past 2 o'clock, P. M., this day, at which time both Houses shall stand adjourned, sine die. No new business to be introduced after 12 o'clock.

Twice read, and adopted.

Attest, CLINT. McCARTY, Clerk.

The yeas and nays being required on said motion by Messrs. Rhea and Walton, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker, Porter, Alex. L. Davidson, William B. Read,
William T. Anthony, J. E. Gibson, Albert G. Rhea,
Benjamin P. Cissell, Robert E. Glenn, L. H. Rousseau,

Those who voted in the negative, were—

Landaff W. Andrews, William C. Gillis, Cyrenius Wait,
John B. Bruner, Samuel Haycraft, C. J. Walton,
Samuel E. DeHaven, Chas. D. Pennebaker, W. C. Whitaker—10.
John F. Fisk,

And so the Senate refused to suspend the rules for the purpose of taking up said resolution for consideration.

Under a suspension of the rules, Mr. Bruner offered the following preamble and resolutions, viz;

WHEREAS, There exists a civil war between the National Government and the seceded States, which Kentucky deeply deplores; a war she had no voice in creating, and in which she has hitherto refused to take a part, and she now refuses. Being a part of the National Government, in the enjoyment of its benefits—such as mail facilities, national hospitals, federal courts, protection at home and abroad, a garrison paid out of the national treasury, into which she is paying revenue—and having a representation in Congress, Kentucky ought, at least, to remain neutral till the end of the controversy; neither hindering the National Government in the exercise of its authority, nor furnishing men, as a State, to either of the belligerents; nor asking aid from either to maintain her position; she will, all the time, be ready and anxious to mediate between the belligerents, and will be profoundly happy, should she be able to reconcile the contending parties, and arrest the shedding of fraternal blood by fraternal hands.
With this position, Kentucky is willing to go before the civilized world, and let her conduct pass into history, and await the candid and calm judgment of future and disinterested generations. Being connected with the seceded States geographically, and having the same domestic institution, she is unwilling to take up arms against them. Being attached to the National Government, under which she has always lived and greatly prospered, and having no cause for war against it, she cannot take up arms to overthrow it. Having, in good faith, taken this position, she asks the belligerents to respect it; therefore,

1. Resolved by the General Assembly of the Commonwealth of Kentucky, That Kentucky will not sever her connection with the National Government, nor will she take up arms for either of the belligerent parties, but will arm herself for the one purpose of preserving tranquility and peace within her own borders.

2. Resolved, That Kentucky now tenders, and to the end of the war, all the time, will tender herself as mediator, and that she will constantly be ready to do all in her power to bring about a just and honorable peace.

3. Resolved, That the Governor be directed to transmit a copy of the foregoing preamble and resolutions to the Presidents of the United States and of the seceded States, and to the Governors of each of the thirty-four States.

Mr. Cissell offered the following amendment by way of substitute for said preamble and resolutions:

WHEREAS, There are reasonable grounds to believe, from reliable information to-day, that the federal troops, at Cincinnati, have determined upon making a descent upon the city of city of Louisville, with a view of taking possession of said city, the Louisville and Nashville railroad, and the companies of the State Guard; all done for the purpose of degrading and subjugating Kentucky; therefore,

Resolved, That the Governor be hereby requested forthwith to resort to all the means in his power, by calling out the militia of the State, to resist any such attempt; and should troops succeed in landing, to drive them from our soil.

Mr. Cissell moved to refer said resolutions and amendments to the Committee on Federal Relations.

The yeas and nays being required on said motion by Messrs Bruner and Cissell, were as follows, viz:

Those who voted in the affirmative, were—


Those who voted in the negative, were—

And so the Senate refused to refer said resolutions.
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 taken on the adoption of the amendment proposed by Mr. Cissell, and it was decided in the negative.
The yeas and nays being required thereon by Messrs. Rhea and Irvan, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker, Porter, Alex. L. Davidson, John L. Irvan,
William T. Anthony, J. E. Gibson, Samuel H. Jenkins,

Those who voted in the negative, were—

Landaff W. Andrews, William C. Gillis, Cyrenius Wait,
John B. Bruner, Samuel Haycraft, E. Dudley Walker,
A. D. Cosby, Chas. D. Pennebaker, C. J. Walton,
John F. Fisk, L. H. Rousseau,

The yeas and nays were required on the adoption of the preamble and resolutions offered by Mr. Bruner, by Messrs. Bruner and Walton, and were as follows, viz:

Those who voted in the affirmative, were—

Landaff W. Andrews, William C. Gillis, Cyrenius Wait,
John B. Bruner, Samuel Haycraft, E. Dudley Walker,
A. D. Cosby, Chas. D. Pennebaker, C. J. Walton,
John F. Fisk,

Those who voted in the negative, were—

Mr. Speaker, Porter, Alex. L. Davidson, John L. Irvan,
William T. Anthony, J. E. Gibson, Albert G. Rhea,

And so said resolutions were adopted.
Mr. Glenn moved to suspend the rules of the Senate for the purpose of taking up for consideration the following House bill, viz:

WHEREAS, An investigation has been ordered by the House of Representatives of certain charges in which the politicians of Kentucky have great interest, viz: The illegal introduction of fire-arms and munitions of war into this State from Ohio and other States, and the distribution of said arms, &c., under an oath or pledge to use them in a certain way; and the aims and purposes of a society called "Knights of the Golden Circle," and the correspondence of the Governor with...
the Governors or officials of the seceded States; and whereas, to avoid the immense expense of keeping the Legislature in session pending said investigation, it is necessary, by law, to confer powers on the committee having charge of the subject; therefore,

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the present Committee on Federal Relations of the House of Representatives be, and they are hereby, authorized and empowered to continue their meetings after the adjournment sine die of this session of the General Assembly, for a period of not exceeding thirty days, for the purpose of investigating and making reports on the resolutions of Mr. Cleary, of Harrison county, Mr. Wolfe, of Louisville, and Mr. Ireland, of Greenup county, which have been referred to said committee.

§ 2. Said committee, for the purposes of said investigation, are hereby invested with the power to administer oaths, to call witnesses before them, and enforce their attendance, and compel answers to all proper questions, by summary proceedings for contempt, the same as is now exercised by courts of the State.

§ 3. Said committee shall report to the Governor; the reports by him to be presented to the next General Assembly. He shall, however, cause the Public Printer, immediately, to print a sufficient number of said reports to distribute to the persons now entitled by law to receive public books, and the reports shall be distributed to said persons.

§ 4. That the Committee on Federal Relations inquire into and report to this House whether any of the Representatives of Kentucky, in this Legislature, or the Congress of the United States, or either of our Senators in Congress, has carried on a correspondence, or made an engagement, or had an understanding with any official of the seceded States, with a view to the secession of Kentucky from the United States; and that the committee have power to send for persons and papers, and report the result of their inquiries as directed by the act; and also to inquire whether citizens of Kentucky have carried on negotiations with the President or Cabinet of the United States, or with a Governor or officials of the Northern States touching the present position of Kentucky, or the blockade of ports in Kentucky, or the invasion of Kentucky by armed bodies of men.

§ 5. The report shall contain all the evidence heard by the committee.

§ 6. Be it further enacted, That said committee are authorized to employ a competent clerk and sergeant-at-arms, at a reasonable compensation.

§ 7. The members of the committee shall be, while engaged, entitled to the same pay as members of the Legislature, to be paid by the Treasurer on the warrant of the Auditor.

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

Messrs. Andrews and Whitaker required the yeas and nays on said motion.

Mr. Whitaker demanded a call of the roll, which was had, and the following Senators answered to their names:
Mr. Speaker Porter, John F. Fisk, Chas. D. Pennebaker,
T. T. Alexander, J. E. Gibson, William B. Read,
Landaff W. Andrews, William C. Gillis, Albert G. Rhea,
John B. Bruner, Robert E. Glenn, L. H. Rousseau,
Benjamin P. Cissell, Samuel Haycraft, Cyrenius Wait,
A. D. Cosby, John L. Irvan, E. Dudley Walker,
Alex. L. Davidson, John M. Johnson, Claiborne J. Walton,

Before said vote was announced by the Secretary, the hour of
adjournment, 12 o'clock, M., arrived,
And the Senate adjourned sine die.
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