

AN ACT to amend Section 145 of the Constitution.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE COMMONWEALTH OF KENTUCKY:

The upon the concurrence of three-fifths of all the members elected to each House, the ayes and nays being taken thereon and entered in full in their respective journals:

I. That Section 145 of the Constitution be and it is hereby amended and revised by striking out the word "male", being the second word in said section, following the word "every", and preceding the word "citizen", and by adding the words "or she" , following the word "he" and preceding the word "offers", so that the said section as amended will read as follows:

Every citizen of the United States of the age of twenty-one years, who has resided in the State one year, and in the county six months, and the precinct in which he or she offers to vote sixty days next preceding the election, shall be a voter in said precinct and not elsewhere; but the following persons are excepted and shall not have the right to vote:

1. Persons convicted in any court of competent jurisdiction of treason, or felony, or bribery in an election, or of such high misdemeanor as the General Assembly may declare shall operate as an exclusion from the right of suffrage; but persons hereby excluded may be restored to their civil rights by Executive pardon.

2. Persons who, at the time of the election, are in confinement under the judgment of a court for some penal offense.

3. Idiots and insane persons.

II. This amendment shall be submitted to the voters of the State for their ratification or rejection at the time and in the manner provided for under Section 256 of the Constitution of Kentucky, and under Section 1459 of the edition of the Kentucky Statutes compiled and edited by John D. Carroll and issued in 1914.

IN SENATE, REGULAR SESSION, 1916.

SENATE BILL No. 37.

TUESDAY, JANUARY 11th, 1916

Mr. Combs introduced the following bill, which was ordered to be printed and referred to the Committee on Suffrage and Elections, viz.;

AN ACT to amend Section 145 of the Constitution.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE COMMONWEALTH OF KENTUCKY;

That upon the concurrence of three-fifths of all the members elected to each House, the ayes and nays being taken thereon and entered in full in their respective journals:

1. That Section 145 of the Constitution be and it is hereby amended and revised by striking out the word "male", being the second word in said section, following the word "every", and preceding the word "citizen," and by adding the words "or she," following the word "he" and preceding the word "offers", so that the said section as amended will read as follows:

Every citizen of the United States of the age of twenty-one years, who has resided in the State one year, and in the county six months, and the precinct in which he or she offers to vote sixty days next preceding the election, shall be a voter in said precinct and not elsewhere, but the following persons are excepted and shall not have the right to vote:

1. Persons convicted in any court of competent jurisdiction of treason, or felony, or bribery, in an election, or of such high misdemeanor as the General Assembly may declare, shall operate

as an exclusion from the right of suffrage; but persons hereby excluded may be restored to their civil rights by executive pardon.

2. Persons who, at the time of the election, are in confinement under the judgment of a court for some penal offense.

3. Idiots and insane persons.

II. This amendment shall be submitted to the voters of the State for their ratification or rejection at the time and in the manner provided for under Section 256 of the Constitution of Kentucky, and under Section 1459 of the edition of the Kentucky Statutes compiled and edited by John D. Carroll and issued in 1914.

Compliments of
J. W. Langley.

IN HOUSE,

FRIDAY, MARCH 9, 1888.

House Bill No. 1253.

On motion of MR. WOOD, the following bill, which was introduced by Mr. Langley, and referred to the Committee on Judiciary, was ordered printed, and recommitted, viz:

AN ACT conferring the right of municipal suffrage upon all females over twenty-one years of age, residing in any incorporated city or town in this Commonwealth.

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky,* That no person over the age of twenty-one years, who is a resident of any city or town incorporated by an act of the General Assembly of this Commonwealth, shall be denied the right of suffrage, on account of sex, in any election held in such city or town, for the purpose of determining any municipal question; nor in the election of any officer of such city or town, except those which are named as constitutional officers.

§ 2. That any officer of such election who violates the provisions of section one of this act, shall be fined not less than fifty nor more than one hundred dollars for each offense.

§ 3. That so much of any and all acts, or parts of acts, whether

2 local or general, as conflict with the provisions of this act, be, and
3 the same are hereby, repealed.

§ 4. That this act shall take effect and be in force from and after
2 its passage.

1884
D. H. [Signature]

tion, whether the same be her separate estate or not, she may transfer the same by assignment, indorsement or delivery, as if she were unmarried."

§ 5. Inasmuch as it is necessary that the law respecting married women shall be made more certain, and that certain corrections should be made in the sections hereby amended, an emergency is hereby declared to exist, and this act shall take effect from its passage.

IN SENATE.

Senate Bill No. 73.

FRIDAY, JANUARY 12, 1894.

MR. WEISSINGER introduced the following bill, which was read the first time and ordered printed, viz:

AN ACT to amend certain sections of an act, entitled "An act relating to husband and wife, and entitled 'Husband and Wife,'" approved May 16, 1893.

Be it enacted by the General Assembly of the Commonwealth of Kentucky: § 1. That section 32, article 3, of an act, entitled "An act relating to husband and wife, and entitled 'Husband and Wife,'" approved May 16, 1893, be amended by striking therefrom the words "and not unduly influenced thereto," so that said section will read, as amended, as follows:

§ 32. Marriage shall not give to the husband, during the life of the wife, any estate or interest in her real estate, including chattels real owned at the time of marriage or acquired by her after marriage. Such real estate, the rent thereof, or chattels real, shall not be liable for any debt or responsibility of his contracted or incurred before or after marriage, but shall be for her debts and responsibilities contracted or incurred before

8 marriage, and for such contracted after marriage on account
 9 of necessities for herself or any member of her family, her
 10 husband included, as shall be evidenced by writing, signed by
 11 her. The husband's contingent right of curtesy or life estate
 12 shall not be sold for or otherwise subjected to the payment of
 13 any separate debt or responsibility of his during her life. A
 14 conveyance of real estate by a married woman, to be effectual,
 15 must be executed in conformity to existing laws; and a mar-
 16 ried woman, if she be of sound mind and twenty-one years of
 17 age, may dispose of her estate by last will and testament, and
 18 she shall also have the power and right to rent out her real
 19 estate, and collect, receive and recover in her own name the
 20 rents thereof.

§ 2. That section 34 of said act be repealed, and in lieu thereof
 2 the following section be enacted :

"§ 34. Husband and wife may sell and convey her lands and
 2 chattels real. The conveyance must be acknowledged and re-
 3 corded in the manner and time required by the chapter on con-
 4 veyances, and the proceeds shall be her separate estate; but this
 5 shall not be construed to prevent a mortgage for any purpose
 6 desired."

§ 3. That section 56 of said act be amended by inserting after
 2 the word "death," in the seventh line, the word "intestate;" and
 3 by inserting between the word "she" and the word "may," on
 4 the seventh line, the words "may transfer such stock as if un-
 5 married and;" and by striking out the words "on such stock," in
 6 the eighth line, and inserting in lieu thereof the word "thereon;"
 7 that said section, as amended, shall read as follows:

§ 56. If any stock in any bank or other corporation in this
 2 State is taken for or transferred to any female, and it is ex-

3 pressed on the face of the certificate or transfer book of such
 4 stock that it is for the use of such female, her husband shall
 5 take no interest in such stock or the dividends thereon; and at
 6 her death intestate, it shall pass to her heirs. She may transfer
 7 such stock as if unmarried, and may receive the dividends there-
 8 on and give acquittances therefor; but she shall not in any way
 9 anticipate the same; nor shall any dividend be paid upon an
 10 order or power given by her before the same was declared.

§ 4. That section 57 of said act be repealed, and in lieu thereof
 2 the following section enacted: "§ 57. Separate estates and trust
 3 estates conveyed or devised to married women may be sold and
 4 conveyed in the same manner as if such estates had been con-
 5 veyed or devised absolutely, if there be nothing in the deed or
 6 will under which they are held forbidding the same, and
 7 if the husband and trustee, if there be one, unite with the wife
 8 in the conveyance. But where the deed or will creating the
 9 estate shall give or reserve to the trustee alone any power to
 10 charge, encumber or dispose of the estate, or to consent to any
 11 charge, encumbrance or disposition thereof, the trustee may
 12 exercise such power without uniting with the husband and wife.
 13 Where, by any deed, will or contract, an express power has been,
 14 or may hereafter be, given any married woman to charge, en-
 15 cumber or dispose of any estate, or to consent to a charge, en-
 16 cumbrance or disposition thereof, by a trustee or other person,
 17 such power may be exercised by her in all respects as if she
 18 were unmarried, and by such instrument and under such forms
 19 of law as an unmarried woman or man would exercise a like
 20 power. Where a married woman shall own, or have any inter-
 21 est in, any promissory note, bill of exchange, policy of insurance,
 22 stock in a bank or other corporation, or any other chose in ac-

In Senate.

Regular Session, 1902.

SENATE BILL No. 162.

MONDAY, JANUARY 27, 1902.

Mr. Whitehead introduced the following bill, which was read the first time and ordered to be printed, viz.:

AN ACT granting female citizens of this Commonwealth the right to vote for Presidential electors in all Presidential elections held in this State.

Be it enacted by the General Assembly of the Commonwealth of Kentucky :

§ 1. That by virtue of the Constitution of the United States, every
2 female citizen of this Commonwealth of the age of twenty-one years, who
3 has resided in the State one year and in the county six months, and in the
4 precinct in which she offers to vote sixty days next preceding a Presiden-

5 tial election, shall have the right to vote for a number of Presidential elect-
6 ors equal to the whole number of Senators and Representatives to which
7 this State may be entitled in the Congress of the United States at the
8 time of said election; but no female shall be a voter at said elections who,
9 at the time, stands convicted in any court of competent jurisdiction of
10 treason or felony or bribery in an election, or who is imprisoned under the
11 judgment of a court for some penal offense, or who is adjudged to be of
12 unsound mind.

IN HOUSE

REGULAR SESSION, 1910

THURSDAY, FEBRUARY 17, 1910.

SENATE BILL No. 102

The following bill was reported from the Senate, ordered to be printed
and referred to the Committee on Judiciary, viz:

AN ACT to repeal and amend Sections 2016, 2020, 2021, and 2033, of
Chapter 61, of the Kentucky Statutes, Carroll's Edition of 1909.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

SECTION 1. That Sections 2016 and 2033 of Chapter 61 of the Kentucky Statutes, Carroll's Edition, 1909, Guardian and Ward, be and the same are hereby repealed and in lieu of said sections it is hereby enacted that the father and mother shall have the joint custody, nurture and education of their infant child, or children, and in the event of the death of either one of the parents, father or mother, the survivor, if suited to the trust, shall have the custody, nurture and education of such infant child or children and may, by will, appoint guardian to his or her infant child, or children, during its minority, or for any less period, and may appoint the guardianship of the infants estate to one and the custody, nurture and education of the infant to another, but the father shall be primarily liable for the nurture and education of his infant child or children.

SECTION 2. That Section 2020, of the Kentucky Statutes, be amended by inserting immediately after the word "father" the words "or mother," so that said section as amended shall read as follows: "If the will of the father or mother so direct, the other parent being dead, no security shall be required from the guardian, unless from change of circumstances in the guardian since making the will, or other cause, the court deems it imprudent to dispense therewith."

SECTION 2021 of Chapter 61 on order of precedent in appointing a guardian, to be amended as follows:

By repealing sub-section 1, 2 and 3 of Section 2021 and in lieu thereof enacting the following:—

Sub-section 1. First: The father or mother if deemed suitable

for the trust.

Second: If either the father or mother be dead, then the surviving parent if deemed suitable for the trust.

Third: If both the father and mother be dead, then the testamentary guardian named by the last surviving parent.

Fourth: Striking out of sub-section 3 the words giving preference to males, so that said section as amended shall read as follows:—

In appointing a guardian the court shall pay proper attention to the following order of precedent in writing, and not depart therefrom unless it deems that prudence and the interest of the infant so require;

First, The father or mother or one most suitable for the trust.

Second, If either the father or mother be dead then the surviving parent, if deemed suitable for the trust

Third, If both father and mother be dead then the testamentary guardian named by the last surviving parent.

Fourth, The next of kin.

IN SENATE

REGULAR SESSION 1920.

SENATE BILL No. 98

TUESDAY, JANUARY 20, 1920.

Mr. Stoll introduced the following bill, which was ordered to be printed and referred to the Committee on Constitutional Amendments, viz.:

AN ACT to amend Section 145 of the Constitution.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That upon the concurrence of three-fifths of all members elected to
2 each House, the ayes and nays being taken thereon and entered in full in
3 their respective journals:

FIRST. That section 145 of the Constitution be and it is hereby
2 amended and revised by striking out the word "male," being the second
3 word in said section, following the word "every," and preceding the
4 word "citizen," and by adding the words "or she," following the word
5 "he," and preceding the word "offers," so that the said section as
6 amended will read as follows:

7 Every citizen of the United States of the age of twenty-one years, who

8 has resided in the State one year, and in the county six months, and the
9 precinct in which he or she offers to vote sixty days next preceding the
10 election, shall be a voter in said precinct and not elsewhere. but the
11 following persons are excepted and shall not have the right to vote:

12 1. Persons convicted in any court of competent jurisdiction of
13 treason, or felony, or bribery, in an election, or of such high misde-
14 meanor as the General Assembly may declare, shall operate as an ex-
15 clusion from the right of suffrage; but persons hereby excluded may be
16 restored to their civil rights by executive pardon.

17 2. Persons who, at the time of the election, are in confinement under
18 the judgment of a court for some penal offense.

19 3. Idiots and insane persons.

SECOND. This amendment shall be submitted to the voters of the
2 State for their ratification or rejection at the time and in the manner
3 provided for under Section 256 of the Constitution of Kentucky, and
4 under Section 1459 of the edition of the Kentucky Statutes compiled
5 and edited by John D. Carroll and issued in 1914.

An Act for the Benefit, of the
Married Women in this Common-
wealth.

Be it enacted by the General As-
sembly of the Commonwealth
of Kentucky,

Section One: Section One of
an Act approved April eleventh,
one thousand eight hundred and
seventy three, which Act was enti-
tled "An Act for the benefit of the
married women, of this Common-
wealth" be, amended, as follows:

That the words, "are allowed to pay
such wages, and compensation di-
rectly to such married women" in
the fourth line, of said section, be
and, are hereby stricken out, and
in lieu thereof the words - "shall
pay such wages, and, compensa-

tion to such married women, only
unless otherwise directed by the
written order of such married wo-
men.

~~Section Two:~~ All acts in con-
flict with this Act are repealed.

~~Section Three:~~ This Act to take
effect from its passage.

H. B. No. 442.

Act for the Benefit
of the Married
Women in this
Commonwealth

Passed House of Rep-
resentatives Febru-
ary 17th, 1890.

Attest Green R. Nelson
Clerk H. R.

Passed Senate Feb-
ruary 26th, 1890.

Attest Harry Glenn
Clerk Senate

Fee 50 cents Paid
~~Patricia~~

Miss Clay

Pardon delay. I have been ill

E. P. Johnson

Miss M. H. Brown
Thanking

Just read this morning Feb 18th 90,

Att. U. S. N. J. M. C.

IN SENATE.

Senate Bill No. 114.

SATURDAY, FEBRUARY 1, 1890.

THE following bill, introduced by MR. LINDSAY, was reported by the Committee on General Statutes, twice read, and, on motion of MR. WRIGHT, ordered printed, and recommitted to the Committee on General Statutes :

AN ACT to regulate and define the property rights of husband and wife.

- § 1. *Be it enacted by the General Assembly of the Commonwealth*
- 2 *of Kentucky, Marriage shall give to the husband during the life*
 - 3 *of the wife no estate or interest in the wife's property, real or*
 - 4 *personal, owned at the time, or acquired after the marriage.*
 - 5 *During the existence of the marriage relation, the wife shall hold*
 - 6 *and own all her estate to her separate and exclusive use, free*
 - 7 *from the debts, liabilities, and control of her husband ; and in*
 - 8 *the management thereof, if not prohibited by the deed or will, or*
 - 9 *other muniment under which she takes title, may contract and*
 - 10 *be contracted with, sell, convey, and purchase as an unmarried*
 - 11 *woman : Provided, First, no part of her estate shall be subjected*

Jo. Harris 1839
Mrs. Henry 1839

12 to the payment or satisfaction of any liability upon a contract,
13 made after marriage, to answer for the debt, default, or misdoing
14 of another, including her husband, unless such estate shall have
15 been set apart for that purpose by deed of mortgage or other like
16 conveyance; and, second, a conveyance of real estate by a
17 married woman, to be effectual, must be executed in conformity
18 with the provisions of existing laws.

§ 2. After the death of either the husband or wife, the sur-
2 vivor shall have an estate for his or her life, in one-half of all the
3 real estate owned by the deceased, or held by any one to his or
4 her use, and an absolute estate in one-half of all the surplus
5 ^{the estate} personality left by such decedent: *Provided*, Nothing herein shall
6 prevent the surviving wife from asserting claim to dower or
7 homestead under existing laws; but if she shall assert such claim,
8 then, so far as the real estate of the deceased husband is con-
9 cerned, she shall take under existing laws, and not under the
10 provisions of this Act.

§ 3. A married woman, if she be of sound mind, and twenty-
2 one years of age, and not unduly influenced thereto, may dispose
3 of her estate by last will and testament.

§ 4. All acts and parts of acts in conflict with the provisions of
2 this Act are repealed.

SENATE BILL No. 7

Amended So As To Read

AN ACT relating to unlawful carnal knowledge of children under the age of eighteen years, including both sexes, and prescribing and fixing penalties for violations thereof, and amending and re-enacting Section 1155, Kentucky Statutes, Carroll, 1915.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section 1155, Kentucky Statutes, Carroll's 1915 Edition, be and the same is hereby amended and re-enacted, so that said section when so amended and re-enacted shall read as follows:

Section 1155. Every male person who shall carnally know, with her consent, any female child, not his wife, under the age of eighteen years, and every female person who shall carnally know any male child under the age of eighteen years, not her husband, shall be punished as follows:

(1) When such child is under the age of twelve years, by imprisonment in the State Penitentiary for not less than twenty years nor more than fifty years, or by death, in the discretion of the jury.

(2) When such child is of the age of twelve years and under the age of fourteen years, by imprisonment in the State Penitentiary for not less than five years nor more than twenty years.

(3) When such child is of the age of fourteen years and under the age of sixteen years, by imprisonment in the State Penitentiary not less than three years nor more than fifteen years.

(4) When such child is of the age of sixteen years and under the age of eighteen years, by imprisonment in the State Penitentiary for not less than two years nor more than ten years.

(5) Any male person of the age of seventeen years and under the age of twenty-one years and any female person of the age of eighteen years and under the age of twenty-one years convicted of a violation of any of the provisions of this Act may, in the discretion of the court, be punished by confinement in the county jail or in the State Penitentiary not more than one year or fined not more than \$500.00 or both, in the discretion of the court, and not as provided in (1), (2), (3) and (4) of this Act.

(6) When the complaining witness is of and over the age of sixteen years and the defendant being under the age of twenty-one years, is found guilty, the court is authorized to hear testimony in aggravation or mitigation of the sentence.

(7) Any female under the age of eighteen years, and any male under the age of seventeen years, charged with a violation of any of the provisions of this act, shall be dealt with and proceeded against as are other juvenile delinquents, under the provisions of Section 331e, Kentucky Statutes.

But this Act shall in no way affect Sections 1152, 1153, 1154, 1158 or 1214 of Kentucky Statutes, Carroll 1915.

This is the Age of Consent Bill as its proponents wish to see it pass.

SENATE BILL No. 7

AN ACT relating to unlawful carnal knowledge of children under the age of eighteen years, including both sexes, and prescribing and fixing penalties for violations thereof, and amending and re-enacting Section 1155, Kentucky Statutes, Carroll, 1915.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section 1155, Kentucky Statutes, Carroll's 1915 Edition, be and the same is hereby amended and re-enacted, so that said section when so amended and re-enacted shall read as follows:

Section 1155. Every male person who shall carnally know, with her consent, any female child, not his wife, under the age of eighteen years, and every female person who shall carnally know any male child under the age of eighteen years, not her husband, shall be punished as follows:

(1) When such child is under the age of twelve years, by imprisonment in the State Penitentiary for not less than twenty years nor more than fifty years, or by death, in the discretion of the jury.

(2) When such child is of the age of twelve years and under the age of sixteen years, by imprisonment in the State Penitentiary for not less than five years nor more than twenty years.

(3) When such child is of the age of sixteen years and under the age of eighteen years, by imprisonment in the State Penitentiary for not less than two years nor more than ten years.

(4) Any female person under the age of eighteen years, and any male person under the age of seventeen years, charged with a violation of any of the provisions of this Act, shall be dealt with and proceeded against as are other juvenile delinquents, under the provisions of Section 331e, Kentucky Statutes.

But this Act shall in no way affect Sections 1152, 1153, 1154, 1158 or 1214 Kentucky Statutes, Carroll 1915.

IN HOUSE.

House Bill No. 336.

WEDNESDAY, FEBRUARY 26, 1896.

MR. THOMPSON, from the Committee on Municipalities, reported the following bill, with the expression of opinion that it ought to pass, which was read the first time, ordered to be read a second time and that it be printed, viz:

AN ACT to make women eligible to the office of School Trustee and members of the Board of Education, and to empower women to vote in elections for said officers.

Be it enacted by the General Assembly of the Commonwealth of Kentucky: § 1. Women are hereby made eligible to hold the offices of
2 School Trustee and members of Board of Education in the counties and
3 cities of this Commonwealth, and women having the qualifications pre-
4 scribed by law for men in such elections shall be, and are authorized and
5 empowered, to vote in all elections for such officers.
6

IN SENATE.

Senate Bill No. 95.

SATURDAY, JANUARY 25, 1896.

MR. BRONSTON introduced the following bill, which was read the first time and ordered printed, viz:

AN ACT to establish "Houses of Reform, one for boys and one for girls, and to provide for the government thereof, and making an appropriation therefor."

Be it enacted by the General Assembly of the Commonwealth of Kentucky: § 1. That there shall be established in this Commonwealth, immediately after the taking effect of this act, two institutions, one for girls, to be known as the House of Reform for Girls, and one for boys, to be known as the House of Reform for Boys, and that the sum of one hundred thousand dollars (\$100,000,) be, and hereby is, appropriated, out of any funds in the State Treasury not otherwise appropriated, for the purpose of purchasing grounds and the erection and furnishing of suitable buildings therefor.

§ 2. The general supervision and government of said institutions shall be vested in a board of trustees, consisting of six persons, three women and three men. The said trustees shall be appointed by the Governor,

4 by and with the consent of the Senate, and at no time shall a majority of
5 said trustees be members of the same political party, or of the same re-
6 ligious denomination. They shall hold their offices for the term of six
7 years and until their successors are appointed and qualified, but the first
8 board appointed under this act shall hold their offices, two of them, one
9 woman and one man, for two years, two for four years and two for six
10 years, and until their successors are appointed and qualified as aforesaid.
11 Whenever a vacancy occurs in said board, otherwise than by the expira-
12 tion of a term of appointment, such vacancy shall be filled by a nomina-
13 tion from the board, and confirmed by the Governor. The trustees may
14 be re-appointed. They shall receive no compensation for their services,
15 but shall be allowed all expenses incurred by them in the discharge of
16 their duties. They may be removed at any time by the Governor for
17 sufficient cause. Said board shall meet annually and elect, of their own
18 body, a president, treasurer and secretary, to hold their offices for one
19 year and until their successors are elected and qualified. The treasurer
20 and secretary shall give such bond as the Governor may direct and ap-
21 prove. Said board shall make an annual report of their action and the
22 condition of the institutions to the Governor. They shall appoint such
23 subordinate officers and assistants as the requirements of the institutions
24 may demand, and shall, subject to the approval of the Governor, fix their
25 salaries and prescribe their duties. They shall, with the like approval,
26 adopt and enforce any and all such rules, regulations and by-laws, for
27 the government and discipline of said institutions, as they may deem use-
28 ful and proper.

§ 3. The trustees shall have power to receive, by gift or purchase, suit-
2 able building sites for said institutions, to consist of tracts of land of not
3 less than one hundred acres in extent, and in healthy locations in the
4 vicinity of some city, but not less than three miles from the corporate
5 limits thereof; to erect suitable buildings thereon, and to properly equip,

6 appoint and furnish the same.

§ 4. The trustees shall be a corporation, by the name of "The Board
2 of Trustees of the Houses of Reform," for the purpose of taking and
3 holding unto themselves and their successors, in trust for the State, any
4 grant or devise of land, and any donation or bequest of money or other
5 personal property, made for the use of said institutions, and for the pur-
6 pose of preserving and investing the proceeds thereof in good securities,
7 with all powers incident to, and necessary to, the exercise of the powers
8 aforesaid, and to carry out and fulfill the purposes of this act. The funds,
9 property and estate that may be granted to, or held by, such corporation
10 for the uses hereinbefore expressed, shall, with the income thereof, be
11 exempted from taxation.

§ 5. The said board, having selected sites as aforesaid for the said insti-
2 tutions, shall immediately deposit with the Secretary of State a certificate
3 of their determination, together with all conveyances of land granted and
4 securities for moneys or material donated. They shall also prepare, or
5 cause to be prepared, and adopt plans for the grounds, buildings and
6 fixtures necessary for said institutions, of such form, style, dimension and
7 finish as, when completed, shall come within the cost and limit of the
8 sum hereinbefore appropriated. The trustees shall, in the preparation
9 and adoption of plans for the necessary buildings, keep in view, if prac-
10 ticable, the possible future enlargement and improvement of said build-
11 ings, and so enlarge the plans that such enlargement can be made without
12 materially affecting their symmetry or usefulness.

§ 6. Said board of trustees shall advertise for proposals for the erec-
2 tion and construction, furnishing, etc., of said buildings, and fix a time
3 within which said proposals will be received, and, upon the expiration of
4 such time, they may, in their discretion, and with the approval of the
5 Governor, make contracts with the lowest responsible bidder, taking
6 into consideration the price, time of performance and responsibility of

7 the contractors. Said contract or contracts, when made and properly
8 evidenced, shall be deposited in the office of the Secretary of State.

§ 7. In the construction of the buildings herein provided for, and in the
2 arrangement of the grounds, all cells, bars and grates shall, as far as
3 practicable, be omitted, and what is known as the "Cottage Family Plan"
4 shall be adopted, as it commends itself by accomplished facts as the
5 most intelligent, economical and successful system in use. Each of these
6 family houses shall be occupied by from eighteen to twenty-five girls or
7 boys, with their matron, teacher and housekeeper. The inmates of each
8 cottage shall be as nearly as is possible of the same character as regards
9 innocence or culpability, and each of said cottages, in their general ar-
10 rangement and discipline, resemble, as nearly as is possible or prac-
11 ticable, a well ordered and regulated home.

§ 8. The object of these institutions shall be, not merely a place of
2 detention, but the reformation of those who, by reason of vicious con-
3 duct or moral depravity, have rendered themselves burdensome to their
4 relations as well as to society, and who may be, under the provisions of
5 this act, committed to these said institutions; and it shall be the duty of
6 each and every officer of said institutions to see that all rules and regu-
7 lations are strictly enforced and observed. Kindness, firmness and com-
8 petency are qualifications which shall be required of all officers and
9 employes, and it shall be incumbent on them to see that a kind and
10 proper tone of feeling is observed among the inmates, and, by example
11 and precept, to do everything in their power to reclaim and improve the
12 moral character of the boys and girls under their care, fitting them to be-
13 come good citizens and useful members of society.

§ 9. It shall be the duty of the board of trustees to meet once every
2 three months, and oftener if deemed advisable. They shall adopt, as
3 hereinbefore said, such by-laws or system of government for the institu-
4 tions as shall be regarded by them as most effective for the preservation

5 of order, enforcing discipline, imparting instruction, and for the proper
6 physical, intellectual and moral training of the inmates. They may also
7 adopt such by-laws for their own organization and government as they
8 may see fit.

§ 10. Each institution shall be visited monthly by at least two of the
2 trustees, one woman and one man, no previous notice being given to the
3 officers in charge of said institution of the time of such visit. Said
4 visitors shall thoroughly examine and investigate the workings of the
5 institution, the condition of same and all the departments thereof, includ-
6 ing the financial management, accounts, etc. It shall also be the duty of
7 the entire board, or of a majority thereof, to visit the said institutions
8 quarterly, for the same purpose, on the occasion of which last named
9 visits there shall be prepared a detailed statement of the condition in
10 every respect of the institutions, which shall be placed on record in a
11 book kept for that purpose, and which record shall be open and subject
12 to the inspection of the General Assembly or of any committee thereof
13 having authority in the premises, or of any State Inspector of charitable
14 or other institutions.

§ 11. The board of trustees shall have power, and it shall be their
2 duty in proper cases, to bind out such boys and girls as are proper sub-
3 jects for apprenticeship to responsible and reputable persons, until they
4 are twenty-one years of age, to learn such trades or employments as in
5 their judgment will tend to his or her future benefit, stipulating in the
6 indentures for the proper and needful schooling and other proper terms,
7 and from time to time ascertaining whether the obligations of the master
8 or mistress are fully and rightfully performed, and if not, applying such
9 remedy as may suggest itself as proper. Scrupulous regard shall always
10 be had to the religious or moral character of those to whom boys or girls
11 may be bound, that such boy or girl may have the advantage of a correct
12 training in these respects, and a good example and wholesome instruc-

13 tion. The trustees shall retain jurisdiction over such boys or girls thus
14 bound out, and in proper cases order their return to the institution from
15 which they were bound out. And no discharge from either of said insti-
16 tutions, unless absolute, shall defeat this jurisdiction and prevent any
17 inmates from being recalled or returned for sufficient reasons, of which
18 the trustees are to judge.

§ 12. The superintendent and other officers of either of said institu-
2 tions shall have power to arrest, without warrant, anywhere in the State,
3 such boys or girls as shall escape from either of said institutions, or who
4 shall leave without proper discharge, and for that purpose may have and
5 receive the aid of all peace officers of the State, upon proper identifica-
6 tion, and may and shall have power to cause such boys or girls to be
7 arrested by any such peace officer, upon identification as aforesaid, and
8 to carry said boy or girl back to the institution from which he or she
9 escaped.

§ 13. When any boy or girl is brought before any circuit, county or, in
2 cities of the first or second class, police court, being under the age of
3 eighteen years, it shall be lawful for such court, or any of them, in its dis-
4 cretion, to commit such boy or girl to said Houses of Reform for any
5 period of time not exceeding the minority of such child, in the following
6 cases:

(1.) Upon complaint of parent or guardian, supported by satisfactory
2 evidence, that by reason of incorrigible and vicious conduct, such boy or
3 girl is not subject to the control of such parent or guardian, or that he
4 or she habitually disobeys the commands of such parent or guardian, or
5 resorts to immoral places and practices, and refuses to attend school or
6 to perform labor suitable to his or her capacity; and that by reason
7 thereof his or her welfare and the protection of society demand that such
8 boy or girl be placed under such guardianship as said institutions afford.

(2.) Upon complaint made by any peace officer or citizen, supported

2 by satisfactory evidence, that owing to the above reasons, and the fur-
3 ther reason that the parent or guardian of such infant is of such immoral
4 character and depraved habits that he or she is incapable or unwilling to
5 exercise the care or discipline necessary, or that, owing to the said moral
6 depravity of the parents or guardian of such infant, he has no suitable
7 home, and is liable to be taught to lead a disreputable and immoral life,
8 and is consequently a proper subject for the said commitment and guar-
9 dianship.

(3.) Upon conviction in any of the said courts of any crime, penal
2 offense or violation of any law of this State, or ordinance of any city,
3 and the punishment fixed at fifteen days or more imprisonment in the
4 penitentiary, county or city jail.

(4.) When any boy or girl under the age of eighteen, as aforesaid,
2 shall be arrested, charged with the commission of a crime, a conviction
3 of which would subject him or her to imprisonment, the judge of any of
4 the aforesaid courts, before which he or she is brought, may, at any stage
5 of the trial, by the consent and at the request of the accused, or of his
6 or her parent or guardian, arrest the progress of the same and commit
7 the accused to said institutions.

(5.) When the grand jury of any county are satisfied that there is suffi-
2 cient evidence to put the accused on trial for a crime or misdemeanor,
3 he or she being, as before stated, under the age of eighteen years, it may,
4 instead of an indictment, return to the court a report, in writing, recom-
5 mending such infant to the guardianship of the House of Reform; and
6 thereupon, if the court be satisfied from the evidence adduced, that such
7 commitment would be proper, it may order such boy or girl to be com-
8 mitted to said institution for any length of time, not exceeding the mi-
9 norty of said child. And it shall be the duty of the judge of any court
10 sentencing a boy or girl to either of said institutions under this act
11 to certify to the superintendent thereof the age of the person so com-

12 mitted, as nearly as it can be ascertained, by testimony taken under oath,
13 and the cause for which committed.

§ 14. When such institutions have been completed, or either of them,
2 or so far completed as to admit of the reception of inmates, it shall be
3 the duty of the Governor to make that fact known by his proclamation,
4 whereupon it shall be lawful for the board of trustees to receive into said
5 institutions, or either of them, such persons as may be committed or
6 transferred to either of said institutions in the manner or by any proceed-
7 ing authorized by this act.

§ 15. Any person who shall entice, or attempt to entice, away from
2 said institutions any girl or boy legally committed to the same, or who
3 shall knowingly harbor or conceal, or aid in harboring or concealing, any
4 boy or girl who shall have escaped from said institutions, shall, upon con-
5 viction of either of such offenses, be fined not less than twenty-five nor
6 more than one hundred dollars, or imprisoned not exceeding sixty days,
7 or both so fined and imprisoned. Any sheriff, policeman or constable
8 shall have power, and it is hereby made their duty, to arrest any boy or
9 girl known by them to have escaped from said institution, and to return
10 him or her thereto.

§ 16. Equal privileges shall be granted to all clergymen in good
2 standing, of all religious denominations, to impart religious instruction
3 to the inmates of said institutions belonging to their respective denomi-
4 nations.

§ 17. Any boy or girl under the age of eighteen years, who shall be
2 committed to either of these said institutions, shall be kept disciplined,
3 instructed, employed and governed under the direction of the trustees
4 until the period of commitment shall have expired, or is bound out or
5 dismissed as reformed, or otherwise honorably discharged under the pro-
6 visions of this act. The discharge of such boy or girl, except upon the
7 expiration of the period of commitment, shall not operate to release said

8 boy or girl from the control of the trustees, and they may, at any time
9 they shall deem advisable, recall such boy or girl without a second com-
10 mitment. The trustees may, at any time, discharge any boy or girl in
11 the custody of said institutions upon the advice or with the consent of
12 the Governor, or judge of the court committing said child.

§ 18. The inmates of said institutions shall, in addition to a common
2 school education, receive instruction in such branches of industry, ag-
3 ricultural, mechanical, domestic, etc., as the board may, from time to
4 time, determine; the reformation of the inmates and preparation for
5 future self-support being kept steadily in view in the administration of
6 these institutions; and, as conducive to these ends, the board shall in-
7 troduce and carry on such branches of industry and manual training
8 as are adapted to the age and capacity of the inmates. As far as prac-
9 ticable agriculture, including horticulture, poultry raising, dairying,
10 dressmaking, tailoring, systematic teaching of all domestic industries,
11 and skilled cooking, shall be taught and practiced by the boys and girls
12 in such thorough and comprehensive manner as to make these institu-
13 tions model schools for these particular branches, and to this end com-
14 petent persons shall be employed as instructors in these branches. The
15 inside and outside work of the said institutions shall be performed by
16 the inmates thereof.

§ 19. The Governor may, upon the application of the superintendent,
2 or of the board of trustees of said Houses of Reform, made in writing,
3 or when it is otherwise made to appear to him that such course is ex-
4 pedit, cause any or all such juvenile offenders, under eighteen years
5 of age, as are confined in the penitentiary, to be removed, and trans-
6 ferred to said Houses of Reform, the expense of such removal to be borne
7 by the State.

§ 20. The children of white and colored races, committed to said in-
2 stitutions, shall be provided with separate departments.

JOINT RESOLUTION

JOINT RESOLUTION OF THE SENATE AND HOUSE OF REPRESENTATIVES IN THE GENERAL ASSEMBLY OF THE COMMONWEALTH OF KENTUCKY PROVIDING FOR THE SUBMISSION TO THE VOTERS OF THE STATE AN AMENDMENT TO SECTION 145 OF THE STATE CONSTITUTION, CARROLL'S EDITION, 1915, BY STRIKING OUT OF SAID SECTION IN THE FIRST LINE THE WORD "MALT".

Be it resolved by the General Assembly of the Commonwealth of Kentucky, that, upon the concurrence of three-fifths of all the members elected to each House of the General Assembly, Yeas and Nays being taken thereon and entered in full in their respective journals, that the following amendment to Section 145 of the Constitution of the Commonwealth of Kentucky be and hereby is proposed to the voters of the State of Kentucky for their ratification or rejection:

"That Section 145 of the Constitution of Kentucky be amended by striking out of

of the same the word 'Male' so that said Section, when amended, will read as follows:

Every citizen of the United States of the age of twenty one years, who has resided in the State one year, and in the county six months, and the precinct in which he offers to vote sixty days next preceding the election, shall be a voter in said precinct and not elsewhere; but the following persons are excepted and shall not have the right to vote:

1. Persons convicted in any court of competent jurisdiction of treason, or felony, or bribery in an election, or of such high misdemeanor as the General Assembly may declare, shall operate as an exclusion from the right of suffrage; but persons hereby excluded may be restored to their civil rights by Executive pardon.

2. Persons, who, at the time of the election, are in confinement under the judgment of a court for some penal offense.

3. Idiots and insane persons.

The foregoing amendment shall be submitted to the voters of this State for their ratification or rejection at the time and in the manner provided for under Section 256 of the Constitution and Section 1459 of the Kentucky Statutes, and all and any other laws pertinent thereto.

Sept 15, 1933

HOUSE BILL No. 1.

AN ACT to provide for a convention to act upon the amendment to the Constitution of the United States providing for the repeal of the Eighteenth Amendment; and to appropriate funds for certain expenses.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE COMMONWEALTH OF KENTUCKY:

ONE. A convention, the delegates to which shall be elected in the manner as herein provided, shall be held at Frankfort, Kentucky, in the room of the House of the General Assembly in the State Capitol Building on Monday, November 27, 1933, at 10 o'clock A. M., to consider and act upon the ratification of the following amendment to the Constitution of the United States, proposed by the Congress of the United States to the several states:

"Section 1. The eighteenth article of amendment to the Constitution of the United States hereby repealed.

"Section 2. The transportation or importation into any State, territory or possession of the United States for delivery or use therein of intoxicating liquors in violation of the laws thereof, is hereby prohibited.

"Section 3. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by conventions in the several States, as provided in the Constitution, within seven years from the date of the submission hereof to the States by the Congress."

TWO. The number of delegates to be elected to such convention shall be nineteen in number, to be elected from the State at Large. The election of said delegates shall be held on the first Tuesday after the first Monday in November, 1933 (November 7, 1933). At such election all persons qualified to vote for members of the General Assembly of the Commonwealth of Kentucky shall be entitled to vote.

THREE. Except as otherwise provided herein, all provisions of the Statutes of this Commonwealth relating to nomination papers, the furnishing and distribution of election supplies, the preparation, printing, distribution, voting, counting, recounting, returning and canvassing of ballots for general elections and all other election laws of the State shall, as far as applicable, and not inconsistent herewith, apply to the election of such delegates. The votes cast in such election for said delegate shall be canvassed and certified in the manner now required by law for general elections. The State Board of Election Commissioners shall canvass the returns for delegates to the convention herein provided for and shall issue certificates of election to each of the delegates elected in the same manner as is required by law to be done in a general election for State officers.

FOUR. Each group of delegates shall be nominated by a petition signed by not less than one thousand qualified voters of this State, who shall indicate his or her residence. Each petition shall state the name and residence of each of the proposed candidates for delegates to said convention, and shall be headed in plain type "FOR RATIFICATION OF REPEAL OF THE EIGHTEENTH AMENDMENT" or "AGAINST RATIFICATION OF REPEAL OF THE EIGHTEENTH AMENDMENT." It shall further contain a statement that each candidate subscribing his or her name thereto is in favor of or against repeal of the Eighteenth Amendment, as the heading may indicate.

All petitions shall be filed with the Secretary of State not less than forty-five (45) days before November 7, 1933. No nomination shall be effective except those of the nineteen nominees in favor of ratification, and the nineteen nominees against ratification, whose nominating petitions have been signed by the largest number of voters, such designation and determination to be made by the Secretary of State. The Secretary of State shall certify the candidates of each group

to the respective county clerks of the various counties of the State as is required by law. All candidates for delegates to the convention shall be citizens and residents of this State and be at least twenty-four years of age.

FIVE. The election shall be by ballot, by the use of the same official ballots as are used in the General Election to be held November 7, 1933. It shall first state the substance of the proposed amendment, and this shall be followed by appropriate instructions to the voter. It shall then contain parallel columns of equal width, headed respectively in plain type, "FOR RATIFICATION OF REPEAL OF THE EIGHTEENTH AMENDMENT", "AGAINST RATIFICATION OF REPEAL OF THE EIGHTEENTH AMENDMENT". The Words FOR, AGAINST and REPEAL in the headings of such columns shall be printed on separate lines in type at least twice as large as the other words in said headings.

In the column headed "FOR RATIFICATION OF REPEAL OF THE EIGHTEENTH AMENDMENT", shall be placed the names of the several nominees nominated as in favor of ratification. In the column headed "AGAINST RATIFICATION OF REPEAL OF THE EIGHTEENTH AMENDMENT", shall be placed the names of the nominees nominated as against ratification. Underneath the name of each candidate there shall be left a blank space large enough to contain a written name. The voter shall indicate his or her choice by making one or more marks with the stencil in appropriate spaces provided on the ballot. The ballot shall be so arranged that the voter may, by making a single mark with the stencil, vote for the entire group of nominees whose names are in either of said columns. The ballot shall be in substantially the following form:

"PROPOSED AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES.

"Delegates to the Convention to Ratify the Proposed Amendment.

"The Congress has proposed an amendment to the Constitution of the United States which provides in substance that the Eighteenth Article of Amendment to the Constitution of the United States relat-

ing to the manufacture, transportation and sale of intoxicating liquors for beverage purposes shall be repealed, and prohibiting shipment of intoxicating liquors into any State or Territory in violation of the laws of such State or Territory.

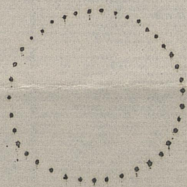
"Congress has proposed that said amendment shall be ratified by conventions in the several States."

INSTRUCTIONS TO VOTERS

"Do not vote for more than nineteen candidates.

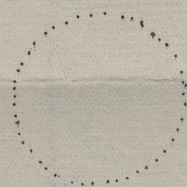
"To vote for all candidates in favor of ratification of repeal of the Eighteenth Amendment, or for all candidates against ratification of repeal of the Eighteenth Amendment, make a cross with the stencil in the circle at the head of the list of candidates for whom you wish to vote. If you do this, make no other mark. To vote for an individual candidate, make a cross with the stencil in the square opposite the name of the candidate for whom you wish to vote, or you may write in the name and vote therefor in the same manner.

FOR
Ratification of the Amendment
to
REPEAL
the Eighteenth Amendment



John Doe
.....
Richard Doe
.....

AGAINST
Ratification of the Amendment to
REPEAL
the Eighteenth Amendment



Charles Mick
.....
William Mick
.....

SIX. The nineteen nominees who shall receive the highest number of votes cast at said election shall be the delegates to the convention. If there shall be a vacancy in the convention caused by the death or disability of any delegate or any other cause, the same shall be filled by appointment by a majority vote of the delegates comprising the group from which such delegates was elected, and if the convention contains no other delegate of that group, shall be filled by appointment by the Governor.

SEVEN. The delegates to said convention shall meet at the time and place herein provided, and shall thereupon constitute a convention to pass upon the question of whether or not the proposed amendment shall be ratified.

Delegates to such convention shall receive no compensation for their services, but shall be paid their actual and necessary expenses.

There is hereby appropriated from the State Treasury a sum sufficient to pay the actual and necessary expenses of the delegates to said convention. Such sum to be out of the funds of the State not otherwise appropriated.

The Auditor of Public Accounts is hereby authorized and directed to issue a warrant upon the State Treasury, payable to each of said delegates to said convention, for their actual and necessary expenses when such claim of each delegate is certified to the Auditor by the Secretary of said convention, countersigned by the President of said convention, and after same has been audited by said Auditor as is required by law as to other claims upon the Treasury. There shall be filed with such claims receipts, showing the expenditures made, as is now required by law.

EIGHT. The convention shall be the judge of the election and qualifications of its members; and shall have power to elect its President, Secretary and other officers, and to adopt its own rules.

NINE. The convention shall keep a journal of its proceedings, in which shall be recorded the vote of each delegate on the

question of ratification of the proposed amendment. Upon final adjournment, the said journal shall be filed by the Secretary of the convention in the office of the Secretary of State.

TEN. If the convention shall agree by a majority of the total number of delegates to the ratification of the proposed amendment, a certificate to that effect shall be executed by the President and Secretary of the convention, and delivered to the Secretary of State of Kentucky, who shall transmit such certificate under the great seal of the Commonwealth of Kentucky to the Secretary of State of the United States in the manner in which amendments to the Constitution of the United States submitted to the legislature for ratification are certified.

ELEVEN. It being necessary to nominate candidates for delegates to the convention herein provided for by petition, and it requiring considerable time to accomplish such end, and it being necessary that said delegates be elected at the General Election to be held on November 7, 1933, and the time intervening between now and said General Election being short for such purposes and all things connected therewith, an emergency is declared to exist and this Act shall be and become effective from and after its passage and approval by the Governor.

-----ooOoo-----

References for Force Bill, of May 31st, 1870.

Congressional Globe. Part 4. 2nd Session, 41st Congress.

1869- 1870. And Prt 5.

House Bill No. 1293.

Pages.- 3504, 3504, 3521, 3514, 3558, 3607, 3613 3654/ 3660,

3690, 3700, 3705, 3752, 3800, 3809, 3915, 3959.

Main part of Bill Page 3688.

As amended Page 3752.

IN HOUSE

MARCH 15, 1922.

The House has passed a bill which originated in the Senate entitled:

S.B. 7. An Act relating to unlawful carnal knowledge of children under the age of eighteen years, including both sexes, and prescribing and fixing penalties for violations thereof, and amending and re-enacting Section 1155, Kentucky Statutes, Carroll 1915.

Together with the following Amendment thereto, viz.:

"Amend S.B. 7 by adding thereto and immediately following Sub-section 4 thereof the following:

Subsec. 5. Any male person of the age of seventeen years and under twenty-one years and any female person of the age of eighteen and under the age of twenty-one convicted of a violation of any of the provisions of this Act shall be punished by a fine not exceeding five hundred dollars and not as provided in subsec. 1, 2, 3 and 4 of this Act.

This differs from the Amendment offered.

and I should have been omitted. It is an error made by the man who offered the amendment that the best language I say it will do no harm.

Subsec. 6. When any complaining witness is over the age of sixteen years and the defendant being under the age of twenty-one years, the Court of Jury is authorized to hear testimony in aggravation or mitigation of said charge.

This also differs from our amendment.

Subsec. 7. Any female under the age of eighteen years and any male under the age of seventeen years, charged with violation of any of the provisions of this Act, may be dealt with and proceeded against as are other Juvenile delinquents under the provisions of Section 331c, Kentucky Statutes. This Act shall in no way affect Sections 1152, 1153, 1154, 1158 of 1214 of Kentucky Statutes.

Mr. McRugor in the Atty General's office says the Court of Appeals will hold this section invalid because it conflicts with the Juvenile Court Law and will uphold.

This is the same as subsection 4 only it is permissive instead of mandatory. The Atty. General told Subsec 4 in the official copy and says that the Juvenile Court Law makes it mandatory.

Attest:

Chief Clerk House of Representatives. Sec. 4