

# EXHIBIT 4

Thursday,]

HENDRICK—JOHNSTON—COKE—YOUNG.

[January 22.

Mr. HENDRICK. The Chairman of the Committee on the Legislative Department is at his room sick also.

Mr. JOHNSTON. Then I withdraw the motion to take up that report, and substitute the report of the Committee on Court of Appeals.

Mr. COKE. That motion has just been voted down.

Mr. L. T. MOORE. I have just received a letter from the Chairman of the Committee on Corporations, in which he requests that the consideration of the report of that Committee be no longer postponed on account of his absence, as he does not know that he can ever be present.

A vote being taken, the motion to postpone was lost.

Mr. PUGH. I move that we proceed to the consideration of the report on Municipalities.

Cries of regular order.

Mr. COKE. The report of the Committee on Municipalities was under consideration, and was laid aside temporarily. I think it is the regular order, and the Chairman of that Committee is here now.

The PRESIDENT. Was not that in the Committee of the Whole?

Mr. STRAUS. I move that we go into Committee of the Whole to further consider the report of the Committee on Municipalities.

A *viva voce* vote being had, the President declared the yeas appeared to have it.

Mr. MACKOY. I make the point of order that it requires two-thirds to set aside the regular order.

*Municipalities.*

Mr. STRAUS. The report of the Committee on Municipalities was under consideration in Committee of the Whole, and a motion to finish that work does not interfere with the regular order.

The PRESIDENT. The Chair sustains the point of the Delegate from Bullitt.

A vote being taken, the motion was carried, and the President designated the Delegate from Bullitt as Chairman of the

COMMITTEE OF THE WHOLE.

The CHAIRMAN. The Clerk will read the first section.

Mr. MACKOY. The first section has been adopted.

The CLERK. The first section was adopted, and sections 2, 3, 4, 5, 6, 7, 8, 9, and 10 were passed over. Sections 11 and 12 were adopted, and the next section is section 13, which reads as follows:

The money arising from any loan, debt or liability contracted by any county, city or town, or other municipality, shall be applied to the purposes for which they were obtained, or to the repayment of such debt or liability, and not otherwise.

Mr. MACKOY. I move that the Committee recommend to the Convention that section 13 be stricken from the report, as it has been passed on and adopted in the report of the Committee on Revenue and Taxation.

Mr. YOUNG. The object of that provision is to prevent and do away with, and to prohibit, the exercise of a power which has now and then been acted on by the Legislature, to pass charters or laws by which railroads or street railways, or other such corporations, might run their tracks or lines through the streets of cities without the consent of the local legislative body. It has always been a subject producing great dissatisfaction, and has been used for personal gain at the expense of public gain. If corporations are to be intrusted with such privileges, then the local government ought to be alone intrusted with the right of determining where and how the streets or alleys of any city shall be used for any such purpose. I know in the city of Louisville it would have been of great importance to us if the Legislature had not been permitted to take this question up, and to allow the construction