

RATIFICATION

KENTUCKY

BEN L. HICKER
SECRETARY OF STATE

DEPARTMENT OF STATE
ROBERT A. COOK
ASST. SECRETARY
JOSEPH M. HEAT
ALTERNATE CLERK
MIRIAM MCDANIEL
SECRETARY



DEPARTMENT OF CORPORATIONS

CLINTON BIGSBY
TODD
JAMES F. GARNETT
SARA CLEGG

17 1911



OFFICE OF
SECRETARY OF STATE
FRANKFORT



December, 13, 1911-

Hon. P. C. Knox,
Secretary of State,
Washington, D. C.

Sir;

By direction of ex-Governor Augustus E. Willson,
I herewith transmit certified extracts of the House Jour-
nal 1910 and Senate Journal 1910 of the General Assembly
of the Commonwealth of Kentucky.

Also, by express I am transmitting copies of the
Journals of the House and Senate .

I have the honor to be,

Yours truly,

Ass't Secretary of State-

TELEGRAM SENT.

T/A *Gas*

27!

W

Department of State,

Washington, February 8, 1910.

DEPT OF STATE
FEB
8
1910

INDEX BUREAU
FEB
8
1910
DEPT OF STATE

His Excellency
The Governor of Kentucky,
Frankfort, Kentucky.

Sir:

Signed letter transmitting income tax amendment
has been sent to you today.

William P. Wilson
Asst Secy of State

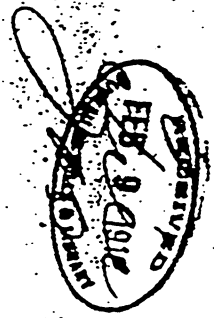
Enciphered by
Sent by operator *M. D. ...* 19

208022/3

D

Secretary of State
Washington.

Please send
transmitting in
transmit it to G
from your office



Deciphered by

208751

D

TELEGRAM RECEIVED.

PLAIN

9 1910
[Faint illegible text]

From Frankfort, Kentucky,

Dated February 7, 1910,

Rec'd 8:15 P.M.

Secretary of State,
Washington.

Please send at earliest possible chance signed letter transmitting income tax amendment, Article sixteen, so I may transmit it to General Assembly. Original letter and resolution from your office mislaid in moving to new Capitol.

AUGUSTUS E. WILSON

Governor Kentucky.

Deciphered by

FEB 10 1910



INDEX BUREAU

FEB 9 1910
20802/3
DEPT. OF STATE



Proposed amendment to the Constitution of the United States.

Encl. 3. Frankfort, Ky.,
Feb. 7, 1910.

Governor of Kentucky, TEL:

"Please send at earliest possible chance signed letter transmitting inclose tall amendment, Article sixteen, so I may transmit it to General Assembly. Original letter and resolution from your office may be laid in moving to new Capitol."

Ro. 8th 9:20

TELEGRAM SENT.

ETA

Department of State,

Washington, February 4, 1910.



His Excellency

The Governor of Kentucky,
Frankfort, Kentucky.

Sir:

Copy of Joint Resolution proposing amend-
ment to Constitution was mailed to you on the 3rd
instant.

Montgomery Wilson
Assistant Secretary.

Enciphered by

[Handwritten signature]

D

4.12

TELEGRAM RECEIVED.

PLAIN

Frankfort, Kentucky,

Dated February 3, 1910,

Rec'd 3:30 P.M.

Honorable Philander C. Knox,
Secretary of State,
Washington.

Please send by first mail duplicate copy resolution propos-
ing amendment to Constitution on income tax. Copy furnished
Kentucky last summer misplaced. Think it is Senate Joint Reso-
lution, number forty.

AUGUSTUS E. WILSON
Governor.

FEB 7 1910

INDEX BUREAU

FEB 7

DEPT. OF STATE

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12

Proposed amendments to the Constitution of the United States.

Am. Feb 7/10
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FEB 7 1910
BUREAU OF FILES & LIBRARY
McCle

Frankfort, Kentucky,
February 3, 1910.
Governor of Kentucky. TELEGRAM.

"Please send by first mail duplicate copy resolution proposing amendment to Constitution on income tax. Copy furnished Kentucky not summer misplaced. Think it is Joint Resolution, number 175."

4:20 P.M.

66

RECEIVED
JUL 29 1909
SIR,

OFFICE OF THE GOVERNOR
FRANKFORT

DEPARTMENT OF STATE
AUG 2 1909
DEPARTMENT OF STATE

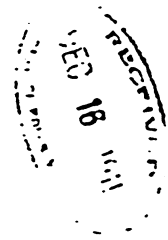
July 29, 1909.

I have the honor to acknowledge your letter of July 26, 1909, enclosing certified copy of a resolution of Congress, entitled "Joint Resolution Proposing an amendment to the Constitution of the United States", with the request that I cause the same to be submitted to the Legislature of Kentucky for such action as may be had, and that a certified copy of such action be communicated to the Secretary of State, as required by Section 205, Revised Statutes of the United States.

I shall take great pleasure in causing the same to be submitted to the Legislature.

Yours truly,
Inquirer E. W. Little

Hon. P.C.Knox,
Secy. of State,
Dept. of State,
Washington, D.C.



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**EXTRACTS FROM HOUSE AND SENATE JOURNALS
OF GENERAL ASSEMBLY OF 1910
COMMONWEALTH OF KENTUCKY**

.....

The Commonwealth of Kentucky,
In House of Representatives.

I, James E. Stone, Chief Clerk of the House of Representatives, in the General Assembly of the Commonwealth of Kentucky, do hereby certify that on Thursday January 13th, 1910,

Mr. O. Houston Brooks introduced a joint resolution entitled,

H. Res. 4. Resolution ratifying the sixteenth amendment to the Constitution of the United States.

Which was ordered to be printed and referred to the committee on Federal and State Constitutional Amendments.

On Wednesday January 26th, 1910.

Mr. Brooks of the committee on Federal and State Constitutional Amendments to which the same had been referred reported the following resolution vis:

H. Res. 4. Resolution ratifying the sixteenth amendment to the Constitution of the United States.

Whereas, the Congress of the United States on July 1909, adopted a joint resolution proposing an amendment to the Constitution of the United States as follows:

Resolved by the Senate and House of Representatives of the U. S. A., in Congress assembled, two thirds of each House concurring therein, that the following article is proposed as an amendment to the Constitution of the United States which, when ratified by the legislatures of three-fourths of the several States shall be valid to all intents and purposes as a part of the Constitution:

Article XVI. The Congress shall have power to lay and collect taxes on incomes from whatever source derived without apportionment among the several States and without regard to any census or enumeration. And the foregoing proposed amendment hav-

James E. Stone *1/26/10* *1910* *(L. H. of KY)* *for*

consideration and action:

Now, therefore, be it resolved by the General Assembly of the Commonwealth of Kentucky: That the foregoing amendment to the Constitution of the United States be, and the same is hereby ratified to all intents and purposes as a part of the Constitution of the United States.

2. That the Governor of this State is hereby requested to forward to the President of the United States an authentic copy of the foregoing joint resolution.

Said resolution was adopted.

The vote thereon being yeas 69, nays 7, upon a call of the yeas and nays.

Said resolution was engrossed and as engrossed was certified, reported and delivered to the Senate of Kentucky.

(As will hereinafter appear it was later discovered that in engrossing said resolution the words "on incomes" had been omitted.)

On the said 26th day January, 1910, said resolution as engrossed was reported to the Senate.

On January the 31st, 1910, a message was received from the Senate announcing that they had concurred in a resolution which was adopted by the House of the following title, viz:

H. Res. 4. Resolution ratifying the sixteenth amendment to the Constitution of the United States.

On February 2nd, 1910,

Mr. Fulton of the committee on Enrollments reported that they had examined and found correctly enrolled a resolution of the following title, viz:

H. Res. 4. Resolution ratifying the sixteenth amendment to the Constitution of the United States.

Thereupon all other business was suspended, the said resolution was read at length and compared in open House and thereupon the Speaker in open session and in presence of the House affixed his signature thereto.

Ordered that the Enrolling Clerk deliver the same to the Senate.

After a time the Enrolling Clerk delivered the original and enrolled resolution duly signed by the President of the Senate into the possession of the Chief Clerk of this House.

Ordered that the Chief Clerk of this House deliver said enrolled resolution to the Governor.

After a time the Clerk reported that he had discharged that duty.

It being suggested and appearing that in engrossing said resolution the words "on incomes" had been omitted, the said resolution was correctly engrossed and was on the 8th day of February, 1910, certified, reported and delivered to the Senate in form, words and figures as adopted by the House of Representatives on the 26th day of January 1910, as set out on pages one and two of this certificate and as appears from the Journal and records on file in the office of the Clerk of the House of Representatives.

On February the 9th, 1910,

A message was received from the Senate announcing that they had concurred in a resolution adopted by the House entitled,

H. Res. 4. Resolution ratifying the sixteenth amendment to the Constitution of the United States.

On February the 10th, 1910,

Mr. Fulton of the committee on Enrollments reported that they had examined and found correctly enrolled a joint resolution of the following title, viz:

H. Res. 4. Resolution ratifying the sixteenth amendment to the Constitution of the United States.

Whereupon all other business was suspended, said resolution was read at length and compared in open House and was found to be correctly enrolled, thereupon the Speaker of the House of Representatives in open session in the presence of the House affixed his signature thereto.

Ordered that the Enrolling Clerk deliver same to the Senate.

On February the 11th, 1910,

The following communication was received, viz:

State Of Kentucky,

Executive Department,

Frankfort, February 11th, 1910.

House of Representatives of the Commonwealth of Kentucky.

I am directed by the Governor of the Commonwealth of Kentucky to inform your Honorable Body that he returns without approval H. Res. 4., having made the following remarks thereon "This resolution was adopted without jurisdiction of the joint resolution of the Congress of the United States which had not ^(been) transmitted to and was not before the General Assembly, and in this resolution the words "on incomes" were left out of the resolution of the Congress and if transmitted in this form would be void and would subject the Commonwealth to unpleasant comment and for these reasons and because a later resolution correcting the omission is reported

to have passed both Houses, this resolution is returned to the House of Representatives without my approval. February 11th, 1910*.

Augustus E. Willson,

Governor of Kentucky*.

Respectfully,

McKenzie Todd,

Secretary to the Governor.

Mr

Mr. Klair moved that the consideration of said communication be postponed until 11 o'clock, Tuesday next, the 15th instant. Said motion was agreed to.

On the said 11th day of February, 1910,

The Chief Clerk of this House reported that the original and enrolled copy of a resolution entitled,

H. Res. 4. Resolution ratifying the sixteenth amendment to the Constitution of the United States.

Had been returned from the Senate and delivered to him the enrolled copy having been signed by the President of the Senate.

That he had on this day delivered the enrolled copy of said resolution which had been signed by the Speaker of the House of Representatives and the President of the Senate, to the Governor.

The same being the corrected copy of said resolution, as adopted by the House of Representatives and concurred in by the Senate.

(As per certificate thereon signed by George H. Peters, Chief Clerk of the Senate) and by James E. Stone, Chief Clerk of the House of Representatives)

And found the same correctly enrolled.

Said resolution was then compared in open Session of the Senate and found to be correctly enrolled.

The President thereupon affixed his signature thereto and it was returned to the Committee to be delivered to the House of Representatives.

On Tuesday, February 8th, 1910, a message was received from the House of Representatives announcing that they had adopted a resolution which originated in that body, entitled:

H.Res.4

Resolution ratifying the Sixteenth Amendment to the Constitution of the United States.

On motion of Mr. Eaton, the rules were suspended and the Senate took up said resolution for consideration.

Said resolution reads as follows, viz:

(For resolution see Senate Journal Tuesday, February 8th)

The question was then taken upon concurring in the adoption of said resolution and it was decided in the affirmative.

The yeas and nays being required thereon, were as follows:
Yeas 27, nays 2.

(An error in the engrossing of said resolution, two words, "On income" having been omitted, as explained by the Clerk of the House of Representatives, made it necessary to readopt said resolution.)