

APPALACHIAN RESEARCH AND DEFENSE FUND OF KENTUCKY, INC.

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JOHN M. ROSENBERG,
DIRECTOR

November 28, 1978

SECRETARY OF STATE
RECEIVED
NOV 30 1978

Ms. Libby Horn
Division of Corporations
Secretary of State
Frankfort, Kentucky 40601

Commonwealth of Kentucky

Re: Blackey, Kentucky

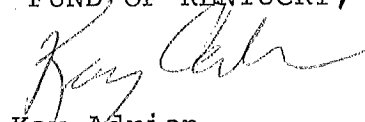
Dear Ms. Horn:

Enclosed are the papers showing that Blackey, Kentucky was incorporated in 1915. We'd appreciate it if you could file these papers with the State.

If there is any problem in this matter please contact me.

Very truly yours,

APPALACHIAN RESEARCH & DEFENSE
FUND OF KENTUCKY, INC.



Kay Adrian
Attorney At Law

pch

Enclosures

ORDERS } LETCHER CIRCUIT COURT

January Term, 6th 16th Day, January 1915

In the Matter of the application
of the town of Blackey.

vs Order.

Letcher Circuit Court.

F. G. Fields, Attorney for the petitioners herein, having on the second day of the present term of this court entered his motion pursuant to notice duly advertised and posted as required by law for a judgment of said Letcher Circuit Court in incorporating said town of Blackey and appointing the proper officers for same and doing other things set out in said notice, which is in words and figures as follows;

To whom it may Concern.

Public Notice is hereby given, that the undersigned, being at least two-thirds of the persons entitled to vote, and living with in the boundary of the town proposed and thereby sought to be established, on the 24th day of December, 1914, filed their certain petition in the Circuit Court Clerk's office of Letcher County, praying among other things, that the said Letcher Circuit Court enter judgment establishing and incorporated town at or near the mouth of Rock House Creek in Letcher County Kentucky, according to the boundaries thereof, therein appearing and by certain metes and bounds to ascertained and set forth in the Judgment; that the town to be established may be given the name of Blackey; and that the Court appointed notless than five Trustees, a Police Judge, Marshall and Assessor for said town, to hold office until the next election at which officers for cities and towns may be elected, and for such for such other and further proceedings as are provided and prescribed in and by Art. VIII, Chapter 89, Kentucky Statutes, governing the creation and organization of town; and that on the second day of the January term, 1915, of the Letcher Circuit Court, at the court house thereof in the town of Whitesburg, a motion will be entered that the said court enter judgment establishing a town in accordance with the prayer of said petition. This December 24th 1914.

G. B. Ison.
G. M. Hogg,
Jeff Ison,
James Stamper,
F. F. Sumner
his

Joseph X. Craft.

mark

L. Whitaker, D. D. S.
J. C. Dixon Jr.
Orville Anderson.
W. G. Wampler,
Dav Salyers.
John Breeding.
P. K. Piersall.
Grant Ison.
George Adams.
Marion Caudill.
J. M. Howard,
Fess Whitaker
Ike Breeding H. L. Anderson
Stevey Adams.
H. B. Henderson.

And the court not being sufficiently advised took further time to consider said motion and the Clerk of said court having failed to get the motion and proper orders on the order book, it is ordered that the above and foregoing be entered now for then.

Ordered that Court adjourn until to-morrow morning at 8 o'clock.

James M. Robertson JUDGE.

The defendants, Juda Hogg, Sol Hogg, Martha Breeding, John D. Breeding, Bertha Banks, Lee Banks, Gideon Ison, Anna Ison, Bernitt Ison, Rober Ison and Ida Ison except to the foregoing Judgment and pray and appeal to the Court of Appeals which is granted.

Interstate Hardware & Supply Co., vs Judgment.

W. E. Cook, vs

This cause having been submitted to the court on the executions of B. F. Salyer and others, defendant on the crosspetition herein, and on the whole case, the court, being advised overrules the said exceptions and said commissioner's report is hereby in all things confirmed. It is therefore adjudged by the Court that the plaintiff Interstate Hardware & Supply Company recover of the defendant, W. E. Cook, the sum of \$7528 with interest thereon from the 27th day of September, 1912, and its costs herein expended; and, also, it is adjudged that to secure the payment of said indebtedness, interest and costs, the plaintiff has a materialman's lien on the following described property to wit: A certain lot of land in Whitesburg, Kentucky, near the Masonic Hall but on the opposite side of the public road and being bounded by the public road, the lands of J. W. Hale and others, and which at the time of the institution of this action was owned and occupied by the defendant, W. E. Cook. And the Master Commissioner of this court is hereby ordered and directed to expose to public sale the said lot of land and its improvements in the manner and on the terms required by law, on the first day of some regular term of the County or Circuit Court, on a credit of six months and after due advertisement. He will take a bond for the purchase price payable to himself, and drawing interest at the rate of 6% per annum from date. He will report his acts hereunder on the first day of the next regular term of the Letcher Circuit Court.

On the cross petition of the defendant, W. E. Cook, against the defendant B. F. Salyer, D. W. Salyer, L. H. N. Salyer and S. E. Baker, it is ordered and adjudged that the said W. E. Cook recover of the said defendants, B. F. Salyer, D. W. Salyer, L. H. N. Salyer and S. E. Baker, the same sum of interest and costs as is hereinbefore adjudged against the defendant, W. E. Cook, in favor of the plaintiff, Interstate Hardware & Supply Company, for which the Master Commissioner of this court is hereby ordered and directed to make execution and report.

Bertha Cole by etc., Plaintiff. vs Order. J. J. Lewis & Co., Defendants.

The purchasers, as shown by the sale bond filed with the commissioners report of sale, filed at a former day of the present term of this court, which report shows that the land brought more than two thirds of its appraised value moved the court to permit them to pay off and discharge the sale bond executed by them, and the court being advised thereon from the papers on file in said cause sustained said motion, and the purchasers Sam Collins and A. J. Sturgill are now permitted and directed to pay over to the Master Commissioner of this court the amount of said sale bond as shown by the report of sale herein above referred to. And upon the payment of same to the Commissioner and his report thereof being filed showing same said purchasers are entitled to and said commissioner is directed to make execute and report to this court Deed to the purchasers for said property described in said report of sale.

Letcher Circuit Court.

G. M. Hogg and others. vs Judgment. The Court of Appeals.

G. M. Hogg, James Stamper, J. D. Ison, Jeff Ison, F. F. Sumner, Joseph Grant, M. Whittaker, W. G. Dixon, Orville Anderson, John Breeding, R. B. Stewart, W. G. Blumberg, William Piersoll, Steve Adams, Dan Salyers, W. G. Wampler, Grant Ison, George Adams, Melorn Caudill, W. M. Howard, Fess Whitaker, Ike Breeding, H. W. Anderson and H. C. Henderson, having filed their petition in the office of the Master Commissioner of this court, praying and asking that the territory or tract of land therein described and herein after set out be incorporated in to a town of the county of Letcher, and given the name of Blackey, and it appearing to the satisfaction of the court that there are more than 125 bona fide citizens and residents within said boundary and territory described therein and herein and that same does not exceed the length of a mile in each direction necessary to form a square, they have petitioned for the same, signed by more than two thirds of the legal voters residing within said boundary and territory, and it further appearing to the satisfaction of the court that the application and filing of said petition, signed by the said named persons, was duly posted at the court house door in Whitesburg, Kentucky as required by law and that same was published in the East Kentucky News a weekly news paper published in Whitesburg, Letcher County, Kentucky, in two issues next before and just prior to the first day of the present term of said court, and that the petition aforesaid set out the bounds of the proposed town by metes and bounds, courses and distances, and that aforesaid notice set out the purpose for which the said petition was filed and there being no remonstrances, objections or

The Standard Printing Company, Incorporated, Louisville, Ky.

It is therefore ordered and adjudged by the Court that the petitioners are entitled to the relief sought and that the following described territory and tract of land be, and the same is hereby incorporated as a town of the sixth class and is named Blackey;

Situated on the North Fork of the Kentucky River near the mouth of Rock House Fork, in Letcher County, Kentucky and beginning on a stake near John Breedings's residence which bears to a cross, cut on a stone Culvert under Rail Road N 55, E, 58.8 feet; Running thence across the Kentucky River N 37 W 1320 feet to a stake; thence N 53 E. 2640 feet to a stake; S 37 E. 2640 feet to a stake; S 53 W. 2640 feet to a stake; N 37 W 1320 feet to the Beginning.

It is further adjudged by the court that Dr. G. D. Ison James Stamper P. H. Piersoll, G. M. Hogg and J. M. Howard be and they are hereby appointed as trustees of said town and that Little Whitaker be and he is hereby appointed Police Judge of said town, that Stephen Adams be and he is hereby appointed town Marshall of said town and that R. S. Stewart be and he is hereby appointed assessor of said town. All of said officers will hold their said respective offices until the next regular selection at which officers may be elected and until their successors are elected and qualified.

It is further ordered and adjudged by the Court that the appointment of Little Whitaker as Police Judge of said town be certified to the Governor of Kentucky by the Clerk of this court for commissions to be issued to him.

It is further ordered and adjudged that this judgment take effect presently and immediately and that the aforesaid appointed officers enter on their respective duties as soon as they are qualified in conformity with the laws of this State and this cause is now stricken from the docket.

Lilly Cornett, witness claim.

W. S. Browning,

Came the following witness for defendant, and claimed their attendance as such and were allowed as follows:

Joe Davison	1	day	\$1.00	Ballard Clark	1	day	\$1.00
Bryant Hancock	1	"	1.00	Hiram Hurr	1	"	1.00
Harrison Cornett	1	"	1.00	Lilly Cornett	1	"	1.00

Ordered to be paid by defendant and taxed as cost.

The James Leffell & Co., vs Order. W. B. Webb, & Co.,

This day came S. T. Frazier, one of the Defendants herein and filed his motion and moved the Court to strike certain portions of the answer of W. B. Webb, which purported to be a reply to the answer of S. T. Frazier, and submitted to the Court on said motion.

John M. Pratt, vs Order. Witnesses allowance. Consolidation Coal Co.,

Came the following witnesses for defendant, and claimed their attendance as such and were allowed as follows: Solly Yonts, \$ day \$5.00; Mack Yonts, 5 days \$5.00;

Ordered to be paid by the defendant and taxed as cost.

J. P. Lewis Admr, vs Order. Oma Combs, & Co.,

On motion of S. E. Baker, this cause is submitted to the Court for proper orders,

J. P. Lewis Admr, vs Order. Oma Combs, & Co.,

Came this day L. W. Fields, Trustee, of said Estate as successors of Shade C. Combs, deceased, and filed his bond herein, which is in words and figures as follows:

Letcher Circuit Court.

J. P. Lewis, Admr, Admraintiff, vs Bond. Oma Combs, & Co., Defendant.

We, L. W. Fields, principal and J. P. Lewis and D. D. Fields, sureties obligate and bind ourselves unto the estate of Edward Combs, deceased, in the amount of fifteen thousand dollars, that the said L. W. Fields shall well