

ACTS

OF

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THE GENERAL ASSEMBLY

OF THE

COMMONWEALTH OF KENTUCKY:

PASSED AT

DECEMBER SESSION, 1848.

PUBLISHED BY AUTHORITY.

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1849.

roads, in the county of Kenton, shall not call out hands agreeably to the road laws of said county, between the first day of July, and first of September.

SEC. 2. That the act requiring two acres of ground to be acquired for the purposes of a Court House, and other buildings, pertaining to a Seat of Justice, be and the same is hereby repealed, as to Kenton county.

SEC. 3. That the President and Common Council of the city of Covington are hereby authorized to levy and collect a special tax of fifteen cents on the one hundred dollars worth of all property in said city, for the years 1850, 1851, and 1852; and the money arising from such special tax shall be devoted exclusively to the making a wharf or wharves for said city.

Approved February 27, 1849.

CHAPTER 609.

AN ACT to extend the powers of the Marshal of the City of Louisville, and in relation to the Police Judge of Paducah.

SEC. 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky,* That the Marshal of the City Court of Louisville shall have power and authority to execute, in any county of this Commonwealth, the process of the City Court of Louisville, in cases of felony; and the Clerk of the City Court shall, hereafter, direct all process of said Court, in such cases, to the Marshal of said city, who shall have power and authority to constitute a bailiff of the inhabitants of the city of Louisville, to execute the same in any county in this State.

SEC. 3. *Be it further enacted,* That the Police Judge of the town of Paducah shall have the right to charge for, and collect the sum of 12½ cents for each subpoena for a witness that he may be required to issue in civil cases, to be taxed as other costs.

Approved February 27, 1849.

CHAPTER 610.

AN ACT to incorporate the town of Clayvillage, in Shelby county, and Crab Orchard, in Lincoln county.

SEC. 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky,* That the Clerk of the County Court of Shelby county be, and is hereby directed to record the plan of the town of Clayvillage, in said county, when presented to him by the Trustees of said town, hereinafter appointed.

SEC. 2. *Be it further enacted,* When the said plan shall have been recorded, that the boundary laid down in said

Act in regard to ground for court house, &c. repealed as to Kenton.

President and Council of Covington may levy special tax to make wharf.

Marshal Louisville may execute process in cases of felony in any part of State, & appoint bailiff to execute

Police Judge of Paducah may charge fee for issuing subpoena.

Plan to be recorded.

Name & style.

plan shall be known by the name and style of the town of Clayvillage.

SEC. 3. *Be it further enacted,* That Wm. Mount, Henry Sanders, T. C. Guthrie, Tyler Beard, and James Constantine, be and they are appointed Trustees for said town, and shall continue in office until the first Saturday in August, eighteen hundred and forty nine; and, at the expiration of their term, it shall be lawful for the citizens of said town to elect five Trustees for said town—the above named Trustees giving ten days' notice of the time and place of such election of their successors, who shall remain in office one year after their election.

SEC. 4. That there shall be an election held for Trustees, on the first Saturday in August, in every year; and when any vacancy shall happen, by death, removal, or resignation, the Board of Trustees shall have power to fill such vacancy until the next annual election of Trustees in and for said town.

SEC. 5. That each free white male person, of the age of twenty one years, being an actual resident of said town, or holding title to real estate therein, shall be entitled to vote for Trustees.

SEC. 6. That the Trustees of said town shall have power to make rules, and enact such by-laws, for the regulation and government of said town, as they shall deem necessary: *Provided,* Such by-laws are not contrary to the constitution and laws of this State: and that the said Trustees shall have power to inflict a fine, not exceeding five dollars, for every breach of their by-laws, to be sued for, and recovered in, their name, before any Justice of the Peace for Shelby county, and to be applied to the use of said town.

SEC. 7. That the Board of Trustees shall have power to levy a tax upon all shows and exhibitions in said town, not exceeding ten dollars for every twenty four hours such show or exhibition may remain and be kept open in said town.

SEC. 8. That said Board of Trustees may appoint a Clerk and Treasurer; and it shall be the duty of the Clerk to keep a fair record of the proceedings of said Board, which shall be open for the inspection of any person desiring to see the same; and the Board may make any allowance to said Clerk, for his services, out of any funds which may come into their hands under the provisions of this act.

SEC. 9. The Treasurer, appointed by said Board, shall receive all moneys collected, under the provisions of this act, and pay the same on the order of the Board; and they shall take bond and security from their Treasurer for the faithful performance of the duties assigned him; and a majority of said Board shall constitute a quorum to do business.

SEC. 10. That this act shall take effect from and after its passage; and all acts or parts of acts coming within the

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Trustees appointed.

Trustees when to be elected.

Annual election of Trustees. Vacancies—how filled.

Who may vote for Trustees.

May make by-laws, and impose fines for violation.

May tax shows.

Clerk to be appointed, and his duty.

Treasurer to be appointed. Treasurer to give bond.

Repeating clause.

1849. purview of this act, be and the same are hereby repealed.

Certain sections of act incorporating the town of Somerset to apply to Crab Orchard.

Sec. 11. That the second, third, fourth, fifth, sixth, seventh, eighth, ninth, tenth, eleventh, twelfth, thirteenth, fourteenth, fifteenth, sixteenth, seventeenth, twentieth, and twenty first sections of the charter of the town of Somerset, be and the same is hereby declared in full force and effect in the town of Crab Orchard, in the county of Lincoln.

18th sec. to apply with amendment.

Sec. 12. That the eighteenth section of the charter of the town of Somerset be in full force in the town of Crab Orchard, with the amendment, that the tax on license to sell groceries shall not be less than twenty dollars, nor more than one hundred dollars; and that the *ad valorem* corporation tax on merchants, goods, wares, and merchandise shall not exceed ten cents on the one hundred dollars.

18th sec. to apply with amendment in relation to fines.

Sec. 13. That the nineteenth section of the charter of the town of Somerset, be and is hereby applied to, and shall be in full force and effect in the town of Crab Orchard, with the amendment, that all the fines and forfeitures therein included shall be given to the Trustees of said town, for the improvement thereof.

Certain persons included, and to pay tax.

Sec. 14. That all persons living in the present limits of the town of Crab Orchard, who have not heretofore considered their residences as town lots, be and the same are hereby included in the limits of said town, and shall pay tax on the same, including one acre of ground around their dwellings.

Approved February 27, 1849.

CHAPTER 611.

AN ACT to incorporate the Trustees of the Harmony Church, in Garrard county.

Corporators names. Corporate powers.

Sec. 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That Alexander McMurtry, George Bowman, John Askins, James B. Tracy, David Scott, Isaac Dunn, and Harrold F. Smith, and their successors, be and they are hereby constituted a body politic and corporate, to be known as the Trustees of the Harmony Church; to have perpetual succession, to sue and be sued, plead and be impleaded, in all courts of justice.

May hold lands and powers of Trustees over same.

Sec. 2. *Be it further enacted*, That said Trustees, and their successors, be authorized to receive title to a tract of land purchased by said church members, from John J. Welch, to be held by them, and successors, for the use and benefit of the said Harmony Church. That said Trustees, and their successors, have power to hold and possess, in trust, as aforesaid, any amount of personal property which they may deem necessary, to establish and keep up a school,

to be kept upon said church property; and the said personal property to sell and dispose of, as they may deem best, for the purpose of promoting the prosperity of the church and school.

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Sec. 3. *Be it further enacted*, That the members of said church shall have power to change their Trustees, in such manner as they may deem most conducive to the interest of the church, at such time as they may deem expedient; but upon such change being made, it shall be entered upon the books of the church records; which shall, at all times, be evidence in all courts of Justice, and elsewhere, of the fact of who are the Trustees of said church. Said Trustees shall have power to contract, and employ teachers, assistants, and others, to be employed in and about the accomplishing the objects contemplated by this charter, and to make such rules, by-laws, and regulations, for their government, as they may deem expedient, not inconsistent with the constitution and laws of this Commonwealth.

Members may change Trustees.

Trustees may contract, and make by-laws.

Approved February 27, 1849.

CHAPTER 612.

AN ACT to incorporate the Nicholasville and Jessamine County Turnpike Road Company.

Sec. 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That a Company shall be, and is hereby incorporated, for the purpose of constructing a Turnpike Road from Nicholasville, to intersect the Lexington and Harrodsburg Turnpike, in the direction to Harrodsburg, at such point as said Company may designate, whose capital stock shall be ten thousand dollars, in shares of fifty dollars each; which capital stock may be increased, by additional subscriptions, in manner and form as the President and Directors of said Company may think proper, if such enlargement shall be found necessary to fulfil the intent of this act.

Object of corporation.

Capital stock.

Sec. 2. That a book of subscription, for the stock of said Company, shall be opened in the town of Nicholasville, on the first Monday in April next, under the superintendence of George I. Brown, George S. Shanklin, Henry Metcalfe, Robert E. Woodson, Moreau Brown, William Simpson, and Thomas Johnson, or some one or more of them, who are hereby appointed Commissioners; and the subscribers to the stock of said Company shall enter into the following obligation in said book, viz: We, whose names are hereunto subscribed, do hereby bind ourselves to pay to the President and Directors of the Nicholasville and Jessamine County Turnpike Road Company, the sum of fifty dollars for each and every share of stock in said Company, set opposite to our names, in such manner and proportion, and

Com'rs to receive stock.

Obligation to be signed by subscribers.