

1865. after the election, the board of trustees shall have power to appoint a marshal, to continue in office until the next annual election, and until his successor shall qualify; and the marshal so appointed shall be governed by the same laws, and have the same power, as conferred by the original act of incorporation and amendment thereto.

§ 8. Whenever a vacancy shall happen in the office of police judge, or the one last elected and commissioned shall fail to qualify in twenty days after date of his commission, the president of the board of trustees shall be, and is hereby, authorized to order an election for police judge, giving ten days' notice, which election shall be conducted as required by the original act of incorporation, and the person elected to be commissioned by the Governor, and to qualify and possess the power and jurisdiction conferred in the original act.

§ 9. This act shall be in force from its passage.
Approved May 26, 1865.

CHAPTER 1525.

AN ACT to incorporate the town of St. Mary's, in Marion County.

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

Town incorporated, & boundary.

§ 1. That the town of St. Mary's, in the county of Marion, be, and the same is hereby, incorporated, and the town limits shall extend half mile from the St. Mary's depot building in every direction; and all the area embraced within the above limits shall be included in the corporate limits of the town.

Trustees to be elected.

To take oath.

Corporate powers.

§ 2. That on the second Saturday in April, in each year, there shall be elected by the qualified voters, resident in said town, five trustees in said town, who shall, before they enter upon the discharge of their duties, take an oath before some justice of the peace of said county that they will faithfully discharge the duties of their office aforesaid; that said trustees, and their successors, shall be a body-politic and corporate, and shall be known as the "Board of Trustees of the town of Saint Mary's," and by that name shall be capable of contracting and being contracted with, of suing and being sued, of pleading and being impleaded, in all courts of this Commonwealth.

Chairman—his duties.

Regular meetings.

§ 3. That said trustees shall elect one of their number as chairman, who shall preside over the deliberations of said board when convened, and who shall have power to convene the board in session whenever he may deem it necessary; the regular meetings of said board shall be on the second Saturday in each month, but all business transacted at a regular meeting: *Provided*, That there are four

trustees present at the called meeting; at a regular meeting, three shall be capable of transacting business.

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§ 4. That said board of trustees shall have power over the streets, alleys, and sidewalks, and may direct the opening and improvement of the same, in such manner as they deem most beneficial to said town; they shall have power to make all by-laws for the regulation and good government of said town not inconsistent with the constitution and laws of the United States and of this Commonwealth; they shall have power to levy and collect a tax upon the property and tithes in said town, not exceeding fifteen cents on each hundred dollars' worth of property, and not exceeding one dollar and fifty cents on each tithe in said town, to be applied to the improvement of the streets, alleys, sidewalks, or other improvements necessary therein; they shall have power to purchase any lot or piece of ground for the use of said town, necessary to straighten and extend the streets therein; to tax auction sales, shows, and other public exhibitions, such sums as they in their by-laws may fix; they shall have power to suppress tippling-houses and gaming; to fine all those who may violate their by-laws in relation thereto any sum not exceeding thirty dollars for each offense, to be recovered before either of the justices of the peace residing in the St. Mary's district; it shall be the duty of said board of trustees to appoint a treasurer, clerk, and such other officers as they may deem necessary, and to take bonds and security, and for a violation of duty on the part of any such officers, motions may be made or suit brought before any tribunal having jurisdiction thereof; and a majority of said board of trustees may, for proper cause, remove any officer and appoint others in his or their stead; that it shall be the duty of said treasurer and clerk to keep a record of all proceedings which properly belong to their respective offices; and it shall be the duty of said treasurer to render an account to said board of trustees of all moneys received and paid out by him, whenever by them requested to do so.

Power—streets and alleys.

May make by-laws.

May collect tax to improve town. Tax auctions, shows, &c.

Suppress tippling-houses, &c.

Officers to be appointed—take bond, and may remove the same.

Treasurer and clerk to keep records.

How streets & alleys extended.

§ 5. That no street or alley shall be extended over the land of any person, unless such land, sufficient so to extend said street or alley, shall have been purchased as provided in section 4, or unless it shall have been condemned as provided in chapter 84, section 1, Revised Statutes, in reference to public roads; and the proceedings to extend said street or alley shall be in strict conformity to said chapter.

§ 6. That no money shall be drawn from the treasury except by order of the chairman of said board of trustees, made in pursuance of an allowance made by said board.

How money drawn.

§ 7. That upon all judgments rendered by said justice of the peace in said St. Mary's district, founded on a viola-

Right of appeal on judgment before justice of peace.

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tion of the town ordinances or by-laws, either party shall have the right to appeal in the same manner as parties have from judgments of justices of the peace now by law.

Constable of district to serve process, &c.

§ 8. The constable resident in the St. Mary's district shall serve all process and precepts to him by either of the justices of the peace resident in said town district, and collect all executions and other demands, which may be put in his hands, issued in accordance with the ordinances and by-laws of said town, and account for and pay over all moneys collected on behalf of said town to their treasurer; and on failure to discharge any of the duties herein required of him, shall be subject to the same proceedings which may be had against constables in similar cases.

Compensation of officers.

§ 9. Said board of trustees shall fix the compensation of all their officers except the fees of justices of the peace and constables in said district, whose fees shall be the same now regulated by law for similar services under the statutes of the State.

Fines, &c., to be paid to treasurer.

§ 10. All fines and forfeitures inflicted and collected under the ordinances and by-laws of said town, shall be paid to the treasurer of said board of trustees for the use and benefit of said town; and all moneys collected by a judgment of a justice of the peace for any violation of the penal laws committed within the limits of said town shall in like manner be paid over to the treasurer, and be subject to the order of the chairman of the board of trustees of said town.

Ordinances to be kept in book

§ 11. That all ordinances and by-laws passed by said board of trustees shall be transcribed in a fair legible hand, in a book to be kept for that purpose by the clerk of said board, which shall be open to inspection to each and every citizen on demand.

First election.

§ 12. The first election of trustees under this act of incorporation shall be holden on the second Saturday in August next, under the supervision of Edward Byrne and I. S. Hagan as judges, who are hereby empowered to appoint a clerk and sheriff to assist in said election; the trustees elected at said election shall hold their offices until the second Saturday in April, 1866, or until their successors are elected and qualified.

Officers of election provided for.

§ 13. The first board of trustees elected under this act shall provide, prior to the next election, proper officers for holding the same; and if, from any cause, the annual election contemplated by this act of incorporation for a board of trustees shall fail to be holden, the board then in office shall make the necessary provisions for holding said election as soon thereafter as may be, and they then shall give at least ten days' notice of the time and place of holding said election by written notices posted in at least three public places in said town.

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Police judge and marshal—powers and duties.

§ 14. On the first Saturday in August, 1865, there shall be a police judge and town marshal elected for the town of St. Mary's, who shall serve till their successors are elected and qualified, whose jurisdiction and power shall be the same of justices of the peace and constables of the State of Kentucky; the officers elected under the provisions of this bill shall hold their offices until their successors are elected, on the second Saturday in April, 1865, and qualified.

§ 15. This act to take effect from and after its passage.
Approved May 26, 1865.

CHAPTER 1526.

AN ACT to change the name and place of voting in the Hays' Spring Precinct, in Jefferson County.

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

§ 1. That the voting place in Hays' Spring precinct be changed from Hays' Spring to Fairmount post-office: and that from and after the passage of this act the name of the precinct be changed from Hays' Spring to Fairmount.

§ 2. This act to take effect from its passage.
Approved May 26, 1865.

CHAPTER 1527.

AN ACT to remove the Rock Creek Voting Precinct to Millerstown, in Grayson County.

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

§ 1. That the voting precinct in Grayson county, known as the Rock creek precinct, is removed to the town of Millerstown.

§ 2. This act to take effect from its passage.
Approved May 26, 1865.

CHAPTER 1528.

AN ACT authorizing the Central Bank of Kentucky to wind up its affairs.

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

§ 1. That the president, directors, and company of the Central Bank of Kentucky are hereby authorized and empowered to wind up and settle the affairs of said bank, if a majority of the stockholders represented by stock shall

ACTS

OF THE

GENERAL ASSEMBLY

OF THE

COMMONWEALTH OF KENTUCKY,

PASSED AT THE

ADJOURNED SESSION (JANUARY, 1865) WHICH WAS BEGUN AND HELD
IN THE CITY OF FRANKFORT, ON MONDAY, THE
SEVENTH DAY OF DECEMBER, 1863.

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