

Revised by Cole

ACTS

OF THE

GENERAL ASSEMBLY

OF THE

COMMONWEALTH OF KENTUCKY,

PASSED AT THE

REGULAR SESSION OF THE GENERAL ASSEMBLY, WHICH WAS
BEGUN AND HELD IN THE CITY OF FRANKFORT, ON
FRIDAY, THE THIRTIETH DAY OF DECEMBER,
EIGHTEEN HUNDRED AND EIGHTY-SEVEN.

VOLUME 1.

PROPERTY OF THE STATE OF KENTUCKY.

FRANKFORT, KY.
THE CAPITAL OFFICE, JOHN D. WOODS, PUBLIC PRINTER AND BINDER.
1888.

§ 2. Process issued by the judge of the said quarterly court shall be returnable before him in all cases instituted in the said court where the amount in controversy, exclusive of interest and costs, amounts to fifty dollars or more.

§ 3. All acts and parts of acts in conflict with the provisions of this act are repealed; and this act shall take effect from and after its passage.

Approved March 28, 1888.

CHAPTER 777.

AN ACT to regulate and to fix the time of holding the court of claims in Rowan county.

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

§ 1. That hereafter the court of claims in Rowan county shall be held on the first Monday in January and July of each year; but said court may, at any term, by an order entered on its records, adjourn from day to day, for the transaction or completion of any business it may deem necessary.

Time fixed for
court of claims of
Rowan county.

§ 2. All laws and parts of laws in conflict with this act are hereby repealed.

§ 3. This act shall take effect and be in force from its passage.

Approved March 29, 1888.

CHAPTER 778.

AN ACT to regulate and fix the term and time of holding the circuit courts in the eighth judicial district.

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

§ 1. That the time of holding and the term of the various circuit courts in and for the eighth judicial

tion, who shall call a meeting of stockholders and cause an election to be held within ten days after this act shall take effect.

§ 2. This act shall take effect and be in force from and after the tenth day of May, 1888.

Approved May 4, 1888.

CHAPTER 1505.

AN ACT to add Rowan county, now in the fourteenth judicial district, to the thirteenth judicial district, and fix the time and manner of holding the circuit courts therein.

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

Rowan county, how changed.
Court, when held

§ 1. That the county of Rowan, now in the fourteenth judicial district, be, and the same is hereby, added to the thirteenth judicial district, and the terms of the circuit courts shall be held therein by the judge of the thirteenth judicial district, beginning on the first Mondays in February and August, and continuing six juridical days at each term, if the business of the court require it.

Process.

§ 2. That all writs, summonses and process, and all bonds, recognizances and subpoenas, shall be binding, and have the same force and effect as they would have had if this act had not been passed.

§ 3. This act shall take effect and be in force from and after its passage.

Approved May 3, 1888.

No. 3.

RESOLUTION for the benefit of Jacob Corbett, of Ballard county.

Resolved by the General Assembly of the Commonwealth of Kentucky :

That Jacob Corbett, Sergeant-at-Arms of the last House of Representatives, be allowed the sum of twenty dollars, and mileage at the rate of ten cents per mile from his home in Ballard county, for his services rendered as Sergeant-at-Arms before the organization of the present House of Representatives ; and that the Auditor of Public Accounts be directed to draw his warrants on the Treasurer in favor of the said Corbett for said sum.

Approved January 12, 1888.

 No. 4.

RESOLUTION to provide for an investigation of certain charges against the circuit judge of the fourteenth judicial district.

WHEREAS, There are charges of official misconduct as circuit judge of Rowan county, against the circuit judge of the fourteenth judicial district, being circulated and which have received notice in the Governor's message to us ; and whereas, it is due both to the Commonwealth and to the party charged that such charges should be investigated ; therefore, be it

Resolved by the General Assembly of the Commonwealth of Kentucky :

1. That a committee of eight be appointed, three from the Senate, and five from the House, to investigate said charges. Said committee shall be appointed by the Speakers of the respective Houses, and shall have power to hold their sessions in Frankfort, or in Morehead, or in any other place within this Commonwealth they may determine to be best for the full sifting of the facts. They are given full power to send for persons and papers, all of which

papers they shall return to this General Assembly when they make their report; and they shall also return with their report all of the evidence taken by them, whether documentary or otherwise. And it shall be the further duty of said committee to investigate, as far as practicable, the feuds, riots and lawlessness in Rowan county, and the causes thereof, and said committee shall have power, in its discretion, to investigate said matters separate from, or in connection with, the charges against the judge of the Rowan circuit court, but in reporting to this General Assembly, it shall be the duty of said committee to report separately on said charges against the judge of said court, and the other matters directed to be investigated under this resolution; and said committee shall report fully and in writing what action should be taken by this General Assembly in reference to the matters hereby directed to be investigated.

2. This resolution shall take effect from its passage.

Approved January 14, 1888.

No. 5.

RESOLUTION directing the Public Printer and Binder to print two hundred copies of the journals of each house, and to lay them on the desks of the members daily.

Resolved by the General Assembly of the Commonwealth of Kentucky :

That the Public Printer and Binder be, and he is hereby, directed to print two hundred copies of each day's journals of the Senate and House, daily, as the session progresses, and lay the same upon the desks of the members of the General Assembly not later than thirty minutes preceding the time of meeting of the respective houses of the General Assembly the next succeeding day.

Approved January 14, 1888.

No. 26.

RESOLUTION requesting members of Congress to urge the passage of a bill to refund to the States money collected from them by the United States as direct taxes.

Resolved by the General Assembly of the Commonwealth of Kentucky :

1. That the Senators and Representatives from Kentucky in the Congress of the United States be, and they are hereby, most respectfully requested and instructed to vote for and use all legitimate means in their power to procure the passage of the bill now pending before Congress, proposing to refund to the several States the moneys assessed against them by the general government, and paid into the United States Treasury as direct taxes, in the year 1861.

2. *Resolved*, That the above resolution be printed, and the Secretary of State be directed to transmit a copy to each Senator and Representative from Kentucky in Congress.

Approved February 10, 1888.

No. 27.

RESOLUTION to authorize the employment of a stenographer to attend the Rowan county investigating committee.

WHEREAS, The present General Assembly has, by resolution, ordered an investigation of the official conduct of the judge of the Rowan circuit court, and the feuds, lawlessness, etc., in said county ; therefore, be it

Resolved by the General Assembly of the Commonwealth of Kentucky :

1. That the joint committee heretofore appointed be authorized and empowered to employ a stenographer to attend the committee in its investigations, and report and transcribe all evidence which may be taken by said committee, and report the same at his earliest

convenience to this General Assembly, and he is allowed the same fees for said services as he is now paid by law for similiar services rendered in the courts of this Commonwealth.

2. That the chairman, or any member of the aforesaid committee, is hereby authorized and empowered to administer oaths to any and all such witnesses as may be called to testify before them.

3. This resolution shall take effect from and after its passage.

Approved February 13, 1888.

No. 28.

RESOLUTION directing joint committee to investigate the Western Lunatic Asylum to investigate charges of cruelty to Robert Hendricks by employes of said Asylum.

WHEREAS, W. P. Hendricks, of Franklin, Simpson county, Kentucky, complains that his son, Robert Hendricks, has been foully dealt with, and lost his life at the hands of the employes of the Western Lunatic Asylum; now, therefore, in justice to the Superintendent, the parties aggrieved and the State, be it

Resolved by the General Assembly of the Commonwealth of Kentucky:

1. That the joint committee heretofore appointed to investigate the Western Lunatic Asylum be, and are hereby, directed forthwith to investigate the charge of cruelty to said Hendricks, as well as any other charge which may be presented to the committee.

2. Said committee having the right to fix its own time and place of meeting, with full power to send for and compel the attendance and testimony of witnesses, and the production before it, and for its use, of any and all papers, records, books and documents by it desired.

3. The committee to report the result of its investigation to the Assembly at as early a day as practical.

Approved February 14, 1888.

this, their hour of peril and distress, for their loss of the Christian gentleman and ruler.

2. That the Governor furnish a copy of this resolution to the Secretary of State of the United States, with the request that it may be communicated in an appropriate manner.

Approved March 15, 1888.

No. 43.

RESOLUTION providing for payment of expenses incurred by Rowan county committee.

Resolved by the General Assembly of the Commonwealth of Kentucky :

1. That the Auditor of Public Accounts be, and he is hereby, directed to draw his warrant upon the Treasurer in favor of G. W. Castle, the Sergeant-at-Arms of the Senate, for the sum of twelve hundred and fifty-three dollars and seventy cents, the amount of expenses incurred by the joint committee of the Senate and House of Representatives in investigating the condition of affairs in Rowan county and the official conduct of Hon. A. E. Cole, judge of the fourteenth judicial district. The said Treasurer is directed to pay the same out of any money not otherwise appropriated, and the said Sergeant-at-Arms is directed to disburse the same to the various claimants.

2. That this resolution take effect from and after its passage.

Approved March 20, 1888.

No. 44.

RESOLUTION providing for payment of expenses of investigating committee at Eastern Lunatic Asylum.

Resolved by the General Assembly of the Commonwealth of Kentucky :

1. That the following claims be allowed to the committee for expense incurred by them in investigating

President and his wife to visit the State of Kentucky and its commercial metropolis, at such time as may be convenient to them, about the month of September, 1888.

2. This resolution shall take effect from its passage.

Approved May 3, 1888.

No. 82.

RESOLUTION for the benefit of Rowan county committee.

Resolved by the General Assembly of the Commonwealth of Kentucky :

1. That the members of the joint committee to investigate the Rowan county troubles and the Sergeant-at-Arms of the Senate be, and they are, allowed an extra compensation of forty dollars each for services rendered on that committee, and the Auditor is hereby authorized to draw his warrant upon the Treasurer in favor of each of said members for said sum, out of any money in the Treasury not otherwise appropriated.

2. This resolution to take effect from its adoption.

Approved May 4, 1888.

No. 83.

RESOLUTION extending the session of the General Assembly.

Resolved by the General Assembly of the Commonwealth of Kentucky :

1. That this session of the General Assembly be extended to 1 P. M. to day, and that the only business be the receiving of reports and signing of bills by the Speakers of the two Houses.

2. This resolution shall take effect from its adoption.

Approved May 4, 1888.

CHAPTER 83.

AN ACT for the benefit of D. B. Logan, of Rowan county.

Preamble. WHEREAS, On the nineteenth day of February, 1887, the Governor of Kentucky made his requisition on the Governor of Pennsylvania for the surrender of the person of one Coffee Premo, a fugitive from justice, charged by indictment in the Rowan circuit court with felony; and also, simultaneously with the making of said requisition, appointed and commissioned D. B. Logan, agent of the State of Kentucky, to proceed to the State of Pennsylvania, and to demand and receive and bring said fugitive back to this State and deliver him to the jailer of Rowan county; and whereas, in obedience to said commission the said D. B. Logan forthwith proceeded to said State of Pennsylvania and to the city of Mansfield, where said fugitive was apprehended and had died on the same morning of said Logan's arrival there; and whereas, by reason of the death of said fugitive said D. B. Logan was prevented from executing said commission; and whereas, his actual necessary expenditures were fifty-three dollars; therefore,

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

§ 1. That the Auditor of Public Accounts be, and he is hereby, directed to draw his warrant on the Treasurer in favor of D. B. Logan for the sum of fifty-three dollars.

§ 2. That this act shall take effect from its passage.

Approved February 6, 1888.

tion with the Mayslick and Flat Fork Turnpike Road be, and the same is hereby, repealed.

§ 2. All laws in conflict with the provisions of this law are hereby repealed.

§ 3. This act shall take effect and be in force from and after its passage.

Approved February 23, 1888.

CHAPTER 257.

AN ACT to declare Long Branch of Blain creek, Lawrence county, a navigable stream.

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

§ 1. That the Long Branch of Blain creek, in Lawrence county, Kentucky, being the first branch emptying into said Blain creek on the west side of said creek above the mouth of Cherokee creek, be, and the same is hereby, declared a navigable stream.

§ 2. This act shall be in force from its passage.

Approved February 23, 1888.

CHAPTER 258.

AN ACT authorizing the county court of Rowan county to levy an ad valorem tax for county purposes.

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

Annually levy
ad valorem tax.

§ 1. That the county court of Rowan county, a majority of the justices of the peace of said county being present and concurring therein, may annually levy an ad valorem tax, not exceeding twenty cents on each one hundred dollars' worth of taxable property in said county, for the purpose of paying the claims, indebtedness or expenses of said county.

Taxes provided
for collected by
sheriff.

§ 2. The taxes herein provided for shall be collected by the sheriffs or collectors of said county at the same