

1822

ACTS

PASSED AT THE SECOND SESSION OF

THE THIRTIETH,

AND THE FIRST SESSION OF

THE THIRTY-FIRST

GENERAL ASSEMBLY

FOR THE

COMMONWEALTH OF KENTUCKY.

BEGUN AND HELD IN THE TOWN OF FRANKFORT, ON MONDAY THE THIRTEENTH DAY OF MAY; AND THE TWENTY-FIRST OF OCTOBER, 1822.

JOHN ADAIR, GOVERNOR.

PUBLISHED BY AUTHORITY.

FRANKFORT, KY:

PRINTED BY J. H. HOLEMAN,

PRINTER FOR THE STATE.

1823.

CHAP. CCCCX.

An ACT for the benefit of James Woods.

Approved, November 30, 1822.

Recital.

WHEREAS, it is represented to the General Assembly of the Commonwealth of Kentucky, that James Woods, a citizen of the state of Virginia, held a claim to fifteen hundred acres of land lying within this commonwealth, and being desirous to pay the taxes annually for the same, appointed William Barnett of Madison county his agent for that purpose, the said Barnett regularly entered with the commissioner in said county of Madison, the above mentioned tract of land, with his own property subject to taxation, believing it was all the law required, and for which he has regularly paid the taxes thereon, and to the great injury of said Woods, the said Barnett has recently discovered that it was stricken off to the state for the non payment of tax, in the year 1808, Therefore,

Auditor to transfer a tract of land.

Sec. 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky,* That the auditor of public accounts be, and he is hereby authorised and directed to transfer the aforesaid tract of fifteen hundred acres of land, upon his books, to the said James Woods in the same manner it originally stood, as though the taxes have been regularly paid agreeable to entry in said office.

CHAP. CCCCXI.

An ACT to establish the county of Calloway.

Approved, November 30, 1822.

Boundary as described in act of 1821 established,

Sec. 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky,* That the county of Calloway, bounded as described in the eighth section of an act forming the counties of Hickman, Graves, Calloway and M'Cracken on the south west of the Tennessee river, approved, December the nineteenth, one thousand eight hundred and twenty one, be from and af-

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ter the fifteenth day of January next, one distinct county, called and known by the name aforesaid.

Sec. 2. There shall be commissioned for said county, eleven justices of the peace, a sheriff and coroner, and the said justices of the peace shall meet at the town of Waidesborough, laid off by the commissioners appointed by the before recited act, on the third Monday in January next, and after taking the oaths of office, shall proceed to appoint a clerk, to whose permanent appointment a majority of all the justices in commission in said county, shall be necessary. And the county courts of said county shall thereafter commence on the third Monday in every month, except those months in which the circuit courts are directed to be held. The said county shall form a part of the seventh Judicial district, and the judge of the said district shall, by himself or in conjunction with the assistant judges or either of them appointed by this act, hold circuit courts for said county, to commence on the third Mondays in May, August and November in each year, and continue six juridical days at each term, if the business shall require it.

Sheriff, coroner and justices to be appointed.

Duty of justices

Appoint clerk

When courts to commence & be held.

Added to 7th judicial district

Circuit courts when held

Sec. 3. The permanent seat of justice for said county shall be and is hereby established at the said town of Waidesborough, and the county court shall cause to be erected on the public ground in said town, the necessary public buildings according to law.

Seat of justice established at Waidesborough

Sec. 4. The circuit and county courts and justices of the peace of the county of Hickman, shall have jurisdiction over all matters depending before them at the commencement of this act, and it shall be lawful for all sheriffs, collectors and constables in the said county of Hickman, to collect fines and other monies which may be in their hands for collection, and shall account for the same as if this act had not passed.

Officers authority to make collections &c.

Sec. 5. *Be it further enacted,* That there shall be appointed in the counties of Hickman and Calloway each, two assistant judges who shall have power to hold circuit courts in their

Two assistant judges to be appointed.

Their power.

respective counties, grant and try writs of injunction, certiorari, ne-exeat, habeas corpus, award changes of venue and all such other writs and process which by law the circuit judges of this state can issue and try, and they shall be governed by the law and usages now in force— they shall be allowed for their services, the sum of two dollars per day, for each day they hold court, to be paid out of the public treasury.

Pay.

Criminals to be delivered to jailor of Livingston or Caldwell for safe keeping,

Sec. 6. *Be it further enacted,* That when a person charged with felony, shall be delivered into the custody of the sheriff or jailor of the county of Hickman or Calloway county, it shall be lawful for said sheriff or jailor to deliver said person to the jailor of Livingston or Caldwell county, who shall receive and keep safely said person, the same as if the offence had been committed in the county of the jailor to whom he shall be so delivered, till the sitting of the court in that county in which the offence is alleged to have taken place, at which time an application being made by the sheriff or jailor of the county in which the offence took place, the keeper of the jail in which said person may be confined shall deliver him or her to the sheriff or jailor of that county, in which the offence took place, to be taken to the county where he was committed for trial; and the court of the county in which such person may be indicted, shall at each term make such order as to safe keeping of the prisoner, as to them shall seem right and proper.

Duty of the jailor.

Elections to be held at seat of justice.

Sec. 7. *Be it further enacted,* That the annual general election for said county, shall be holden at the seat of justice and not at the house of William Owens.

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