UNIVERSITY OF KENTUCKY
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INVENTORY OF THE COUNTY ARCHIVES OF KENTUCKY

NO. 61

KNOX COUNTY

(BARBOURVILLE)

THE HISTORICAL RECORDS SURVEY
WORKS PROGRESS ADMINISTRATION

INVENTORY OF THE COUNTY ARCHIVES

OF KENTUCKY

Prepared by

The Historical Records Survey
Division of Women's and Professional Projects
Works Progress Administration

NO. 61. KNOX COUNTY (BARBOURVILLE)

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Louisville, Kentucky
The Historical Records Survey
December 1937

PREFACE

The Historical Records Survey was inaugurated as a nation-wide project in January 1936, as part of the Federal Writers' Project of the Works Progress Administration. Since December 1936, the Survey has been carried on as an independent unit in Kentucky, continuing to operate, however, as a part of the nation-wide project under the technical supervision of Dr. Luther H. Evans, National Director, Historical Records Survey, and under the administrative supervision of the Division of Women's and Professional Projects of the Works Progress Administration.

The objective of the Survey in Kentucky has been the preparation of complete inventories of the records of the State and of each county, city, and other governmental unit. Although necessarily condensed in form, an entry may include, in the information given, certain historical facts of value to historians and genealogists. Particular effort has been made to supply all series of records with the inclusive dates, and to furnish such description of individual record series that the reader may readily know what information is available and where it is located.

The Inventory of County Archives in Kentucky, when completed, will consist of a separate number for each county in the state, with the units of the series numbered according to the respective alphabetical position of the county. Thus the inventory herewith presented for Knox County is No. 61. The inventory of the State archives and of municipal and other local records will be compiled in separate publications.

Nation-wide uniformity of work has resulted from the use, by the field workers, of standard forms, together with specific instructions from the National Office of the Survey. A thorough recheck against the actual records of Knox County has been made, to assure the trustworthiness of the inventory. Work of the Survey in Knox County, Kentucky, was begun July 18, 1936, and completed April 1, 1937.

In the historical sketch, the original boundaries of the county are cited from the statutes, followed by citations of all subsequent changes. Included is a map illustrating the original and present boundary lines of the county. The discussion of governmental organization includes a series of charts exemplifying the three governmental set-ups that have existed in the county. A separate essay concerning each office, including its history, functions, and records, precedes the entries of the present county offices. Recommendations for improvement in the arrangement and care of the county archives have been incorporated in the section on "Housing, Care, and Accessibility of the Records", and have been made after unbiased study.

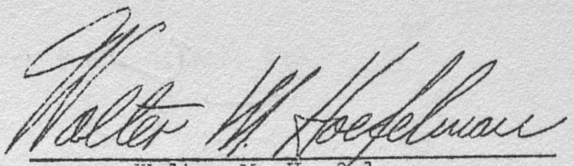
The various units of the Inventory of County Archives will be issued in mimeographed form for free distribution to government offices, libraries, and historical societies in Kentucky, as well as to libraries in other states. Requests for information concerning particular units of the inventory should be addressed to the State Director.

The listing and collecting of data pertaining to the county records was

Preface

done by Miss Hazel Mastin, under the direction of Miss Edna Wilder, Assistant State Supervisor, who, with her staff in the London district office, prepared the preliminary inventory. Miss Mildred Shapinsky, Assistant State Supervisor, aided by Miss Thelma Bryant, Miss Virginia Foley, and Mrs. Elizabeth Johnston, prepared the field copy into final form, being responsible for the editorial work, not only of the record entries, but also of the individual office essays, the historical sketch, and the essay on governmental organization and record system. The original office essays and the governmental organization discussions were prepared by Abraham Freeman, lawyer, from the state office staff. Harry P. Hoskins, historian, prepared the historical sketch, using original manuscripts and record data located in the Filson Club in Louisville, Kentucky, and records contained in the various county depositories. J. H. Raymer, Assistant State Director, classified and arranged the entries according to the respective offices. The stencils for the inventory were cut by William Remington.

I wish to express appreciation to the officials of the Works Progress Administration in Kentucky, the University of Kentucky, Lexington, the Federal Law Library, Louisville, and the Filson Club, Louisville, for their cooperation and assistance in preparing this inventory. The following officials of Knox County were particularly helpful in assisting our workers and in uncovering records which had been misplaced and were difficult to locate: J. W. Alford, county judge, J. Leonard Davis, county attorney, Abe Tedders, county court clerk, H. L. Taylor, circuit court clerk, and S. H. Jones, sheriff.



Walter M. Hoefelman
State Director
The Historical Records Survey

Louisville, Kentucky
November 20, 1937

TABLE OF CONTENTS

A. Knox County and Its Record System

1. Historical Sketch 4
2. Governmental Organization and Record System 8
3. Housing, Care, and Accessibility of the Records 17
4. Abbreviations, Symbols, and Explanatory Notes 18

B. County Offices and Their Records

I. Fiscal Court 20
Petitions. Road and bridge fund. Court orders. Officers' settlements and reports. Claims. Miscellaneous.

II. County Court Clerk 27
Land instruments. Personal property. Revenue: taxes, fees, license and registration, reports to commonwealth. Disbursements. Bonds. Vital statistics. Miscellaneous.

III. County Judge 41

IV. Circuit Court; Circuit Judge, Commonwealth Attorney 42
Court minutes. Affidavits and warrants. Subpoenas and summons. Suits and dockets. Judgments. Orders. Executions. Bonds. Financial records. Claims. against court. Miscellaneous.

V. Circuit Court Clerk 56
Indictments. Financial. Jury fund. Witness attendance.

VI. Master Commissioner 60
Land instruments.

VII. County Court 62
Wills. Land divisions. Inventories and appraisements. Fiduciaries' appointments. Fiduciaries' settlements. Fiduciaries' bonds. Petitions. Affidavits and warrants. Suits and dockets. Judgments. Orders. Executions. Bonds. Liquor sales. Miscellaneous.

VIII. Quarterly Court 74
Affidavits and warrants. Suits and dockets. Orders, judgments, and executions. Miscellaneous.

IX. Juvenile Court 78
Petitions and warrants. Dockets and orders.

Table of Contents

X. County Attorney 79

XI. Justices of the Peace 81

XII. Sheriff 85
Tax collections. Licenses. Claims for livestock. Settlements. Miscellaneous.

XIII. Constables 91

XIV. Jailer 93
Register of prisoners.

XV. Coroner 95

XVI. Tax Commissioner 96
Assessments.

XVII. Board of Tax Supervisors 99
Revision of assessments.

XVIII. County Budget Commission 101

XIX. Treasurer 102
Appropriations and disbursements. Reports.

XX. Auditor 104

XXI. County Election Commissioners 104
Registration of voters. Petitions and declarations. Elections and certifications. Miscellaneous.

XXII. County Board of Education; County School Superintendent 108
Financial. Bonds. Census. Miscellaneous.

XXIII. County Board of Health 115
General index to health records. Vital statistics. Laboratory and clinic records. Diseases. Hygienic records. Sanitation reports. Miscellaneous.

XXIV. County Health Officer 119

XXV. County Road Engineer 119
Commissioner's reports. Bids. Orders. Bridge and road bonds. County roads.

XXVI. Surveyor 122
Maps.

Table of Contents

XXVII. County Agricultural Agent 124
Contracts. Soil conservation.

XXVIII. Miscellaneous Records 125
Public records. Private records.

Index 126

Appendix 149

HISTORICAL SKETCH

Knox County, the forty-first county to be organized in Kentucky, was formed out of a part of Lincoln County by an act of the Kentucky Legislature in 1799. The statute creating the county reads in part, as follows: "All that part of the county of Lincoln, included in the following boundaries, to wit: Beginning where the Pulaski line strikes the Tennessee line, and with said line east to the top of Cumberland Mountain; thence along said mountain to the line of Madison County, and with the same to a point due east of the mouth of the branch of the Kentucky River that the Wilderness Road goes down; thence up the said branch to the said road; thence with the said road to the aforesaid Madison line, and with the same to the head of Rockcastle River, and down the said river to the Pulaski line, and with the Pulaski line to the beginning, shall be one distinct county known by the name of Knox" (Littell, Laws of Kentucky, vol. 2, p. 298, approved December 19, 1799).

Since the original formation of the county, there have been eleven alterations in the Knox County boundaries. The first re-marking in 1804 (ibid., vol. 3, p. 182, approved December 12, 1804) was followed by a second and third change in 1820 (Acts of the General Assembly of 1819-20, approved February 4, 1820, and December 2, 1820), and another in 1823 (ibid., 1823-24, p. 334, approved December 16, 1823). Eleven years later, the boundaries were again altered (ibid., 1834-35, p. 354, approved January 24, 1834); in 1838 another change was made (ibid., 1838-39, p. 103, approved January 27, 1838). Five other alterations of Knox County lines followed (ibid., 1851-52, p. 513, approved January 1, 1852; ibid., 1855-56, p. 35, approved February 16, 1856; ibid., 1864-65, p. 75, approved March 2, 1865; ibid., 1871-72, p. 74, approved March 27, 1872; ibid., 1875-76, p. 374, approved February 25, 1876).

The present boundaries of Knox County are as follows: on the north, Laurel and Clay; on the east and south, Bell; and on the west Whitley and Laurel counties.

Two men by the name of Knox were prominent in public affairs at the time the county was created, and there is no specific information that would establish which one the legislature had in mind. Purely circumstantial evidence slightly favors Colonel James Knox, who was more intimately connected with pioneer Kentucky than General Henry Knox.

General Henry Knox was born in Boston, Massachusetts, July 25, 1750. He received recognition from the President of the United States and Congress for his services during the Revolutionary War, and in 1785 was appointed secretary of war. In 1794 he retired to his estate in Maine (Richard Collins, History of Kentucky, vol. 2, p. 456).

Colonel James Knox was also a soldier during the Revolutionary War, having served in the Revolutionary Army as a major. He belonged to that group of adventurers usually referred to as the "Long Hunters", and settled in Kentucky in 1772 (ibid., vol. 2, p. 418). He had traveled through eastern Kentucky, going up the Laurel River and "starting westwardly, crossed the Rockcastle River" in 1769 (ibid., vol. 2, p. 417). At the time the general as-

sembly created Knox County, Colonel Knox was serving as state senator (ibid., vol. 2, p. 776).

The section of land in southeastern Kentucky, including the counties of Knox, Whitley, and Bell, and parts of others, was secured by the United States in 1805 from the Cherokee Indians for the benefit of Kentucky (W. E. Connelly and E. M. Coulter, History of Kentucky, vol. 1, p. 489).

As early as 1793 there were settlements on Poplar Creek, Flat Lick, and Watt's Creek, the latter in what is now Whitley County. At the house of John Logan, June 23, 1800, it being the place appointed by the Kentucky General Assembly for holding the first court in Knox County, a commission from his Excellency, James Garrard, Governor of Kentucky, directed to James Mahan, George Brittian, John Reddick, John Ballinger, and Jonathan McNeal, gentlemen esquires, appointing them justices of the peace, was read. Pursuant to the said commission, James Mahan administered the oaths of office and of fidelity to Brittian, Reddick, Ballinger, and McNeal. Then John Ballinger administered the oath of office to James Mahan. Alexander Goodwin received a commission from Governor Garrard, bearing date of October 21, 1799, appointing him sheriff of Knox County. The court, thus composed, appointed Richard Ballinger as clerk, John Ballinger, surveyor, George Brittian, tax commissioner, and Thomas Goodwin, coroner (Order Book, entry 204).

The court ordered the county laid off into four districts and constables appointed for each. John Alsop, Isaac Comstock, John Hudson, and John Eaton were appointed as the first constables (ibid.).

When the court decided to fix the seat of justice in Knox County in October 1800, James Barbour offered to give the county two acres of land for a public square and one-half the proceeds from the sale of thirty-five adjacent acres, if the court would locate the county seat on his land. This generous offer of Mr. Barbour's was unanimously accepted and the court ordered that the seat of justice be fixed on the tract so presented. Thus, the town of Barbourville came into being (Deed Book, 1801, entry 28).

John Logan, James Mahan, John Reddick, John Ballinger, James Johnson, Josiah Collins, and Richard Ballinger were appointed commissioners to lay off the new town. A report by the said commission, with a plan of "Barbourville", was presented to the court in 1801 (ibid.).

The first jail in Knox County was built in 1801 by David and Thomas Dewees. It was a two-story building of hewn logs, on a solid foundation twelve feet square. The building cost $200 (ibid.).

The first courthouse of Knox County was built in 1802 by Thomas Dewees, for which he was paid $250. Court was first held in the building on the third day of January 1803, being presided over by Justices George Brittian, John Reddick, and Alexander Stewart (ibid.).

Historical Sketch

Educational facilities in Knox County have been restricted until recently by the isolation of the various parts of the county from one another and from the state as a whole. Union College was organized at Barbourville in 1880 under the auspices of the different denominations, thus acquiring its name. The history of this school is the story of the determined efforts of the citizens of this section for an institution of higher learning under Christian influences. In 1886, it was purchased by the Kentucky Conference of the Methodist Episcopal Church. Maintained at first by a small endowment fund and popular subscription, the endowment was later substantially increased and modern buildings erected (Hamlett, History of Education in Kentucky, p. 310; see Board of Education, p. 114).

The 1930 census listed Knox County as having a population of 26,266, with Barbourville, the county seat and a city of the fourth class, having a population of 2,380. The natural resources of the county are coal and timber. About half of the county's inhabitants are engaged in agriculture, about a tenth in coal mining, and the balance in lumbering, manufacturing, and other industries (United States Population Census of 1930).

In 1931 a deed to the state park commissioner granted 12.16 acres on Cumberland River in Knox County for the "Dr. Walker Memorial Park", the site of the cabin erected by Dr. Thomas Walker and his companians, which marked the first white habitation in Kentucky (Deed Book, 1931, entry 30). That this cabin was the first white dwelling in Kentucky is questioned by other sections of the state.

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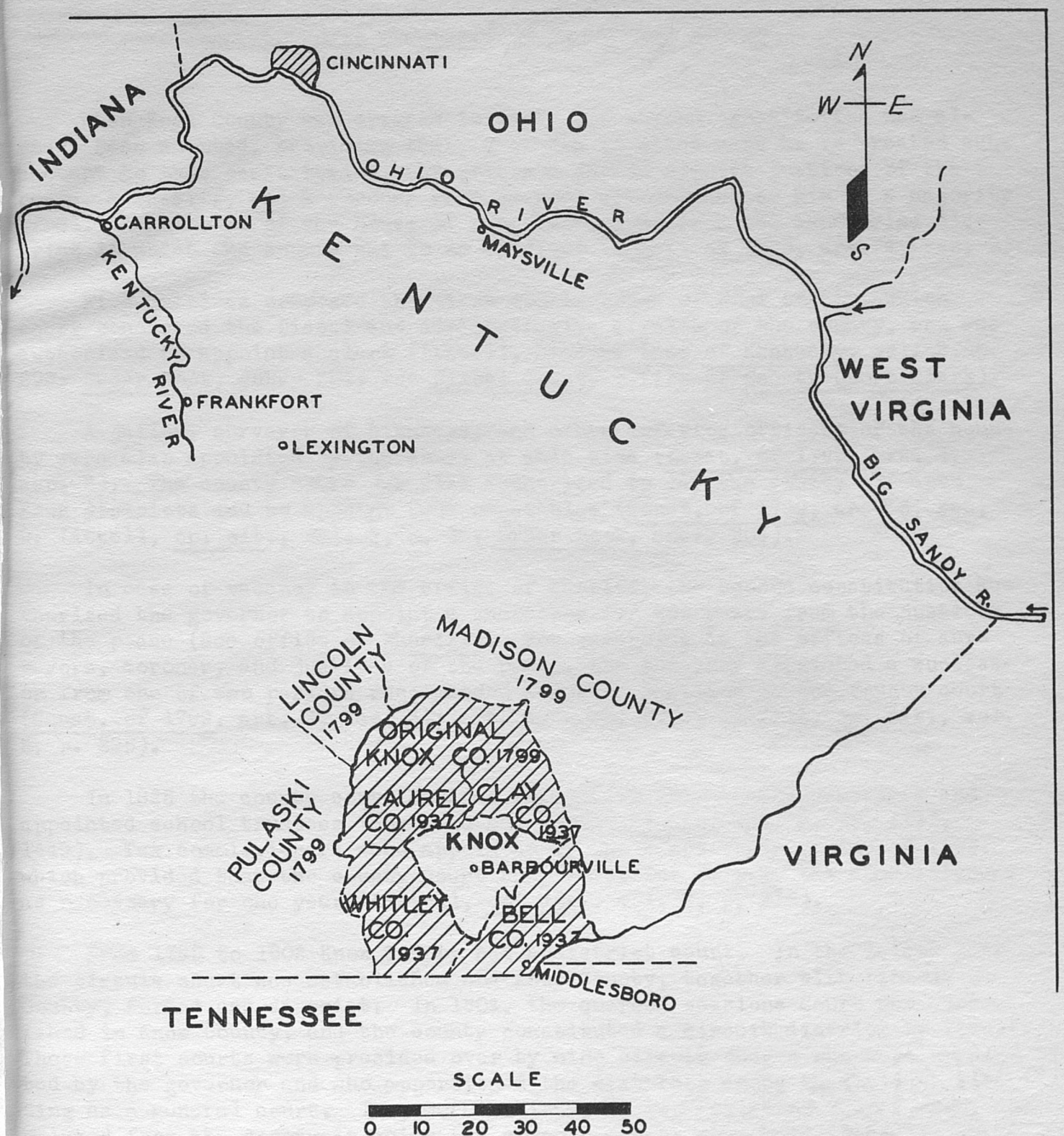


FOR STATUTE CITATIONS IN REFERENCE TO BOUNDARY LINES SEE HISTORICAL SKETCH PAGE 4.

GOVERNMENTAL ORGANIZATION AND RECORD SYSTEM

When Knox County was created in 1799, the second constitution had already been adopted, providing that, when new counties were to be created subsequent to this constitution, the governor should appoint justices of the peace, a sheriff, and a coroner from persons recommended to him by a majority of all the members of the house of representatives from the senatorial district in which the county was to be situated (Const. of 1799, art. 4, sec. 9).

Five justices composed the first county court of Knox County, which court conducted the fiscal and administrative affairs of the county, and was authorized to appoint a clerk (Littell, Statute Laws of Kentucky, vol. 2, p. 298; Order Book, entry 204; see Fiscal Court, office of County Court Clerk).

A jailer, surveyor of highways, and other inferior officers of the county were also appointed by the court at this time (Const. of 1799, art. 4, sec. 8). The county court was also authorized to lay the county off into four districts and to appoint four constables (Const. of 1799, art. 3, sec. 9; Littell, op. cit., vol. 2, p. 35; Order Book, entry 204).

In case of vacancy in the office of sheriff, the second constitution authorized the governor to appoint a successor for two years from the justices of the peace (See office of Sheriff). For vacancies in the offices of surveyors, coroner, and justices of the peace, the governor appointed a successor from one of two persons recommended for each position by the county court (Const. of 1799, art. 3, sec. 31; art. 4, secs. 6, 8; Littell, op. cit., vol. 2, p. 298).

In 1825 the county court divided the county into school districts and appointed school trustees (Morehead and Brown, Digest, vol. 2, pp. 1418, 1419). Tax commissioners were appointed by the court under an act of 1799, which provided that the county court should appoint as many tax commissioners as necessary for one year (Littell, op. cit., vol. 2, p. 316).

From 1799 to 1802 Knox County had a district court. In the latter year the circuit court was established and Knox County, together with Lincoln County, formed one district. In 1804, the quarter sessions court was abolished in Knox County, and the county constituted a circuit district by itself. These first courts were presided over by nine circuit judges who were appointed by the governor and who apportioned the districts among themselves, sitting as a general court. They were assisted by two assistant judges each, appointed from the county in which the circuit courts were held (Littell, op. cit., vol. 3, pp. 37, 184). In 1816 the office of assistant judge was abolished and its powers included with those of the circuit judge (ibid., vol. 5, p. 346). The office of circuit clerk emerged out of the confusion created by the abolition of the quarter sessions court and the establishment of the circuit court. An act of 1802 provided that the circuit clerk should be appointed by the circuit court and should hold office during good behavior (Const. of 1799, art. 4, sec. 10; Littell, op. cit., vol. 3, p. 37). As provided for by the general assembly in 1808, Knox County was in the ninth circuit court district, which at that time was composed of Mercer, Casey, Lincoln, Garrard,

and Knox counties (Littell, op. cit., vol. 3, p. 504).

In 1829 the county court, the majority of the justices concurring, upon being granted the authority to act, appointed the first county attorney (Morehead and Brown, Digest, vol. 1, p. 168; Order Book, entry 204).

The adoption of the third constitution in 1850 more clearly defined the independence of each county office, and the majority of offices were made elective. At this time a new procedure for the establishment of the county court was authorized (Const. of 1850, art. 4, secs. 29, 30). The county court consisted of the county judge and two associate judges, each of whom was elected for a term of four years. Provision was made that any two of these judges could transact the business of the county. The jurisdiction of the court remained the same as that under the second constitution, being reaffirmed by article 4, section 33 of the third constitution. This constitution, article 4, section 37, provided that the general assembly may provide that the justices of the peace in the county sit with the county court as the court of claims and levy and assist in laying the county levy and making appropriations (Revised Statutes, pp. 327-329). This court of claims elected a county commissioner to manage the school interests in the county (Supplement to Revised Statutes, p. 438).

The office of county court clerk, formerly appointed by the county court, became elective under the third constitution (Const. of 1850, art. 6, sec. 1; see office of County Court Clerk).

Power was given the legislature to provide for the abolition of the office of associate judges. This office was abolished in 1852, at which time the quarterly courts were established (Acts of the General Assembly of 1852, ch. 22, art. 13, p. 93; art. 22, p. 96).

The office of circuit clerk, elected for a term of six years, was provided for by the third constitution (Const. of 1850, art. 6, sec. 1). In addition to acting as the clerk of the court, it was also provided that the circuit clerk be a direct representative of the circuit court, primarily concerned with the business of the commonwealth as it occurred within Knox County (General Statutes of Kentucky, 1873 ed., p. 728). The jurisdiction of the circuit court was reaffirmed, as provided in statutes beginning in 1802, and made into a constitutional court (Const. of 1850, art. 4, secs. 16, 17; General Statutes of Kentucky, 1877 ed., p. 279).

Provisions were made for the circuit judge to be elected for a period of six years by Judicial District No. 12, which was established by the legislature and of which Knox County was a part (Const. of 1850, art. 4, secs. 19, 28; Acts of the General Assembly of 1852, art. 10, sec. 1, p. 22). With the adoption of the third constitution, provision was made for the election of a commonwealth attorney in each judicial district. The circuit judge and commonwealth attorney composed the circuit court (General Statutes of 1873, pp. 151, 152; Const. of 1850, art. 6, sec. 1). In 1874 provision was made for

the appointment, by the circuit court, of the master commissioner, to serve for not more than four years without reappointment (General Statutes, ch. 75, pp. 656-658).

Because of the heavy docket of the circuit court, the common pleas court was established in Knox County in 1888, which court tried all civil and equity cases (General Statutes, pp. 8, 71; Acts of the General Assembly of 1888, ch. 872, secs. 1-14, pp. 65, 67). This court was abolished with the adoption of the fourth constitution in 1891.

The constitution of 1850 provided also for the election of the county attorney for four years to represent the county in all cases which appeared before the county and quarterly courts (Const. of 1850, art. 6, sec. 1). The third constitution further provided that the county be laid off into four justices' districts and that two justices be elected by the voters of the county and commissioned by the governor for each district (Const. of 1850, art. 4, secs. 34-35, see office of Justices of the Peace). It also provided that a sheriff be elected (Const. of 1850, art. 6, sec. 4), to be eligible for re-election for a second term only (see office of Sheriff); and that a constable be elected in each justice's district every two years (Const. of 1850, art. 6, sec. 5; see office of Constable). Further provision was made by this constitution for the election of a jailer (Const. of 1850, art. 6, sec. 3; additional duties given the jailer, were the duties of superintendent of the public square and all public buildings (General Statutes of Kentucky, 1873 ed., p. 566; see office of Jailer); provision was made for the election of a coroner for a term of four years (Const. of 1850, art. 6, sec. 1); and for the election of a county assessor, whose term of office was also four years and who could appoint such assistant assessors as necessary, with the approval of the county court (see office of Tax Commissioner; Const. of 1850, art. 6, sec. 11).

A board of tax supervisors, consisting of the county judge and county court clerk, was provided for in 1852 by statute (Revised Statutes, vol. 2, p. 251). After 1862 the county court was authorized to appoint three citizens of the county to serve as a board of tax supervisors (General Statutes of Kentucky, 1873 ed., p. 724).

In 1852 the county judge, county clerk, and sheriff constituted a board to examine and certify election results (Revised Statutes, vol. 1, p. 436). Where judicial district elections were concerned, provision was made that a board of examining poll books of Knox County, which was a part of Judicial District No. 12 at that time, should meet with the other counties constituting the same judicial district and issue certificates of election (Acts of the General Assembly of 1851-52, ch. 25, art. 5, pp. 127-128; Revised Statutes, vol. 1, pp. 436-438).

In 1864, after the jail in Knox County had been destroyed by armed forces, and the county had suffered severely from frequent raids, an act was passed releasing the county from payment to the state of any revenue

collectable in and for the year 1864, except so much thereof as, by existing laws, was for the use of the sinking fund and for the support of the common schools. The revenue assessed for this year was to be collected by the sheriff, and applied, up to a certain amount, exclusively to the erection of a new jail (Acts of the General Assembly of 1864, ch. 525, secs. 1-4; ch. 243, secs. 1-3, p. 47).

The third constitution provided for the election of a surveyor for a term of four years (Const. of 1850, art. 6, sec. 1; Revised Statutes, vol. 2, p. 402). It was his duty to execute orders of survey issued by any court, of land lying within his district.

The county road supervisor was appointed by the county court, but his appointment was qualified with the restriction that he was not allowed to resign before two years without the approval of the court (Revised Statutes, vol. 2, p. 289; General Statutes of Kentucky, 1873 ed., p. 402).

As established by the fourth constitution, adopted in 1891, the fiscal court in Knox County has jurisdiction of all administrative and fiscal affairs of the county. This court is composed of the county judge, who is elected by the county at large for a four-year term and is presiding officer of the court, and the eight justices of the peace, each of whom is elected in his respective magisterial district (Const. of 1891, sec. 114).

The circuit clerk is elected by the county for a six-year term and is the recording agent for the circuit court and for the master commissioner. The circuit judge, the presiding officer of the circuit court, and the commonwealth attorney are elected for a six-year term by the electorate of Judicial District No. 34, of which Knox County is now a part. The circuit court sessions in Knox County are provided for by statute (Carroll's Kentucky Statutes, 1936 ed., sec. 965-34), and the court itself is provided for in the fourth constitution (Const. of 1891, secs. 125, 129-131). The three offices, circuit clerk, circuit judge, and commonwealth attorney, are constitutional offices provided for in the same constitution (ibid., secs. 97, 129). The master commissioner is appointed for a four-year term by the circuit judge (Carroll, op. cit., sec. 392).

In Knox County the offices of county judge, county attorney, county court clerk, coroner, surveyor, sheriff, jailer, justices of the peace, and constables are elective offices, provided for in the fourth constitution, and serving for four-year terms, all except the sheriff being eligible for re-election (ibid., sec. 99).

The three elective offices in Knox County, provided for by statute for terms of four years, are the county tax commissioner (Carroll, op. cit., sec. 4042a-2), the county board of education, composed of five members elected by their respective school districts in the county (ibid., secs. 4399-17, 24), and the school trustee (ibid., secs. 4399-1, et seq.).

The county court, as provided for by constitution (Const. of 1891,

sec. 140), is a court of record, primarily concerned with probate matters, although penal and misdemeanor cases may also be heard (Carroll, op. cit., sec. 1093). The juvenile court, provided for by statutes, is a part of the county court, both courts being presided over by the county judge (ibid., sec. 331e-2).

The quarterly court, reaffirmed and provided for by the fourth constitution (Const. of 1891, sec. 139), has jurisdiction in minor penal and misdemeanor cases and is presided over by the county judge.

The eight justices' courts, which are constitutional courts provided for by constitution, are presided over by the justices of the peace in their respective districts (ibid., sec. 142).

The appointive statutory offices are: the county treasurer, appointed by the fiscal court, for a term of four years (Carroll, op. cit., sec. 929); the county auditor, appointed annually by the fiscal court essentially as an examiner of claims and accounts against the county (ibid., sec. 1840); the county board of health, serving for a term of two years and composed of the county judge, three members appointed by the state board of health, and one member appointed by the fiscal court; the county health officer, appointed by the county board of health (ibid., sec. 2055); the board of tax supervisors, appointed annually by the county judge (ibid., sec. 4115); the county road engineer, appointed for a two-year term by the county judge with the approval of the fiscal court (ibid., sec. 4325); the county school superintendent, appointed by the county board of education for four years (ibid., sec. 4399-34); the county election commissioners, composed of the sheriff and two members appointed annually by the state board of election commissioners; and the county election officers, appointed by the county board of election commissioners (ibid., sec. 1596a-2, 3).

The office of county agricultural agent is authorized by acts of Congress passed in 1914, 1928, and 1930, providing appropriations for extension work in agriculture (U. S. Code, Title 7, secs. 341, et seq.). In 1916 and 1930 the Kentucky General Assembly assented to the provisions of these acts and authorized the University of Kentucky to conduct such work through the county agents in the various counties. The appointment is made jointly by the University of Kentucky and the fiscal court (Carroll, op. cit., secs. 4636g-2, h-1, t-9).

The county budget commission, provided for by an act passed in 1934, is composed of the county judge, county attorney, and one member appointed by the fiscal court (ibid., sec. 1851c-2).

The constitutional duties of the county court clerk, and those additional duties required by statutes, stipulate definitely that the county court clerk be the principal custodian of records, as well as the major recording agent in the county governmental system.

In Knox County, the county court clerk is the recording agent of the

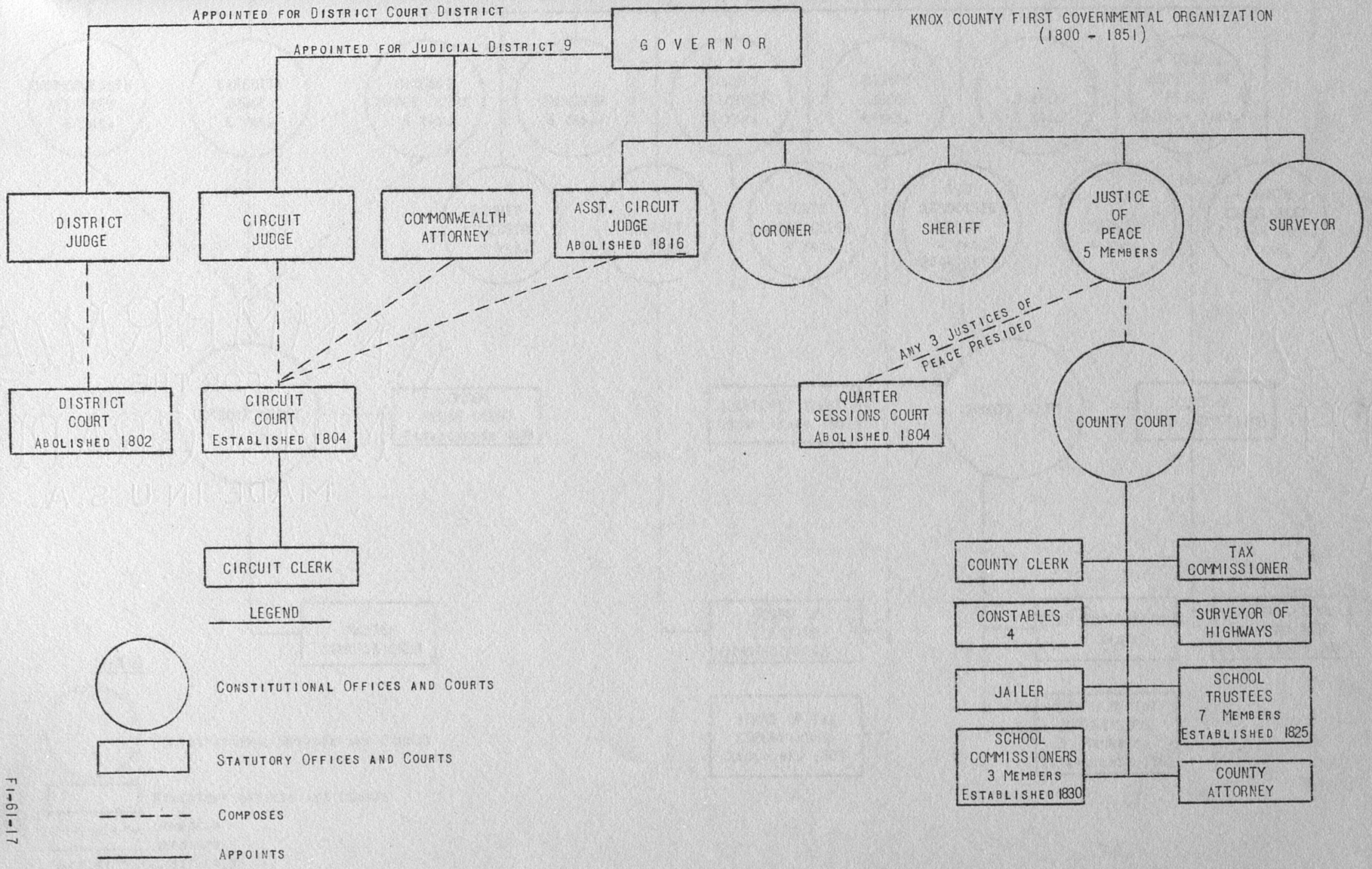
fiscal, county, quarterly, and juvenile courts. In addition, he is the recording agent of the property records in the county, maintains a cross-index of these records, and issues and records marriage licenses. Acting as the principal custodian of the records of the various county officials, the county court clerk keeps most of their records in his office.

The circuit court clerk is charged with the responsibility of keeping records and recording them for the circuit court proceedings. He is also responsible for maintaining records of certain property transfers. The circuit court is authorized to order the circuit clerk to make an index and cross index to all records of the circuit court in the county (Civil Code, sec. 313).

In 1864 an act was passed to pay the county court clerk of Knox County for recopying the commissioner's books, years 1861-62, which had been taken from the sheriff and destroyed. These books had been copied on order of the county judge (Acts of the General Assembly of 1864, ch. 493, secs. 1, 2, p. 462).

Record systems used by the county officials, with the exception of those records maintained by the county health office, the county tax commissioner, and the county school superintendent, are those that were designed and adopted by the county for its particular needs. The record forms of the aforesaid offices are provided by their respective state departments and are kept in accordance with instructions of these departments.

KNOX COUNTY FIRST GOVERNMENTAL ORGANIZATION
(1800 - 1851)



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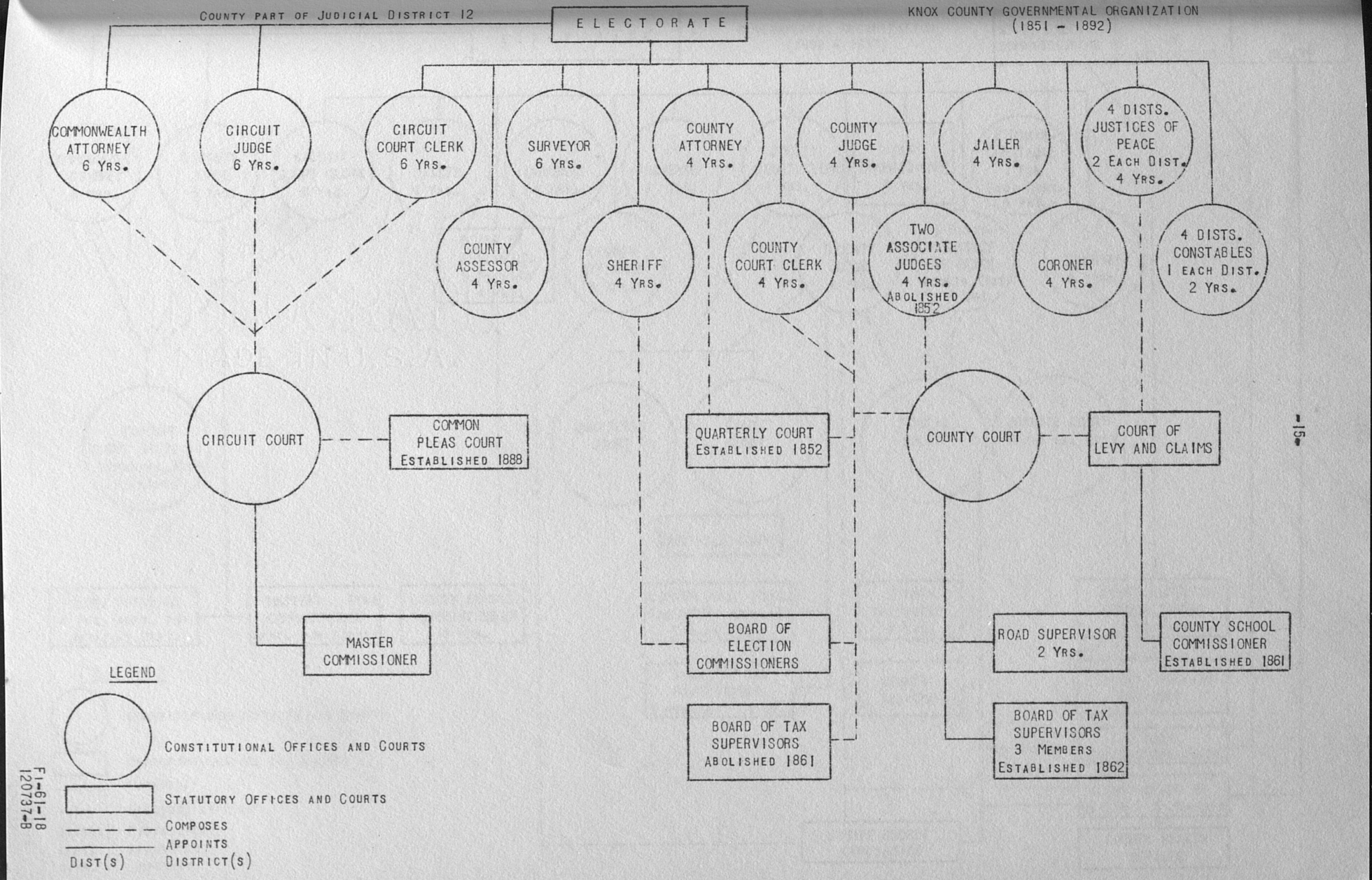

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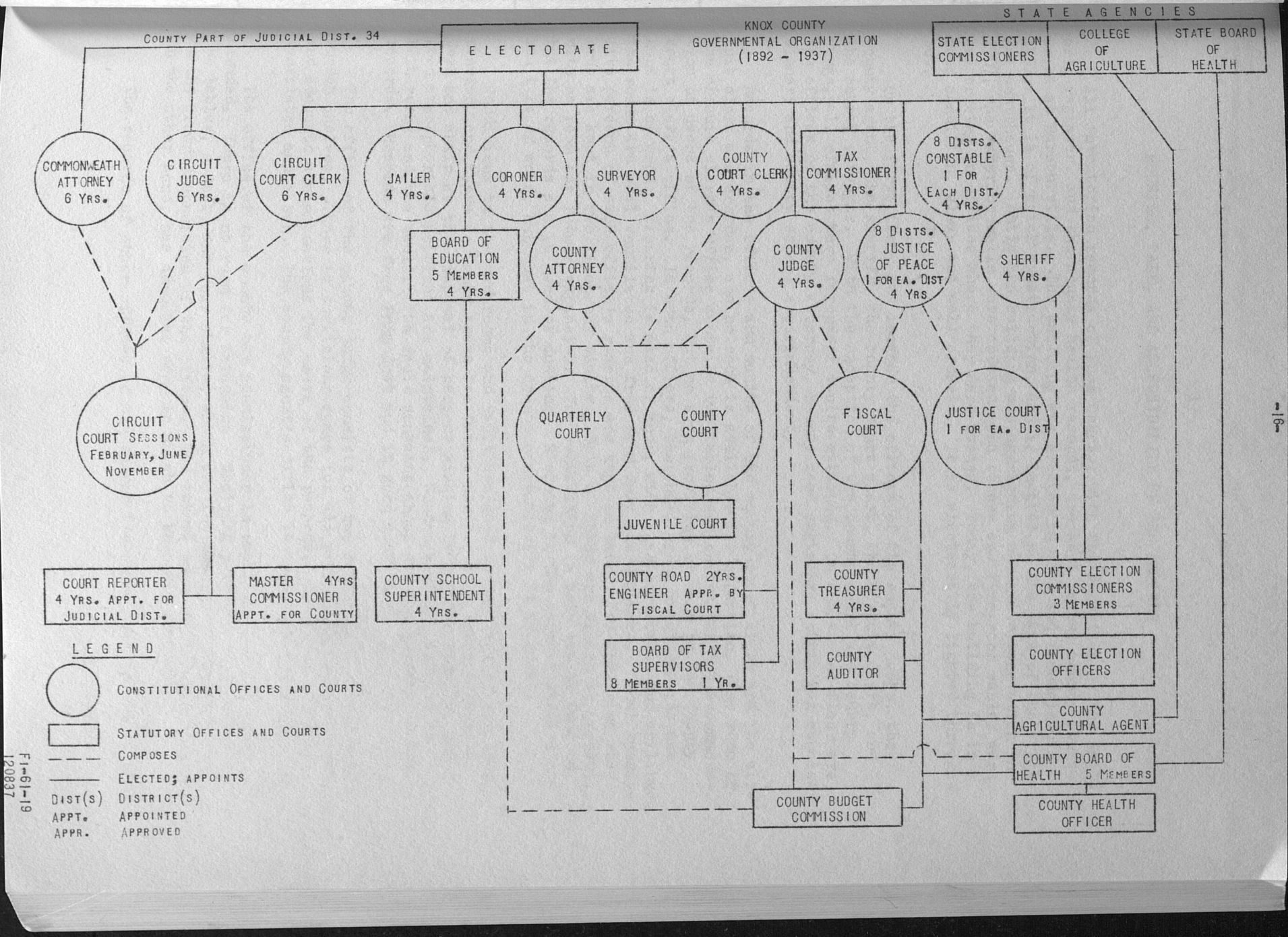

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HOUSING, CARE, AND ACCESSIBILITY OF THE RECORDS

All inventoried records of Knox County, with the exception of the jailer's register, and the county health records, are kept in the county courthouse at Barbourville. The building was erected in 1873 and remodeled in 1907. It is of brick construction, and is located on the site of the original courthouse. While the building was undergoing extensive renovation in 1907, the exterior walls were covered with stucco and fireproof vaults were constructed in offices where they were needed. Today, the building is in good condition, clean and well ordered. It is electrically lighted throughout.

On the first floor are located the offices of the county judge, the county agent, the sheriff, the county court clerk, the circuit clerk, and the county surveyor. With the exception of the county agent and county judge, all offices have fireproof vaults attached. On the second floor are the offices of the county attorney, county road engineer, county tax commissioner, and county school superintendent.

Records in the offices and vaults of the county court clerk and the circuit clerk are crowded, and no room is available for expansion. One room of the circuit clerk's office contains two tables and chairs for the accommodation of users of the records, but no such provision is made in the county court clerk's office. In both offices, the shelving on which records are kept is of wood. Flooring is also of wood, with plastered walls and ceilings. The rooms are well ventilated and free from dust and dampness. About twenty-five percent of each office's records are kept in them. The remaining records are kept in two fireproof vaults. Both of these are filled at present, with no room for future expansion. The ventilation in both vaults is good, but the records are in need of dusting. Shelving in the circuit clerk's vault is of wood, but that in the county court clerk's is of steel.

Conditions in the two rooms and vault assigned to the sheriff are less crowded, and there is ample space for future needs. Both rooms contain a desk and chair at the disposal of persons wishing to use the records, and good atmospheric conditions are maintained. Wooden shelving is used in both rooms and the vault. The vault contains about seventy percent of the records. Records are free from dust and in good condition.

The office of the county judge consists of two rooms, each fitted with wooden shelves. There is sufficient space for all present and future needs, and adequate accommodations for users of the records. The rooms are well ventilated and clean. The county agent's office is clean and uncrowded.

The office of the county tax commissioner is small and greatly overcrowded. There is no room for expansion. Shelving provided is of wood. Two tables, a desk, and four chairs, which are for the use of visitors, add to the crowded condition of the office. The school superintendent's office, on the other hand, has adequate room in which to keep his records.

The records of other offices on the second floor are kept in one of the

fireproof vaults on the first floor.

The jailer's register is kept in the office which he maintains at his residence in Barbourville. The records are kept in a steel office safe. The board of health occupies space in the city hall at Barbourville. Records kept here are in fair condition with sufficient room for present and future needs.

To care for the crowding of records which now exist in several of the offices, it is suggested that a fireproof storage room be constructed in the basement of the courthouse. Space for a room of this kind is available, and it is believed that the utility of such a room would repay the cost of construction. The replacing of all wooden shelves by steel shelves is proposed as a desirable improvement, which may be carried out gradually. Records in the county court clerk's and circuit clerk's vaults should be cleaned, and given periodic dustings in the future. The elimination of the excess furniture now in the tax commissioner's office should partially eradicate its present condition.

There is a very definite need for additional indexing of records in Knox County. Indexes for deeds, mortgages, and marriage licenses are adequate, but indexes of the order books of the county court and other courts that have existed in the county are very incomplete and in some instances entirely lacking. The records themselves are complete.

Miscellaneous record files are very much in need of sorting and classifying, and require chronological arranging. The contents of the miscellaneous file boxes could then be refiled and relabelled. In some instances it has been found that, in the interest of economy, a single volume has been used for two separate and distinct subjects. If these corrections were made, it would greatly facilitate the use of many records.

ABBREVIATIONS, SYMBOLS, AND EXPLANATORY NOTES

alph. - alphabetical(ly)
arr. - arranged
art(s). - article(s)
aver. - average
Bd. - Board
ch. - chapter
chron. - chronological(ly)
Cir. - Circuit
Clk's. - Clerk's
Co. - County
Com's. - Commissioner's
Const. - Constitution
Ct. - Court
docs. - documents
ed. - edition

Abbreviations, Symbols, and Explanatory Notes

et seq. - - - - - - - - - - - - - et sequens, and the following
fms. - forms
hdw. - handwritten
ibid. - - - - - - - - ibidem, same reference as the preceding
n.d. - no date
no(s). - number(s)
num. - numerical(ly)
off. - office
op. cit. - - - - - - - - - - - - opere citate, the work cited
p. - page
pp. - pages
pr. - printed
sec(s). - section(s)
sess. - session(s)
vlt. - vault
vol(s). - volume(s)

- - -indicates both dates, letters, or numbers are inclusive
-- - - - - - - - - - - - - - - indicates that record is current
x - - - - - - - - - - - -used between figures to indicate "by"
' - - - - - - - - - - - -used after figures to indicate "feet"
" - - - - - - - - - - - -used after figures to indicate "inches"
= - - - - - - - - - - - -used between figures to indicate "equals"

The following assumptions have been adopted: absence of comment on the arrangement of records indicates lack of systematic arrangement; absence of comment on indexing indicates lack of index; the term "alph. indexed by name of (plaintiff, grantor, etc.)" contained in the entry indicates the type of self-contained index; separate index entries are as designated and immediately follow the entries they index; size given in entries refers to size of bindings or containers and not to size of pages or documents; the term, "file box", used in entries may indicate either filing cases or boxes; titles of entries in capitals are the titles of current records of a series; where the current title does not clearly indicate the contents of the record, an assigned title has been placed in parentheses, lower case, immediately after the given title; the titles of wholly artificial entries are placed in parentheses, in capitals; in the master entry, the titles listed in the description of contents which refer to wholly artificial entries are likewise in parentheses, lower case; if an entry has no given title, an assigned title has been placed in parentheses in capitals; where statutes are cited in the essays on county offices, section or page is indicated by sec. or p.; where various county offices are cited, this refers in all cases to office essays included in this volume; numerals appearing in parentheses at top of page always refer to entry number.

I FISCAL COURT

The functions now performed by the fiscal court of Knox County were originally exercised by the first county court, composed of five justices of the peace appointed by Governor James Garrard on June 23, 1900, and provided for by the Kentucky General Assembly under an act of 1799 (Const. of 1799, art. 4, sec. 9; Littell, Statute Law of Kentucky, vol. 2, p. 298). These justices were appointed for life, and vacancies were filled by the governor, who appointed one of two persons recommended by the county court (Const. of 1799, art, 4, sec. 5-8; Order Book, entry 204; for the first justices of the peace appointed, see Historical Sketch, Governmental Organization and Record System).

In May, 1845, the justices of the peace felt the need of a supervising officer, and a committee composed of three men, Silas Woodson, Samuel F. Miller, and James Ballinger, was appointed to draft rules and regulations for the government of the court. Among the rules drawn up by this committee was one, later adopted, which concerned the selection of a presiding officer to be termed president. It was the duty of the president to preserve order, count the votes on all questions arising in the court, and announce all the decisions of the court. He was also directed to have the clerk enter on the record all fines and orders passed by the court. James H. Pogue was appointed to this position (Order Book, entry 204).

The third constitution, which was adopted in 1850, provided for the establishment of a county court composed of the county judge and two associate judges, each of whom was elected for a term of four years. The constitution further provided that two of these judges could transact county business (Const. of 1850, art. 4, secs. 29, 30). The county was divided into four justices' districts (Order Book, entry 204) and two justices were elected from each district (Const. of 1850, art. 4, sec. 34). Also in article 4, section 37, of the same constitution, provision was made for the court of claims, which stipulated that the justices of the peace should sit with the county court and assist in laying the levy and making appropriations only. In 1852 the general assembly provided that the justices of the peace, together with the county judge, should constitute the court of claims, which was authorized to lay the county levy, appropriate money, and transact other financial business of the county (General Statutes of Kentucky, 1873 ed., p. 307).

The present fiscal court is composed of the county judge, elected for a term of four years from the county at large (Const. of 1891, secs. 99, 144), and eight justices of the peace, each of whom is elected from his respective magisterial district for a four-year term, the county having been divided into eight magisterial districts (ibid., secs. 99, 142; Order Book, entry 204). The clerk of the county court acts as the clerk of the fiscal court (Carroll's Kentucky Statutes, 1936 ed., sec. 1835; see office of County Court Clerk). Two regular sessions of the court are held each year at Barbourville, but the county judge has the power to call special sessions when needed (Carroll, op. cit., secs. 1838, 1839).

Fiscal Court

The second constitution provided that the county court recommend to the governor two persons each for the office of surveyor and for vacancies in the offices of justice of the peace, coroner, and for two years, sheriff, one of whom he shall appoint to each office respectively (Const. of 1799, art. 4, secs. 8, 31). This method of filling these offices, however, was discontinued with the adoption of the third constitution in 1850, which provided that these offices be elective (Const. of 1850, art. 4, sec. 34; art. 6, sec. 1; see offices of Surveyor, Coroner).

The county court appointed various inspectors within the county and, in addition, appointed the county clerk (Const. of 1799, art. 3, sec. 9; art. 4, sec. 10). But this method was discontinued with the adoption of the third constitution, and the office of the county clerk was made elective (Const. of 1850, art. 6, sec. 1).

In 1831 the county court appointed a tax commissioner (Morehead and Brown, Digest, vol. 2, p. 1383). With the adoption of the third constitution, however, this provision for a tax commissioner was abolished, and the duties of the tax commissioner were delegated to a board composed of the county judge and the county clerk (Revised Statutes of Kentucky, vol. 2, p. 257). This board continued in force until 1862, when the county court was authorized to appoint three taxpayers, citizens of the county, to serve as tax supervisors, who should hold office for one year and be eligible for reappointment (General Statutes of Kentucky, 1873 ed., p. 724). In 1874, with the definite establishment of the court of claims, it was provided that this court should appoint one citizen, who was also a taxpayer, from each voting precinct, which group should compose a board of tax supervisors, who performed the same duties as provided by law (General Statutes of Kentucky, 1877 ed., p. 979; see Board of Tax Supervisors, office of County Judge).

An act of 1820 provided that the county court appoint a public buildings' caretaker (Morehead and Brown, Digest, vol. 1, p. 275). A search of the records seems to justify the belief that this particular office was abolished after 1820 and resumed under the third constitution, which provided that the jailer be the superintendent of public buildings (General Statutes of Kentucky, 1873 ed., p. 703; see office of Jailer).

An act passed in 1820 authorized the county court to modify and change the constables' districts (Morehead and Brown, Digest, vol. 1, pp. 423, 425). With the adoption of the third constitution, however, the county court was authorized to establish justices' districts instead, and to designate voting places and appoint two election judges and a clerk for each precinct (General Statutes of Kentucky, 1873 ed., pp. 376, 377; see County Election Commissioners).

In 1799, under the second constitution, article 4, section 8, the county court appointed surveyors of highways for the purpose of laying out, building, and maintaining roads and bridges (Morehead and Brown, Digest, vol. 1, p. 506). The offices of surveyors of highways continued to

function until the adoption of the fourth constitution in 1891. In 1894 an act provided that, where the county roads were worked and paid for by taxation, the fiscal court should appoint a supervisor of roads (Carroll, op. cit., 1899 ed., sec. 4313). This act continued in force until it was repealed by another act in 1912 which created the office of county road engineer, making provisions for the county judge to appoint said engineer with the approval of the fiscal court (Acts of the General Assembly of 1912, ch. 110, sec. 48, p. 329; see office of County Judge, Road Engineer).

The second constitution further provided that the county court appoint constables and a county jailer (Const. of 1799, art. 3, sec. 8; Morehead and Brown, Digest, vol. 1, p. 506). With the adoption of the third constitution in 1850, these two offices were made constitutional elective offices (Const. of 1850, art. 6, secs. 3, 5; see offices of Constable, Jailer).

By an act of 1821, the county court was authorized to create and lay off school districts (Morehead and Brown, Digest, vol. 2, p. 1418). Four years later, in 1825, the county court was given power to appoint seven trustees for the common school districts (ibid., p. 1419). In 1830 the county court was authorized to divide the entire county into school districts, and three school commissioners were elected in each district by the voters of that district (ibid., p. 1421; see office of School Trustee). The county court in 1852 appointed three commissioners for two years, as managers of the common schools (Revised Statutes of Kentucky, vol. 2, p. 320). In 1861 the court of claims elected a commissioner to manage the school interests of the county (Supplements to Revised Statutes of Kentucky, p. 438). This system of school supervision continued in effect until 1884, when the duties of the county school commissioner were taken over by the school superintendent (Acts of the General Assembly of 1884, vol. 1, art. 6, pp. 121-128; see Board of Education).

Under the second constitution, the county court was authorized to lay the county levy, issue orders to build bridges, and lay a levy to pay claims against the county (Morehead and Brown, Digest, vol. 1, pp. 506, 507).

A specific act was passed by the general assembly in February, 1864, to provide for the rebuilding of the jailhouse in Knox County, which had been destroyed by troops in August, 1863, and from which many prisoners housed here for various offenses, including high treason, had been released. This act provided for the levying of an ad valorem tax on the property in the county for the particular purpose of rebuilding and repairing courthouses, jailhouses, and clerks' offices, that had been destroyed or damaged by the troops during the war. This act was more or less generally adopted by all county governments (Supplements to Revised Statutes, p. 376).

It was then that the ad valorem tax was adopted by all the courts of claims as a general revenue source (Acts of the General Assembly of 1892, ch. 26, p. 40, sec. 1). This act was amended by an act of 1908, which allowed the fiscal court to use revenue secured from the ad valorem taxes for

the building of public roads (Acts of the General Assembly of 1908, ch. 27, p. 70).

The county court, in 1833, was given power to permit toll gates to be constructed across roads and have the same repaired or removed (Morehead and Brown, Digest, vol. 1, p. 509). However, this duty or privilege appears to have been discontinued when the third constitution was adopted in 1850.

The county court, in 1803, was charged with the responsibility of caring for indigents and building a poorhouse (ibid., vol. 2, p. 1324). These responsibilities were confirmed in the third constitution and covered by statutes (General Statutes of Kentucky of 1873, p. 305). The constitution of 1891, section 144, provided for a fiscal court, authorizing that court, in addition to other duties, to maintain hospitalization for the purpose of caring for the indigent sick, and to provide for the support of the blind (Carroll, op. cit., 1936 ed., sec. 1893a-10).

The county court was authorized in 1792 to sell certain unappropriated lands (Loughborough, Digest, p. 386). This privilege was discontinued with the adoption of the third constitution. The county court was further charged with procuring for the county a set of weights and measures (Acts of the General Assembly of 1839, p. 84).

The constitution of 1891, section 144, provides that the fiscal court exercise the corporate powers of the county (Carroll, op. cit., sec. 1834). The fiscal court is further authorized to appropriate funds to secure immigration into the county and to advertise the resources of the county. It is also responsible for keeping accurate accounts and records and must have the accounts of the county offices audited (ibid., sec. 1840). Furthermore, the fiscal court is authorized to appropriate money for extension work in agriculture and home economics (ibid., sec. 4636g-2). The fiscal court is also authorized to appoint a county treasurer (ibid., sec. 929; see office of County Treasurer). It is empowered to fill a vacancy, if one exists, in the office of county judge (Carroll, op. cit., sec. 1857), and is required to publish a financial report of the county annually (ibid., sec. 1846). The fiscal court appropriates funds to purchase necessary record books, supplies, and equipment, as the case may be; it also furnishes the county clerk, as clerk of this court, with the necessary record books as prescribed by statutes pertaining to the respective offices (ibid., sec. 1834; see offices of County Treasurer, Auditor). In addition, the fiscal court has jurisdiction to appropriate county funds authorized by law to cover all necessary expense of maintaining the various county offices, except where statutory provision is made for such county officers who act as agents for the state (Carroll, op. cit., sec. 1840).

An act passed in 1934, effective July 1 of the same year, provided that each county have a county budget commission and that the fiscal affairs of the county, except those pertaining to education, be administered by the

fiscal court. For the administration of this act the state budget officer is required to classify the counties on the basis of their population and expenditures, or some other proper basis, and expenditures are to be met from current revenues (ibid., sec. 1851c-1). The budget commission is composed of the county judge, county attorney, and one member appointed by the fiscal court (ibid., sec. 1851c-2; see Budget Commission).

Petitions
(See also entry 21)

1. (PETITIONS FOR ROAD MOTIONS), 1906-08, 1911-12, 1914-17, 1920--. 1930-31 in Suits Off Docket (Miscellaneous Papers), entry 180; 1906-08, 1927-31 in Suits, entry 198; 1915-17, 1927-29 in Knox County Court Docket, entry 200; 1907, 1911-12 in Order Books (Court Orders), entry 204; 1914-17 in Civil Executions, entry 206; 1920-31 in Miscellaneous Papers, entry 221; 1930-- in Papers On Docket (Miscellaneous), entry 225; 1923-29 in County Court Papers, entry 226.

Petitions for building, changing, and widening roads, condemning new roads, land for such roads, and right-of-ways, allowances for upkeep of roads; names of petitioners, date, location of road or right-of-way.

Road and Bridge Fund

2. MINUTE BOOK, 1878-1900, 1919--. 8 vols. 1920-21 in County Clerk's Record, entry 85; 1930-31, 1933 in Order Books (Court Orders), entry 204; 1894-1910 in County Court Papers, entry 226; 1872-- in Road Order Book, entry 319.

Record of Knox County court of claims of money allowed by the fiscal court for roads and bridges; date, amount, and purpose of allowance, names of claimant and county judge. Arr. chron. Hdw. Vols. aver. 399 pp. 16 x 11½ x 2. Co. Ct. Clk's. vlt.

3. CERTIFICATES OF CLAIMS ALLOWED (Road Claims), 1871-1926, 1929, 1932-33. 7 vols., 4 file boxes.

Certificates of claims allowed for expenses paid from road and bridge fund; name of claimant, date, amount, and reason for claim. Arr. chron. Hdw. pr. fms. Vols. aver. 200 pp. 15½ x 12½ x 1½; file boxes aver. 50 docs. 4½ x 10 x 6. 7 vols., 1871-1926, 1932-33, Co. Ct. Clk's. vlt.; 4 file boxes, 1904, 1922-24, 1929, Co. Ct. Clk's, off.

4. ROAD AND BRIDGE FUND VOUCHERS, 1914-27. 2 vols., 7 file boxes. 1920-21 in County Clerk's Record, entry 85; 1922-- in Warrants, entry 276; 1915-16 in Road Bonds, entry 322.

Paid vouchers out of county levy for building and repairing bridges and roads, engineers payroll; name of claimant, date, amount, and purpose of payment; construction or repair work done. Arr. chron. Hdw. pr. fms. Vols. aver. 500 pp. 17 x 13½ x 8. Co. Ct. Clk's. vlt.

Court Orders
(See also entry 19)

5. FISCAL COURT ORDER BOOK, 1921--. 2 vols. (1-2).
General order book of fiscal court; date and purpose of order, names of parties involved and presiding judge. Arr. chron. 1921-30, hdw.; 1931--, typed. Vols. aver. 600 pp. 18 x 12 x 3. Co. Ct. Clk's. vlt.

6. COURT SUMMONS RETURNED, 1930-32. 1 file box.
Orders to officials to appear in court for final settlement with fiscal court of all transactions made during tenure; name of official, office held, date of order. Arr. chron. Hdw. pr. fms. 100 docs. 4½ x 10 x 6. Co. Ct. Clk's. off.

Officers' Settlements and Reports
(See also entry 277)

7. SHERIFF'S SETTLEMENTS, 1869--. 3 vols. (A-C), 10 file boxes.
Sheriff's financial settlements of funds collected for county and state; names of taxpayer, total amount collected, purpose and date of collection. Arr. chron. Hdw. Vols. aver. 638 pp. 18 x 12 x 3; file boxes aver. 66 docs. 4½ x 10 x 6. Co. Ct. Clk's. off.

8. INDEX TO SHERIFF'S SETTLEMENTS, 1869--. 3 vols. (A-C).
Index to Sheriff's Settlements, entry 7; arr. alph. by name of sheriff, showing p. and vol. no. where recorded. Hdw. Vols. aver. 50 pp. 18 x 12 x ¼. Co. Ct. Clk's. vlt.

9. REPORTS TO STATE AND KNOX FISCAL COURT, 1929. 1 file box.
Copies of reports to State and Knox fiscal court; amount received for petitions and commonwealth fines, money paid for paupers' medicines, work on courthouse, supplies, signature of judge. Arr. alph. by subject. Hdw. pr. fms. 50 docs. 6 x 10 x 5. Co. Judge's off.

10. AUDITOR'S REPORT (Monthly Report of Tax Collection), 1934. 1 file box.
Auditor's monthly report of real and personal taxes paid to sheriff allocated to roads, schools, etc., and poll taxes; date of report, itemized collections. Arr. chron. Hdw. pr. fms. 30 docs. 4½ x 10 x 6. Co. Ct. Clk's. off.

11. COUNTY TREASURER'S SETTLEMENTS (To Be Recorded), 1930. 1 file box.
Settlement of county treasurer with fiscal court; property sold for taxes, claims paid, truck licenses, fees, road and bridge funds. Arr. chron. Hdw. pr. fms. 100 docs. 4½ x 10 x 6. Co. Ct. Clk's. off.

Claims
(See also entries 2, 20, 223)

12. FISCAL COURT CLAIMS, 1914-16. 3 file boxes. 1914-17, 1928-29, 1931 in Road Bids and Contracts (Miscellaneous Road and Health Papers), entry 318.
Fiscal court claims; name of claimant, date and amount of claim, service rendered, date paid. Arr. chron. Hdw. pr. fms. File boxes aver. 50 docs. 4½ x 10 x 6. Co. Ct. Clk's. vlt.

13. CERTIFICATE OF CLAIMS ALLOWED, 1895, 1901, 1905-10, 1914-21, 1925, 1930--. 4 vols., 10 file boxes. 1920-21 in County Clerk's Records, entry 85.
Receipts for money paid out of county levy on claims allowed by county judge for salaries of county employees; signature of claimant, date of claim, service rendered, amount paid. Arr. chron. Hdw. Vols. aver. 500 pp. 18 x 12 x 2; file boxes aver. 50 docs. 4½ x 10 x 6. Co. Ct. Clk's. vlt.

14. CLERK'S RECORDS (Special Claims), 1914. 1 file box.
Special claims made to and paid by county judge, reimbursed by fiscal court; name of claimant, date, subject and amount of claim. Arr. alph. by name of claimant. Hdw. 20 docs. 4½ x 10 x 6. Co. Ct. Clk's. vlt.

15. CLAIMS ALLOWED, 1888-95, 1900-1918, 1920, 1926-29. 2 vols., 12 file boxes. 1914-19 in Clerk's Records, entry 220.
Claims allowed and paid by sheriff from county levy; name of claimant, date of claim, service rendered, amount allowed, signature of sheriff. Arr. alph. by subject and chron. within subject division. Hdw. Vols. aver. 479 pp. 16 x 11½ x 2; file boxes aver. 60 docs. 4½ x 10 x 6. Co. Ct. Clk's. vlt.

16. CLAIMS NOT ALLOWED (Claims Not Properly Filed), 1928--. 7 file boxes.
Claims for county expenses, such as bills against officers in county, ballots and supplies for county, board and transportation of prisoners; name of claimant, date, and amount of claim, service rendered, reason not allowed. 1 file box, 1930, arr. alph. by subject; 6 file boxes, 1928--, no arr. Hdw. File boxes aver. 40 docs. 4½ x 10 x 6. Co. Ct. Clk's. off.

Miscellaneous

17. TREASURER'S BIDS, 1931. 1 file box.
Bids of prominent citizens for the office of county treasurer and bond executed as required by law; name of citizen, date and terms of bid, date and amount of bond, signature of principal and surety. Hdw. 10 docs. 4½ x 10 x 6. Co. Ct. Clk's. off.

18. BIDS, 1930, 1935. 2 file boxes.
Bids submitted to fiscal court to supply various services; name of bidder, date of bid, description of service, cost. Arr. alph. by subject and chron. within subject division. Hdw. File boxes aver. 60 docs. 4½ x 10 x 6. Co. Ct. Clk's. off.

19. FISCAL COURT PAPERS, 1930-32. 1 file box.
Contracts concerning assessments on omitted taxes, contract and bond for building bridges, orders to pay claims from general fund of Knox County; date of instrument, name of parties, property, amount involved, signatures of parties concerned. Arr. chron. Hdw. 150 docs. 4½ x 10 x 6. Co. Ct. Clk's off.
For additional record of orders see entry 5.

20. FISCAL COURT PAPERS, 1898-1922. 6 file boxes.
Miscellaneous records of county funds, amount of tax on taxable property, claims for hauling; names of parties and amount of money involved, date, signature of recording official. Arr. alph. by subject and chron. within subject division. Hdw. File boxes aver. 25 docs. 4½ x 10 x 6. Co. Ct. Clk's. vlt.

21. MISCELLANEOUS PAPERS, 1883-96. 1 file box. 1894-1910 in County Court Papers, entry 226.
Petitions for road changes; appointment of viewers; date of instrument, road involved, signatures of petitioners or name of person appointed. Hdw. 20 docs. 4½ x 10 x 6. Co. Ct. Clk's. vlt.

COUNTY COURT CLERK

The first county court clerk of Knox County was Richard Ballinger, appointed at the first session of the Knox County Court on June 23, 1800 (Littell, Statute Law of Kentucky, vol. 2, p. 298; Order Book, entry 204). The office of county clerk was provided for in the second constitution of Kentucky, adopted in 1799 (Const. of 1799, art. 4, sec. 10; see Fiscal Court). The third constitution, adopted in 1850, reaffirmed this office but provided that it be elective for a term of four years (Const. of 1850, art. 6, sec. 1). The fourth constitution in 1891, reaffirmed the county court clerk as an elective office but further provided that vacancies for cause in this office be filled by temporary appointment by the county court until a successor be elected, and stipulated that the clerk be twenty-one years old and a resident of the state for two years and of the county for one year (Const. of 1891, secs. 99, 100, 152; Carroll's Kentucky Statutes, 1936 ed., sec. 1526).

In 1798 it was first provided that the county court clerk keep a docket of all causes pending in the county court (Morehead and Brown, Digest, vol. 1, p. 385); write up the proceedings of the court each day, to be read and signed by the county judge (ibid., p. 382); and keep a record of persons testifying in court on legal summons, upon request delivering to each witness a copy of such claim (ibid., p. 383).

After 1802 the clerk was required to use style in transcripts and to keep records ruled as prescribed and outlined by statute (ibid., pp. 410, 411). In 1839 it was first provided that he endorse on an inner envelope all the steps taken in each case (Loughborough, Digest, p. 136). Statutes passed after the adoption of the fourth constitution in 1891 require him to list all the steps in each case within thirty days after the close of each

term of court (Carroll, op. cit., sec. 379). Being the clerk of the fiscal court, he is to attend all the sessions and report all proceedings (ibid., sec. 1835; see Fiscal Court).

The clerk has had a variety of duties in connection with receiving taxes. At the time he was first appointed in Knox County, he was required to account for and pay in to the state treasury all moneys received by him on public account for taxes (Littell, op. cit., vol. 1, pp. 65-75; vol. 2, p. 85). At the same period he was authorized to make out alphabetical books from lists of taxable property turned in to him, of all persons subject to taxation (ibid., vol. 4, p. 162). He was to furnish annually a list of taxes on deeds, seals, and other instruments taxable by law, which he received (Morehead and Brown, Digest, vol. 1, p. 405); to deliver to the sheriff a list of persons chargeable with payment of levies (ibid., vol. 2, pp. 1114, 1115); to preserve books and lists of taxable property returned to him and keep them for public inspection (ibid., p. 1373); and to make two copies of commissioner's books returned to him each year, one to be transmitted to the state auditor of public accounts and one to the sheriff or collector (ibid., p. 1384; General Statutes of Kentucky, 1873 ed., p. 727).

Other duties of the clerk regarding the collection of taxes, authorized by statute subsequent to 1850, required him to file the tax on the papers in the case at the termination of each suit, with the records and the costs of each party (General Statutes of Kentucky, 1873 ed., p. 202), and to issue summonses in the name of the commonwealth against tax delinquents to be tried by the county court (ibid., p. 723). After 1891 additional statutes required the county clerk to act as clerk for the board of tax supervisors (Carroll, op. cit., sec. 4121); to make and furnish copies of the orders of appointments to the various tax supervisors appointed (ibid., sec. 4116); to record and index reports of the sheriff pertaining to the sale of property for taxes (ibid., sec. 4162); before August 1, to certify and furnish to the county tax commissioner a list of tax liens and report to him the sale of real estate together with a list of mortgages and conveyance liens (ibid., sec. 4051a); to certify the tax on all distilled spirits and forward to the sheriff for collection (ibid., sec. 4108); to make original bills of each person required to pay poll tax (ibid., sec. 4239i-1); to receive listings between July 1 and October 1 of mineral, oil, and gas rights and make out tax bills for same, assessing penalties for non-compliance of owner and turning over bills to the sheriff for collection (ibid., sec. 4039; to make a recapitulation of the tax supervisors' work (ibid., sec. 4128a-1); to make out a bill for assessment of omitted property (ibid., sec. 4126); to prepare a tabulated statement of all bills of real estate before July 10 (ibid., sec. 4114i-14); and to receive, on or before January 1 from the county tax commissioner, all tax schedules except those of intangible property, filing and preserving the same for five years (ibid., sec. 4114i-15).

Duties of the county clerk in regard to the issuing of licenses began shortly after 1802 when the clerk was first authorized to issue marriage licenses (Morehead and Brown, Digest, vol. 2, p. 1156). He also issued li-

censes to tavern keepers, pedlars of clocks, and owners and keepers of covering horses and jacks (ibid., p. 1382), and later he filed the sheriff's receipts for all money received for licenses of spirituous liquors in quantities prescribed by law (Acts of the General Assembly of 1849, ch. 670, sec. 9, p. 46). The clerk's duties were next extended to cover the granting of licenses for nine-pin or ten-pin alleys, menageries, circuses, et cetera, as well as to brokers, exchange dealers, and selling of playing cards (General Statutes of Kentucky, 1873 ed., pp. 688, 711-15, 727). He reported to the circuit court lists of licenses granted (ibid., p. 728) and of all licensed tavern keepers and vendors of spirituous liquors (ibid., p. 805). Additional statutes, enacted since the adoption of the present constitution, require the clerk to: return all unused licenses and stubs for the previous year to the state game and fish commission (Carroll, op. cit., sec. 1954c-30; grant automobile licenses and account to the state tax commission for same (ibid., sec. 2739g-62; grant all licenses as agent for the state where business is proposed to be conducted in the county, except as otherwise specifically provided by law (ibid., sec. 4190), including transient merchants and other miscellaneous operators (ibid., secs. 2615-3, 4214d-2, et. seq., 4215, 4217b, et. seq., 4223a, et. seq., 4224); and for duplicate stubs of licenses granted to the state auditor of public accounts within two days and the receipts for them once a month, at this time collecting his five per cent commission (ibid., sec. 4195).

Before the creation of Knox County it was provided by statute that the county court clerk should make and transmit a list of deeds to other courts (Littell, Statute Law of Kentucky, vol. 1, p. 90). He was to receive and acknowledge deeds out of court (ibid., vol. 2, p. 262), but from 1802 to 1806 deeds were also acknowledged by the circuit clerk (see office of Circuit Clerk). By an act of 1792 the county clerk recorded verbatim all writings of conveyances acknowledged and proved before court, certified same, redelivered the originals to owners, and made a docket of same in alphabetical order (Morehead and Brown, Digest, vol. 1, pp. 441-2). Under a later statute, enacted after the third constitution, he was required to keep an alphabetical cross index of all conveyances recorded in his office (Loughborough, Digest, p. 145). An act of 1831 authorized the clerk to take proof of deeds anywhere in the county (Morehead and Brown, Digest, vol. 1, p. 453). In 1839 he was required to register mortgages and deeds and index same in proper deed books (Loughborough, Digest, p. 144) and in 1841 to advertise once each year a list of unrecorded deeds (ibid., p. 145).

By acts passed after the first constitution it was provided that the clerk transmit a list of justices to the secretary of state (Littell, op. cit., vol. 2, p. 88); receive papers and record books of the justices of the peace in case of removal, resignation, or death (ibid., p. 89); and administer oaths (ibid., p. 370). Early statutes also required him to live at the seat of justice (ibid., p. 300), and an act of 1852 first specified that he keep office within two hundred years of the courthouse, and keep it open, free, and accessible at all reasonable times (Acts of the General Assembly of 1852, ch. 8, art. 3, sec. 3, p. 62).

County Court Clerk

(Next Entry, 22, p. 31)

Statutes passed subsequent to 1802 provided that the clerk furnish the state auditor of public accounts a statement of moneys due the commonwealth on the sale of vacant lands (Littell, op. cit., vol. 3, p. 307) and that he also furnish the auditor a list of certificates of lands granted by the county court by an act of 1806 (ibid., p. 389). The clerk was authorized, in certain cases when court was not in session, to issue commissions for taking depositions of witnesses (ibid., p. 524); to record relinquishment of dowers (ibid., p. 133); to receive complete lists of fines, which went to lessen the county levy, inflicted or collected by the circuit court clerk, constables, justices or other collecting officers, and to receive sheriff's returns (ibid., p. 374).

An act of 1804 provided that the county clerk was to furnish the circuit clerk with lists of all surveyors of roads in the county along with copies of the orders of the county court appointing road supervisors (Littell, op. cit., vol. 3, p. 245). In 1829 an act was passed which required him to make out and certify a complete alphabetical list of claims allowed by the county court and payable out of the public treasury, and to file same with the circuit clerk (Morehead and Brown, Digest, p. 378; Acts of the General Assembly of 1829, p. 63). The circuit court then transmitted this list, with the certificate of the county clerk, to the state auditor of public accounts. A few years later, however, an additional act required the county clerk to transmit the list direct to the state auditor (Morehead and Brown, Digest, p. 379).

Seals to instruments or claims of the widows or heirs of soldiers were to be affixed by the county clerk free of charge, according to laws first passed shortly after the adoption of the second constitution (Loughborough, Digest, p. 135).

In 1841 it was first provided by statute that the clerk receive poll books from the sheriff, ascertain the votes of each candidate, certify same, and keep safely in his office for open inspection (ibid., p. 223). An act of 1851 stipulated that he prepare all ballots, et cetera, for election purposes (Revised Statutes of Kentucky, vol. 1, p. 431). About 1839 he was also required to record the names of persons holding life estate in slaves (Loughborough, Digest, p. 554). All law books received on public account were to be reported to the county judge, beginning in 1873 (General Statutes of Kentucky, 1873 ed., pp. 612, 614). Laws passed since the adoption of the present constitution further require the clerk to safeguard all books for which he is responsible under bond (Carroll, op. cit., sec. 2430) and to preserve all papers connected with the county court (ibid., sec. 372).

An act of 1860 first required the clerk to keep a record book of every execution and return of the sheriff (General Statutes of Kentucky, 1873 ed., p. 199). Later laws provided that he keep a registry of suits to settle insolvent estates (ibid., p. 555); receive registries of clergymen, physicians, and midwives, whose respective duties are to keep such records (ibid., 1877

ed., p. 962); copy verbatim all legal papers that were acknowledged before him (ibid., 1873 ed., pp. 261, 262); and record all instruments, mortgages, pledges, or liens on personal property and certify same (ibid., p. 259). In connection with this last duty, he was later required to keep a chattel mortgage minute book in which to enter abstracts of the above (Carroll, op. cit., sec. 523b-8). He is also to record all settlements made by the county treassurer (ibid., sec. 933). Wills have been recorded by the county clerk since the formation of Knox County (Littell, op. cit., vol. 1, p. 611).

By laws passed subsequent to 1850, the clerk reports and pays funds to the trustee of the jury fund, and makes a statement of public dues received, verifying same (General Statutes of Kentucky, 1873 ed., p. 579). He also makes an account of all public moneys received to the circuit court (ibid., p. 578; see Circuit Court) and furnishes this court with a list of persons licensed for grand jury service (ibid., pp. 688, 711-715, 727).

It was provided by statute before Knox County was created, that the county clerk, at the expiration of his term or upon removal, deliver all books, records, and other papers belonging to his office to his successor or such persons as the court may direct. He was also not to permit removal of records of his office except in great emergencies or order of the county court (Morehead and Brown, Digest, vol. 1, p. 385). The clerk is not allowed to practice law while in office (General Statutes of Kentucky, 1873 ed., p. 361) and he cannot be interested in any contracts with the county (Carroll, op. cit., sec. 1844).

Land Instruments

22. DEED BOOKS, 1801--. 103 vols. (A-Z, 1-77), 9 file boxes. 1914-19 in Clerk's Record, entry 220; 1894-1910 in County Court Papers, entry 226.

Deeds and mortgages made and recorded; list of property and transfers, names of grantor, grantee, mortgagor, and mortgagee, description of property, date, amount of instrument, date recorded. Arr. chron. 76 vols., alph. indexed by name of grantor or mortgagor; 27 vols., 1801--, separate index. 1801-1931, hdw. pr. fms.; 1932--, typed. Vols. aver. 560 pp. 17 x 11½ x 3; file boxes aver. 80 docs. 4½ x 10 x 9½. 103 vols., 8 file boxes, 1801--, Co. Ct. Clk's. vlt.; 1 file box, 1924-28, Co. Ct. Clk's. off.

Mortgages for 1871-- in Mortgage Book, entry 36; additional deeds and mortgages in Miscellaneous Records, entry 88.

23. GENERAL CROSS INDEX TO DEEDS, 1801--. 27 vols. (A-Z, including Mc). General index to entry 22; alph. crossed by names of grantor and grantee, showing deed book and p. no. where recorded. Hdw. Vols. aver. 300 pp. 18 x 12 x 2. Co. Ct. Clk's. off.

24. LIST OF UNRECORDED DEEDS, 1887-97, 1901-3. 1 vol., 1 file box. List of unrecorded deeds; names of grantor and grantee, description of property, date filed, reason unrecorded. Arr. chron. by years and alph. by

Name of grantor within each year. Hdw. Vol., 500 pp. 18 x 12 x 2; file box, 15 docs. 4½ x 10 x 6. 1 vol., 1887-97, Cir. Clk's. off.; 1 file box, 1901-3, Co. Ct. Clk's. vlt.

25. DEEDS AND MORTGAGES, 1906-07, 1916-17, 1923-26. 6 file boxes.
Mortgage deeds conveying property, title of which remains in name of former owner until mortgage is paid in full; names of grantor and grantee, date, description of property, amount involved. Arr. chron. Hdw. pr. fms. File boxes aver. 25 docs. 4½ x 10 x 6. 2 file boxes, 1923-26, Co. Ct. Clk's. off.; 3 file boxes, 1906-07, 1916-17, Co. Ct. Clk's. vlt.

26. RIGHT-OF-WAY DEEDS, 1921--. 2 vols. (1-2), 6 file boxes.
Grants of right-of-way for public roads given by property owners for money and further benefits to property by construction of said roads; name of owner, description of grant, date of deed. Arr. chron. Hdw. pr. fms. Vols. aver. 482 pp. 17 x 12 x 3; file boxes aver. 35 docs. 4½ x 10 x 6. 2 vols., 1921--, Co. Ct. Clk's. vlt.; 5 file boxes, 1929--, Co. Ct. Clk's. off.

27. INDEX TO RIGHT-OF-WAY DEEDS, 1921--. 2 vols. (1-2).
Index to Right-Of-Way Deeds, entry 26; arr. alph. by name of property owner, showing vol. and p. no. where recorded. Hdw. Vols. aver. 24 pp. 17 x 12 x ½. Co. Ct. Clk's. vlt.

28. (DEED), 1801. 1 p.
Deed by James Barbour of 38 acres for town of Barbourville; 2 acres to be used for public square; 36 acres for residential and business sites. Hdw. Co. Ct. Clk's. vlt.
Recorded in Deed Book, vol. 1, p. 1, entry 22.

29. (DEED), 1805. 1 p.
Deed to Paint Hill Tavern, oldest log cabin now standing in county, located five miles from Barbourville on Boone trail, condition good. Hdw. Co. Ct. Clk's. vlt.
Recorded in Deed Book, vol. B, p. 490, entry 22.

30. (DEED), 1931. 1 p.
Deed to State Park Commissioner of site of cabin erected by Thomas Walker and companions, first white habitation in Kentucky, known as "Dr. Walker Memorial Park"; 12.16 acres on Cumberland River in Knox County, marked by stones from original chimney. Typed. Co. Ct. Clk's. vlt.
Recorded in Deed Book, vol. 71, p. 568, entry 22.

31. DEED BOOK (Cemetery Lots), 1897--. 1 vol.
Deeds to burial lots sold by Barbourville Cemetery Company; name of purchaser, description of lot, value, date of deed. Arr. chron. Hdw. 639 pp. 18 x 12 x 3. Co. Ct. Clk's. vlt.

32. INDEX TO DEED BOOK (Cemetery Lots), 1897--. 1 vol.
Index to Deed Book (Cemetery Lots), entry 31; arr. alph. by name of grantee,

showing p. no. where recorded. Hdw. 33 pp. 18 x 12 x ½. Co. Ct. Clk's. vlt.

33. FRANCHISES, 1904-07, 1926-27, 1933. 5 file boxes.
Statements of assessed value of franchise fixed by state tax commissioner on tangible and intangible property; name of company or corporation, description of property, assessed value. Hdw. File boxes aver. 90 docs. 4½ x 10 x 6. 4 file boxes, 1904-05, 1926-27, 1933, Co. Ct. Clk's. off.; 1 file box, 1906-07, Co. Ct. Clk's. vlt.

34. LEASE BOOKS (Land Book), 1872--. 24 vols. (A, 1-23).
Written contracts for leasing lands to tenants for specified period of time; also contracts and certificates of land leased for coal, gas, oil, and mineral rights, with customary privileges. Arr. chron. 1872-1929, hdw.; 1930--, typed. Vols. aver. 643 pp. 18 x 13 x 3. Co. Ct. Clk's. vlt.
Additional leases in Miscellaneous Records, entry 88.

35. INDEX TO LEASE BOOKS (Land Book), 1872--. 24 vols. (A, 1-23).
Index to Lease Books (Land Book), entry 34; alph. crossed by names of lessee and lessor, showing vol. and p. no. where lease is recorded. Hdw. Vols. aver. 50 pp. 18 x 13 x ½. Co. Ct. Clk's. vlt.

36. MORTGAGE BOOK, 1871--. 29 vols. (A-Z, 2, 3, 6).
Record of real estate mortgages; names of mortgagor and mortgagee, description of property, date and amount of mortgage, terms. Arr. chron. 1871-1928, hdw.; 1929--, typed. Vols. aver. 600 pp. 17 x 11½ x 3. Co. Ct. Clk's. vlt.
For mortgages prior to 1871, see Deed Books, entry 22.

37. INDEX TO MORTGAGE BOOK, 1871--. 29 vols. (A-Z, 2, 3, 6).
Index to Mortgage Book, entry 36; alph. crossed by names of mortgagor and mortgagee, showing p. no. and vol. where recorded. 1871-1928, hdw.; 1929--, typed. Vols. aver. 34 pp. 17 x 11½ x ½. Co. Ct. Clk's. vlt.

38. INCUMBRANCES ON REAL ESTATE, 1898--. 2 vols., 1 file box.
Unpaid notes and taxes; description of property, date of incumbrance, amount, date due, names of parties. Arr. chron. by date of incumbrance. Hdw. Vols. aver. 480 pp. 18 x 12 x 3; file box, 75 docs. 4½ x 10 x 13. 2 vols., 1898--, Co. Ct. Clk's. off.; 1 file box, 1928, Co. Ct. Clk's. vlt.

39. INDEX TO INCUMBRANCES ON REAL ESTATE, 1898--, 2 vols.
Index to Incumbrances on Real Estate, entry 38; arr. alph. by names of parties, showing vol. and p. no. where recorded. Hdw. Vols. aver. 40 pp. 18 x 12 x ½. Co. Ct. Clk's. off.

Personal Property
(See also entry 33)

40. CONTRACT BONDS, 1917. 1 file box.
Contracts of partnerships; statements of type of business, name under which operated, names of partners. 20 docs. 4½ x 10 x 13. Co. Ct. Clk's. vlt.
For additional records see Miscellaneous Records, entry 88.

41. ARTICLES OF INCORPORATION, 1911--. 2 vols. (1-2), 1 file box.
1919-21 in Miscellaneous Papers, entry 221.
Articles of incorporation; names of incorporators, place and nature of business, amount of capital stock, denomination and class of same, amount held by each incorporator. Arr. alph. by name of corporation. Hdw. Vols. aver. 480 pp. 18 x 12 x 3; file box, 60 docs. 4½ x 10 x 6. 2 vols., 1911--, Co. Ct. Clk's. off.; 1 file box, 1922-23, Co. Ct. Clk's. vlt.
For additional records see Miscellaneous Records, entry 88.

42. RECORD OF FIRMS DOING BUSINESS UNDER AN ASSUMED NAME, 1917--. 1 vol., 2 file boxes.
Records of firms operating under assumed names; real and assumed names of owners, location, character of business. Arr. chron. Alph. indexed by assumed name of firm. Hdw. Vol., 300 pp. 18 x 14 x 2; file boxes aver. 25 docs. 4½ x 10 x 6. Co. Ct. Clk's. off.

43. COUNTY CLERK'S RECORDS (Assessments), 1897-98. 1 file box.
Assessments of railroads and telegraph lines for taxation; names of owners, amount of assessment. Arr. chron. Hdw. pr. fms. 10 docs. 4½ x 10 x 6. Co. Ct. Clk's. vlt.

44. BILL OF SALES, 1921--. 8 file boxes.
Bills of sale of motor vehicles; transfer of title, occupation of applicant, make, model, style of car, motor no. Arr. chron. Hdw. pr. fms. File boxes aver. 200 docs. 4½ x 10 x 13. Co. Ct. Clk's. vlt.

45. CHATTEL MORTGAGE, 1931--. 5 vols. (1, 4, 5, 7, Z), 1 file box.
Mortgages on personal property other than real estate as security for payment of debt; date and amount of mortgage, names of mortgagor and mortgagee, terms of mortgage. Arr. chron. 1931-34, hdw.; 1935--, typed pr. fms. Vols. aver. 600 pp. 17 x 11½ x 3; file box, 50 docs. 4½ x 10 x 13. 5 vols., 1931--, Co. Ct. Clk's. vlt.; 1 file box, 1934, Co. Ct. Clk's. off.
For prior records see entry 47.

46. (MORTGAGE), 1848. 1 p.
Mortgage given by Peter Vannary to Samuel Miller on negro (slave) girl, Hannah, to secure payment of three notes aggregating $92.72. Hdw. Co. Ct. Clk's. vlt.
Recorded in Deed Book, vol. E, p. 225, entry 22.

47. MINUTES CHATTEL MORTGAGES, 1928--. 4 vols. (1-4).
Minutes of chattel mortgages including pledges, mortgages or liens on personal property, showing date, amount, and conditions of instrument, names of parties. Arr. chron. Hdw. Vols. aver. 635 pp. 18 x 12 x 2. Co. Ct. Clk's. off.

For additional records see entry 45.

48. MECHANICS' LIENS, 1888--. 2 vols., 6 file boxes.
Claims upon property securing payment of debt; names of claimant and property owner, amount of debt, date of lien, terms. Arr. chron. by years and alph. by name of property owner within each year. 1888-1930, hdw.; 1931--, typed. Vols. aver. 430 pp. 17 x 11½ x 2; file boxes aver. 100 docs. 4½ x 10 x 6. Co. Ct. Clk's. vlt.
For additional records, see entry 50.

49. INDEX TO MECHANICS' LIENS, 1888--. 2 vols.
Index to Mechanics' Liens, entry 48; arr. alph. by name of claimant, showing p. no. and vol. where recorded. 1888-1930, hdw.; 1931--, typed. Vols. aver. 40 pp. 17 x 11½ x ½. Co. Ct. Clk's. vlt.

50. MISCELLANEOUS PAPERS (Liens), 1920--. 5 file boxes. 1910-16 in Clerk's Record, entry 220.
Liens for materials furnished journeymen and workmen, and mechanic's liens; names of claimant and property owner, amount and date of lien. Hdw. pr. fms. File boxes aver. 250 docs. 4½ x 10 x 13. 1 file box, 1920-29, Co. Ct. Clk's. vlt.; 4 file boxes, 1930--, Co. Ct. Clk's. off.
For prior records of mechanics' liens, see entry 48.

Revenue
(See also entries 82 and 83)

Taxes (See also entries 255 and 256)

51. TAX RECEIPTS, 1908-11, 1925-26. 1 vol., 2 file boxes. 1931 in Receipts, entry 60.
Receipts for taxes on real estate and personal property; revenue for common school. Hdw. pr. fms. Vol., 300 pp. 16 x 12 x 2; file boxes aver. 750 docs. 4½ x 10 x 13. Co. Ct. Clk's. vlt.

52. TAX RECEIPTS (Delinquent Taxes), 1898-1907, 1928. 3 file boxes.
Receipts for delinquent taxes paid to county clerk; name of taxpayer, date, amount, and purpose of payment. Arr. chron. Hdw. pr. fms. File boxes aver. 175 docs. 4½ x 10 x 6. Co. Ct. Clk's. vlt.

53. DELINQUENT LIST OF TAXPAYERS, 1897. 1 file box.
List of deliqnuent taxpayers; name and address of taxpayer, amount due. Hdw. 175 docs. 4½ x 10 x 6. Co. Ct. Clk's. vlt.

54. OMITTED TAX LIST, 1913-25, 1930. 2 vols., 1 file box.
Record of persons failing to list property with tax commissioners for assessment; name of property owner, description of property, valuation, date, amount of tax. Arr. alph. by name of taxpayer. Hdw. Vols. aver. 500 pp. 14 x 17 x 2; file box, 20 docs. 4½ x 10 x 6. Co. Ct. Clk's. vlt.

55. REPORTS OF COUNTY CLERK (Gasoline), 1921-24. 1 file box.
Monthly report of gasoline retailers; no. gallons sold, amount of tax due commonwealth, name of retailer. Arr. chron. 280 docs. 4½ x 10 x 6. Co. Ct. Clk's. vlt.

Fees

56. TAX RECEIPTS (Fees Collected), 1864-1918, 1932--. 9 vols.
Record and receipts of fees paid county clerk for licenses issued to restaurants forsale of soft drinks, trained animal shows, merry-go-rounds, and for recording services; date, amount, and purpose of payment, name of payer. Arr. chron. Hdw. pr. fms. Vols. aver. 365 pp. 18 x 14 x 2½. Co. Ct. Clk's. vlt.

57. CLERK'S FEE BOOK, 1894-1923. 2 vols.
Records of money paid county clerk for filing petitions, issuing summons, recording commissioners' reports; date, name of payer, amount, reason for payment. Arr. chron. Hdw. pr. fms. Vols. aver. 300 pp. 18 x 12 x 2. Co. Ct. Clk's. vlt.
For prior records and subsequent records, see entry 56.

58. INDEX TO CLERK'S FEE BOOK, 1894-1923. 2 vols.
Index to Clerk's Fee Book, entry 57; arr. alph. by name of payer, showing p. no. of vol. where recorded. Hdw. Vols. aver. 50 pp. 18 x 12 x ¼. Co. Ct. Clk's. vlt.

License and Registration

59. MOTOR VEHICLE REGISTER, 1922--. 4 vols., 7 file boxes.
Record of automobile licenses; name of owner, date of application, transfer of title certificates, registration no., amounts of state and county clerk's fees. Arr. chron. Alph. indexed by name of owner. Hdw. pr. fms. Vols. aver. 320 pp. 18 x 12 x 3; file boxes aver. 80 docs. 4½ x 10 x 13. Co. Ct. Clk's. vlt.
For prior records see entry 66.

60. RECEIPTS, 1931. 1 file box.
Receipts from commonwealth of reports on automobile licenses. Contains: Receipts of School Books, see Board of Education, p. 94; Receipts for Taxes, entry 51. Hdw. pr. fms. 300 docs. 4½ x 10 x 6. Co. Ct. Clk's. off.

61. MEDICAL REGISTER, 1881--. 3 vols. (1-3).
Register of doctors eligible to practice medicine; name, date of certificate from State Board of Health. Arr. chron. Alph. indexed by name of doctor. Hdw. Vols. aver. 143 pp. 16 x 11 x 1. Co. Ct. Clk's. vlt.

62. M. D. (Doctors') CERTIFICATES, 1893. 1 file box.
Certificates from state board of health for practice of medicine; name of doctor, date of certificate. Arr. chron. Hdw. pr. fms. 50 docs. 4½ x 10

x 6. Co. Ct. Clk's. vlt.

63. PHARMACY BOOK, 1891-98. 1 vol.
Register of pharmacists qualified as required by law, duly licensed by State Board of Pharmacy; name, date qualified. Arr. chron. Hdw. 100 pp. 14 x 9 x ½. Co. Ct. Clk's. off.

64. LICENSE RECORDED (Fishing and Hunting License), 1912-20, 1931. 4 vols., 1 file box.
Record of hunting and fishing licenses; name of licensee, residence, age, race, color of eyes, amount paid, date. Arr. chron. Hdw. pr. fms. Vols. aver. 100 pp. 18 x 12 x 1; file box, 50 docs. 4½ x 10 x 6. Co. Ct. Clk's. vlt.
For prior records see entry 66.

65. ANIMAL AND BASTARDY LICENSE BONDS (Licenses and Statements), 1893, 1897--. 3 vols. (1-3).
License to stand a male animal; name of owner, amount for services of said animal. Contains: Statements of Unmarried Women, entry 227. Arr. chron. Alph. indexed by name of bondee. Hdw. pr. fms. Vols. aver. 350 pp. 18 x 12 x 3. Co. Ct. Clk's. off.
For additional license records see entry 66.

66. REGISTER (Miscellaneous Licenses), 1895-1907. 1 vol.
Register of various licenses issued; date, to whom issued, kind of license, date of expiration. Arr. chron. Hdw. pr. fms. 450 pp. 17 x 11 x 2. Co. Ct. Clk's. vlt.
For prior and subsequent records see entries 59, 64, and 65.

Reports to Commonwealth (See also entry 9)

67. STATE TAX COMMISSION (County Court Clerk's Collection Report), 1924, 1927-28, 1930-32. 4 file boxes.
Weekly report of county clerk to state tax commission of collections on licenses issued; amount due state. Arr. chron. by date of report. Hdw. pr. fms. File boxes aver. 75 docs. 4½ x 10 x 13. Co. Ct. Clk's. vlt.

68. CLERK'S REPORTS (State and County Funds Received), 1918--. 2 vols.
Monthly report to commonwealth of all state and county funds received by county clerk; date of receipt, from whom received, amount, reason for payment. Arr. chron. by date of report. Hdw. pr. fms. Vols. aver. 469 pp. 18 x 12 x 3. Co. Ct. Clk's. off.
For original receipts see entry 82.

Disbursements
(See also entry 85)

69. DOG CLAIMS, 1929. 1 file box.

Claims against owners of dogs without license; name of owner, description of dog, date and amount of claim. Hdw. 35 docs. 4½ x 10 x 13. Co. Ct. Clk's. vlt.

70. LIVESTOCK AND POULTRY CLAIMS, 1920. 1 file box.
Claims for livestock and poultry killed or injured on highways and railroads; name of daimant, date and amount of claim, action taken. Hdw. pr. fms. 20 docs. 4½ x 10 x 6. Co. Ct. Clk's. off.
For prior and subsequent records see entry 263.

71. CHECKS, 1924. 1 file box.
Checks to state treasurer for amount due commonwealth on motor vehicle license. Contains: Claims Paid for Livestock Killed by Dogs, entry 259. Hdw. pr. fms. 65 docs. 4½ x 10 x 13. Co. Ct. Clk's. vlt.

72. WITNESS BOOK, 1872-1930. 2 vols.
List of witnesses; name of litigant and witness, party for whom witness testified, dates served, amount due for mileage, ferriage, tollage, total, date paid. Arr. chron. by date of record. Alph. indexed by name of witness. Hdw. pr. fms. Vols. aver. 361 pp. 17 x 9 x 2. 1 vol., 1872-1917, Co. Ct. Clk's. vlt.; 1 vol., 1918-30, Co. Judge's off.

Bonds

73. BOND OF COUNTY AND CIRCUIT CLERKS, 1890--. 1 vol.
Bond given by clerks as surety to discharge their duties faithfully; names of clerks and surety, date, amount of bond. Arr. chron. Alph. indexed by name of bondee. Hdw. pr. fms. 450 pp. 14 x 9 x 2. Co. Ct. Clk's. off.

74. BONDS OF JUSTICE OF PEACE, 1871--. 2 vols.
Bond given by justices of peace as surety to discharge duties faithfully; names of bondee and surety, date and amount of bond. Arr. chron. Alph. indexed by name of bondee. Hdw. pr. fms. Vols. aver. 480 pp. 14 x 9 x 2. Co. Ct. Clk's. off.

75. CONSTABLES' BONDS, 1870-1921, 1930--. 2 vols.
Bonds filed with county clerk by constable guaranteeing faithful discharge of duties of office; amount of bond, names of bondee and surety, date recorded. Arr. chron. Alph. indexed by name of bondee. Hdw. pr. fms. Vols. aver. 439 pp. 14 x 9 x 1½. Co. Ct. Clk's. vlt.

76. SHERIFF'S BONDS, 1870--. 4 vols.
Sheriff's bond given as surety that he and his deputy will faithfully discharge all duties; names of sheriff and deputy, date, amount of bond. Arr. chron. Alph. indexed by name of bondee. Hdw. pr. fms. Vols. aver. 300 pp. 17 x 9 x 1. Co. Ct. Clk's. off.

77. POLICE JUDGE'S BOND, 1893--. 1 vol.
Bond given by police judge as surety that he will faithfully discharge all

duties of office; name of bondee, date, and amount of bond. Arr. chron. Alph. indexed by name of bondee. Hdw. pr. fms. 207 pp. 14 x 9 x 1½. Co. Ct. Clk's. off.

78. OFFICER'S BONDS, 1875-91. 1 file box. 1904-05, 1912-18, 1920-21, 1930 in Commissions, entry 90.
Bonds for county officers; names of bondee and bondsmen, date and amount of bond. Contains: Licenses for Operating Tavern, entry 79. Arr. chron. Hdw. pr. fms. 15 docs. 4½ x 10 x 6. Co. Ct. Clk's. vlt.
For prior and subsequent records see entries 73, 74, 75, 76, and 77.

79. TAVERN KEEPER'S BONDS, 1853-83. 2 vols. 1875-91 in Officer's Bonds, entry 78,
Tavern keeper's bond as surety that he will operate an orderly establishment and prepare proper diet for guests; names of bondee and bondsman, date and amount of bond. Arr. chron. Hdw. pr. fms. Vols. aver. 430 pp. 14 x 9 x 2. Co. Ct. Clk's. vlt.

80. NOTARY PUBLIC AND MINISTER'S BONDS, 1882--. 6 vols. Notary Bonds, 1904-05, 1912-18, 1920-21, 1930 in Commissions, entry 90.
Notary public bond as surety of faithful performance of duties, and minister's bond as surety against violation of state marriage laws; names of bondee and bondsmen, date and amount of bond. Arr. chron. Alph. indexed by name of bondee. Hdw. pr. fms. Vols. aver. 300 pp. 14 x 9 x 2. Co. Ct. Clk's. vlt.

Vital Statistics

81. MARRIAGE LICENSE AND BONDS RECORDED, 1800--. 78 vols., 77 file boxes.
Marriage licenses and bonds; names of bride and groom, age, race, place of birth, residence, occupation, date of marriage, names of parents. (In this record is recorded the license issued to Dr. Samuel F. Miller and Lucy Ballinger. Dr. Miller located in Barbourville around 1840; in 1844 he was appointed justice of the peace in Knox County; in 1850 he moved to the state of Iowa where he became a lawyer and was later appointed by President Abraham Lincoln as a member of the U. S. Supreme Court). Arr. chron. Alph. cross-indexed by names of bride and groom. 1800-1920, hdw.; 1921--, typed. Vols. aver. 120 pp. 18 x 12 x 2; file boxes aver. 50 docs. 4½ x 10 x 6. Co. Ct. Clk's. vlt.

Miscellaneous

82. CASH BOOK, 1907, 1916-32. 4 vols.
Record of cash receipts to be reported monthly by county clerk to state auditor; date of receipt, name of payer, amount, and purpose of payment. Arr. chron. Hdw. pr. fms. Vols. aver. 400 pp. 16 x 22 x 2. Co. Ct. Clk's. vlt.
For monthly reports see entry 68.

83. RECORD OF SHERIFF'S REPORTS, 1893--. 1 vol.

County clerk's record of all state and county funds collected by sheriff; amount of revenue tax, fines, forfeitures, ad valorem, and capitation taxes, total, date of report, name of sheriff. Arr. chron. Alph. indexed by name of sheriff. Hdw. pr. fms. 375 pp. 14 x 9 x 1½. Co. Ct. Clk's. vlt.
For reports of sheriff see entry 265.

84. LISTS OF WEIGHTS AND MEASURES, 1912. 1 file box.
Lists of scales for livestock, coal, general merchandise, etc.; accuracy test, date tested, name of tester. Hdw. pr. fms. 30 docs. 4½ x 10 x 6. Co. Ct. Clk's. vlt.

85. COUNTY CLERK'S RECORDS (Cancelled Checks), 1920-21. 1 file box.
Cancelled checks paid county teachers; name of teacher, date, and amount paid, check no. Contains: Claims for Services on Roads, entry 2; Repairs, entry 4; Receipted Vouchers for Services, entry 13. Hdw. pr. fms. 125 docs. 4½ x 10 x 13. Co. Ct. Clk's. vlt.

86. KNOX COUNTY UNEMPLOYED COOPERATIVE ASSOCIATION, 1935. 1 vol.
Register of unemployed; date, name, address, occupation, whether renter or property owner, size of family, no. receiving relief, amount received weekly, length of time aided, date case closed. Arr. chron. Hdw. 640 pp. 18 x 12 x 3. Cir. Clk's. off.

87. CLERK'S BOOK (Volume and Document Removal), 1891-98. 1 vol.
Receipts for vols. of "Acts of the General Assembly", borrowed from county court clerk; vols. taken, dates taken and returned, names of clerk and borrower. Arr. chron. by date taken. Hdw. pr. fms. 219 pp. 14 x 9 x 1. Co. Ct. Clk's. vlt.

88. MISCELLANEOUS RECORDS, n.d. 2 vols. (1-2), 2 file boxes.
Deeds and Mortgages, entry 22; Leases, entry 34; Contracts and Agreements, entry 40; Articles of Incorporation, entry 41; Lis Pendens Notices, entry 200; Bastardy Warrants, entry 227. Hdw. File boxes aver. 80 docs. 4½ x 10 x 6. Co. Ct. Clk's. off.

89. POWER OF ATTORNEY (Appointments of Attorneys), 1919. 1 file box.
1925-27 in Miscellaneous Papers, entry 155.
Names of attorneys appointed by corporations to act for them. Contains: Notifications of Candidates for Election, entry 276. Hdw. pr. fms. 30 docs. 4½ x 10 x 13. Co. Ct. Clk's. vlt.

90. COMMISSIONS, 1904-05, 1912-18, 1920-21, 1930. 9 file boxes.
Appointment of notaries and other officials by governor; names of governor and notary or official, date of appointment, period for which officer is to serve. Contains: Surety Bonds of Notary and Other Officials, entries 78 and 80. Arr. alph. by name of officer. File boxes aver. 50 docs. 4½ x 10 x 6. Co. Ct. Clk's. vlt.

III COUNTY JUDGE (Next Entry, 91, p. 47)

The predecessor of the county judge in Knox County took office, in all probability, through the adoption of special rules and regulations for the government of the county court. The office of county judge first came into existence through the justices composing the county court, who, feeling that better management was required for the operation of the court, passed a resolution in the regular session of 1845 to appoint a committee of three to draft rules and regulations for its government. This committee recommended that the county court should have a presiding officer whose particular duties it would be to take the vote on questions in the court, announce the result of the vote, see to it that the county clerk entered fines and orders in the order book, and generally act as spokesman for the court (Order Book, entry 204).

The third constitution authorized, in each county, a county court consisting of a county judge and two associate judges, any two of the members being empowered to transact business as a court. The judge was to be elected for a term of four years, be a conservator of the peace, and be commissioned by the governor, exercising such jurisdiction as had been previously vested in the county court until it should be changed by law (Const. of 1850, art. 4, secs. 30-37). In 1852 the legislature abolished the office of associate judge (Acts of the General Assembly of 1852, ch. 22, art. 22, p. 96).

The present constitution, adopted in 1891, reaffirmed the preceding one regarding tenure of office (Const. of 1891, secs. 99, 140). The county judge is judge of the county court, reestablished by this constitution (ibid., sec. 140; for duties as judge of the county court see County Court). He is also judge of the juvenile court (Carroll's Kentucky Statutes, 1936 ed., sec. 331e-2; see Juvenile Court). He is required to inspect the jail once a month (General Statutes of Kentucky, 1873 ed., p. 567).

Under statutes passed shortly after the third constitution, the county judge had control of the fiscal affairs of the county, made provision for the maintenance of the poor, and provided for the good condition of the highways (Revised Statutes of Kentucky, vol. 1, p. 327; General Statutes of Kentucky, 1873 ed., p. 305). He now appoints a county road engineer (Carroll, op. cit., sec. 4325). Prior to the fourth constitution, he exercised jurisdiction with the justices of the peace, when the county court met as a court of claims to lay and superintend the county levy (Revised Statutes of Kentucky, vol. 1, p. 328; General Statutes of Kentucky, 1873 ed., p. 305) and served with the county court clerk as a board of tax appraisers (Revised Statutes of Kentucky, vol. 2, p. 257). He may appoint tax supervisors, one for each magisterial district in the county, who meet as a board (Carroll, op. cit., sec. 4115). He is a member of the county budget commission (ibid., sec. 185lc-2) and of the board of health (ibid., sec. 2055), and, with the county attorney and county court clerk, constitutes a building commission (ibid., sec. 1881a-1). He may call special terms of the county court (ibid., sec. 1058).

In 1852 the quarterly court was established by an act of the general

assembly, and the county judge made the presiding officer (Acts of the General Assembly of 1852, ch. 22, art. 17, p. 93). This court was reaffirmed by the present constitution (Const. of 1891, sec. 139; see Quarterly court). The judge keeps a docket, order book, and execution book and fixes a rule day for the return of the executions and other process (Carroll, op. cit., sec. 1055).

The present constitution authorized a fiscal court, consisting of the county judge and the justices of the peace, the county judge to be the presiding officer (Const. of 1891, sec. 144). The judge may call special terms of the fiscal court (Carroll, op. cit., sec. 1838; see Fiscal Court).

Records of this official are listed under the Fiscal Court, County Court, Juvenile Court, and Quarterly Court sections.

IV CIRCUIT COURT

The circuit court in Knox County, originally preceded by the district and quarter sessions courts, was not set up until 1804 when the quarter sessions court was abolished in the county. Knox County originally belonged to the district composed of Lincoln and Knox Counties. The district court was abolished in Knox County in 1802, but the quarter sessions court continued to function in the county until 1804, when it, too, was abolished and Knox County became a circuit court district of its own (Littell, Statute Law of Kentucky, vol. 3, pp. 37-48, 184; vol. 4, p. 504). At that time the only other courts in the county were the justices' and the county courts. As provided for by the general assembly in 1808, Knox County was in the ninth circuit court district, which at that time was composed of Mercer, Casey, Lincoln, Garrard, and Knox counties (Littell, op. cit., vol. 3, p. 504).

The third and fourth constitutions, adopted respectively in 1850 and 1891, reaffirmed the establishment and jurisdiction of the circuit court in the county, with the provision that it be subject to change by the general assembly (Const. of 1850, art. 4, secs. 16, 17; Const. of 1891, secs. 125, 126).

In 1850 Knox County was included in Judicial District No. 12, composed of Knox, Rockcastle, Harlan, Laurel, Whitley, Clay, Perry, Owsley, Letcher, Breathitt, Floyd, Pike and Johnson counties (Revised Statutes of Kentucky, vol. 1, p. 31).

Knox County is now part of Judicial District No. 34, established by the general assembly and consisting of Knox, McCreary, and Whitley counties (Carroll's Kentucky Statutes, 1936 ed., secs. 963, 965-34; Const. of 1891, sec. 128).

Jurisdiction of the circuit court, when first established, embraced the duties and powers granted and formerly executed by the district and quarter sessions courts, which included, for the district courts, juris-

Circuit Court

(Next Entry, 91, p. 47)

diction over all cases at common law and in chancery over fifty pounds, except actions of assault and battery, or suits of slander, and, for the quarter sessions court, jurisdiction over all cases of over five pounds or 1000 pounds of tobacco, except certain criminal cases (Littell, op. cit., vol. 3, pp. 37, 184). In 1852 it was provided that the circuit court have appellate jurisdiction of quarterly and justices' courts in all cases where the amount of suit was more than $16 (Acts of the General Assembly of 1852, ch. 22, art. 7; sec. 2, p. 90). With the adoption of the fourth constitution, it was provided that the circuit court have appellate jurisdiction in all civil actions from orders and judgments of the fiscal and quarterly courts in which the amount involved is more than $25, and of all judgments granted by the county courts when the amount is more than $50 (Carroll, op. cit., sec. 978). The circuit court also has jurisdiction of all personal actions involving more than $50 (ibid., secs. 1051, 1086).

In 1804, with the establishment of the judicial district in Knox County, power to award injunctions, writs of certiorari, ne exant, and habeas corpus, formerly vested in the district and quarter sessions courts, was given to the circuit court (Littell, op. cit., vol. 3, pp. 37-48, 184). This power was reaffirmed in the third and fourth constitutions (Const. of 1850, art. 4; Const. of 1891, sec. 138).

In 1830 an act was passed giving the circuit court jurisdiction over appeals from ferry and road cases, and in 1830 jurisdiction was given the court over cases concerning the probation of wills (Morehead and Brown, Digest, vol. 1, pp. 139, 140, 141). In 1852 appellate jurisdiction over cases from the county court was extended to include not only ferry and road cases, but also passways, mills, water works, and dams (Acts of the General Assembly of 1852, ch. 22, art., 7, sec. 1, p. 90). Jurisdiction in cases of public debtors was first given the circuit court concurrent with the general court (Littell, op. cit., vol. 4, p. 70; Morehead and Brown, Digest, vol. 1, p. 355). After the adoption of the fourth constitution, the circuit court had jurisdiction to enforce payment of liens upon land (Carroll, op. cit., sec. 966). The court also had appellate jurisdiction over the actions of the board of tax equalizers (ibid., sec. 2992).

Early statutes gave the circuit court authority to license newspapers to publish advertisements, which by law are required to be published (Loughborough, Digest, p. 30). This authority was reaffirmed by later statutes (General Statutes of Kentucky, 1873 ed., p. 143; Carroll, op. cit., sec. 12).

With the adoption of the fourth constitution in 1891, and the subsequent actions of the general assembly of the state, additional duties have been outlined for the circuit court. The circuit court has jurisdiction in reference to judgments of public service commissions (Carroll, op. cit., sec. 3952-44), and its jurisdiction has been extended to include violations of the common carrier laws (ibid., secs. 201e-12, 13, 21, 22).

Circuit Court-Circuit Judge (Next Entry, 91, p. 47)

The circuit court has jurisdiction in inquests concerning the mind or mental faculty of persons, in cases for the restoration of persons to sound minds (ibid., secs. 216aa-68, 216aa-101), and in the care and custody of idiots and lunatics and their estates (ibid., sec. 2149).

The circuit court also has jurisdiction in criminal actions and may commit the convicted person to the house of reform (ibid., sec. 2095c-1, et seq.). It has jurisdiction to postpone judgments and probate persons charged with crime (ibid., sec. 979b-5); power to order delivery of fugitives from justice (ibid., sec. 1927); appellate jurisdiction in judgments against defendants in criminal actions in the lower courts where the imprisonment or fine is more than $20 (Criminal Code, sec. 362); power to preserve order in the county; and power to order out the militia (Carroll, op. cit., sec. 2711a-145s).

The circuit court is empowered to sell land belonging to societies, such as charitable and religious societies, which have been dissolved, when the land has been granted to public uses, for the purpose of re-investment in similar property (ibid., sec. 324).

Because of the heavy docket of civil and equity cases in the circuit court, it became necessary to establish the court of common pleas in 1888. This court was continued in the county for a period of three years and abolished with the adoption of the fourth constitution in 1891 (Acts of the General Assembly of 1888, ch. 782, secs. 1-4, pp. 65-67, Const. of 1891, Schedule 3).

The circuit court, by an act of 1873, was given power to order the circuit court clerk, where records are unindexed or imperfectly indexed, to make an index and cross-index to any records of the circuit court in the county (Acts of the General Assembly of 1873, ch. 128, sec. 1, p. 10).

Circuit Judge

The office of circuit judge was created in 1802, when it was provided that the governor appoint nine circuit judges for the state. These judges met at a general court, apportioned the districts among themselves, and were, in turn, assisted in their districts by two assistant judges, appointed by the governor for each county (Littell, Statute Law of Kentucky, vol. 3, pp. 37-48, 184). Procedure in Knox County followed in the order outlined for the entire state. In 1816 the office of assistant judge of the circuit court was abolished (ibid., vol. 5, p. 346).

The judges were appointed for life (Const. of 1799, art. 4, sec. 3) until the adoption of the third constitution in 1850, when it was provided that the state be divided into twelve judicial districts and that a circuit judge be elected for each district for a term of six years. The qualifications of the circuit judge were that he must be at least thirty years old and have been a practicing lawyer or judge for eight years (Const. of 1850,

art. 4, secs. 16-28). With the adoption of the fourth constitution in 1891, the tenure of office of the circuit judge was reaffirmed, but it was stipulated that he be thirty-five years of age and commissioned by the governor (Const. of 1891, secs. 129-130). The circuit judge, as provided by statute, is empowered to call a special term of court and to order grand and petit juries to be empanelled whenever necessary (Revised Statutes of Kentucky, vol. 1, p. 321). This power was reaffirmed by the fourth constitution (Carroll's Kentucky Statutes, 1936 ed., sec. 917-13). The circuit judge was given authority to appoint a court reporter for the judicial district (ibid., sec. 4637). He is further given the power to appoint a master commissioner for each county in his judicial district for a term of four years (ibid., sec. 392).

Commonwealth Attorney

The first office performing the duties of the present commonwealth attorney in Kentucky was that of the attorney general, which office was established by the first constitution. The governor was authorized to appoint the attorney general, with the consent of the senate, to represent the commonwealth in criminal prosecutions and civil cases, in which the commonwealth was interested, in the superior courts, and perform such other duties as prescribed by law (Const. of 1792, art. 2). He was required to attend all the district and general courts, but, if he failed to attend any of said courts, the judges were authorized to employ a person to prosecute for the commonwealth in his stead (Littell, Statute Law of Kentucky, vol. 2, p. 77). These attorneys represented the commonwealth, in most cases, in the circuit court which was established in 1804. In 1813 an act was passed providing that the governor, with the consent of the senate, should appoint an attorney for the commonwealth in each judicial district for a period of two years to attend the several circuit courts within the district and prosecute the pleas and interest of the commonwealth arising therein (ibid., vol. 5, p. 19).

The third constitution in 1850 provided that a commonwealth attorney be elected for each judicial district for a term of six years, and that he should be at least twenty-four years of age and a practicing attorney for two years (Const. of 1850, art. 6). The present constitution, adopted in 1891, reaffirmed the previous one regarding the qualifications and tenure of office of the commonwealth attorney, adding that he must be a practicing attorney for at least four years (Const. of 1891, secs. 97, 100). It further stipulated that the office may be abolished by the legislature, in which event the duties of office shall be discharged by the county attorney (ibid., secs. 98, 108).

Statutes enacted subsequent to the third constitution required the commonwealth attorney to attend each circuit court held in his district and prosecute all violations of the criminal and penal laws therein, discharging all other duties assigned him by law (General Statutes of Kentucky, pp. 151, 152). Laws passed after the adoption of the fourth constitution reaffirmed this duty, adding that he must also attend to civil

cases in the circuit court in which the commonwealth is interested. The governor may employ council to assist him in handling civil cases (Carroll's Kentucky Statutes, 1936 ed., sec. 118), and in his absence the circuit judge may appoint an attorney to act in his place (ibid., p. 120).

In 1803 it was provided that the commonwealth attorney should be compensated for his services out of the county levy (Statute Laws of Kentucky, vol. 3, p. 146). In 1813 an act was passed providing the compensation of the commonwealth attorney be paid for his services by the public treasury (ibid., vol. 5, p. 19). Acts similar to this were passed about every two years until 1850. He was paid a salary out of the treasury, receiving fees of judgments rendered the commonwealth (General Statutes of Kentucky, pp. 151, 152). Under the present constitution the compensation for this office is by salary and such percentage of fines and forfeitures as fixed by law (ibid., secs. 98, 108).

Acts passed after the adoption of the second constitution required the commonwealth attorney to: take an oath to prohibit the importation of slaves (Morehead and Brown, Digest, p. 168); prosecute delinquent attorneys at law (ibid., p. 179); prosecute attorneys who fail to pay clients money collected by them (General Statutes of Kentucky, p. 149; Carrolls, op. cit., secs. 102, 105); and prosecute attorneys for neglect of duty (General Statutes of Kentucky, p. 148; Carrolls op. cit., secs. 102, 105); oppose improper applications for divorce (Morehead and Brown, Digest, p. 168); attend to writs of habeas corpus in favor of infants or femes covert improperly detained by religious societies (ibid., p. 126); prosecute writs of error in road cases in the circuit courts (ibid., p. 141); attend to taking depositions for the commonwealth (ibid., p. 353); prosecute persons keeping billiard tables (ibid., p. 244); direct a scire facias to issue on forfeited recognizance (ibid., p. 537); draw bills of indictments (ibid., p. 539); prosecute and collect fines and forfeitures (ibid., p. 721); apply for appointment of committees for persons of unsound mind (ibid., p. 794); file an indictment against persons consummating incestuous marriages (ibid., p. 1157); institute suits against persons violating the suffrage law (ibid., p. 1299); require committees of idiots to show cause why the allowance should not cease (Loughborough, Digest, p. 269); see that the trustee of the jury fund faithfully apply the funds (ibid., p. 373); prosecute officers violating the currency laws (ibid., p. 204) and obtain injunctions to prevent said violations (ibid., p. 206). The last duty was specifically reaffirmed in a later law which required him to issue injunctions against violations of currency laws (General Statutes of Kentucky, p. 368).

In addition to the above mentioned duties, statutes enacted following the adoption of the third constitution in 1850, required the commonwealth attorney to: give advice to the trustee of the jury fund; prosecute motions against delinquent collecting officers (General Statutes of Kentucky, p. 152); and file a statement in writing, setting forth reasons for dismissing indictments or entering a nolle prosequi (ibid., p. 153). Other duties specified by statutes in addition to reaffirming previous ones are to: ad-

vise the collector for the commonwealth in regard to delinquent collecting officers (Carroll, op. cit., sec. 122); investigate all unsatisfied judgments in his district in favor of the commonwealth (ibid., sec. 130); represent the commonwealth in inquests concerning insanity (ibid., sec. 216aa-71); enforce the game and fish laws (ibid., sec. 1954c-18); assist the forestry department in the enforcement of its regulations (ibid., sec. 2007i-25); prosecute suits instituted by the state auditor for collection of taxes due the state (ibid., sec. 4169); prosecute violations of sanitation laws (ibid., sec. 2060b-11). He receives a commission from the governor (ibid., sec. 3758).

The commonwealth attorney must not receive anything from persons charged with crime in consideration not to prosecute the persons (ibid., sec. 1360); and not defend any criminal in the state (ibid., sec. 121). Statutes enacted after the adoption of the third constitution forbids him to practice law except in civil proceedings in his own district (General Statutes of Kentucky, p. 361). His law partner cannot defend any person whom it is his duty to prosecute (Carroll, op. cit., sec. 109).

Records of the commonwealth attorney are listed in the sections devoted to circuit court (see entry 100).

Court Minutes

91. MINUTE BOOK, 1933--. 4 vols.
Minutes of proceedings in circuit court; date of term, names of jurors, style of suit, action taken, decision rendered. Arr. chron. Hdw. Vols. aver. 640 pp. 18 x 12 x 3. Cir. Clk's. off.

Affidavits and Warrants

92. WARRANTS OF ARREST, 1921. 2 file boxes. 1933 in Commonwealth Summons, entry 96; 1930-31 in Various Old Returns, entry 98; 1930-- in Commonwealth Executions, entry 125; 1930-33 in Rules and Notices to Take Depositions, entry 152.
Warrants of arrest for various causes; date of warrant, charge, names of accused and witness. Arr. alph. by name of accused. Hdw. pr. fms. File boxes aver. 50 docs. 4½ x 10 x 5. Cir. Clk's. off.

93. AFFIDAVITS, 1922-23. 1 file box. 1925-27 in Miscellaneous Papers, entry 150.
Affidavits in moonshine cases, suits to recover money, bench warrants to search place for intoxicants; name of affiant, date and purpose of affidavit. Arr. chron. Hdw. pr. fms. 50 docs. 4½ x 9 x 5. Cir. Clk's. off.

Subpoenas and Summonses
(See also entries - - 123 and 125)

94. COMMONWEALTH AND CIVIL SUBPOENAS RETURNED, 1923, 1930. 2 file

boxes.
Subpoenas for witnesses to appear in court to testify; names of witness, plaintiff, and defendant, date to appear, date and term of court. Contains: Executions to Collect Money Recovered in Court, entry 126. Arr. chron. Hdw. pr. fms. File boxes aver. 50 docs. 4½ x 9 x 5. Cir. Clk's. off.

95. OLD RETURNS, ORDINARY AND EQUITY RETURNED, 1913-16, 1925--. 10 file boxes.
Summons by sheriff for person to appear in court on specified date to answer petition filed against him; names of person and petitioner, charge, date to appear in court. Arr. chron. Hdw. pr. fms. File boxes aver. 45 docs. 4½ x 9 x 5. Cir. Clk's. off.

96. COMMONWEALTH SUMMONS, 1933. 1 file box.
Commonwealth summonses; name of person summoned, date of summons, charge, Contains: Warrants of Arrest, entry 92; Executions, entry 131. Arr. chron. Hdw. pr. fms. 50 docs. 4½ x 9 x 5. Cir. Clk's. off.

97. SUMMONS ON FORFEITED BAIL BONDS, 1933. 1 file box.
Summonses on forfeited bail bonds; name of person summoned, date, and amount of bond, term of court. Arr. chron. Hdw. pr. fms. 50 docs. 4½ x 9 x 5. Cir. Clk's. off.

98. VARIOUS OLD RETURNS (SUMMONSES AND WARRANTS), 1930-31. 1 file box.
Summonses for persons to appear as commonwealth witnesses; names of persons summoned, date, officer's action thereon. Contains: Warrants of Arrest, entry 92; Notices and Summonses for Lunacy Hearings, entry 147. Hdw. pr. fms. 50 docs. 4½ x 9 x 5. Cir. Clk's. off.

Suits and Dockets

99. GENERAL INDEX TO SUITS, 1879--. 4 vols. (1-4).
General index to suits, alph. crossed by names of plaintiff and defendant, showing file box no., date of trial. Contains: General Index to Orders, entry 116. Hdw. Vols. aver. 640 pp. 18 x 13 x 3. Cir. Clk's. off.

100. CIRCUIT COURT SUITS, 1892--. 410 file boxes.
Circuit court suits and commonwealth judgments; names of plaintiff and defendant, offense, date of trial, judgment rendered, when and how satisfied. Arr. chron. by date of trial. Hdw. File boxes aver. 30 docs. 4½ x 9 x 5. Cir. Clk's. off.

101. COMMONWEALTH CASES APPEALED CIRCUIT COURT, 1927-32, 1934--. 4 file boxes.
Commonwealth cases from lower court; summons and supersedeas on appeal, order staying judgment rendered against defendant by judge of lower court, date of judgment, names of court and judge, names of plaintiff, defendant, and attorneys, record of transmission of all documents in case to circuit

clerk's office, date supersedeas filed. Arr. chron. Hdw. pr. fms. File boxes aver. 50 docs. 5 x 10 x 5. 2 file boxes, 1927-31, Cir. Clk's. off.; 2 file boxes, 1929-32, 1934--, Co. Judge's off.

102. FELONIES FILED AND DISMISSED (Felonies Off Docket), 1931-33. 2 file boxes.
Felony cases tried and dismissed; names of plaintiff and defendant, offense, dates of trial and dismissal. Arr. chron. by date of dismissal. Hdw. File boxes aver. 55 docs. 4½ x 9 x 5½. Cir. Clk's. off.

103. EQUITY DOCKET, 1851--. 23 vols.
Record of divorce cases tried by circuit judge alone; date set for trial, last order in case, names of parties and attorneys. Arr. alph. by name of plaintiff. Hdw. Vols. aver. 640 pp. 18 x 12 x 3. Cir. Clk's. off.

104. STEPS TO EQUITY DOCKET, 1928--. 2 vols.
Record of proceedings in equity cases; date of court term, case no., names of parties and attorneys, steps taken, process. Arr. alph.by name of plaintiff. Hdw. Vols. aver. 349 pp. 18 x 12 x 3. Cir. Clk's. off.

105. COMMONWEALTH DOCKET, 1910--. 5 vols., 1 file box.
List of commonwealth cases for trial; dates of court term and trial, names of defendant and attorney, offense, steps in case, last order, return on process. Arr. chron. Hdw. Vols. aver. 481 pp. 18 x 12 x 3; file box, 175 docs. 5 x 10 x 6. Co. Judge's off.
For prior records see entry 106.

106. ORDINARY DOCKET, 1851-59, 1866-76, 1878-1919, 1915-18, 1922--. 18 vols.
Civil, commonwealth, and equity cases; last order in case, names of plaintiff, defendant, and attorneys, return on process, date of court term. Arr. chron. Hdw. Vols. aver. 640 pp. 18 x 12 x 3. Cir. Clk's. off.
For additional records see entry 105.

107. MOTION DOCKET, 1928-33. 2 vols. 1925-29 in Miscellaneous Papers, entry 155.
Motion docket circuit court; date of motion, names of attorneys, style of case, motion, by whom made. Arr. chron. Hdw. Vols. aver. 640 pp. 18 x 12 x 3. Cir. Clk's. off.

108. FORFEITED BAIL BOND DOCKET, 1932-33. 1 vol.
No. of indictment, names of parties and bondsmen, amount of bond, date of forfeiture, steps at present term, final orders. Arr. chron. Alph. cross-indexed by names of parties. Hdw. pr. fms. 644 pp. 18 x 12 x 3. Cir. Clk's. off.

Judgments
(See also entry 100)

109. JUDGMENTS, 1853-79. 1 vol. 1917-18 in Miscellaneous Papers,

entry 150. 1926-29 in Papers Off Docket, entry 149.
Judgments in circuit court cases; names of litigants, date judgment rendered, amount, order book no. and p. where recorded, when judgment satisfied. Arr. chron. by date rendered. Hdw. 640 pp. 18 x 12 x 3. Cir. Clk's. vlt.
For prior and subsequent records see entries 111, 112, and 114.

110. INDEX TO JUDGMENTS, 1853-79. 1 vol.
Index to Judgments, entry 109; arr. alph. by name of plaintiff, showing p. no. of vol. where recorded. Hdw. 50 pp. 18 x 12 x $\frac{1}{4}$. Cir. Clk's. vlt.

111. COMMONWEALTH JUDGMENTS, 1920--. 3 vols.
Judgments in commonwealth cases; style of case, offense, arresting officer, judgment, costs, amount, date rendered. Arr. chron. Alph. indexed by name of defendant. Hdw. pr. fms. Vols. aver. 480 pp. 17 x 12 x 3. 1 vol., 1920--, Cir. Clk's. off.; 2 vols., 1922-32, 1934, Cir. Judge's off.
For prior records see entry 109.

112. JUDGMENTS BY DEFAULT, 1890-92. 1 vol.
Judgments by default where plaintiff failed to answer and is adjudged by court to pay defendant sum of money; names of plaintiff and defendant, amount of payment due. Arr. chron. Hdw. pr. fms. 600 pp. 18 x 12 x 3. Cir. Clk's. vlt.
For prior records see entry 109.

113. INDEX TO JUDGMENTS BY DEFAULT, 1890-92. 1 vol.
Index to Judgments by Default, entry 112; alph. crossed by names of plaintiff and defendant, showing p. no. of vol. where recorded. Hdw. 50 pp. 18 x 12 x $\frac{1}{4}$. Cir. Clk's. vlt.

114. CRIMINAL JUDGMENTS, 1928--. 1 vol.
Judgments in criminal cases; date of judgment, names of litigants, offense, costs. Arr. chron. Alph. indexed by name of defendant. Hdw. 239 pp. 18 x 12 x 3. Cir. Clk's. off.
For prior records see entry 109.

115. FINES AND FORFEITURES, 1916-31. 1 vol.
Judgments and forfeitures in behalf of commonwealth; style of suit, amounts of judgment and cost, term rendered, date executed, to whom delivered. Arr. chron. Hdw. 636 pp. 17 x 14 x 3. Cir. Clk's. vlt.

Orders
(See also entries 101 and 155)

116. (GENERAL INDEX TO ORDERS), 1879--. In General Index to Suits, entry 99.
General index to orders; alph. crossed by names of plaintiff and defendant, showing order book no. and p. where recorded.

117. ORDER BOOK COMMON PLEAS, 1888-91. 2 vols. 1917-18 in Miscella-

neous Papers, entry 150.
Orders in civil and equity cases; case no., names of parties and attorneys, last order in case, action taken, return on process, steps at present term. Arr. numerically by case no. Hdw. Vols. aver. 200 pp. 18 x 12 x 3. Cir. Clk's. off.
For subsequent record of civil orders, see entry 119.

118. INDEX TO ORDER BOOK COMMON PLEAS, 1888-91. 2 vols.
Index to Order Book Common Pleas, entry 117; alph. crossed by names of parties, showing p. and vol. no. where recorded. Hdw. Vols. aver. 50 pp. 18 x 12 x ¼. Cir. Clk's. off.

119. CIVIL ORDER BOOKS, 1899--. 25 vols. (A-I, 1-16).
Civil orders issued by court and passed on; names of plaintiff and defendant, term of court, date. Arr. chron. 1899-1910, hdw.; 1911--, typed. Vols. aver. 640 pp. 18 x 12 x 3. Cir. Clk's. off.
For prior civil orders, see entry 117.

120. INDEX TO CIVIL ORDER BOOKS, 1899--. 25 vols.
Index to Civil Order Books, entry 119; alph. crossed by names of plaintiff and defendant, showing p. no. and vol. where recorded. Hdw. Vols. aver. 50 pp. 18 x 12 x ¼. Cir. Clk's. off.

121. ORDER BOOKS (Commonwealth Orders), 1800--. 39 vols. (A-I, L-Z, 1-14, 1 vol. not no.).
Commonwealth orders in misdemeanor, murder, or divorce cases, issued by circuit judge; names of plaintiff (Commonwealth of Kentucky), defendant, and attorneys, term of court, charge. Arr. chron. Hdw. Vols. aver. 508 pp. 18 x 12 x 3. Cir. Clk's. off.

122. INDEX TO ORDER BOOKS (Commonwealth Orders), 1800--. 39 vols.
Index to Order Books (Commonwealth Orders), entry 121; arr. alph. by name of defendant, showing p. and vol. no. where recorded. Hdw. Vols. aver. 50 pp. 18 x 12 x ¼. Cir. Clk's. vlt.

123. ORDERS OF ATTACHMENT (Old Executions and Summonses), 1915-29, 1933. 8 file boxes.
Order of general attachment and summons to sheriff to attach and keep sufficient property of defendant to satisfy claims of plaintiff; names of plaintiff, defendant, and attorneys, officer serving papers, date of order, attachment, and return. Arr. chron. by date or order. Hdw. pr. fms. File boxes aver. 70 docs. 4½ x 9 x 5. Cir. Clk's. off.

124. CAPIAS PRO FINE (Working Statute), 1919-21, 1924-32. 3 file boxes.
Command to sheriff or constable to take convicted person to jail until fine is paid or fine worked out; name of convicted person, amount of fine, date of command. Arr. chron. Hdw. pr. fms. File boxes aver. 60 docs. 4½ x 9 x 5. Cir. Clk's. off.

Executions

125. COMMONWEALTH EXECUTIONS FOR COST, 1930--. 1 vol.
Commonwealth executions; date, case no., names of plaintiff and defendant, clerk's cost, statutory fees, felony fees, sheriff's attendance and summonses of witnesses. Contains: Bench Warrants, entry 92. Arr. chron. Hdw. 430 pp. 18 x 12 x 3. Cir. Clk's. off.
For original executions, see entry 131.

126. EXECUTIONS, 1881-1933. 2 vols. 1923 in Commonwealth and Civil Subpoenas Returned, entry 94.
Executions for debt in civil and criminal cases and return on same; names of plaintiff, defendant, and attorneys, amount of judgment, interest, credit, and costs, dates of judgment and return, to whom delivered. Arr. chron. Hdw. pr. fms. Vols. aver. 600 pp. 18 x 12 x 3. Cir. Clk's. off.

127. INDEX TO EXECUTIONS, 1881-1933. 2 vols.
Index to Executions, entry 126; alph. crossed by names of plaintiff and defendant, showing p. and vol. no. where recorded. Hdw. Vols. aver. 50 pp. 18 x 12 x $\frac{1}{4}$. Cir. Clk's. off.

128. COMMONWEALTH EXECUTIONS, 1928--. 3 file boxes.
Executions commanding sheriff to collect from estate money recovered against person in court; name of person, date, and amount of execution. Arr. alph. by name of deceased. Hdw. pr. fms. File boxes aver. 50 docs. $4\frac{1}{2}$ x 9 x 5. 2 file boxes, 1928--, Cir. Clk's. off.; 1 file box, 1934--, Sheriff's off.

129. RETURNS ON COMMONWEALTH EXECUTIONS AND CAPIAS PRO FINE, 1909-11, 1930-33. 3 file boxes.
Returns on civil and commonwealth executions; names of defendant and plaintiff, description of order, officer's return, and date. Arr. alph. by name of defendant. Hdw. File boxes aver. 90 docs. $4\frac{1}{2}$ x 9 x 5. Cir. Clk's. off.

130. EXECUTIONS FOR JURY FEE, 1924-26, 1931. 2 file boxes.
Executions for jury fees against defendant; names of jurors, defendant, and plaintiff, amount of jury fee, date of execution. Arr. alph. by name of defendant. Hdw. pr. fms. File boxes aver. 50 docs. $4\frac{1}{2}$ x 9 x 5. Cir. Clk's. off.

131. COMMONWEALTH EXECUTIONS (Criminal Cases), 1924-27, 1931. 2 file boxes. 1933 in Commonwealth Summonses, entry 96.
Commonwealth executions in criminal cases; names of defendant and plaintiff (commonwealth), amount of bond and interest, date to be paid. Arr. alph. by name of defendant. Hdw. pr. fms. File boxes aver. 70 docs. $4\frac{1}{2}$ x 9 x 5. Cir. Clk's. off.
For record of execution, see entry 125.

Bonds

132. COMMISSIONER'S BOND, 1880-94. 1 vol.
Commissioner's bond that he will faithfully discharge duties of office; description of duties, names of commissioner and surety, date of bond. Arr.

chron. Alph. indexed by name of commissioner. Hdw. pr. fms. 300 pp. 14 x 9 x 2. Cir. Clk's. vlt.

133. TRUSTEE OF JURY FUND BONDS, 1893--. 2 vols.
Bond given by trustee of jury fund that he will faithfully discharge duties of his office; names of bondee and bondsman, amount and date of bond, description of duties. Arr. chron. Alph. indexed by name of trustee. Hdw. pr. fms. Vols. aver. 220 pp. 14 x 9 x 2. Cir. Clk's. off.

134. SALE BOND AND REPLEVIN BONDS, 1910. 1 file box.
Sale bonds securing payment of fines to commonwealth, replevin bonds guaranteeing payment to plaintiff for damages to property while still in defendant's possession; date and amount of bond, names of executing officer, defendant, plaintiff, and surety. Arr. chron. Hdw. pr. fms. 25 docs. 4½ x 9 x 5. Cir. Clk's. off.
For record of replevin bonds, see entry 137.

135. INJUNCTION BONDS, 1923--. 1 vol.
Bonds to prohibit sale of property; date, names of plaintiff, defendant, surety, and attorney. Arr. chron. Alph. indexed by name of bondee. Hdw. pr. fms. 240 pp. 14 x 9 x 2. Cir. Clk's. off.

136. ATTACHMENT BONDS, 1919--. 3 vols.
Attachment bonds guaranteeing payment of judgment and cost assessment by court; names of bondee and surety, date, and amount of bond. Arr. chron. Alph. indexed by name of bondee. Hdw. pr. fms. Vols. aver. 240 pp. 14 x 9 x 2. Cir. Judge's off.

137. REPLEVIN BONDS, 1889-1921, 1927--. 8 vols.
Bonds given by defendant and surety in circuit court to secure judgment and court costs of plaintiff, if previous judgment is upheld in higher court; date and amount of bond, names of parties and defendant's surety. Arr. chron. Alph. indexed by name of defendant. Hdw. pr. fms. Vols. aver. 240 pp. 14 x 9 x 2. Cir. Clk's. off.
For original bonds, see entry 134.

138. APPEAL BONDS, 1914--. 2 vols.
Appeal bonds in circuit court cases taken to court of appeals; names of plaintiff, defendant, and surety, date and amount of bond. Arr. chron. Alph. indexed by name of appellee. Hdw. pr. fms. Vols. aver. 235 pp. 14 x 9 x 2. Cir. Clk's. off.

139. SUPERSEDEAS BONDS, 1923--. 1 vol.
Supersedeas bonds to stay judgment on appeals; names of appellant, appellee, and surety, date and amount of bond. Arr. chron. Alph. indexed by name of appellant. Hdw. pr. fms. 229 pp. 15 x 9 x 2. Cir. Clk's. off.

140. BAIL BOND, 1928--. 4 vols.
Bonds given by persons charged with offenses against commonwealth; names of plaintiff and defendant, offense, date, amount, and duration of bond, date set for trial, name of surety. Arr. chron. by date of bond. Alph. indexed by name of defendant. Hdw. pr. fms. Vols. aver. 235 pp. 14 x 9 x 2. Cir. Clk's. off.

141. BOND FOR COST, 1888-1932. 1 vol.
Bonds for cost collected by circuit clerk; names of defendant and surety, date and amount collected, reason for collection. Arr. chron. Alph. cross-indexed by names of defendant and surety. Hdw. 235 pp. 14 x 9 x 2. Cir. Clk's. vlt.

142. COMMITTEE'S BOND, 1914--. 1 vol.
Bond of committee charged with caring for pauper idiot, assuring faithful performance of duties; names of committees and bondsmen, date and amount of bond. Arr. chron. Alph. cross-indexed by names of committees. Hdw. pr. fms. 215 pp. 14 x 9 x 2. Cir. Clk's. off.
For additional bonds, see entries 161 and 192.

Financial Records

143. REPORT OF TRUSTEE OF THE JURY FUND, 1901-15, 1927--. 2 vols.
Report to circuit judge; dates of judgment and collection, names of jurors, dates and no. days served, amount paid. Arr. chron. by date of report. 1 vol., 1901-15, alph. indexed by names of jurors; 1 vol., 1927--, no index. Vols. aver. 295 pp. 18 x 12 x 3. Cir. Clk's. off.

Claims Against Court

144. CLAIMS, 1913, 1923, 1925. 3 file boxes.
Claims for services rendered in criminal cases; officers' costs for serving process on persons for child desertion, issuing worthless checks; jailer's claims for feeding prisoners; amount, names of prisoners, date of commitment, date of discharge. Arr. chron. by date of claim. Hdw. pr. fms. File boxes aver. 100 docs. 4½ x 9 x 5. Cir. Clk's. off.

145. MISCELLANEOUS CLAIMS, 1930--. 2 file boxes.
Claims of county librarian and jurors; name of claimant, service rendered, amount due, date of claim. Contains: Witness Claims, entry 146. Arr. alph. by name of claimant. Hdw. pr. fms. File boxes aver. 70 docs. 4½ x 9 x 5. Cir. Clk's. off.

146. OLD WITNESS CLAIMS, 1919-1926. 1 file box. 1930-- in Miscellaneous claims, entry 145.
Witness claims for attendance of trial to be certified to auditor for payment; names of witnesses, style of case, party for which witness served, amount of claim, date paid, term of court. Arr. chron. by term of court. Hdw. pr. fms. 350 docs. 4½ x 9 x 5. Cir. Clk's. off.

Lunacy Proceedings

147. (NOTICES AND SUMMONSES FOR LUNACY HEARINGS), 1930-31. In Various Old Returns, entry 98.
Notices and summonses issued for lunacy hearing; name of lunatic, date of notice or summons, officer's action thereon.

148. INQUEST OF FEEBLE-MINDED PERSONS, 1918--. 3 vols.
Record of inquest on feeble-minded persons; names of feeble-minded and examining physicians, date of inquest, decision, action taken. Arr. chron. Alph. indexed by name of feeble-minded person. Hdw. Vols. aver. 422 pp. 16 x 11 x 2. Cir. Clk's. off.

Miscellaneous

149. PAPERS OFF DOCKET, 1926-29. 1 file box.
Petitions for acquiring right-of-way for railroads, writ of possession for same. Contains: Judgments, entry 114. Arr. chron. Hdw. pr. fms. 75 docs. 4½ x 9 x 5. Cir. Clk's. off.

150. MISCELLANEOUS PAPERS, 1917-18, 1925-27. 2 file boxes.
Petitions in equity; names of parties, date and description of petition, signatures of petitioners. Contains: Letters Granting Power of Attorney, 1925-27, entry 89; Affidavits, 1925-27, entry 93; Notices of Motions, 1925-27, entry 107; Judgments, 1917-18, entry 109; Orders, 1917-18, entry 117; Indictments, 1917-18, entry 156. Arr. chron. Hdw. File boxes aver. 113 docs. 4½ x 9 x 5. Cir. Clk's. off.

151. DEPOSITIONS IN CIRCUIT COURT SUITS (Transcripts of Evidence), 1912--. 121 vols.
Depositions giving all evidence in circuit court suits; names of plaintiff, defendant, and witness, date of deposition, offense, style of suit. Arr. alph. by name of witness. Typed. Vols. aver. 127 pp. 12 x 8 x 1. Cir. Clk's. off.

152. RULES AND NOTICES TO TAKE DEPOSITIONS, 1930-33. 1 file box.
Notice to take depositions; names of plaintiff, defendant, and witness, date. Contains: Warrants of Arrest for Felony and Misdemeanor, entry 92. Arr. chron. within section. Hdw. pr. fms. 85 docs. 4½ x 9 x 5. Cir. Clk's. off.

153. OFFICER'S CLAIMS (Reports), 1912-24. 1 vol., 4 file boxes.
Reports to circuit judge of moneys collected by officers of county; date of report, name of officer, date and amount of tax or fine collected, from whom collected. Arr. chron. by date of report. Hdw. pr. fms. Vol. 400 pp. 18 x 12 x 3; file boxes aver. 60 docs. 4½ x 9 x 5. Cir. Clk's. off.

154. JUDGE'S REPORT, 1881-1909. 1 vol.
Circuit judge's report of payments into treasury of fines, taxes, and license fees collected by county officers; names of officers, items of tax, amount, and date collected. Arr. chron. Hdw. 240 pp. 14 x 9 x 2. Cir. Clk's. off.

155. MISCELLANEOUS PAPERS, 1917-18. 1 file box.
Resignations of master commissioners, grants for new trials, orders to file deposition notices and withdraw suits. Hdw. pr. fms. 50 docs. 4½ x 9 x 5. Cir. Clk's. off.

V CIRCUIT COURT CLERK

(Next Entry, 156, p. 59)

The office of the present circuit court clerk in Knox County was first authorized in 1804. This office was created when the quarter sessions court was abolished in this county and the circuit court was established (Littell, Statute Law of Kentucky, vol. 3, pp. 37-48, 184). The circuit court clerk was appointed by the circuit court and held office during his good behavior. The third constitution in 1850 provided for the election of the circuit court clerk for a term of six years, and stipulated that he must be twenty-one years of age, a resident of the state for two years, and of the county for one year (Const. of 1850, art. 4, sec. 23; art. 6, secs. 1-3). The fourth constitution retained the same provisions regarding this office (Const. of 1891, art. 6, sec. 1).

Upon establishment of the office, it was authorized that the circuit court clerk receive from the clerks of the district and quarter sessions courts all such records and papers that belonged to those offices. His duty was to docket causes of the above-mentioned courts in his court, and authenticated records of former courts were to be accepted as those of his court. He was also to receive acknowledgments and proof of deeds out of court, but this duty was repealed December 22, 1806, and all acknowledgments and proof of deeds or recording given to the county clerk (Littell, op. cit., vol. 3, pp. 37, 48, 184). The clerk and his deputies were not to act as attorneys in their own courts (Morehead and Brown, Digest, vol. 1, p. 175). The clerk was to take oath of office (ibid., p. 384) and execute his bond every five years, transmitting it to the clerk of appeals (ibid., p. 391).

The first circuit court clerk of Knox County was authorized, by early statutes, to draw up and record the orders of court each day, to be signed by the judge (ibid., p. 329). Later he was required to make complete records of court proceedings, if required, as in cases of appeal (ibid., pp. 392, 399). In 1810 it was provided that the clerk make out the docket for the succeeding term of court (ibid., p. 133), and later that he keep equity and common law dockets (General Statutes of Kentucky, 1873 ed., p. 200), and keep a rule docket and enter thereon names of parties in cases and steps taken (Carroll's Kentucky Statutes, 1936 ed., sec. 990). In 1839 he was required to endorse on an inner envelope all steps taken in each case (Loughborough, Digest, p. 136), which duty, at a later date, came to include the listing of all steps taken in every action and the filing of summaries thereof with other papers in the case within thirty days after the close of each term (Carroll, op. cit., sec. 379). He is now also required to write up each day's proceedings in court (ibid., sec. 378), and make a full report to the state auditor of public accounts in November of each year as to all cases filed in court the preceding year (ibid., sec. 385).

He was first authorized in 1812 to endorse executions (Morehead and Brown, Digest, vol. 1, pp. 334, 348) and note returns of executions (ibid., p. 629) and later to issue executions and put in the hands of the sheriff

(Next Entry, 156, p. 59)

(General Statutes of Kentucky, 1873 ed., p. 728). As reaffirmed by recent statutes, he keeps a record of every execution and return made by the sheriff (Carroll, op. cit., sec. 375). As first provided about the time of the county's creation, and reaffirmed in recent years, the clerk was required to keep office at or near (later within 200 yards of) the courthouse, on removal or resignation deliver all records and papers to such person as the court shall appoint, and not remove records out of the county except in case of invasion or insurrection (Morehead and Brown, Digest, vol. 1, p. 385; Carroll, op. cit., sec. 374).

In regard to fines, fees, and taxes, the circuit clerk, as authorized upon the establishment of the office, received fees in money instead of tobacco (Morehead and Brown, Digest, p. 316); delivered fee bills to the sheriff for collection (ibid., pp. 383, 389); received tax on law process or writs (ibid., p. 1366); produced fee bills chargeable to the person, and set up in the courthouse and office, for public inspection, a list of the fee bills (ibid., p. 386). In 1833 provision was first made by statute that the clerk make no charge for affixing the seal of office on documents for revolutionary soldiers (ibid., p. 406). Later he was required to tax costs on papers filed before execution (ibid., p. 474); tax costs of each party on papers filed with case at termination of action (General Statutes of Kentucky, 1873 ed., p. 202); give an account to the state auditor of public accounts of all money for taxes received by him (Morehead and Brown, Digest, vol. 1, p. 357); and of all money on hand on the second day of the term of court in writing, verified by oath (General Statutes of Kentucky, 1873 ed., p. 579); deliver to the county clerk a list of fines before the tenth day preceding the meeting of the court of claims (ibid., p. 388); forward to the state auditor copies of settlement with the trustee of the jury fund with a list of fines and forfeitures at each term (Loughborough, Digest, pp. 372-374). Later statutes required him to attend to the collection of fines and forfeitures and keep a record of the jury fund (Carroll, op. cit., sec. 2290-1). He kept an account of all public money received to be furnished to his court (General Statutes of Kentucky, 1873 ed., p. 727), and entered in a book all that was received by him for the commonwealth (ibid., 728). In connection with the last two mentioned duties, recent laws require him to keep a book and enter thereon all public money received and make a report of this and all taxes up to the first day of each circuit court (Carroll, op. cit., secs. 4242-3). The clerk is also required to make lists of all receipts and expenditures and make a full report in writing every month to the circuit judge (ibid., sec. 4252). In 1829 he was first required to make and certify a list of claims allowed each term, payable out of the treasury, forwarding same to the state auditor of public accounts (Morehead and Brown, Digest, vol. 1, pp. 378-379). As later reaffirmed, this list is to be reported to the state auditor within twenty days after termination of each session of the circuit court (Carroll, op. cit., sec. 359).

Duties of the clerk, provided for by statutes passed shortly after the adoption of the second constitution in 1799, were to: endorse the time for filing pleas and note in order book (ibid., p. 301); frame new writs (ibid.,

p. 312); administer oaths out of office (ibid., p. 400); administer oaths to pleas of non est factum (ibid., p. 330); procure a seal of office (ibid., p. 365); take recognizances for the peace in certain cases (ibid., p. 400); and transmit a list of judges removed from office to the secretary of state (Morehead and Brown, Digest, vol. 1, p. 387).

In 1825 it was first provided that the circuit clerk be responsible for the law books in his charge, making out a list periodically of all law books received to the judge, and transmitting a copy to the secretary of state (Morehead and Brown, Digest, vol. 1, pp. 568, 569). He is now also required to keep all books entrusted to him in his office for the use of the public (Carroll, op. cit., sec. 2424); and make a biennial report to the judge of all books received on public account and of all those remaining in his office (ibid., sec. 2429). A statute of 1930 requires him to act as librarian of the county library, for which he receives a compensation of $20 a year, and to keep the room in order, preserve books, make inventories, receipt all books, maps, and furniture, and give same to the state librarian, and to give, at his discretion, such non-current documents and reports as are not needed by the county to the libraries of the University of Kentucky, and the four state teachers' colleges (ibid., secs. 2438c-8, et seq.).

The circuit clerk in 1815 was first authorized to forward papers when a change of venue is granted and be answerable for the fidelity of persons trusted with the papers (Morehead and Brown, Digest, vol. 2, pp. 1525, 1526). This duty has been reaffirmed to include making a transcript of all papers when a change of venue is ordered and forwarding same to the clerk of the court where the case is removed (Carroll, op. cit., sec. 1099).

Statutes passed shortly after the adoption of the second constitution made it the duty of the clerk to: be liable for taking insufficient security on replevin bonds (Morehead and Brown, Digest, vol. 1, p. 655); give a certificate of the number of terms the judge attended (ibid., vol. 2, p. 879); certify the value of slaves condemned and executed to the state auditor of public accounts (ibid., vol. 1, p. 361); transmit abstracts of certain judgments to treasurers of seminaries (ibid., vol. 1, p. 398); deliver recognizances and statements of evidence to the commonwealth attorney to enable him to prepare cases and present them to the grand jury (ibid., vol. 1, p. 539); certify to the governor a copy of conviction of officers convicted of certain crimes (ibid., vol. 2, p. 1246); transmit to the keeper of the penitentiary a statement of the expense of convicting prisoners (ibid., vol. 2, p. 1308); and receive a list of jurors and take oath not to divulge names before time (Loughborough, Digest, p. 368). Later laws require him to keep a book of witnesses' attendance (General Statutes of Kentucky, 1873 ed., p. 201); pay jurors' compensations (Carroll, op. cit., secs. 2290-2); and issue subpoenas for appearance before grand juries (ibid., sec. 381).

In 1810 it was provided that the clerk furnish his own books, presses, stationery, et cetera, chargeable to the public treasury (Morehead and Brown,

Digest, vol. 1, p. 366). In 1831 he was first required to make a list of idiots and lunatics and their committees in a docket book (ibid., vol. 2, p. 802). Other records to be kept by him include a registry of suits to settle insolvent estates (General Statutes of Kentucky, 1873 ed., p. 555); a book called a "general index" on which to enter names of parties on each case after the case is decided (later also the style of the case), together with reference to bundle number in which papers are filed (ibid., p. 253; Carroll, op. cit., sec. 386); a record of all sales of real estate under execution and all data concerning same (ibid., sec. 375); and a judgment book in which to enter all civil and criminal judgments, alphabetically indexing same (ibid., sec. 388a-1).

The clerk is also required to submit a list of pauper idiots in the county to the state auditor on or before September 10 of each year (ibid., sec. 216aa-62); transmit a certified copy of inquest proceedings to the state auditor (ibid., sec. 216aa-61); and issue process (ibid., sec. 4245).

Indictments

156. INDICTMENTS, 1908-19, 1925--. 21 file boxes. 1917-18 in Miscellaneous Papers, entry 150.
Indictments for various causes; date of indictment, charge, name of person, date to appear for trial. Arr. chron. Hdw. File boxes aver. 40 docs. 4½ x 9 x 5. Cir. Clk's. off.

Financial

157. PUBLIC FUNDS COLLECTED (Clerk's Cash Book), 1888--. 5 vols.
Public funds collected by clerk of court of common pleas (1888-91) and by the circuit court clerk (1892--) and reported monthly to state auditor; date received, case no., name of payer, amount and purpose of payment, remarks. Arr. chron. 2 vols., 1888-1923, alph. indexed by name of payer; 3 vols., 1924--, no index. 3 vols., 1888-1927, hdw.; 2 vols., 1928--, hdw. pr. fms. Vols. aver. 318 pp. 17 x 11 x 2. 4 vols., 1888-1923, 1928--, Cir. Clk's. off.; 1 vol., 1924-27, Cir. Clk's. vlt.

158. FEE BOOK, 1888--. 6 vols.
Record of fees received by circuit clerk for services rendered; date and amount of payment, name of payer, service rendered. Arr. chron. Hdw. pr. fms. Vols. aver. 644 pp. 18 x 12 x 2. Cir. Clk's. off.

159. RECORD OF REPORTS, 1881-1921. 3 vols.
Circuit clerk's report to commonwealth; date and amount of tax received on equity and ordinary suits, seals, jury fees, and appeals. Arr. chron. Hdw. Vols. aver. 235 pp. 14 x 9 x 2. Cir. Clk's. off.

160. AUDITOR'S RECEIPTS (State Auditor of Public Accounts), 1926, 1935--. 2 file boxes.
Receipts from state auditor to circuit court clerk for taxes received; name

of payer, amount of tax, date paid. Arr. chron. Hdw. pr. fms. File boxes aver. 40 docs. 4½ x 9 x 5. Cir. Clk's. off.

161. IDIOT CERTIFICATE, 1924--. 1 vol.
Certificates issued to committee allowed money for keep of pauper idiot; names of idiot and committee, date and amount of bond, order book no. and p. where recorded. Arr. chron. Alph. indexed by name of idiot. Hdw. 300 pp. 16 x 11 x 3. Cir. Clk's. off.
For prior record of bonds see entry 142.

162. COLD CHECKS AND RECEIPTS (Checks Returned for Insufficient Funds), 1933--. 1 file box.
Checks accepted but not honored by bank because of insufficient funds. Receipts to circuit clerk for money received for capias pro fine and supersedeas appeals to court of appeals. Arr. chron. Hdw. pr. fms. 40 docs. 4½ x 9 x 5. Cir. Clk's. off.

Jury Fund
(See also entries 130 and 143)

163. JURY FEES, 1921-30. 2 vols.
Record of jury fees, date writ issued to sheriff to levy execution on the debtor's goods, return of sheriff, date, date paid, and report made. Arr. chron. by date of report. Alph. indexed by names of jurors. Hdw. Vols. aver. 479 pp. 14 x 9 x 3. Cir. Clk's. off.

Witness Attendance
(See also entry 146)

164. CIVIL WITNESS BOOK, 1908-22, 1928--. 3 vols.
Record of witnesses' attendance in circuit court; term of court, style of suit, name of witness, party for whom serving, no. days served, amount for mileage, tollage, ferriage, total, date paid. Arr. alph. by name of witness. Hdw. Vols. aver. 368 pp. 16 x 11 x 3. Cir. Clk's. off.

165. COMMONWEALTH WITNESS ATTENDANCE, 1881-1925, 1934--. 9 vols.
List of attending witnesses; style of suit, term of court, name of witness, party for whom serving, date and no. of days served, amount due for mileage, tollage, ferriage, total, date paid. Arr. alph. by name of witness. 1881-1925, hdw.; 1934--, hdw. pr. fms. Vols. aver. 600 pp. 16 x 11 x 3. Cir. Clk's. off.

VI MASTER COMMISSIONER

The general assembly passed an act in 1811 providing that, when executors declined to act, commissioners be appointed to convey land (Littell, Statute Law of Kentucky, vol. 4, p. 238). This was the forerunner of the present office of master commissioner. An act of 1839, however, first made use of the full name, master commissioner, and provided that it be his duty, after the court referred the matter to him, in cases of estates which were

insufficient to pay their debts and the representative filed a bill in chancery for settlement, to ascertain and report the estate, debts, and date fixed by court when debtors shall be required to prove their debts (Loughborough, Digest, pp. 240-249).

The present office of master commissioner was created in 1851 and reaffirmed in 1874, when an act was passed by the legislature providing for his appointment by the circuit court to continue in office not more than four years without reappointment (Revised Statutes of Kentucky, vol. 2, p. 140; The General Statutes of Kentucky, 1873 ed., ch. 75, pp. 656-658). The master commissioner is now appointed by the circuit judge for a term of four years and may be removed by him for cause (Carroll's Kentucky Statutes, 1936 ed., sec. 392). Persons aggrieved may take action on his bond (ibid., sec. 393). Before taking his oath of office he must be sworn and must execute a surety bond, approved by the court, for the faithful performance of his duties. His duties, as set forth by statute before the constitution of 1891, were to settle accounts of insolvent estates adjudicated to the court for which he was the master commissioner, perform such other duties as the court required, and execute a new or special bond when required. He could administer oaths, grant certificates thereof, swear witnesses, and take their proof in writing, summon and subpoena witnesses, and execute judicial sales. He could fine or imprison persons for refusing to testify before him. Litigants or their attorneys could also select a master commissioner to handle their action if they wished (The General Statutes of Kentucky, 1873 ed., pp. 656-658; Revised Statutes of Kentucky, vol. 2, p. 140).

When the office of master commissioner was made vacant by death, resignation, or removal from the county, the judge appointed someone at the next term of court to fill the vacancy (ibid., 1877 ed., pp. 964-965).

Other duties of the master commissioner, authorized in 1893, were to: keep a docket in his office containing the number of actions, style, names of plaintiff and defendant, and date of reference in each case; enter all claims filed in his office in such actions, giving date, by whom filed, the nature and amount of claim, and whether, and from what date, claims bear interest; and endorse the date of filing on back of or on margin of claims, and attest same. The master commissioner could appoint a deputy commissioner when, and, if in the opinion of the court, one was necessary, and, if more than one, the court was to determine the number to be appointed. The deputies took oath of office, furnished surety, and essentially performed all of the duties of the master commissioner. They were removable at the pleasure of the commissioner. Unless otherwise ordered by the court, the commissioner was to make all conveyances of real property which are authorized by law to be made by a commissioner appointed by the court. Commissioners' fees were to be taxed as costs and collected as fees of circuit clerks (Acts of the General Assembly of 1893, ch. 149, pp. 493-494, secs. 1-6).

No allowance is made to the master commissioner until his statement is

filed (Carroll, op. cit., sec. 396). In case of partition of land he makes only one deed unless otherwise ordered by court (ibid., sec. 406). He may also be the receiver at the discretion of the court (ibid., sec. 409). He reports money on hand the first day of court, giving the style of case in which money is collected (ibid., sec. 402). He keeps all money paid him under order of the court and pays same out only by the clerk's written order of the court (ibid., sec. 412).

Land Instruments

166. DEEDS OF PARTITION, 1887, 1923-26. 2 file boxes.
Commissioner's deeds in partition of land among heirs; date of deed, description of property, names of deceased and heirs, commissioner's signature. Also contains mortgages on real estate for debt. Hdw. pr. fms. File boxes aver. 50 docs. 4½ x 10 x 6. Co. Ct. Clk's. vlt.

167. COMMISSIONER'S DEEDS, 1876-1927, 1935--. 6 vols. (A, 1-5).
Record of deeds to land sold by master commissioner under circuit court order; names of purchaser and former owner, description of property, value, purchase price, date deed made and recorded, name of master commissioner. Arr. chron. Hdw. pr. fms. Vols. aver. 560 pp. 17½ x 11½ x 3. Co. Ct. Clk's. vlt.

168. INDEX TO COMMISSIONER'S DEEDS, 1876-1927, 1935--. 6 vols. (A, 1-5).
Index to Commissioner's Deeds, entry 167; arr. alph. by name of purchaser, showing p. no. and vol. where recorded. Vols. aver. 50 pp. 18 x 12 x ½. Co. Ct. Clk's. vlt.

169. RECORD OF LAND SOLD BY COMMISSIONER (Master Commissioner's Settlements), 1866, 1928--. 3 vols.
Record of land sold in estate settlement by commissioner; names of deceased and purchaser, description, value, and purchase price of property, dates of appraisal, advertisement, and sale, final settlement, itemized list of claims against estate showing names of claimants, amount paid each. Arr. alph. by name of deceased. 1 vol., 1866, separate index; 2 vols., 1928--, no index. Hdw. Vols. aver. 606 pp. 18 x 12 x 3. 1 vol., 1866, Cir. Clk's. vlt.; 2 vols., 1928--, Cir. Clk's. off.

170. INDEX TO RECORD OF LAND SOLD BY COMMISSIONER (Master Commissioner's Settlements), 1866. 1 vol.
Index to Record of Land Sold by Commissioner (Master Commissioner's Settlements), entry 169; arr. alph. by name of purchaser, showing p. no. and vol. where recorded. Hdw. 50 pp. 18 x 12 x ½. Cir. Clk's. vlt.

VII COUNTY COURT

With the formation of Knox County in 1799, a county court was set up, as provided for by the second constitution adopted in the same year. The

County Court (Next Entry, 171, p. 65)

court was composed of the justices of the peace of the county, who were appointed by the governor, any three of whom could act as a court. It was also provided that the court appoint its own clerk (Const. of 1799, art. 4, secs. 5-7, 10). The third constitution, adopted in 1850, reaffirmed establishment of the county court and specified that it should consist of a presiding judge and two associate judges, any two of whom could transact business as a court (Const. of 1850, art. 4, sec. 29), and that they should be elected for a term of four years (ibid., sec. 30). The court's jurisdiction was to remain the same (ibid., sec. 33). In 1852 the office of associate judge was abolished (Acts of the General Assembly of 1852, p. 96, see office of County Judge).

When the present constitution was adopted in 1891, few changes were made in the duties and functions of the county court. The court consists of the county judge who is a conservator of the peace (Const. of 1891, sec. 140). He is elected to office every four years (ibid., sec. 99) and he must be at least twenty-four years of age, a resident of the state for two years and of the county for one year (ibid., secs. 99, 100). The jurisdiction of the county court remained the same as previously exercised, but was subject to change by law (ibid., sec. 141). The county court is held once each month, but special terms may be called by the judge (Carroll's Kentucky Statutes, 1936 ed., sec. 1058).

Under the constitution of 1799 the county court recommended to the governor two proper persons, one of whom was appointed to each of the offices of justice of the peace, surveyor, and coroner (Const. of 1799, art. 4, sec. 8). The county court was also authorized to appoint inspectors, and other inferior officers within the county (ibid., art. 3, sec. 9). This last duty was expanded by an act of the same year to include the appointment of collectors and their deputies, surveyors of the highways, constables, and the county jailer (Morehead and Brown, Digest, vol. 1, p. 506). The next year the court was empowered to appoint a tax collector (ibid., vol. 2, p. 1116). An act of 1799 also authorized the county court to appoint controllers (ibid., vol. 2, p. 1257) and to appoint commissioners to take depositions (ibid., vol. 2, p. 1245). In 1820 authorization was given to the court to appoint a person to take care of public buildings (ibid., vol. 1, p. 275), and to district counties and appoint one constable to each district (ibid., vol. 1, p. 422). An act of about the same period gave the court power to select three justices, annually, to be invested with power to award injunctions when the circuit courts were not in session (ibid., vol. 2, p. 813).

In 1821 the court divided the county into school districts (ibid., vol. 2, p. 1418). Authorization was also given to fix the number of trustees to each town in the respective districts (ibid., vol. 2, p. 1509) and to appoint guardians for non-resident infants having property in the county (Loughborough, Digest, p. 264).

Other jurisdiction of the county court, provided for by statutes during this period, included power to: authorize gates to be erected across public

roads and have same repaired or removed (Morehead and Brown, Digest, vol. 1, p. 509); license magistrates and ministers to marry persons (ibid., vol. 2, p. 1158); hear complaints of servants against their masters (ibid., vol. 2, p. 1165); open streets and alleys (ibid., vol. 2, p. 1513); hear appeals from the evaluation of the tax commissioner (ibid., vol. 2, p. 1376); and bind out poor free children, regardless of color (ibid., vol. 2, p. 1162). Recent statutes make provision for the county court to bind out infant children (Carroll, op. cit., sec. 2591) and hear complaints and make orders concerning same (ibid., secs. 2602, 2603). Statutory provision had also been made about 1803 for the county court to supervise inspections of flour, hemp, and tobacco (Morehead and Brown, Digest, vol. 2, p. 817). The court now has power to establish inspection warehouses and appoint inspectors therefor (Carroll, op. cit., sec. 2188).

About 1852 an act was passed giving the county court power to make settlements with personal representatives and guardians in the county (General Statutes of Kentucky, 1873 ed., p. 303). The court also could establish justices' districts, divide them into election precincts, establishing places of voting therein (ibid., p. 376) and appoint a clerk and two judges of the election in each precinct (ibid., p. 377; see County Election Commissioners). Now the court also has jurisdiction over the cancellation of registrations of voters (Carroll, op. cit., sec. 1486bb-13). Terms of the justices' courts are fixed by the county court (ibid., sec. 1085), which also may change boundaries and divide precincts in the county (ibid., sec. 1444).

Other jurisdiction granted the county court under laws passed subsequent to the present constitution includes power to: probate wills; appoint and remove personal representatives, guardians, trustees, committees, curators, and other fiduciaries; grant tavern licenses (ibid., sec. 1057); establish ferries and grant ferry privileges (ibid., sec. 800); appoint three processioners for the county (ibid., sec. 2367); and have swamp lands reclaimed (ibid., secs. 2380-1, 2380b-1).

All places of public entertainment where intoxicating liquors are sold must obtain a license from the county court (ibid., sec. 2554d-1). The county court appoints a public administrator (ibid., sec. 3903), and has power to purchase and maintain a poorhouse, appoint commissioners to look after it (ibid., sec. 3925), and order a poor person to be taken to it (ibid., sec. 3931). Knox County, however, has neither a public administrator or commissioners of the poorhouse. The court may also establish and maintain a workhouse and levy a sum sufficient to pay for it (ibid., sec. 4867).

The court has jurisdiction of assignments (ibid., sec. 76); of penal and misdemeanor cases, exclusive of the circuit court, where the punishment is limited to a fine not exceeding $20, and concurrent with the circuit court where the punishment does not exceed $500 or imprisonment of twelve months, or both (ibid., sec. 1093); of cases of parents failing to educate deaf children (ibid., sec. 298f-6); of cases involving dependent, or delinquent children (ibid., secs. 331g-1-3, 331e-2; see Juvenile Court); of the care

and custody of persons and estates of idiots and lunatics (ibid., sec. 2149); and, concurrent with the circuit court, of the trial of persons violating the game laws (ibid., sec. 1938a-9).

The county court has jurisdiction over: condemnation proceedings (ibid., sec. 839); forcible entry and detainer proceedings (Civil Code, sec. 454); preservation of records, with power to have same transcribed and rebound (Carroll, op. cit., sec. 1632); watercourses and water districts (ibid., secs. 9389-1, et seq.); and county patrols (ibid., sec. 3780).

Wills

171. WILL BOOKS, 1801--. 4 vols. (A-D), 2 file boxes.
Record of wills; date, names of testator, beneficiaries, and executors, date of will, description of estate, amount left each beneficiary, signature of testator and witnesses, date will recorded, county clerk's signature. 4 vols., 1801--, arr. alph. by name of deceased; 2 file boxes, arr. chron. by date recorded. Hdw. Vols. aver. 482 pp. 17 x 12 x 3; file boxes aver. 250 pp. 4½ x 10 x 6. Co. Ct. Clk's. vlt.

172. INDEX TO WILL BOOKS, 1801--. 4 vols. (A-D).
Index to Will Books, entry 171; alph. crossed by names of deceased and beneficiaries, showing p. no. and vol. where recorded. Hdw. Vols. aver. 50 pp. 17 x 12 x 1. Co. Ct. Clk's. vlt.

Land Divisions

173. RECORD OF PROCESS LAND, 1888-92. 1 vol.
Reports of processioners and surveyors appointed by court to survey and divide lands of estates; names of appointees and deceased, date, description of land in question, division proposed. Arr. chron. Alph. indexed by name of deceased. Hdw. 300 pp. 14 x 9 x 1. Co. Ct. Clk's. vlt.

174. DIVISION OF LANDS, 1896, 1914, 1923. 3 file boxes. 1894-1910 in County Court Papers, entry 226; 1900-1901 in Records of County Clerk, entry 228.
Division of land by guardian and administrator filed by county clerk; description of land, name of owner, nature of division, names of guardian and administrator. Arr. chron. Hdw. File boxes aver. 10 docs. 4½ x 10 x 6. Co. Ct. Clk's. vlt.

Inventories and Appraisements
(See also entry 205)

175. INVENTORIES AND APPRAISEMENTS, 1871--. 2 vols., 4 file boxes.
Records of county clerk of all appraisements of personal property and sales of same; names of owner and purchaser, description of property, appraised value, sale price. Arr. chron. Vols. aver. 637 pp. 18 x 12 x 2; file boxes aver. 75 docs. 4½ x 10 x 6. 2 vols., 3 file boxes, 1871--, Co. Ct.

Clk's. vlt.; 1 file box, 1931-34, Co. Ct. Clk's. off.

176. INDEX TO INVENTORIES AND APPRAISEMENTS, 1871--. 2 vols.
Index to Inventories and Appraisements, entry 175; arr. alph. by name of appraiser, showing p. no. of vol. where recorded. Hdw. Vols. aver. 50 pp. 18 x 12 x ¼. Co. Ct. Clk's. vlt.

177. ASSIGNEE'S INVENTORY, 1892-93. 1 file box.
Assignee's itemized inventory of goods received; date received, signature of assignee. Arr. alph. by name of assignee. Hdw. 25 docs. 4½ x 10 x 6. Co. Ct. Clk's. vlt.

Fiduciaries' Appointments
(See also entry 204)

178. LIST OF EXECUTORS AND ADMINISTRATORS, 1874-94. 1 vol.
List of executors and administrators appointed to administer estates of deceased; names of deceased and appointee, date appointed. Arr. chron. Hdw. 480 pp. 18 x 12 x 3. Co. Ct. Clk's. vlt.

179. INDEX TO LIST OF EXECUTORS AND ADMINISTRATORS, 1874-94. 1 vol.
Index to List of Executors and Administrators, entry 178; alph. crossed by names of executors and administrators, showing p. no. of vol. where recorded. Hdw. 50 pp. 18 x 12 x ½. Co. Ct. Clk's. vlt.

180. SUITS OFF DOCKET (Miscellaneous Papers), 1930-31. 1 file box.
Appointments of administrators of estates; names of deceased and appointee, date appointed; exceptions to commissioner's reports. Contains: (Petitions to Condemn Roads), entry 1. Arr. alph. by subject. 40 docs. 4½ x 10 x 6. Co. Ct. Clk's. off.

Fiduciaries' Settlements

181. DIVISION OF LAND AND COMMISSIONER'S REPORT, 1870-79, 1885--. 3 vols. (1-3), 5 file boxes. 1900-1901 in Records of County Clerk, entry 228.
Reports of commissioners, guardian, administrator, or committee appointed by county court to view and divide estate among heirs; names of deceased and heirs, date of report, division made, signatures of persons making divisions. Arr. chron. 1870-79, no index; 1885--, separate index. 1870-79, 1885-1930, hdw.; 193100, typed. Vols. aver. 480 pp. 17 x 11½ x 3; file boxes aver. 350 docs. 4½ x 10 x 6. 3 vols., 2 file boxes, 1870-79, 1885--, Co. Ct. Clk's. vlt.; 3 file boxes, 1930--, Co. Ct. Clk's. off.

182. INDEX TO DIVISION OF LAND AND COMMISSIONER'S REPORT, 1885--. 1 vol.
Index to Division of Land and Commissioner's Report, entry 181; arr. alph. by name of deceased, showing p. no. of vol, or file box where record is kept. Hdw. 50 pp. 18 x 11½ x ¼. Co. Ct. Clk's. vlt.

183. SETTLEMENTS OF EXECUTORS AND ADMINISTRATORS, 1871--. 7 vols. (A-G), 21 file boxes.
Settlements of administrators filed by county court clerk; names of estate and administrator, settlement made, date, signature of administrator. Arr. chron. Hdw. Vols. aver. 470 pp. 18 x 12 x 3; file boxes aver. 50 docs. 4½ x 10 x 6. 7 vols., 16 file boxes, 1871--, Co. Ct. Clk's. vlt.; 5 file boxes, 1930--, Co. Ct. Clk's. off.

184. SUPPLEMENTAL SETTLEMENTS, 1928-30. 1 file box. 1932 in Papers To Be Docketed, entry 231.
Supplemental settlements and exceptions to settlements made by administrator showing failure to account for all money pertaining to estate; names of estate, administrator, and person taking exception to settlement, date, pertinent facts. Arr. alph. by name of administrator. 20 docs. 4½ x 10 x 6. Co. Ct. Clk's. vlt.

185. JUDGMENTS (Settlements), 1920-23. 3 file boxes. 1931 in Papers On Docket (Miscellaneous), entry 225; 1923-29 in County Court Papers, entry 226.
Settlements of division of lands by guardians or administrators; names of deceased and guardian or administrator, date of settlement, division made, signature of person making division. Contains: Judgments, entry 201. Arr. chron. within sections. Hdw. pr. fms. File boxes aver. 60 docs. 4½ x 10 x 6. Co. Ct. Clk's. off.

186. SETTLEMENTS, 1866, 1893-95, 1903-05, 1918-22. 6 file boxes. 1871-73, 1881-89, 1899-1901, 1906-08, 1911-17, 1927-29 in Knox County Court Docket, entry 200; 1914-19 in Clerk's Record, entry 220; 1920-31 in Miscellaneous Papers, entry 221.
Settlements of guardians and administrators, land settlements of heirs; names of deceased, heirs, and guardians or administratords, manner of settlement of estate. Arr. chron. File boxes aver. 15 docs. 4½ x 10 x 6. Co. Ct. Clk's. vlt.

187. RE ORTS AND SETTLEMENTS, 1920-23. 1 file box.
Settlements filed by county clerk pertaining to estates, reports on value of estates. Arr. chron. Hdw. 15 docs. 4½ x 10 x 6. Co. Ct. Clk's. vlt.

Fiduciaries' Bonds

188. ADMINISTRATOR BONDS, 1853--. 8 vols.
Bonds filed by administrator of estate; names of bondee and bondsman, date of bond. Arr. chron. Alph. indexed by name of bondee. Hdw. pr. fms. Vols. aver. 435 pp. 14 x 6 x 1½. 7 vols., 1853--, Co. Ct. Clk's. vlt.; 1 vol., 1930, Co. Ct. Clk's. off.

189. EXECUTOR'S BONDS, 1855-1902, 1908-13. 2 vols.
Bond made by executor of an estate; names of bondee and bondsman, date and amount of bond. Arr. chron. Alph. indexed by name of executor. Hdw. pr.

fms. Vols. aver. 241 pp. 12 x 8 x 1. Co. Ct. Clk's. vlt.

190. GUARDIAN BONDS, 1853-78, 1884--. 6 vols.
Guardian's bond as surety of faithful discharge of duties; names of bondee and bondsman, date and amount of bond. Committee appointed to divide land for guardians; names of members, date, and by whom appointed. Arr. chron. Alph. cross-indexed by names of guardians and committee. Hdw. pr. fms. Vols. aver. 462 pp. 14 x 9 x 2. Co. Ct. Clk's. off.

191. TRUSTEES' BOND BOOK, 1886-1905. 1 vol.
Bond made by trustee or assignee for property received in an assignment made by owner for benefit of creditors; names of trustee and owner, date, and amount of bond. Arr. chron. Alph. indexed by name of trustee. Hdw. pr. fms. 220 pp. 14 x 9 x 2. Co. Ct. Clk's. vlt.

192. BONDS OF COMMITTEE FOR PAUPERS, 1890-1905. 1 vol.
Bond given by appointed keeper of paupers; names of bondee and bondsman, amount and date of bond. Arr. chron. Alph. indexed by name of keeper. Hdw. pr. fms. 311 pp. 14 x 9 x 1. Co. Ct. Clk's. vlt.
For additional bonds see entry 147.

Petitions

193. PETITIONS, 1893-94, 1923-25. 5 file boxes.
Petitions for allotment of dower in division of land; estate to be divided, name of petitioner, date, amount of allotment sought. Arr. chron. Hdw. File boxes aver. 55 docs. 4½ x 10 x 6. Co. Ct. Clk's. vlt.

194. (PETITIONS), 1906-08, 1926-29. 1906-08 in Suits, entry 198; 1926-29 in Knox County Court Papers, entry 222.
Petitions made to county court for the appointment of guardians, the settlements of administrators, and the dividing of voting precincts; names of petitioners, guardians, and administrators, date and purpose of petition.

Affidavits and Warrants
(See also entry 231)

195. WARRANTS OF ARREST, 1914-17, 1923, 1927-33, 1936--. 16 file boxes. 1930-- in Suits, entry 198; 1930 in Bastardy Cases (Miscellaneous Papers), entry 227; 1919-21 in Miscellaneous Papers, entry 221.
Warrants of arrest for felony or misdemeanor, for appearance before county court judge; name of person, charge, date and kind of offense, date of warrant. 2 file boxes, 1914-17, arr. chron.; 14 file boxes, 1915, 1923, 1927-33, 1936--, arr. alph. by name of defendant. Hdw. pr. fms. File boxes aver. 80 docs. 6½ x 10 x 5. 2 file boxes, 1915, 1923, Co. Sheriff's off.; 2 file boxes, 1914-17, Co. Ct. Clk's. vlt.; 12 file boxes, 1927-33, 1936--, Co. Ct. Clk's. off.

196. EXECUTED CAPIAS PRO FINE, 1934--. 2 file boxes.
Working statute commanding arrest and imprisonment of guilty party; name of defendant, charge, amount of fine. Arr. alph. by name of defendant. Hdw. pr. fms. File boxes aver. 80 docs. 6 x 10 x 5. Co. Judge's off.

Suits and Dockets

197. RECORD OF EXAMINING TRIALS, 1914, 1924-25, 1930, 1936--. 1 vol., 2 file boxes.
Record of examining trials in Knox County to determine whether party tried should be held for grand jury; name of party, charge, amount of bond, date of trial. Arr. chron. Alph. indexed by name of defendant. Hdw. Vol., 483 pp. 16 x 12 x 2; file boxes aver. 60 docs. 5 x 10 x 6. Co. Judge's off.

198. SUITS, 1904-08, 1915-17, 1926--. 18 file boxes.
Suits for the recovery of money, suits of heirs for land, for debts, reduction of taxes, alimony, right-of-way, to compel administrator to increase bond, to recover tax book from sheriff, for the collection of money for doctor's service and medicines, and suits of Cumberland Railroads vs. Manchester; petitions and answers in suits, names of litigants and attorneys, date and subject of suit, amount involved; appointment of land processioners. Contains: (Petitions for New Roads), 1906-08, 1927-31, entry 1; (Petitions), 1906-08, entry 194; Warrants of Arrest, 1930--, entry 195; Report of Land Appraisers, Surveyors, and Road Viewers, 1926-29, entry 317. 11 file boxes, 1906, 1915, 1926--, arr. alph. by name of parties involved; 7 file boxes, 1904-08, 1915-17, 1927, 1930--, arr. chron. Hdw. File boxes aver. 75 docs. 4 3/4 x 10 x 5 7/8. 8 file boxes, 1926--, Co. Judge's off.; 7 file boxes, 1904-08, 1915-17, 1926--, Co. Ct. Clk's. vlt.; 3 file boxes, 1927-29, Co. Ct. Clk's. off.

199. MOTION AND GROUNDS FOR NEW TRIAL, 1936--. 1 file box.
Motions and grounds for new trial; names of litigants and attorney for defendant, date filed. Arr. alph. by name of defendant. Hdw. pr. fms. 25 docs. 6 x 10 x 5. Co. Judge's off.

200. KNOX COUNTY COURT DOCKET, 1871--. 7 vols., 13 file boxes.
Record of all cases filed in county court; names of plaintiff, defendant, and attorneys, date and style of case, date lis pendens notice issued. Contains: (Road Petitions), 1915-17, 1927-29, entry 1; Settlements, 1871-73, 1881-89, 1899-1901, 1906-08, 1911-17, 1927-29, entry 186. Arr. alph. by subject and chron. within subject division. Hdw. pr. fms. Vols. aver. 638 pp. 17 x 12 x 3; file boxes aver. 60 docs. 4½ x 10 x 6. 7 vols., 12 file boxes, 1871--, Co. Ct. Clk's. vlt.; 1 file box, 1927-29, Co. Ct. Clk's. off.
For additional lis pendens notices see entry 88.

Judgments

201. JUDGMENTS, 1919-22, 1925-26, 1932. 4 file boxes. 1920-23 in Judgments (Settlements), entry 185; 1914-19 in Clerk's Record, entry 220.

Judgments in civil and criminal cases; names of parties, date judgment rendered, amount of judgment. Arr. chron. Hdw. pr. fms. 2 file boxes, 1919-22, Co. Ct. Clk's. vlt.; 1 file box, 1925-26, Co. Judge's off.; 1 file box, 1932, Co. Ct. Clk's. off.

202. JUDGMENTS BY DEFAULT, 1914--. 2 vols.
Judgments gained by default; names of parties, amount recovered, date of trial. Arr. chron. Hdw. pr. fms. Vols. aver. 636 pp. 16 x 12 x 3. Co. Judge's off.

203. INDEX TO JUDGMENTS BY DEFAULT, 1914--. 1 vol.
Index to Judgments by Default, entry 202; alph. crossed by names of plaintiff and defendant, showing p. and vol. no. where recorded. Hdw. 50 pp. 16 x 12 x $\frac{1}{4}$. Co. Judge's off.

Orders

204. ORDER BOOKS (Court Orders), 1800--. 24 vols., 8 file boxes.
Orders appointing officers, guardians, administrators, and surveyors of roads; confirming settlements; approving bonds of officials; calling special term of court for making stock laws; changing roads; filing commissioner's reports; names of estate, commissioner, guardian, administrator, surveyor, and officer, date of order, description of land and location of road. Contains: (Petitions), 1907, 1911-12, entry 1; Appropriation for Building Roads, 1930-31, 1933, entry 2; (Summonses), 1907, 1911-12, entry 218; Commissioner's Report of Cost, 1930-31, 1933, entry 317. Arr. alph. by subject and chron. within subject division. Hdw. Vols. aver. 605 pp. 17$\frac{1}{2}$ x 11$\frac{1}{2}$ x 2$\frac{1}{2}$; file boxes aver. 45 docs. 4$\frac{1}{2}$ x 10 x 6. 24 vols., 6 file boxes, 1800--, Co. Ct. Clk's. vlt.; 2 file boxes, 1930-31, 1933, Co. Ct. Clk's. off.

205. PROBATE ORDER BOOK, 1816, 1915--. 4 vols. 1926-29 in Knox County Court Papers, entry 222.
Orders for appraisement of estates, appointment of commissioners to appraise land; names of estate and commissioner, date, description of land. Arr. chron. Hdw. Vols. aver. 400 pp. 18 x 12 x 2. Co. Ct. Clk's. off.

Executions

206. CIVIL EXECUTIONS, 1872-1912, 1914-17, 1925--. 3 vols., 9 file boxes.
Executions for debt and cost in suits for division of land; names of litigants, attorneys, and executing officer, case no., judgment, amount due, return and date. Contains: (Petitions), 1914-17, entry 1; (Summonses and Subpoenas), 1931, entry 218; Orders of Attachment, 1931, entry 234; Commissioner's Reports on Damaged Lands, 1914-17, entry 317. Arr. alph. by subject and chron. within subject division. Hdw. Vols. aver. 281 pp. 18 x 12 x 3; file boxes aver. 70 docs. 4$\frac{1}{2}$ x 10 x 6. 2 vols., 6 file boxes, 1925--, Co. Judge's off.; 1 vol., 3 file boxes, 1872-1912, 1914-17, Co. Ct. Clk's. vlt.

207. INDEX TO CIVIL EXECUTIONS, 1872-1912, 1914-17, 1925--. 2 vols. Index to Civil Executions, entry 206; alph, crossed by names of plaintiff and defendant, showing p. no. of vol. where recorded. Hdw. Vols. aver. 50 pp. 18 x 12 x $\frac{1}{4}$. 1 vol., 1872-1912, Co. Ct. Clk's. vlt.; 1 vol., 1925--, Co. Judge's off.

Bonds
(See also entry 227)

208. INJUNCTION BONDS, 1923-29, 1934--. 1 vol.
Bond given by person filing injunction suits against building roads or injuring property; names of parties involved, date and amount of bond. Arr. chron. Alph. cross-indexed by names of parties. Hdw. pr. fms. 161 pp. 14 x 9 x 2. Co. Judge's off.

209. REPLEVIN BONDS, 1890-95, 1898-1905, 1923--. 5 vols.
Bonds given by plaintiff assuring payment of judgment rendered; names of litigants and bondsman, date and amount of bond. Arr. chron. Alph. indexed by name of plaintiff. Hdw. pr. fms. Vols. aver. 456 pp. 14 x 9 x 2. Co. Judge's off.

210. ATTACHMENT BONDS, 1912--. 8 vols.
Attachment bonds given by bondee and his surety guaranteeing to pay judgment and cost assessed by court; names of bondee, surety, and plaintiff, date and amount of bond. Arr. chron. Alph. indexed by name of bondee. Hdw. pr. fms. Vols. aver. 240 pp. 14 x 9 x 2. Co. Judge's off.

211. BAIL BOND, 1898--. 8 vols.
Bond given by accused that he will appear in court on a certain day; names of bondee and bondsman, date and amount of bond. Arr. chron. Alph. indexed by name of bondee. Hdw. pr. fms. Vols. aver. 269 pp. 14 x 9 x 2. 1 vol., 1898--, Co. Ct. Clk's. off.; 7 vols., 1919--, Co. Judge's off.

212. RECORDS OF PEACE BONDS, 1934--. 1 file box.
Bonds assuring the keeping of peace; date and amount of bond, period effective, names of bondee and bondsman, plaintiff. Arr. chron. Hdw. pr. fms. 30 docs. 5 x 10 x 6. Co. Judge's off.

213. PEACE BONDS RELEASED, 1934--. 1 file box.
Peace bonds released on request of plaintiff; names of bondee, bondsman, and plaintiff, date, amount, and restrictions of bond. Arr. chron. Hdw. pr. fms. 25 docs. 6 x 10 x 5. Co. Judge's off.

214. BONDS IN LIQUOR CASES, 1924-25. 1 vol.
Bond of person convicted in liquor case pledging good behavior for twelve months; names of bondee and bondsman, amount and date of bond. Arr. chron. Alph. indexed by name of bondee. Hdw. pr. fms. 479 pp. 14 x 10 x 2. Co. Judge's off.

215. BOND FOR COST, 1893, 1896, 1899, 1920-25, 1927-28, 1935--. 2 vols.
Bond for cost by plaintiff; names of bondee, bondsman, and defendant, date issued. Arr. chron. Alph. indexed by name of plaintiff. Hdw. pr. fms. Vols. aver. 162 pp. 14 x 9 x 2. Co. Judge's off.

216. APPEAL BOND, 1915-16, 1918-20, 1922--. 1 vol.
Appeal bond giving assurance that appellant will satisfy judgment of superior court; date and amount of bond, names of appellant, appellee, and bondsman. Arr. chron. Alph. indexed by name of appellant. Hdw. pr. fms. 160 pp. 14 x 9 x 2. Co. Judge's off.

Liquor Sales

217. DRUGGIST RECORD OF LIQUOR SALES, 1920--. 1 vol.
Record of liquor sales; amount of liquor on hand at last quarterly report, kind, sales made to date of report. Arr. chron. Hdw. pr. fms. 12 pp. 18 x 12 x 1½. Co. Ct. Clk's. off.

Miscellaneous

218. (SUMMONSES), 1841-43, 1907, 1911-12, 1920--. 1907, 1911-12 in Court Order Books (Court Orders), entry 204; 1931 in Civil Executions, entry 206; 1920-31 in Miscellaneous Papers, entry 221; 1921-22, 1930-- in Papers on Docket (Miscellaneous), entry 225; 1841-43 in County Court Papers, entry 226.
Summonses and subpoenas issued by the county court and executed by the sheriff for the person to appear in court; name of person summoned, dates of summons and return, reason for summons.

219. AUDITOR'S REPORT (Commissioner's Land Sales), 1931. 1 file box.
Auditor's reports of settlements of sale of land by special commissioners appointed by county court; names of commissioner and auditor, date of settlement, and disposition of same. Arr. chron. Hdw. 20 docs. 4½ x 10 x 6. Co. Ct. Clk's. off.

220. CLERK'S RECORD, 1910-19. 4 file boxes.
Appraisements of land; date of instrument, names of parties, description of property, value, amount of money involved. Contains: Claims Allowed, 1914-19, entry 15; Old Deeds, 1914-19, entry 22; Mechanics and Material Liens, 1910-16, entry 50; Settlements of Estates, 1914-19, entry 186; Judgments, 1914-19, entry 201; (Record of Roads Built), 1910-16, entry 323. Arr. alph. by subject. Hdw. File boxes aver. 62 docs. 4½ x 10 x 6. Co. Ct. Clk's. vlt.

221. MISCELLANEOUS PAPERS, 1919-31. 4 file boxes.
Miscellaneous instruments. Contains: (Road Petitions), 1920-31, entry 1; Articles of Incorporation, 1919-21, entry 41; Administrators' and Guardians' Settlements, 1920-31, entry 186; Warrants of Arrest, 1919-21, entry 195;

(Summonses Issued to Sheriff), 1920-31, entry 218; List of Election Officials, 1920-31, entry 289; (Appointment of Examiners), 1919-21, entry 296. Hdw. File boxes aver. 75 docs. 4½ x 10 x 9½. 3 file boxes, 1919-21, 1924, Co. Ct. Clk's. vlt.; 1 file box, 1920-31, Co. Judge's off.

222. KNOX COUNTY COURT PAPERS, 1924-30, 1932. 5 file boxes.
Orders to pay commonwealth from county funds for maintenance of state house or reform school, letters of resignation, appointments and discharges of county patrolmen; date of letter, appointment, or discharge, names of person resigning and patrolman appointed or discharged, purpose of resignation or discharge. Contains: Requests for Guardians, 1926-29, entry 194; Orders to Survey and Appropriate Land, 1926-29, entry 205; Exoneration From Poll Tax, 1924-25, 1930, 1932, entry 259; Assessment List, 1924-25, 1930, 1932, entry 269. Arr. alph. by subject. Hdw. File boxes aver. 56 docs. 4 x 11 x 7. 1 file box, 1926-29, Co. Ct. Clk's. vlt.; 4 file boxes, 1924-25, 1930, 1932, Co. Ct, Clk's. off.

223. COUNTY CLAIMS ALLOWED, 1890--. 3 vols., 21 file boxes.
Claims for paupers, inquests of idiots, record of transfer of persons from jail to court, cost of clearing right-of-way, various county expenses. Arr. chron. Hdw. pr. fms. Vols. aver. 400 pp. 14½ x 12 x 2; file boxes aver. 50 docs. 4½ x 10 x 6. Co. Ct. Clk's. off.
For record of inquests see entry 230.

224. BILLS, 1930-31. 1 file box.
Bills for stationery, recording deeds, work done on courthouse, supplies for jail and courthouse; name of creditor, date, amount of itemized bill. Arr. alph. by name of firm or person from whom supplies were bought or by whom work was done. Hdw. pr. fms. 30 docs. 4½ x 10 x 6. Co. Ct. Clk's. off.

225. PAPERS ON DOCKET (Miscellaneous), 1921-22, 1930--. 3 file boxes.
Motions for appointing guardians; date of motion, names of person making motion and guardian appointed, reason for appointment. Contains: (Road Petitions), 1930--, entry 1; Final Settlements, 1931, entry 185; (Summonses to Appear in Court), 1921-22, 1930--, entry 218; Affidavits of Unwed Mothers, 1930--, entry 227; Road Orders, 1921-22, entry 319. 2 file boxes, 1921-22, 1931, arr. alph. by subject; 1 file box, 1930--, arr. alph. by subject and chron. within subject division. 2 file boxes, 1930--, hdw.; 1 file box, 1921-22, hdw. pr. fms. File boxes aver. 47 docs. 4½ x 10 x 6. 2 file boxes 1930--, Co. Ct. Clk's. off.; 1 file box, 1921-22, Co. Ct. Clk's. vlt.

226. COUNTY COURT PAPERS, 1841-43, 1894-1910, 1923-29. 9 file boxes.
Miscellaneous papers; assignments, order to appoint administrators and land appraisers, sheriff's tax garnishee, claims for services, and one map of county. Contains: (Petitions for Changing Roads), 1923-29, entry 1; Road Claims, 1894-1910, entry 2; Orders Appointing Road Viewers, 1894-1910, entry 21; Deeds, 1894-1910, entry 22; Division of Land Settlement, 1894-1910, entry 174; Settlements of Land, 1923-29, entry 185; (Summonses), 1841-43, entry 218; Report of Road Commissioner, 1923-29, entry 317. 4 file boxes, 1894-1910,

arr. alph. by subject and chron. within subject division; 5 file boxes, 1841-43, 1923-29, no arr. 4 file boxes, 1894-1910, hdw.; 5 file boxes, 1841-43, 1923-29, hdw. pr. fms. File boxes aver. 78 docs. 4½ x 10 x 9½. Co. Ct. Clk's. vlt.

For additional appointments of land appraisers see entry 198.

227. BASTARDY CASES (Miscellaneous Papers), 1930. 1 file box. 1893, 1897-- in Animal and Bastardy License Bonds, entry 65; 1930-- in Papers on Docket (Miscellaneous), entry 225.

Appearance bonds in bastardy cases, affidavits of unwed mothers; names of plaintiff and defendant, date of instrument. Contains: Warrants of Arrest, entry 195. Arr. alph. by name of defendant. Hdw. pr. fms. 30 docs. 4½ x 10 x 6. Co. Ct. Clk's. off.

For additional bastardy warrants see Miscellaneous Records, entry 88.

228. RECORDS OF COUNTY CLERK, 1900-1901. 1 file box.

Reports of settlements of assignees and appraiser of real property; date of report, case in question, names of parties, actions or recommendations, signature of person submitting report. Contains: Land Divisions, entry 174. Arr. alph. by subject. Hdw. pr. fms. 50 docs. 4½ x 10 x 6. Co. Ct. Clk's. vlt.

229. APPRENTICESHIP BOND BOOK, 1875-1917. 2 vols.

Indenture of apprenticeship for white and colored persons, in which orphan child is bound out to serve a person until orphan is eighteen; name of orphan child and person to whom apprenticed, date, term of apprenticeship. Arr. chron. Alph. indexed by name of apprentice. Hdw. pr. fms. Vols. aver. 220 pp. 14 x 9 x 2. Co. Ct. Clk's. vlt.

230. RECORD OF INQUEST, 1886-1918. 2 vols.

Record of inquest for lunatics; name of defendant, brief history of case, date of inquest, findings. Arr. chron. Alph. indexed by name of lunatic. Hdw. Vols. aver. 182 pp. 14 x 9 x 1. Co. Ct. Clk's. off.

For subsequent inquests see entry 223.

231. PAPERS TO BE DOCKETED, 1932. 1 file box.

Affidavits of persons assessed twice for tax on one piece of property and asking exonerations; name of affiant, date of affidavit, amount of exoneration. Contains: Exceptions to Reports of Administrator, entry 184. Hdw. 30 docs. 4½ x 10 x 6. Co. Ct. Clk's. off.

VIII QUARTERLY COURT

When Knox County was created in 1799 a court of quarter sessions was set up, under authorization of an act of 1792, and consisted of three justices, appointed for that purpose out of the justices of the peace of the county, any two being sufficient to constitute a court. The court had jurisdiction of all causes at common law or in chancery except such criminal causes where the judgment upon conviction was for the loss of life or member and except causes of less value than five pounds or one thousand pounds of tobacco. The quarter sessions court was an intermediate court between the lowest and highest courts in the county (Littell, Statute Law of Ken-

tucky, vol. 1, pp. 90-95).

Upon establishment of the circuit court in Knox County in 1804, the quarter sessions court was abolished, and its jurisdiction was included in that of the circuit court (ibid., vol. 3, pp. 45, 184).

In 1852, two years after the adoption of the third constitution, the general assembly established the quarterly court, which court is, more or less, the successor of the quarter sessions court. This act stipulated that it should be presided over by the county judge and have original jurisdiction, both in law and equity, concurrent with justices of the peace in civil cases and concurrent with the circuit court when the amount in controversy did not exceed $100 (Acts of the General Assembly of 1852, ch. 22, art. 17, secs. 1-4, pp. 93, 94). The judge was to be his own clerk of the court and to hold four sessions of court a year at the courthouse (ibid., ch. 22, art. 17, sec. 4, p. 94).

The quarterly court was established by the constitution of 1891 as a successor of the statutory quarterly court, but its jurisdiction was to remain the same until changed by uniform law (Const. of 1891, sec. 139, Schedule 6). The county judge presides over the quarterly court at least four times each year, but he may order monthly or continuous sessions to be held (Carroll's Kentucky Statutes, 1936 ed., sec. 1050).

Statutes passed after the adoption of the present constitution required the judge to keep a docket and order book in which are recorded the proceedings of the court, and to fix a rule day for the return of executions and other process. Authority for appointing a clerk is also given (ibid., sec. 1055).

Although laws did not extend jurisdiction to the quarterly court in cases involving title to real estate, an act of 1864 gave the judge power to issue and try warrants of forcible entry and detainer and jurisdiction concurrent with justices in cases of riots (General Statutes of Kentucky, 1873 ed., pp. 300-302). The quarterly court had no jurisdiction over any matter for injury to person or character (ibid., 1877 ed., p. 903).

Statutory authorization has been made, subsequent to the adoption of the fourth constitution, to give the quarterly court jurisdiction concurrent with the justices and city or police courts in all civil actions within the county for the recovery of money or personal property where the value in controversy is more than $100 but less than $200 (Carroll, op. cit., sec. 1051). In penal and misdemeanor cases the quarterly court has jurisdiction, exclusive of the circuit court and concurrent with the justices, county, and police courts, where the punishment is limited to a fine not exceeding $20, and concurrent with the circuit court where the punishment does not exceed a fine of $500 or imprisonment of twelve months, or both (ibid., sec. 1093).

The quarterly court also has jurisdiction concurrent with the justices'

courts in motions against constables for money collected (General Statutes of Kentucky, 1873 ed., p. 300; Carroll, op. cit., sec. 1053), and jurisdiction concurrent with the circuit court over violations of the liquor law (ibid., secs. 2554b-79, 2554c-32).

Affidavits and Warrants
(See also entry 243)

232. AFFIDAVITS, 1926--. 15 file boxes.
Affidavits in cases of stealing, obtaining money under false pretense, for search warrants when affiant has grounds to believe accused has committed offense; names of affiant, accused, and notary, date of crime, charge, return on process. Arr. alph. by name of accused. Hdw. File boxes aver. 45 docs. 6 x 10 x 5. Co. Judge's off.

233. WARRANTS WAIVED TO GRAND JURY, 1929. 1 file box.
Warrants of arrest for assault with deadly weapon, stealing, destroying property; name of defendant, charge, date issued. Arr. alph. by name of defendant. Hdw. pr. fms. 40 docs. 6 x 10 x 5. Co. Judge's off.

Suits and Dockets

234. SUITS OFF DOCKET, 1916--. 22 file boxes. Orders of Attachment, 1931, in Civil Executions, entry 206.
Suits in quarterly court to recover money or damages due to forcible entry and detaining of property; order of general attachment, affidavits, petitions, names of plaintiff, defendant, and attorneys, date, amount due. Arr. chron. Hdw. File boxes aver. 35 docs. 5 x 10 x 6. Co. Judge's off.
For prior attachments see entry 239.

235. COMMONWEALTH CASES, 1934--. 6 file boxes.
Commonwealth cases dismissed, tried by judge, or heard by a jury; name of defendant, charge, date of trial, amount of bail and judgment. Arr. chron. 4 file boxes, 1934--, hdw. pr. fms.; 2 file boxes, 1935--, hdw. File boxes aver. 45 docs. 5 x 10 x 6. Co. Judge's off.

236. RECORD OF CIVIL DOCKET, 1934. 1 file box.
List of cases to be tried; term of court, case no., names of plaintiff, defendant, and attorneys, charge, judgment, date rendered. Arr. numerically by case no. Hdw. pr. fms. 200 docs. 6 x 10 x 5. Co. Judge's off.

237. ORDINARY DOCKET, 1919--. 7 vols.
Record of civil, equity, and commonwealth cases in quarterly court; term of court, type of case, case no., no. of last order, names of plaintiff, defendant, and attorneys, action date. Arr. chron. Hdw. pr. fms. Vols. aver. 322 pp. 18 x 12 x 3. Co. Judge's off.

Orders, Judgments, and Executions

238. RECORDS OF JUDGMENTS FROM INFERIOR COURTS, 1858--. 1 vol., 3

file boxes.
Records of judgments and executions in quarterly court; term of court, names of plaintiff, defendant, and attorneys, date of trial and judgment, amount of money recovered. Arr. chron. Hdw. pr. fms. Vol., 483 pp. 18 x 12 x 3; file boxes aver. 55 docs. 5½ x 9 2/3 x 5. 1 vol., 1 file box, 1858--, Cir. Clk's. off.; 2 file boxes, 1928-30, Co. Judge's off.

239. ORDER BOOK (Attachments, Commonwealth and Knox Quarterly Court, Warrants), 1911--. 7 vols., 2 file boxes.
Orders, judgments, and attachments issued in quarterly court; names of litigants, sheriff, and attorneys, date of order, execution, judgment, and attachment, amount of fines and cost. 7 vols., 1911--, arr. chron.; 2 file boxes, 1924-25, 1936--, arr. alph. by name of defendant. 4 vols., 1911--, alph. indexed by name of defendant; 2 file boxes, 1924-25, 1936--, no index. 1911, 1924-25, 1936--, hdw. pr. fms.; 1929-32, typed. Vols. aver. 638 pp. 10 x 12 x 3; file boxes aver. 70 docs. 4½ x 11½ x 7½. 7 vols., 1911--, Co. Judge's off.; 1 file box, 1936--, Co. Sheriff's off.; 1 file box, 1924-25, Co. Ct. Clk's. off.

240. COMMONWEALTH EXECUTION BOOK, 1892--. 2 vols. 1927-29, 1936--in Executed Warrants, entry 243.
Commonwealth executions on judgments in quarterly court; names of plaintiff, defendant, amount of judgment, interest, credit, cost, date of judgment, return. Arr. chron. Hdw. pr. fms. Vols. aver. 340 pp. 18 x 12 x 3. Co. Judge's off.

241. INDEX TO COMMONWEALTH EXECUTION BOOK, 1892--. 1 vol.
Index to Commonwealth Execution Book, entry 240; arr. alph. by name of defendant, showing p. no. of vol. where recorded. Hdw. 50 pp. 18 x 12 x ½. Co. Judge's off.

Miscellaneous

242. DAILY CASH RECEIPT RECORD, 1922--. 8 vols.
Daily cash receipts of judge of quarterly court from fees collected in suits, fines, replevin bonds, judgments, tax on suits, and appeals, attorney's fees; date collected, reason, name of payer, no. of suit. 2 vols., 1929-31, 1934--, arr. chron.; 6 vols., 1922--, arr. numerically by suit no. 6 vols., 1922--, alph. indexed by name of payer; 2 vols., 1929-31, 1934--, no index. Hdw. pr. fms. Vols. aver. 346 pp. 15 x 13 x 2. Co. Judge's off.

243. EXECUTED WARRANTS, 1927-29, 1936--. 7 file boxes.
Bench warrants commanding officers to search premises for liquor; name of accused, date, charge, name of executing officer. Contains: Commonwealth Executions, entry 240. Arr. chron. Hdw. File boxes aver. 40 docs. 5 x 10 x 6. Co. Judge's off.

244. EXECUTED SUMMONS (Quarterly Court), 1926-27, 1935--. 4 file boxes.

Command to sheriff or constable to summon person to answer petition filed against him in court; names of defendant, plaintiff, and attorneys, charge, date of summons. Arr. alph. by name of defendant. Hdw. pr. fms. File boxes aver. 100 docs. 5 x 10½ x 5. Co. Sheriff's off.

245. ANSWERS TO GARNISHEE, 1930-31. 1 file box.
Answers and orders in garnishee cases; names of parties, amount of garnishee, date, judgment. Arr. alph. by name of debtor. Hdw. 50 docs. 4 x 10 x 6. Co. Judge's off.

246. ATTORNEYS RECEIPTS FOR SUITS, 1906, 1925-26, 1930. 1 vol.
Receipts for suits filed by attorneys in county judge's office; names of parties, no. and style of suit, date of receipt, attorney's name, date of return. Arr. chron. and numerically by no. of suit. Hdw. pr. fms. 400 pp. 14 x 9 x 2. Co. Judge's off.

IX JUVENILE COURT

An act of 1908, as amended in 1912, provided authorization for the juvenile court, to be presided over by the county judge. This court functions as a part of the county court and has jurisdiction over all juvenile cases coming within the terms of court. A special record book known as the "Juvenile Record" is kept by the court for all cases of juvenile character, and the docket or calendar of the court is called the "Juvenile Docket". The clerk of the county court is also clerk of the juvenile court and he may designate a deputy to act for him (Carroll's Kentucky Statutes, 1936 ed., sec. 331e-2).

The jurisdiction of this court is in all matters pertaining to proceedings against persons in charge of neglected or dependent children. Until the first hearing of the case by the court, the chief probation officer or any assistant probation officer may release the child upon its own recognizance, or its parents or persons in control or supervision of the child, or may have the child placed in the detention school or place of detention maintained by the city or county. Since Knox County does not have a probation officer, the county judge acts in this capacity in reference to delinquents. No child under fourteen years of age, however, shall under any circumstances, be incarcerated in any county jail or police station (ibid., sec. 331e-4). After the case is closed, the court makes disposition of the child by placing him in any institution, home, or hospital, as provided for by law (ibid., sec. 331e-6, et seq.).

Statutory provision makes it permissible for the county judge to appoint a board of not less than six nor more than ten reputable inhabitants as members, who serve without compensation as an advisory board of the county court, juvenile session, holding office during the pleasure of the court (ibid., sec. 331e-19). This board, however, has not been appointed in Knox County.

Petitions and Warrants

247. PETITIONS, 1930. 1 file box.
Petitions to court to inquire into alleged delinquency of children charged with larceny and failure to attend school; names of child and petitioner, date of petition. Arr. alph. by name of child. Hdw. 20 docs. 4½ x 10 x 6. Co. Ct. Clk's. off.

248. JUVENILE JUDGMENTS RECORDED (Warrants), 1933-34. 2 file boxes.
Warrants of arrest of juveniles for felony and misdemeanor cases; judgment on cases of delinquent children charged with larceny and failure to attend school. Arr. alph. by subject. Hdw. File boxes aver. 60 docs. 4½ x 10 x 6. Co. Ct. Clk's. off.

Dockets and Orders

249. JUVENILE DOCKET BOOK, 1921-31. 1 vol.
Docket of all juvenile cases to be tried by county judge; names of juvenile, plaintiff, and parents, offense, date of trial. Arr. chron. Alph. indexed by name of defendant. Hdw. 500 pp. 18 x 12 x 3. Co. Ct. Clk's. off.

250. JUVENILE COURT ORDER BOOK, 1912--. 1 vol.
Complete record of trials of all juveniles brought before county judge; names of plaintiff, defendant, and defendant's parents, date of trial, decision. Arr. chron. Alph. indexed by name of child. Hdw. 500 pp. 18 x 12 x 3. Co. Ct. Clk's. off.

251. ORDERS OF COMMITMENT, 1926-29. 1 file box.
Orders committing neglected dependent children to Kentucky Children's Home; names of child and parents, date of commitment. Arr. alph. by name of child. Hdw. pr. fms. 30 docs. 4½ x 10 x 12. Co. Ct. Clk's. vlt.

X COUNTY ATTORNEY

The constitution of 1799, adopted in the year Knox County was created, provided that attorneys for the commonwealth for the various counties should be appointed by the respective courts (Const. of 1799, art. 3, sec. 23). In 1829 the county court, a majority of the justices concurring, was given authority to appoint, annually, an attorney, whose duty it was to attend each of the courts in his county and who was paid for his services by the county court out of the county levy (Morehead and Brown, Digest, vol. 1, p. 168). The constitution of 1850 required that a county attorney be elected every four years who should be at least twenty-four years of age and have been a licensed practicing attorney for two years (Const. of 1850, art. 6, sec. 1; art. 4, sec. 30). He was allowed a reasonable salary out of the county levy and also received fees from fines and taxable costs in cases prosecuted by him (Revised Statutes of Kentucky, p. 188). The present constitution, adopted in 1891, reaffirmed the previous one in regard to qualifications of the county attorney, his election, and his tenure of office

(Const. of 1891, secs. 99, 100); his fees, however, are regulated by law (ibid., sec. 106). In the absence of the county attorney, the county judge may appoint a pro tempore attorney to take his place (Carroll's Kentucky Statutes, 1936 ed., sec. 131).

As provided for in an act of 1829, the county attorney was to attend to all cases and business pending in court wherein the rights and interests of the county were concerned; to give legal advice to said court or to any justice; to conduct motions of prosecutions in the county court against constables, sheriffs, or other officers; and to be present at the court of claims and assist in investigating claims to see that none but those which are just and legal were passed (Morehead and Brown, Digest, vol. 1, p. 168). By statutes enacted after the third constitution, he was further authorized to institute and conduct prosecutions of suits of every description in any court in the state in which the county was interested, and prosecute all charges of felony or other public offenses before examining courts in his county (General Statutes of Kentucky, 1873 ed., p. 151). Legislation enacted subsequent to the constitution of 1891 requires the county attorney to attend the circuit courts held in the county and aid the commonwealth attorney in all prosecutions therein, and, in the absence of the commonwealth attorney, to attend to all business of the commonwealth in said courts (Carroll, op. cit., sec. 127).

The act of 1829 gave the county attorney power to see that the laws were complied with in granting tavern licenses (Morehead and Brown, Digest, vol. 1, p. 168). Later he was to prosecute tavern keepers, pedlars of clocks, and owners and keepers of covering horses and jacks for failure to pay taxes and obtain licenses (ibid., vol. 2, p. 1382). After the third constitution he was to prosecute and appeal to the circuit court if a tavern license was improperly granted (General Statutes of Kentucky, 1873 ed., p. 150). He is now authorized to oppose the improper granting of tavern, merchant, and drug licenses and if he thinks a license has been improperly granted, to appeal to the circuit court (Carroll, op. cit., 1936 ed., sec. 129).

In 1829 it was first provided that the county attorney assist in enforcing the laws against riots, routs, and breaches of the peace (Morehead and Brown, Digest, vol. 1, p. 168). After the third constitution he was to attend to the prosecution of all riots, routs, and breaches of the peace, except in the circuit court, and oppose the wrongful alteration of public roads (General Statutes of Kentucky, 1873 ed., p. 150). This last duty has been specifically reaffirmed by recent statutes (Carroll, op. cit., 1936 ed., sec. 129).

Prior to the adoption of the third constitution the county attorney was required to: prosecute the sheriff for failure to transmit certificates of election to the secretary of state (Morehead and Brown, Digest, vol. 1, p. 169; see County Election Commissioners); prosecute delinquent attorneys at law; examine the clerk's list of deeds and seals, and compare

it with the number recorded (ibid., vol. 1, p. 405); and prosecute masters for inhuman treatment to apprentices (ibid., vol. 2, p. 1163). After 1850 laws were passed which further authorized the county attorney to prosecute lawyers for failure to pay over to their clients money which they had collected (General Statutes of Kentucky, 1873 ed., p. 151); file a statement setting forth reasons for dismissal or failure to prosecute before entering a nolle prosequi (ibid., p. 154); prosecute in bastardy proceedings (ibid., p. 163); and prosecute delinquent taxpayers (ibid., p. 723).

Recent statutes further authorize the attorney to: prosecute to recover penalties for tax evasions, for erroneous entries in mortgages and deeds, and for failure of the county clerk to perform his duties in that regard (Carroll, op. cit., sec. 4068); examine candidates for offices of tax commissioner (ibid., sec. 4042a-11); appeal from decisions of the board of tax supervisors to the quarterly court in behalf of the county; and to represent the board when a taxpayer appeals to the quarterly or circuit courts (ibid., sec. 4128).

Additional duties of the county attorney, as set forth by statutes enacted in recent years, require him to: resist every application for divorce (ibid., sec. 2119); resist releases of apprentices and defend them (ibid., sec. 2599); attend examining trials before magistrates (ibid., sec. 128); investigate all unsatisfied judgments in the county in favor of the commonwealth and take steps to collect them; conduct prosecutions for the violation of the labor act (ibid., sec. 33a-12); enforce the game and fish laws (ibid., sec. 1954c-18); cause election instructions to be printed (ibid., sec. 1466); represent actions brought by the forestry department (ibid., sec. 2007i-25); represent the state and local boards of health within his jurisdiction (ibid., sec. 2054a-19); prosecute violators of the health laws (ibid., secs. 2058, 2060b-11) and hotel and restaurant inspection laws (ibid., sec. 2059a-14).

Records of the county attorney are listed in the various court sections (entries 17, 214, 243).

XI JUSTICES OF THE PEACE

When Knox County was created in 1799 five justices of the peace were appointed by the governor under authority granted by the second constitution, adopted in 1799 (Const. of 1799, art. 4, sec. 9; Order Book, entry 204). These five justices comprised the first court of Knox County (see Governmental Organization and Record System). For vacancy in the office of justice of the peace the governor appointed a successor from one of two persons recommended by the county court (Const. of 1799, art. 4, sec. 8). In 1815 it was further provided that when there was a vacancy in this office, the county court should appoint the most convenient adjoining justice to receive the papers and carry on the duties of the vacant office (Littell, Statute Law of Kentucky, vol. 5, p. 257).

The third constitution, adopted in 1850, provided that the general as-

sembly divide the county into four districts with two justices to be elected for each district for a term of four years and to be commissioned by the governor (Const. of 1850, art. 4, secs. 34, 35). An act of 1850 further provided for the appointment of commissioners to divide the county into districts for the election of justices of the peace and constables (Acts of the General Assembly of 1850, ch. 39, sec. 1, pp. 4-13). Under the present constitution, which provides for the creation of justices' districts by the general assembly, Knox County is divided into eight districts, from each of which one justice is elected for a term of four years, the justice having jurisdiction co-extensive with the county in such manner as is equal and uniform throughout the state (Const. of 1891, secs. 99, 100, 142; Carroll's Kentucky Statutes, 1936 ed., secs. 1078, 1084).

The justices of the peace, since the organization of the county, have been a part of the county management by virtue of their membership in the county court, court of levy and claims, and fiscal court (see Fiscal Court).

Jurisdiction given the justices at the time of their initial appointment included all cases of less value than four pounds of current money or one thousand pounds of tobacco, in which cases they could give judgments and award executions against goods and chattels but not against the body of the defendant. They were conservators of the peace within the county and their jurisdiction was final in cases where the amount did not exceed fifty shillings or five hundred pounds of tobacco (Littell, op. cit., vol. 1, p. 91).

Justices further had power to issue executions to constables in other counties to which debtors had removed (ibid., vol. 2, pp. 465, 466). Authorization was also given them to issue judgments on notes or accounts which were reduced by credits below five pounds (ibid., vol. 3, p. 503).

In 1811 jurisdiction of the justices' courts was increased to cover debts and accounts up to $50, and appeals could be taken in cases involving over five pounds (ibid., vol. 4, p. 342). The next year they were given exclusive original jurisdiction over all sums not exceeding $50 founded on any specialty, bill, or note in writing or account (ibid., vol. 5, p. 28) and also where credits were endorsed in order to reduce them to $50 (ibid., vol. 4, p. 342). In 1824 the justices were further authorized to exercise jurisdiction of bank notes and contracts not exceeding $50 (Morehead and Brown, Digest, vol. 2, pp. 901, 902), and in 1839 they were given equitable jurisdiction of cases under five pounds (Loughborough, Digest, p. 377).

As provided by statutes passed after the third constitution, the justices were given jurisdiction in all cases of contract not over $50, in all cases of law and equity where the amount did not exceed $16, and in all penal cases of the same amount (Acts of the General Assembly of 1851, ch. 22, art. 24, secs. 1-4, p. 99; art. 25, secs. 1-3, pp. 100-101).

Recent statutes, passed subsequent to the adoption of the present constitution, provide that the justices' courts shall have jurisdiction con-

current with the circuit and quarterly courts, of personal actions in civil cases where the amount does not exceed $100, and, exclusive of the circuit and concurrent with the quarterly courts, of civil cases not over $50 (Carroll, op. cit., sec. 1086). In criminal cases they are authorized to have jurisdiction, exclusive of the circuit court, where the fine is limited to $20 and, concurrent with the circuit court, where the fine is limited to $100 or fifty days imprisonment, or both (Criminal Code, sec. 13-5).

Upon the establishment of their office, the justices of the peace were authorized to issue warrants in bastardy cases (Littell, op. cit., vol. 1, p. 282), escape warrants (Morehead and Brown, Digest, vol. 1, pp. 614, 615), and warrants for arrest of traitors, felons, and breakers of the peace (Littell, op. cit., vol. 1, p. 505). In 1802 they were forbidden to sign blank warrants (ibid., vol. 3, p. 48). In 1809 they were authorized to issue warrants for the arrest of persons charged with shooting, stabbing, or wounding (Morehead and Brown, Digest, vol. 1, p. 540), and by statutes of later years they had power to issue distress warrants for rent (ibid., vol. 2, p. 1356) and warrants for the arrest of fugitives (Loughborough, Digest, p. 263). About this time they were also required to issue warrants for persons disturbing public worship or for persons unlawfully shooting one another (Morehead and Brown, Digest, vol. 2, p. 1276). Laws passed after the fourth constitution specifically give justices power to issue distress warrants and attachments for rents (Carroll, op. cit., secs. 2301, 2302), and authorize them to issue warrants of arrest for violators of game laws (ibid., sec. 1953).

Provision was first made in 1812 for the justices to keep a record of all proceedings of their courts and to transmit a copy thereof, with other papers on hand to the circuit clerk (Littell, op. cit., vol. 4, p. 342). Under laws passed after the present constitution they are required to keep an order book and an execution book, properly indexing the same, and recording therein all proceedings (Carroll, op. cit., sec. 1088). They render new judgments where records are lost or destroyed (ibid., sec. 1091), and furnish persons desiring same a copy of any records or proceedings in their custody (ibid., sec. 1092).

An act of 1802 authorized justices to suppress riots, routs, and breaches of the peace (Morehead and Brown, Digest, vol. 2, p. 1390). In 1851 they had power to try persons for the same cause or for disorderly conduct, as well as to bind persons to keep the peace and be responsible for their appearance at court (Acts of the General Assembly of 1851, ch. 22, art. 24, secs. 1-4, p. 99).

In 1835 authorization was given the justices to give judgments against constables for money collected and not paid (Loughborough, Digest, p. 137). The act of 1851 gave them jurisdiction of motions against constables (Acts of the General Assembly of 1851, ch. 22, art. 24, secs. 1-4, pp. 99, 100). Under a recent statute they have the latter power concurrent with the quarterly court (Carroll, op. cit., sec. 1086).

Justices of the Peace (Next Entry, 252, p. 89)

In 1812 the justices were given power to determine questions of law, render judgments agreealbe to the verdict, and fine disorderly or delinquent jurors and constables for neglect of duty (Littell, op. cit., vol. 5, pp. 28, 29). In 1820 they were given authority to make or take oaths or affidavits with the same authority as that of the circuit judge (Acts of the General Assembly of 1820, p. 976). The act of 1851, previously referred to, specified that they could administer oaths, subpoena witnesses, issue process, impanel juries, and grant a new trial or rehearing (Acts of the General Assembly of 1851, ch. 22, art. 24, secs. 1-4, p. 99; art. 25, secs. 1-3, p. 100). Besides reaffirming these duties, statutes subsequent to the present constitution also gave the justices authority to issue original or final process in any case within their jurisdiction (Carroll, op. cit., sec. 1087).

The justices were given power in 1909 to examine, with another justice, criminal charges, the punishment of which was capital, imprisonment, or corporal (Morehead and Brown, Digest, vol. 1, p. 538). The act of 1851 stipulated that two justices could examine and try all infractions of penal and criminal laws, the final trial of which was cognizable in the circuit court (Acts of the General Assembly of 1851, ch. 22, art. 24, sec. 3, p. 99). Early statutes provided that a justice could issue attachments and contempt proceedings to force parties to answer charges (Littell, op. cit., vol. 4, p. 35). In 1851 they were given all necessary power to carry into execution the jurisdiction conferred upon them by law (Acts of the General Assembly of 1851, ch. 22, art. 25, sec. 2, p. 100). Laws of recent years give them further power to make and adopt appropriate and uniform court rules not inconsistent with the civil and criminal codes of practice for governing their courts (Carroll, op. cit., sec. 1083a-12).

In 1799 authority was first granted the justices to solemnize marriages (Morehead and Brown, Digest, vol. 2, p. 1158). Now, however, such power is given the justices only upon authorization by the governor or the county court (Carroll, op. cit., sec. 2103). Statutes passed in 1802 provided the justices should furnish the county clerk a list of fines made in their respective courts, and further authorized them to suppress gaming and lotteries (Morehead and Brown, Digest, vol. 1, p. 717). In 1814 provision was made for them to grant certificates for compensation to persons killing wolves (ibid., vol. 2, p. 1551), and in 1838 they were required to file a list of fines and forfeitures made by them to the trustee of the jury fund (Loughborough, Digest, p. 364), and to order payment to the plaintiff where executions not exceeding five pounds had been returned with no property found (ibid., p. 376). Their jurisdiction was also extended to subject the choses in action and property of non-residents to payment of demands (Acts of the General Assembly of 1851, ch. 22, art. 26, sec. 1-1, p. 100).

Upon establishment of the county, justices were empowered to license free Negroes and Indians to keep firearms (Littell, op. cit., vol. 2, p. 114), and to examine judgments against slaves (ibid., vol. 2, p. 215). In 1808 they were also authorized to examine cases of free Negro immigrants entering the state from another state in contravention of law (Morehead and

Brown, Digest, vol. 2, p. 1220).

Early statutes provided the following additional duties: to see that tavern regulations were kept (Littell, op. cit., vol. 1, p. 196); to examine charges against vagrants; to aid in the return of runaway slaves (Littell, op. cit., vol. 2, p. 5); and to aid in the return of stray boats, horses, animals, et cetera (ibid., vol. 2, p. 79).

Statutes in effect today, passed in recent years, give the justices jurisdiction of forcible entry and detainer proceedings (Civil Code, p. 454); of strayed or glandered animals (Carroll, op. cit., sec. 43, et seq.); and of violations of the liquor laws (ibid., secs. 2554b-49, 2554c-32). It is the duty of the justices to report to the circuit coourt, every four months, the amount of money due the commonwealth and collected by them (ibid., sec. 4252). At all times justices' courts are considered open to try the offense of vagrancy (ibid., sec. 4758-3). The justices hold court each month at a time fixed by the county court (ibid., sec. 1085) and at a place, in their respective districts, fixed by the fiscal court (ibid., sec. 1083a-10).

Records: The field workers were unable to locate any records in the offices of the present justices of the peace.

XII SHERIFF

The first sheriff of Knox County, in accordance with a provision in the constitution of 1799 regarding the creation of new counties, was appointed by the governor from persons recommended to him (Const. of 1799, art. 4, sec. 9; see Governmental Organization and Record System).

The third constutiton provided; that a sheriff should be elected in each county by the qualified voters thereof, whose term of office should be two years; that he be eligible for a second term, but not the succeeding term after the second term; and that, before entering upon the duties of his office, he should give such bond and security as required by law (Const. of 1850, art. 6, sec. 4).

The present constitution provides that there shall be elected in the county every four years, a sheriff, who must be twenty-four years old and reside in the county in which he is sheriff. He is ineligible for re-election or to act as deputy for the succeeding term (Const. of 1891, secs. 99, 100).

When the sheriff took office in Knox County, existing legislation authorized him to deliver to the person from whom taxes are to be collected a list of every article of the demand before making a distress (Morehead and Brown, Digest, vol. 2, p. 1454). This duty has been reaffirmed by subsequent statutes (Carroll's Kentucky Statutes, 1936 ed., sec. 4574). The sheriff was also authorized at the time of the establishment of the county

to retain six per cent for collecting and paying the county tax (Littell, Statute Law of Kentucky, vol. 1, pp. 84, 584), and he was required to account to the clerks of the respective courts and to the surveyors annually for all fees put into his hands for collection, upon laws for judgment against him for failure to do so (ibid., pp. 589-590). Later statutes granted the sheriff power to make a settlement with the county court concerning collections of the county levy (General Statutes of Kentucky, 1873 ed., p. 274). He is now given authority to collect the county poll or ad valorem tax levy (Carroll, op. cit., sec. 1884).

As provided for before the creation of the county and reaffirmed by various statutes up to the present time, the sheriff receives and collects all fines, levies, forfeitures, amercements, and all officers' fees, and accounts for same as directed by law (Morehead and Brown, Digest, vol. 2, pp. 1455-1469; General Statutes of Kentucky, 1873 ed., p. 782; Carroll, op. cit., sec. 4572). An early law prescribed that, when the sheriff tenders tobacco as having been collected for fees, he shall make oath that it was paid by the person charged with the fees and that he himself had not directly or indirectly procured it by other means (Littell, op. cit., vol. 1, p. 87).

Upon the establishment of the county, the sheriff was empowered to distrain the goods of persons failing to pay taxes or levies (Morehead and Brown, Digest, vol. 2, pp. 1455-1469) and to make a list of insolvent taxpayers and all those who had removed from the county (ibid., p. 1362). In 1804 he was directed to return a list of all delinquent taxpayers (ibid., p. 1118), and after the third constitution he was required, not only to report persons failing to list property for taxation, but also: to report a list of property omitted by the assessor (General Statutes of Kentucky, 1873 ed., pp. 723, 736);to execute attachments for the collection of taxes (ibid., p. 736); and to distrain and sell the property of persons failing to pay taxes (ibid., pp. 734-735). The sheriff, under statutes subsequent to the present constitution, may collect for two years after the termination of his term of office distrainable fee bills placed in his hands for collection during his term of office (Carroll, op. cit., sec. 4564). He is authorized to notify all taxpayers whose property has been raised or assessed by the board of supervisors (ibid., sec. 4122); to collect all state, county, and district taxes, unless the law directs payment to be made to some other officer (ibid., sec. 4129); and to purchase real estate for the state, county, or district, when such real estate is sold for taxes and no one will purchase the same (ibid., secs. 4151, 4152).

The sheriff was further given power to execute all writs and process legally issued to him and directed within his county and to make due return thereof, endorsing on every writ of execution the day it was received by him (Morehead and Brown, Digest, vol. 2, pp. 1455-1469). He was not, however, allowed to execute process on Sunday except for felony, breach of peace, or escape (Littell, op. cit., vol. 1, pp. 84, 584). Statutes passed after the constitution of 1850 authorized him to execute and make due return of notices and process against any person or property in the county

Sheriff (Next Entry, 252, p. 89)

(General Statutes of Kentucky, 1873 ed., pp. 781-786; Carroll, op. cit., sec. 4565).

Early acts granted the sheriff authority to collect and account for the fees of deputy sheriffs and to deputize persons to serve process when unable to serve them himself, but made him responsible for the acts of his deputies (Morehead and Brown, Digest, vol. 2, pp. 1455-1469). Later acts gave him power to appoint deputies and make special appointments for the execution of process, still making him responsible, however, for the acts of his appointees (General Statutes of Kentucky, 1873 ed., pp. 781-786). Present statutes authorize the sheriff to appoint his own deputies with the approval of the county court, which appointments he may revoke at his pleasure. He may also appoint a special person to execute process but be liable for the acts of such person (Carroll, op. cit., secs. 4141, 5562, 5563).

Legislation executed in 1799 provided that the sheriff should advertise and conduct elections and deliver certificates of election to those elected (Morehead and Brown, Digest, vol. 1, pp. 590-599). For a time all the sheriffs met in Frankfort with the votes of their respective counties to determine who had been elected governor and lieutenant governor, but this law was later repealed (ibid., vol. 1, p. 595). An act of 1833 divided the state into congressional districts with Knox County in the ninth district, and provided that all the sheriffs in this district should meet at the courthouse in Clay County to count the votes for representatives. In case of a tie, the sheriffs determined who should take office (ibid., vol. 1, pp. 603-605). The sheriff was also authorized to appoint deputies to attend voting places (Loughborough, Digest, p. 481). By an act passed after the adoption of the third constitution, the sheriff was authorized to cause elections to be held and to make, compare, and certify election returns (General Statutes of Kentucky, 1873 ed., pp. 375-395). Under more recent statutes the sheriff must provide a voting place in each precinct of the county for each election (Carroll, op. cit., sec. 1467). He must also preserve order at the polls, enforce the election law, act as umpire when the judges disagree (ibid., sec. 1484), and deposit with the county court clerk the election returns from the different precincts (ibid., sec. 1596a-5).

As provided for at the time of the creation of the county and reaffirmed by subsequent statutes, the sheriff is empowered to summon grand and petit juries and make returns thereof (Morehead and Brown, Digest, vol. 2, pp. 880-883; General Statutes of Kentucky, 1873 ed., pp. 571-574; Carroll, op. cit., sec. 2246).

Laws in effect in 1799 gave the sheriff authority to make certificates of execution of slaves (Morehead and Brown, Digest, vol. 1, p. 361). Several years later it was provided that he pursue convicts escaped from the penitentiary (ibid., vol. 2, p. 1283) and arrest persons engaged in riots,

routs, unlawful assemblies, or breaches of the peace, and empanel a jury for their trial (ibid., vol. 2, p. 1390). In 1813 it was provided that he arrest persons disturbing public worship (ibid., vol. 2, p. 1288).

Under statutes subsequent to the third constitution, the sheriff was granted power: to execute persons condemned to be hanged; convey all persons to the penitentiary condemned to confinement therein, and execute the sentence of the court in other criminal or penal cases; to command and take with him, if need be, the power of the county, or a part thereof, to aid him in the execution of the duties of his office, civil or criminal; to break doors in executing certain writs, and make arrests; and to attend and keep order in the circuit, county, and quarterly courts and the court of claims, and obey the court orders (General Statutes of Kentucky, 1873 ed., pp. 781-786). He was also authorized in 1865 to make arrests in bastardy proceedings (ibid., p. 161). He is now empowered to call out the militia to enforce the laws (Carroll, op. cit., sec. 2711a-145s).

Under an act passed shortly after 1850, the sheriff was directed to collect the revenue (General Statutes of Kentucky, 1873 ed., p. 730), and to make a report and account for all sums for which he is bound to the state treasury to the state auditor of public accounts (ibid., p. 733). Later laws required him to report each month to the state auditor of public accounts and to the county court, the money he had collected the previous month (Carroll, op. cit., secs. 4143-4147), and to keep his office open at all reasonable hours for the collection of said money, reporting said collection (ibid., sec. 4140). Additional statutes require him to turn in an itemized statement to the fiscal court each year of funds collected, received, held, or disbursed by him, and to have such statement published in the newspaper at the close of the fiscal year (ibid., sec. 3747a-1); to report on the first day of each circuit court session the amount of money due the commonwealth and collected by him, except state and district taxes (ibid., sec. 4252). He must also collect road taxes (ibid., sec. 4307b-4); keep a cash book and enter thereon as collected, the sums collected, from whom, and on what account, and to enter the amounts and dates of payment of money paid into the state treasury (ibid., sec. 4701a-2).

In 1812 it was first provided that the sheriff act as jailer where the jailer had been committed to jail (Morehead and Brown, Digest, vol. 2, p. 863). This duty has been expanded to cover all other vacancies in the office of jailer (Carroll, op. cit., sec. 2231). Early laws directed the sheriff to notify road surveyors of their appointments (Morehead and Brown, Digest, vol. 1, p. 388); to take charge of estates for which there was no administrator and sell so much as would satisfy the debts of the deceased (ibid., vol. 1, p. 670); and to convey land sold by virtue of an execution (ibid., vol. 2, pp. 1455-1469). Under later statutes he was authorized to hold the property of insolvent debtors in trust for creditors (General Statutes of Kentucky, 1873 ed., p. 555; Carroll, op. cit., sec. 2180). Legislation passed shortly after 1850 further authorized the sheriff to make a settlement with the trustee of the jury fund on the first day of each term

of the circuit court (General Statutes of Kentucky, 1873 ed., p. 579), and to see that pedlars obtained licenses (ibid., p. 688). A law passed in 1906 directed the sheriff to keep his books in a manner specified by the state auditor of public accounts (Carroll, op. cit., sec. 4139).

The sheriff is further authorized by recent laws: to issue dog licenses and impound unlicensed dogs and dogs running at large (ibid., sec. 68b-7, 18); to collect assessments made by the board of water commissioners (ibid., sec. 938g-13); to enforce the game and fish laws (ibid., secs. 1954b-14, 1954c-18); to execute summonses and orders issued by the railroad commission (ibid., sec. 201g-15); and to suppress places of gambling (ibid., sec. 3914b-5). The sheriff is permitted to carry concealed weapons for the enforcement of the laws (ibid., sec. 1313).

Tax Collections

252. CITY GRADED (Tax Bills), 1936--. 4 vols.
Original county tax bills for Barbourville, Corbin, Artemus, and Grays; name and address of taxpayer, district no., exemption as equalized, poll, road, and school tax, penalty and interest, date. Arr. alph. by name of taxpayer. Hdw. pr. fms. Vols. aver. 200 pp. 9 x 14 x 2½. Co. Sheriff's vlt.

253. CIVIL CASES NOT EXECUTED (Taxes and Livestock Reports), 1935--. 1 file box.
Sheriff's stubs for state and other taxes received; date paid, name of payer, appraiser's report on value of livestock sold for court costs; date and amount of sale, name of owner. Hdw. pr. fms. 800 docs. 6½ x 14 x 10. Co. Sheriff's off.

254. SHERIFF'S CASH BOOK, RECEIPTS, 1914-17. 2 vols.
Receipts for money paid sheriff for taxes; state, county, school tax, total, penalties and interest, district no., month, date, name of taxpayer. Arr. chron. Hdw. pr. fms. Vols. aver. 238 pp. 15 x 12 x 2½. Co. Sheriff's off.

255. SHERIFF'S ADDITIONAL LIST, 1893-1905. 1 vol.
Additional list of taxable property omitted from general tax roll made by sheriff, recorded in county clerk's office, certified and returned to sheriff for collection; name of owner, property omitted, tax due. Arr. alph. by name of property owner. Hdw. 400 pp. 18 x 12 x 2. Co. Ct. Clk's. vlt.

256. LIST OF DELINQUENT TAXES, 1895-1906. 1 vol.
Return of sheriff on tax delinquents; name of delinquent, date taxes due, description of property, amount due. Arr. alph. by name of delinquent. 480 pp. 18 x 12 x 3. Co. Ct. Clk's. vlt.

257. LAND SOLD FOR TAXES, 1892--. 14 vols. (1-13, A), 1 file box.
Reports by sheriff of lands sold for delinquent taxes; date, description of property, years delinquent, names of former and present owner, cost, inter-

est. Arr. chron. Hdw. Vols. aver. 478 pp. 17 x 12 x 3; file box, 125 docs. 4½ x 10 x 6. Co. Ct. Clk's. vlt.
For tax garnishee see entry 226.

258. INDEX TO LAND SOLD FOR TAXES, 1892--. 14 vols.
Index to Land Sold for Taxes, entry 257; alph. crossed by names of delinquent and present owner, showing p. and vol. no. where recorded. Hdw. Vols. aver. 50 pp. 17 x 12 x ½. Co. Ct. Clk's. vlt.

259. EXONERATIONS, 1914, 1916, 1930--. 10 file boxes. 1924-25, 1930, 1932 in Knox County Court Papers, entry 222.
Exonerations from payment of poll and property taxes when assessed through error; name of taxpayer, date and amount of tax. File boxes aver. 20 docs. 4½ x 10 x 6. Co. Ct. Clk's. off.
For additional records see entry 231.

260. COUNTY POLL TAX RECEIPTS AND STUB, 1933--. 25 vols.
Records of county poll tax; name of taxpayer, year, amount of county, school, and poll tax, date paid. Arr. alph. by name of taxpayer. Hdw. pr. fms. Vols. aver. 150 pp. 4 x 11 x 1. 2 vols., 1933, Tax Com's. off.; 23 vols., 1934--, Co. Sheriff's off.

Licenses

261. RECORD BOOK (Dog Licenses), 1895-1909, 1920-29, 1936--. 44 vols., 1 file box.
Record of dog licenses; name of owner, description of dog, date and amount of license. Arr. chron. Hdw. pr. fms. Vols. aver. 86 pp. 6 x 8 x 3/4; file box, 174 docs. 4½ x 10 x 3. 3 vols., 1895-1909, 1920-29, Co. Ct. Clk's. vlt.; 41 vols., 1 file box, 1936--, Co. Sheriff's off.

262. INDEX TO RECORD BOOK (Dog Licenses), 1920-29. 1 vol.
Index to Record Book (Dog Licenses), entry 261; arr. alph. by name of owner, showing p. and vol. no. where recorded. Hdw. 300 pp. 16 x 11 x 1½. Co. Ct. Clk's. vlt.

Claims for Livestock
(See also entry 70)

263. CLAIMS (Livestock), 1902, 1908, 1918-26. 6 file boxes.
Claims allowed for livestock injured or killed on public roads; names of owner, value of injured or killed animals, date and amount paid. Arr. chron. Hdw. pr. fms. File boxes aver. 75 docs. 4½ x 10 x 6. Co. Ct. Clk's. vlt.
For additional records see entry 70.

264. WARRANTS LIVESTOCK FUND, 1925-29, 1934--. 1 vol., 4 file boxes. 1924 in Checks, entry 71.
Claims paid for livestock and poultry killed by dogs; description and date

of claim, date animal killed, order no., value, names of appraiser and owner. Arr. alph. by name of claimant. Hdw. pr. fms. Vol., 997 pp. 16 x 11½ x 2; file boxes aver. 75 docs. 4½ x 10 x 4½. Co. Sheriff's off.

Settlements
(See also entries 7 and 277)

265. SHERIFF'S CASH BOOK RECEIPTS (Reports), 1914-17. 4 vols. Sheriff's reports to auditor of public accounts; date, amount, and source of state and county revenue collected, date of report. Arr. chron. by date of report. Hdw. pr. fms. Vols. aver. 305 pp. 13 x 10 x 2. Co. Ct. Clk's. vlt.

For record of reports see entry 83.

Miscellaneous

266. DESCRIPTIVE LIST OF TAXES, 1932. 1 file box. Descriptive list of lands in county owned by persons living outside of county; name of owner, description of property, present residence of owner. Arr. alph. by name of owner. Hdw. 75 docs. 4½ x 10 x 6. Co. Ct. Clk's. vlt.

XIII CONSTABLE

The second constitution, adopted the year of the creation of Knox County, provided that the county court be authorized to appoint constables (Const. of 1799, art. 3, sec. 9), who were required by legislation passed in 1803, to execute a surety bond, and take oath in open court for the faithful performance of their duties before assuming office (Morehead and Brown, Digest, vol. 1, p. 415). Until 1835 the constable held office until removed for cause by the county court but was required to renew his bond every two years (ibid., vol. 1, pp. 419, 422). In 1835, however, a law was passed requiring that he hold office for a two-year term but that he be eligible for reappointment (Loughborough, Digest, p. 137).

The third constitution in 1850 required that a constable be elected every two years in each justice's district and that his duties be co-extensive with the county. He was required to execute a surety bond and take oath of office that he would faithfully discharge the duties of his office (Const. of 1850, art. 6, sec. 5; General Statutes of Kentucky, 1873 ed., p. 239). The present constitution provides that a constable be elected every four years in each justice's district; that he be at least twenty-four years of age and a resident of his district; that he possess the same qualifications as the sheriff; and that his jurisdiction be co-extensive with the county in which he resides (Const. of 1891, secs. 99-101, 234). As before, he is required to give surety bond every two years and give such additional security as the county court may demand (ibid., sec. 426).

At the time Knox County was created, legislation directed the constable to execute warrants in bastardy cases (Morehead and Brown, Digest, vol. 1,

p. 241), and warrants against persons breaching contracts with owners of boats (ibid., vol. 1, p. 358). As authorized by laws enacted in 1803, 1804, and 1820, the constable could levy any execution or attachment, and serve or execute warrants or other process anywhere within the limits of his county (ibid., vol. 1, pp. 162, 163, 423). In 1804 he was given power to execute warrants to destroy gambling devices and call a sufficient number of persons to aid him (ibid., vol. 1, p. 756), and to endorse all warrants executed by him (ibid., vol. 1, p. 896). About this time he was also authorized to: summons witnesses (ibid., vol. 1, p. 366); serve notices and make return thereof in cases of injunctions; take depositions; and give notice of ejectment and every other notice required by law to be given, endorsing thereon the time when such notice was given (ibid., vol. 2, p. 1230).

Other laws in force upon the establishment of Knox County gave the constables authority to search all suspected places for deer skins to detect violations of the hunting laws (ibid., vol. 1, p. 787; Littell, Statute Law of Kentucky, vol. 2, p. 544). In 1803 they were directed to carry criminals to jail; to apprehend persons charged with felony (Morehead and Brown, Digest, vol. 1, p. 366); and to apprehend persons for riots, routs, and breaches of the peace (ibid., vol. 1, p. 418). Three years later they were given power to apprehend fugitives from justice and whip slaves by order of the justice (ibid., vol. 1, p. 367). In 1803 it was also made the duty of the constables to collect officers' fees (ibid., vol. 1, p. 419) and bonds forfeited by other constables (ibid., vol. 1, p. 417); and to take forthcoming bonds and replevin bonds (ibid., vol. 1, pp. 418, 419). In 1806, they were authorized to collect fines and forfeitures (ibid., vol. 1, p. 717), and, in 1808, to make surveys by order of the court (ibid., vol. 2, p. 1230). They were further directed in 1821 to reside in the respective precincts assigned to them (ibid., vol. 1, p. 424), and to deliver property attached by them to the sheriff, where the amount was over $50 (Loughborough, Digest, p. 49).

Statutes passed after the third constitution reaffirmed previous duties and authorized the constables to execute warrants, summonses, subpoenas, and attachments of all kind, notices, rules, and orders of the court in all criminal, penal, and civil cases. As formerly, they were required to return all process executed by them on or before the return day thereof, noting the time of execution thereon. They were also required to: visit the home of a defendant, if known to them, before returning a statement that the defendant was not to be found; return and account for all claims and papers in their hands when removed from or when vacating office; and execute and return all process and precepts in their hands at the termination of office. They were not allowed to receive precepts, fee bills, or orders for witness attendance, or other claims against persons known to reside out of their respective districts, unless such precept was in behalf of the commonwealth or was against property in said district. They were authorized, moreover, to account for officers' fees placed in their hands for collection, and give additional security when required by the county court (Revised Statutes of Kentucky, vol. 1, pp. 255-259; General Statutes of Kentucky, 1873 ed., pp. 161, 240-244).

Reaffirming powers and duties previously mentioned, legislation subsequent to the present constitution requires constables to levy on and satisfy fee bills, orders of witness attendance, distress warrants, and attachments in the order in which they are placed in their hands (Carroll's Kentucky Statutes, 1936 ed., p. 442); and to enforce the game and bird law (ibid., sec. 1954b-14). They are permitted to carry concealed weapons (ibid., sec. 1313); may appoint one or more deputies by and with the consent of the county judge (ibid., sec. 425); and may distrain for their own fees, or for other officers fees placed in their hands for collection (ibid., sec. 441). They cannot execute process in which they are interested, nor can they levy on or sell land (ibid., secs. 437, 438).

Records of constables' proceedings are kept in the respective offices of the justice of the peace for whom the constable is the executing officer.

XIV JAILER

When Knox County was formed in 1799, the county court was authorized to appoint a jailer as often as necessary, to hold office during the pleasure of said court. He was required to take oath and enter bond with such security as might be required by law before entering the duties of his office (Morehead and Brown, Digest, vol. 2, p. 861). The constitution of 1850 provided that a jailer, who must be at least twenty-four years of age, be elected in Knox County every four years (Const. of 1850, art. 4, sec. 30; art. 6, sec. 1). Before entering the duties of his office, he was required to take oath and execute sufficient bond (ibid., art. 6, sec. 9; art. 8, sec. 1). The present constitution reaffirms the election of the jailer for a four year term, but provides that the general assembly may at any time consolidate the offices of sheriff and jailer in any county or counties (Const. of 1891, secs. 99, 100, 103, 105, 228). As before, he must take oath and execute bond (Carroll's Kentucky Statutes, 1936 ed., sec. 2224).

Upon abolition of the district courts and establishment of the circuit court in Knox County in 1804 (see Circuit Court), the county jailer was given custody of all persons committed to jail in Knox County by the circuit court, and, upon order of the circuit judge, he could impress or hire guards necessary for the safekeeping of prisoners (Morehead and Brown, Digest, vol. 2, p. 862). He was also directed to receive prisoners committed to his charge by the United States; but it was the circuit judge and not the jailer who regulated and superintended the jail (ibid., vol. 2, pp. 862, 863). A law of 1835 required the jailer to reside in or near the jail (Loughborough, Digest, p. 351). Under laws passed after the constitution of 1850, it was the jailer's duty to receive and keep all persons lawfully committed to jail until they were lawfully discharged, and to treat them with humanity, furnish them with proper food and lodging, and deliver those who died in jail to their friends or bury them. In addition to keeping prisoners of the United States, he was to receive prisoners when removed from another county to his by order of the circuit judge. At this time he was directed to have custody, rule, and charge of the jail, keeping it clean and

warm, providing the prisoners with sufficient bedclothing and acting under rules prescribed by the county court for the government and treatment of prisoners and for the cleanliness of the jail (General Statutes of Kentucky, 1873 ed., pp. 566-569). Recent statutes further require him to cause persons condemned under sentence of death to be conveyed to the penitentiary (Carroll, op. cit., secs. 1137-2), and to turn over to the manager of the workhouse or work crew, all prisoners sentenced to hard labor, reporting once each month to the county court the disposition made of such prisoners (ibid., secs. 1379-7, 1382).

In 1820 the county court was authorized to appoint a person to superintend and take charge of its public buildings, including the jail, clerk's office, and stray pen, with all appurtenances belonging on the public square, the appointee being given power to bring action for any injury to said property (Morehead and Brown, Digest, vol. 1, p. 275; General Statutes of Kentucky, 1873 ed., sec. 703; Carroll, op. cit., secs. 3948, 3949).

Upon the establishment of the circuit court in 1804, it was provided that the jailer attend the court sessions and execute its commands. He was also to be exempt from militia and jury service (Morehead and Brown, Digest, vol. 2, p. 862). He was further authorized in 1836 to execute process when the coroner or the sheriff was unable to act (Loughborough, Digest, p. 124). Under later statutes the jailer was also an officer of the circuit and county courts and was directed to execute process of the quarterly court (General Statutes of Kentucky, 1873 ed., pp. 301, 566, 569). Present statutes reaffirmed this last duty and further provide that the jailer may act in the county in civil, penal, or criminal cases with the same authority as the sheriff (Carroll, op. cit., sec. 2234; see office of Sheriff), including the taking of bail bonds (Morehead and Brown, Digest, vol. 2, p. 862).

Under laws enacted subsequent to the third constitution, the jailer, when he went out of office, was directed to deliver to his successor, the custody of the jail with its keys, furniture, et cetera, and the persons confined there, with all official papers by which persons had been committed to his custody or liberated therefrom (General Statutes of Kentucky, 1873 ed., pp. 566-569). In addition to reaffirming these duties, later laws, passed after the adoption of the present constitution, also require him on the first day of each month to make a statement showing the expenses of his office and the fees received by him during the preceding month, and to pay same to the auditor (Carroll, op. cit., sec. 1773). With the approval of the county court, the jailer is authorized to appoint one deputy who may be removed by him at any time (ibid., sec. 2237). When the office of the jailer becomes vacant, the sheriff acts as jailer and, if he is unable to do so, the county judge may appoint a person to act for the occasion (ibid., sec. 2232).

Register of Prisoners

267. JAIL REGISTER, 1926--. 3 vols.

Register of prisoners committed to county jail; name of prisoner, offense, term and date of sentence, date of original commitment. Arr. chron. by date of commitment. Alph. indexed by name of prisoner. Vols. aver. 480 pp. 18 x 12 x 3. 1 vol., 1928, Co. Ct. Clk's. off.; 2 vols., 1926-27, 1929--, Co. Jail.

CORONER

When Knox County was created, in accordance with provisions of the constitution of 1799 for the creation of new counties, a coroner was appointed by the governor (see Governmental Organization and Record System, p. 8). When vacancies existed in the office of coroner, the county court, a majority of its justices concurring, recommended to the governor two persons to fill the office, one of whom he appointed, but, if the county court failed to make a recommendation, the governor, with the consent of the senate, appointed someone to fill the place (Const. of 1799, art. 4, sec. 8).

The third constitution in 1850 provided for the election of the coroner in the county for a term of four years (Const. of 1850, art. 4, sec. 30; art. 6, sec. 1). Any justice of the peace of the county could hold an inquest in the absence of the coroner (General Statutes of Kentucky, 1873 ed., p. 311). Under the present constitution, the coroner is also elected for a term of four years (Const. of 1891, sec. 99). He must be at least twenty-four years of age and a resident of the county (ibid., secs. 100, 103, 224, 228, 234). When the coroner cannot act, he may appoint a deputy to hold an inquest, if at no additional expense to the county, and, if he does not, any justice of the peace may act in his stead (Carroll's Kentucky Statutes, 1936 ed., sec. 535).

At the time of the creation of Knox County, the coroner was first required to take oath and furnish bond and security. At this time, it was his duty, after he had viewed and inquired about any person killed, wounded, or suddenly dead, or a house that was broken into, to order the sheriff or constable to summon a jury to said place, and to conduct an inquest to determine if any crime had been committed, and, if so, to have the criminal apprehended (Morehead and Brown, Digest, vol. 1, pp. 461-463). By statutes pursuant to the third constitution it was added that he swear the witnesses in inquest proceedings, reduce to writing the substance of the evidence given to the jury, recognize the witnesses to appear in circuit court, arrest the guilty person or cause it to be done, and bury the person over whom an inquest was held, or deliver him to his friends if required (General Statutes of Kentucky, 1873 ed., p. 263). He was also authorized to employ a surgeon to have a post mortem examination made of a dead person during an inquest. As set forth by laws enacted after the fourth constitution, the coroner is required to hold an inquest over the body when the death of a human being has resulted from unnatural cause without an attending physician or by reason of crime,

homicide, suicide, or drowning, or when a person dies from a wound within ninety days (Carroll, op. cit., sec. 528). He may also cause a search to be made to find dead bodies (ibid., sec. 534) and have dead bodies exhumed to determine the cause of their death (ibid., sec. 537a). It is his duty to pay over valuables found on a dead body to the county judge (ibid., sec. 531) and to arrest any person found guilty of the crime by the inquest, or issue his precept for the arrest and commit such person to jail, or, if the person had fled, to summon aid and pursue him anywhere in the state (ibid., sec. 529).

Early statutes, prior to the adoption of the third constitution, authorized the coroner to execute any writs in suits that the sheriff was interested in or in which he could not act, being subject, however, to the same laws applying to the sheriff when he acted (Morehead and Brown, Digest, vol. 1, p. 463). He could also: summon a jury in any case in which an inquisition was required by law to be held (ibid., vol. 1, p. 464); execute process in any suit in which the deputy sheriff was interested in the county or circuit courts (ibid., vol. 1, p. 464); execute judgments in cases where the process was served by him (ibid., vol. 1, p. 465); where a judgment had been obtained against property of the sheriff and could not be sold in the county, remove it to other counties for sale (ibid., vol. 1, p. 352); execute warrants in bastardy proceedings in cases in which the sheriff was charged (ibid., vol. 1, p. 241); and execute process in criminal cases where the sheriff was defendant or related to the defendant (ibid., vol. 1, p. 535). Under later laws the coroner may execute process returnable to the quarterly court (General Statutes of Kentucky, 1873 ed., p. 301). Under present laws the coroner may execute process in criminal, penal, and civil cases and, when so acting, the laws in regard to the sheriff or his deputy apply to him also (Carroll, op. cit., sec. 536). When the office of the sheriff is vacant or if the sheriff or his deputy is a candidate in any election, the coroner performs the duties of the sheriff in regard to elections (ibid., sec. 1451).

TAX COMMISSIONER

When Knox County was established, provision was already made for the appointment of commissioners of the tax by the county court for terms of two years, to call on every person in their respective districts and make a list of taxable property (Littell, Statute Law of Kentucky, vol. 1, pp. 63-75, 89). Subsequent changes were made in the length of their terms of office and in the districts for which they were appointed. The constitution of 1850 provided that a county assessor should be elected in the county for a term of four years unless changed by law, that he have power to appoint such assistants as should be necessary, with the approval of the county court, and that he have power to remove them at will (Const. of 1850, art. 4, sec. 30; art. 6, sec. 11; General Statutes of Kentucky, 1873 ed., p. 718). By an act of the legislature of 1874 the assessor was made ineligible for the

succeeding term (ibid., 1877 ed., p. 980).

When the present constitution was adopted, provision was made for the election of an assessor in the county who should serve for a term of four years and be ineligible for the succeeding term, said office to be subject to abolishment by the general assembly, which was also given power to re-establish the office and prescribe its duties (Const. of 1891, secs. 99, 100, 104, 224, 232, 234). In 1918 the legislature abolished the office of assessor and established the office of tax commissioner. All powers and duties previously exercised by the assessor were transferred to the state tax commission and the county tax commissioner, except those as were changed by law (Carroll's Kentucky Statutes, 1936 ed., sec. 4042a-1). The term of office of the tax commissioner was the same as that of his predecessor, but he was made eligible for re-election (ibid., sec. 4042a-2).

In 1864 a special act released the county from payment to the state of any taxes for that year (see Governmental Organization and Record System, p. 11).

Upon the establishment of the county, it was the duty of the commissioner of the tax to turn in a list of tithable persons (Littell, op. cit., vol. 2, pp. 65-75). In 1819 he was required to report delinquents to the county court (ibid., vol. 2, p. 1373), and in 1831 he was required to ascertain the value of county property for the county court (ibid., vol. 1, pp. 65-75; vol. 2, p. 1384); make lists of all taverns, stud horses, and jacks (ibid., vol. 2, p. 1383; General Statutes of Kentucky, 1877 ed., p. 718); administer oaths to persons listing their property for taxation (Morehead and Brown, Digest, vol. 2, p. 1385); and make a list of imported merchandise (ibid., vol. 2, p. 1388). Statutes subsequent to the third constitution provided that all persons list their property with the county assessor under oath, and, if any failed to do so, the assessor took proper action. He was required to fix a full and fair value upon all the estates listing their property with him for taxation and to enter same in the tax book, giving also the aggregate value. He was also required to list his own estate to the county court (General Statutes of Kentucky, 1873 ed., pp. 720-722). At present he gives a list of his property to the board of tax supervisors (Carroll, op. cit., sec. 4069).

As provided earlier and re-enacted by laws following the adoption of the present constitution, he is required to make out tax books in legible writing in alphabetical order, add the amount of value to each column, give the aggregate thereof, and prove its accuracy before he returns the same (General Statutes of Kentucky, 1873 ed., p. 724; Carroll, op. cit., sec. 4054). At the time he assessed the taxable property of persons, the assessor required them to furnish him the names of all persons in their families who were chargeable for county levies (General Statutes of Kentucky, 1873 ed., p. 269). The assessor made a separate list in his book of the property of Negro persons subject to tax for Negro schools (ibid.,

1877 ed., p. 855). More recent statutes provided that he assess all property in the county, subject to the state tax commission, except as otherwise provided for, and prepare assessment books (Carroll, op. cit., sec. 4042a-7).

A law of 1835 required the assessor to make a list of all the voters in his district (Morehead and Brown, Digest, vol. 2, p. 1387). This was subsequently re-enacted (General Statutes of Kentucky, 1873 ed., pp. 418-424; Carroll, op. cit., sec. 4055). An act of 1821 required him to make a list of all children in the district between the ages of four and fourteen (Morehead and Brown, Digest, vol. 2, p. 1418), and an act of 1840 also stipulated that he keep a list of all white children between the ages of seven and seventeen (Loughborough, Digest, p. 516). In 1874 an additional law specified that he ascertain and record all births, marriages, and deaths in the county and return the same to the county clerk (General Statutes of Kentucky, 1877 ed., p. 962). Additional duties, now performed by the tax commissioner and provided for by law, are to: keep his office open at all reasonable times from July 1 to October 31 each year, for the purpose of assessing property; either see in person or call at the residence of all taxpayers of the county and then furnish a schedule and secure the assessment of the property of such taxpayer; see every taxpayer in person who fails or refuses to list his property for taxation between November 1 and December 31; make up his assessment book and perform such other duties as may be required to obtain a fair and equitable assessment of the property in the county (Carroll, op. cit., sec. 4042a-12); fix the value upon all estates listed with him and report to the board of tax supervisors a list of all taxpayers whose tax lists have been increased by him (ibid., sec. 4053); complete the assessment of property and file the tax books with the county clerk, also filing a list of intangible property with the state tax commission (ibid., sec. 4042a-15); report to the county clerk the names of all persons refusing to list their property (ibid., sec. 4061); and attend an annual meeting of the state tax commission and other county tax commissioners for the purpose of learning better how to assess property (ibid., sec. 4114i-12). He is also required to furnish the commissioner of agriculture with such information as he may require (ibid., sec. 34), and make a list of dogs in the county and notify owners to obtain licenses (ibid., 68b-16). With the consent of the state tax commission he may appoint as many deputies as he deems necessary (ibid., 4042a-3).

Assessments
(See also entry 43)

268. REAL ESTATE AND PERSONAL PROPERTY, 1931--. 57 vols.
Real estate and personal property listed for taxation; name and address of taxpayer, name of nearest neighbor, no. acres of surface, no. acres coal, value of land, date listed for taxation. Arr. alph. by name of property owner. Hdw. pr. fms. Vols. aver. 100 pp. 17 x 17 x 2. Tax Com's off.

269. ASSESSMENT LIST, 1800-69, 1934--. 61 vols., 63 file boxes.
1924-25, 1930, 1932 in Knox County Court Papers, entry 222.
County tax assessments; name and address of taxpayer, district, valuation and description of property, date of assessment, date due, signature of commissioner. 63 file boxes, 1934--, arr. alph. by name of taxpayer under each district; 61 vols., 1800-69, no arr. Hdw. pr. fms. Vols. aver. 25 pp. 15 x 15 x $\frac{1}{4}$; file boxes aver. 100 docs. 8 x 14 x 10. 61 vols., 1800-69 (26 vols., 1800-39, Balcony; 35 vols., 1840-69, first floor), Kentucky Historical Society, Old State Capital, Frankfort, Kentucky; 63 file boxes, 1934--, Tax Com's. off.
For additional assessments see entry 272.

270. SUPERVISOR'S BOX, 1918. 1 file box.
Reports of assessments on tangible and personal property; name of owner, list of property, amount of tax. Arr. chron. Hdw. 10 docs. $4\frac{1}{2}$ x 10 x 6. Co. Ct. Clk's. vlt.

271. TAX LIST FOR SCHOOL DISTRICT, 1896-1907. 1 vol.
Tax list for school district; name of taxpayer, assessed property, amount of property and poll tax. Arr. alph. by name of taxpayer in each school district. Hdw. 465 pp. 18 x 12 x 3. Co. Ct. Clk's. off.

272. INTANGIBLES, 1936--. 1 file box.
Assessment list of intangible property; name of taxpayer, district, county, description of property, date and amount of assessment. Arr. alph. by name of taxpayer under tax district. Hdw. pr. fms. 650 docs. $6\frac{1}{4}$ x 12 x 8. Tax Com's. off.

For prior assessments see entry 269.

BOARD OF TAX SUPERVISORS

The board of tax supervisors was created in 1831 when the county court was given power to appoint a tax commissioner (Morehead and Brown, Digest, vol. 2, p. 1383). The original office seems to have been a collection as well as a supervising office in reference to tax matters (see Fiscal Court). In 1852, the county judge and the county court clerk constituted a board of tax supervisors, who supervised and examined the tax books and corrected the errors made by the tax assessor (Revised Statutes of Kentucky, vol. 2, p. 257).

In 1862 it was provided that the county court should appoint three taxpayers who were citizens of the county to serve as a board of supervisors for one year, and be eligible for reappointment (General Statutes of Kentucky, 1873 ed., p. 724). This was changed in 1874, providing that the county judge and justices of the peace, when meeting as a court of levy and claims, should appoint one citizen and taxpayer from each voting precinct in the county, who, when they assembled, constituted the board of tax supervisors (ibid., 1877 ed., p. 979). This continued until an act

was passed in 1892 which provided that the county judge should appoint five housekeepers residing in different parts of the county to act as a board of supervisors of taxes (Acts of the General Assembly of 1892, ch. 103, art. 6, secs. 1-14, pp. 313-316).

This method of creating the board of tax supervisors continued in effect until 1917, when it was provided that the county judge should appoint, each year, three housekeepers and owners residing in different parts of the county who should constitute the board of supervisors of taxes. One of the three, however, was required to be a resident of the largest city in the county (Acts of the General Assembly of 1917, ch. 1, sec. 19, p. 16). This act was amended, giving the county judge additional authority to appoint three or more members, provided the number did not exceed one person for each magisterial district in the county (Acts of the General Assembly of 1918, ch. 5, sec. 1, p. 15).

The duty of the board, as originally provided and reaffirmed by each subsequent enactment, consisted of examining the tax books each year, correcting errors made by the assessor, and determining the facts in relation to the valuation of the property listed, and if incorrect, fixing a proper value. The board was authorized to change items which were clearly wrong, to list all property omitted by the assessor, and to determine the value of property for which they could find no owner (Acts of the General Assembly of 1892, ch. 103, art. 6, secs. 1-14, pp. 313-316).

Recent statutes provide that, when it appears to the board that property has been omitted by the assessor, the board shall assess such property (Carroll's Kentucky Statutes, 1936 ed., sec. 4121-3), and the board shall assess the property of persons failing to list their property with the assessor (ibid., sec. 4065).

The act of 1892 required the board of supervisors to keep a record of their proceedings, correcting the tax books thereby, and examining and returning same with the records of their proceedings to the county court. This same act provided that the county clerk act as a clerk for the board of supervisors. Decisions of the board were final, and no appeal was possible (Acts of the General Assembly of 1892, ch. 103, art. 6, secs. 1-14, pp. 313-316). The county court clerk is required, after examination and approval of the tax commissioner's book by the board of supervisors, to make and record a recapitulation of the book as revised by the supervisors (Carroll, op. cit., sec. 4128a-1). In 1906 an act gave the taxpayer the right to appeal to the quarterly court and establish means for redress from the board of tax supervisors' decision (Acts of the General Assembly of 1906, ch. 22, art. 7, sec. 14, pp. 151-152). The board of tax supervisors has the right to summon and swear witnesses (Revised Statutes of Kentucky, vol. 2, p. 257; Carroll, op. cit., sec. 4123).

Revision of Assessments

273. TAX BOOK, 1936--. 13 vols.
County tax book for rural districts outside the four major towns in the county; names and addresses of taxpayers, district no., exemption, equalization, poll, road, and school tax, penalty and interest. Arr. alph. by name of taxpayer. Hdw. pr. fms. Vols. aver. 200 pp. 9 x 12 x 2½. Co. Sheriff's vlt.

274. RECORD OF SUPERVISOR'S ASSESSMENTS (Board of Supervisors' Revision), 1893--. 7 vols., 7 file boxes.
Record and notice of board of supervisors concerning revision of assessments on real and personal property; name of taxpayer, date, and amount of revision. Arr. chron. Vols. alph. indexed by name of taxpayer. Hdw. pr. fms. Vols. aver. 167 pp. 16 x 22 x ½; file boxes aver. 80 docs. 4½ x 10 x 9½. 7 vols., 1893--, Co. Ct. Clk's. vlt.; 7 file boxes, 1891-97, 1929--, Co. Ct. Clk's. off.

COUNTY BUDGET COMMISSION

The county budget commission, composed of the county judge, the county attorney, and one member appointed by the fiscal court, was created in Knox County in 1934, having been provided for by an act passed in that year (Acts of the General Assembly of 1934, ch. 24, secs. 1-14, pp. 62-70). The administration of the fiscal affairs of the county, except those pertaining to education, is to be by the fiscal court, under a uniform budget. The state budget officer classifies the counties according to their population and expenditures, and all funds expended by the county are provided for by this budget from the revenue for each fiscal year (Carroll's Kentucky Statutes, 1936 ed., sec. 1851c-1; see Fiscal Court).

The appointive member of the budget commission must be thirty yeard old, a resident and taxpayer of the county, and must hold no other public office at the time of his appointment, nor for a period of at least two years prior to it. He is eligible for reappointment and serves a term of office the same as that of members of the fiscal court (Carroll, op. cit., sec. 1851c-2).

The duties assigned to the county budget commission are as follows: to make a careful investigation of each separate activity of the county for which county funds are to be expended by the fiscal court, at a meeting or meetings to be held not later than the first day of May each year; and to classify all expenditures into budget units, subdividing these units when necessary, so that the cost of each class of expenditures can be ascertained at any time and regulated by the commission in accordance with the financial needs and conditions of the county. In addition to preparing an estimate of funds necessary for both general and particular purposes, the budget commission is required to prepare an estimated statement of receipts to be anticipated from the various sources of income (ibid., sec. 1851c-3).

It is further provided that funds set apart in the county budget for a budget unit, or subdivision, shall constitute a separate budget fund which shall be appropriated and accounted for separately. Full power to supervise

and direct the form and classification of the county budget is granted the state inspector and examiner, and not less than twenty days before the time to adopt the budget, the county judge, as chairman of the commission, must send two copies of the proposed budget to the state inspector and examiner for approval. In case the form and classification of this proposed budget is not approved by the state inspector and examiner, the county budget commission must use the form furnished by the inspector, and if the proposed budget is approved, the budget commission has no power to make any change, unless so authorized (ibid., sec. 1851c-4). The county budget has a fund, the "Sinking Fund Principal Account", out of which the bonded indebtedness is paid and to which, annually, is allocated a sum equal to the proportional yearly amount required to retire the bonds at maturity. The budget also has a fund known as the "Sinking Fund Interest" on the bonded indebtedness maturing during the current year (ibid., sec. 1856c-6).

The records of the county budget commission are kept by the clerk of the fiscal court, who keeps in an appropriate ledger, separate accounts for each budget fund, showing in detail the amount of the original appropriation, all transfers to and from the budget fund, all expenditures approved by the fiscal court and properly chargeable to the fund, together with the unencumbered balance remaining in the fund. These records are open for public inspection and for examination by the state inspector when making the regular audit of the records of county officials. Payment for all forms, books, blanks, and materials necessary for the administration of the fiscal affairs of the county is also authorized from funds of the county (ibid., sec. 1851c-7).

Every three months the county judge is required to post in a conspicuous place in the courthouse, a statement showing the total appropriations and expenditures, and the balance on hand in the budget fund (ibid., sec. 1851c-8). All orders of the fiscal court approving claims must designate the particular budget fund from which each claim is to be paid, and each county warrant must show the budget unit from which it is to be paid (ibid., sec. 1851c-9). All warrants or contracts paid by the county treasurer must be certified as being within the budget appropriation, or such warrant or contract shall be null and void (ibid., sec. 1851c-10).

For appropriation ledger, see entry 275.

TREASURER

The office of county treasurer does not emerge prior to 1893 as a separate and distinct official of the county. The duties of this office in many instances, however, were included in the duties of the respective clerks of the courts. With the establishment of the courts, particularly the county courts, both in Kentucky and Virginia, the clerks received all moneys from the various collecting agents, certifying and submitting these lists to the state auditor of public accounts (Littell, Statute Laws of Kentucky, vol. 2, p. 83). The county court clerk was also clerk of the court of claims and levy when it held its sessions (Revised Statutes of Kentucky, vol. 1, p. 328).

Treasurer-Appropriations and Disbursements (Next Entry, 275, p. 104)

Although various acts pertaining to treasurers of particular counties were passed from time to time prior to 1891, it was only after the adoption of the fourth constitution in this year that the general assembly provided for the office of county treasurer. The act creating and regulating the office of county treasurer was approved February 27, 1893 (Acts of the General Assembly of 1893, ch. 153, secs. 1-13, pp. 522-526). As later amended, it provided for a term of office of two years, stipulating that the county treasurer be thirty years of age and a resident of the county for four years (Acts of the General Assembly of 1912, pp. 296-299).

The county treasurer is appointed in Knox County by the fiscal court. He executes bond as required by law (Carroll's Kentucky Statutes, 1936 ed., secs. 928 et seq.), and takes oath of office (Const. of 1891, sec. 228).

His duties are: to receive and receipt for all money due or to become due from the several collecting officials or from any person whose duty it is to pay money into the county treasury; to institute actions in the name of the county against all delinquent sheriffs or collectors and against any others having money belonging to the county who refuse to pay over the same when due; to keep an accurate set of books in which he shall show all money received or disbursed, the source and for whom paid out; to balance his books on the first day of each month, so as to show the correct amount on hand belonging to each fund on the day the balance is made; to keep a record of all actions instituted by him on behalf of the county; to keep office in the county seat and keep same open for collection of money at all reasonable times; to report to the county judge in writing all money paid him; to settle his accounts as county treasurer whenever required by the fiscal court, making complete settlement each year (Carroll, op. cit., secs. 929, et seq.); to publish in the newspaper having the largest circulation in the county a complete statement yearly, showing all receipts and disbursements (ibid., sec. 3747a-1); to have his books open for inspection for members of the fiscal court and as "public records" at all reasonable times, for any taxpayer; to keep as part of his record a book to be known as the "Budget Ledger", wherein the county budgets are to be kept by him, accounting for each budget fund separately; to file with the fiscal court at meetings a financial statement showing the balance in each budget of the ledger, to be signed by him and recorded by the county court clerk; and to deliver all official papers to his successor (ibid., secs. 929, et seq.).

The treasurer is required to keep books showing all money received or disbursed, to keep a record of all actions instituted by him on behalf of the county, to report to the county judge all money paid him, and to file a financial statement with the fiscal court to be recorded by the county court clerk.

For treasurer's settlements with fiscal court see entry 11.

Appropriations and Disbursements

275. APPROPRIATION LEDGER, 1936--. 1 vol.
Record of salaries paid county officials, board of inmates at poor farm, health department, election officers; amount, date, name. Arr. chron. and alph. by names of officials. Hdw. pr. fms. 300 pp. 14 x 12 x 2. Co. Ct. Clk's. off.

276. WARRANTS, 1922--. 5 vols., 2 file boxes.
Money paid out of county levy for county expenses; election officers, county doctor, care of paupers, building and repairing of bridges; amount, date paid. Arr. chron. Hdw. pr. fms. Vols. aver. 500 pp. 17 x 14 x 3; file boxes aver. 30 docs. 4½ x 10 x 13. Co. Ct. Clk's. vlt.
For additional road and bridge disbursements see entry 4.

Reports

277. TREASURER'S RECORD, 1935--. 1 vol.
Record of warrants issued, warrants paid, cash receipts and disbursements, sheriff's report made monthly to fiscal court. Arr. chron. Alph. indexed by names of persons involved. Hdw. pr. fms. 350 pp. 18 x 14 x 2. A local bank, Barbourville.

AUDITOR

The office of auditor, an optional office is purely statutory, being provided for in an amendment to "An act to amend Section 1840 of the Kentucky Statutes, Carroll's 1915 edition, relating to jurisdiction and powers generally of fiscal courts", approved March 22, 1922. The portion relating to the county auditor, still in effect today, follows:

"The fiscal court shall have jurisdiction to..cause correct accounts and records to be kept of all receipts and disbursements of the public funds of the county, and have the accounts of all county officers audited, when necessary, and it may employ a competent person to keep such accounts and records, and to make such audits, and to pay such person to keep such accounts and records, and to make such audits, and to pay such person a reasonable compensation for such services..." (Carroll's Kentucky Statutes, 1936 ed., sec. 1840).

The fiscal court appoints the auditor annually.

For auditor's reports see entries 10 and 219.

COUNTY ELECTION COMMISSIONERS

When Knox County was created in 1799, an act of the same year provided that the justices of the county court should appoint two of their body annually to act as judges of the elections, and a competent person to serve as clerk. If the persons appointed failed to attend or if the county court failed to make the appointments, the sheriff appointed per-

sons to act in their place (Morehead and Brown, Digest, vol. 1, p. 590). In 1837 the county court was authorized to appoint two of its own body as judges for each precinct, providing there were justices sufficient for that purpose; and, if not, then one justice and another person and also a clerk for each precinct (Loughborough, Digest, p. 224). An act of 1842 provided that the county court should appoint at each precinct two voters from different political parties, preferably justices of the peace, and a proper person as clerk whose political views differed from those of the sheriff, all of whom should continue in office one year (ibid., p. 481).

According to legislation passed in 1852, when two or more counties voted together for state or judicial district officers, a board for examining the poll books was established in the county, consisting of the county judge, the county clerk, and the sheriff, with the county judge as presiding officer. Any two of these members could constitute the board, but if either were a candidate he had no voice in the decision of his own case, and if two of the above-named persons could not serve, their places were filled by two justices of the peace. This board issued certificates of election (Revised Statutes of Kentucky, vol. 1, p. 436). At this time the method of appointing judges of the election in each precinct by the county court was reaffirmed (see County Court). Every second year the court also appointed two persons as judges and a clerk for each district for the election of the justices of the peace and constables in the county. If any of the judges or the clerk failed to be present at the election, the sheriff or his deputy was authorized to appoint someone in the place of the absentee (ibid., vol. 1, p. 432).

An act of 1898 provided that the county court should appoint annually in each election precinct, two judges, a clerk, and a sheriff of the election, all of whom should be resident householders of the precinct and not candidates, the requirements relating to the different political views remaining the same. Upon the establishment of the state board of election commissioners in this same year, it was provided that the board should appoint three electors of each county annually who should compose a board of county election commissioners, a majority of whom could act as a board. The county board could fill vacancies temporarily, but the state board had power to remove members and fill the vacancies therein (Acts of the General Assembly of 1898, ch. 13, secs. 1-17, pp. 43-57). This county board was given the authorization of the previous board to appoint two election judges, one clerk, and one sheriff in each precinct of the county (Carroll's Kentucky Statutes, 1936 ed., sec. 1596a-3).

An act of 1900 created the present county board of election commissioners which consists of two instead of three electors of the county, appointed by the state board of election commissioners each year, and the sheriff who presides at meetings and votes in cases where the other members disagree (ibid., sec. 1596a-2). The sheriff was also authorized to perform this duty under previous acts (Revised Statutes of Kentucky,

vol. 1, p. 432). The two members of the county board are appointed one each from five names submitted by the executive committees of the two largest political parties in the county. A record of the board's proceedings is kept by the secretary who is selected from the members to act in this capacity, and this record is open for inspection at all times in the office of the county court clerk (ibid., sec. 1596a-2).

As provided for originally in the act of 1799, all the votes were cast in the courthouse, the judges arranging for receiving the votes and making the final statement of the result, which was proclaimed by the sheriff (Morehead and Brown, Digest, vol. 1, p. 590). Later, election precincts were established in the county, and the sheriff was directed to appoint a deputy to attend each precinct, who, after all the votes were in, met with him at the courthouse, compared the polls of the county, and made out certificates of election (Loughborough, Digest, p. 224). Statutory provisions in 1852 authorized the examining board to meet in the clerk's office to compare the polls, ascertain the correctness of the summing up of the votes, and issue in writing three or more certificates of election over their signatures for the person receiving the highest number of votes cast in the county for each office, one to be sent to the secretary of state at Frankfort and another to the person elected (see office of County Attorney). The election judges performed the same duties previously assigned to them, superintending the election, determining the legality of the votes, and making out statements of the number of votes polled by each candidate (Revised Statutes of Kentucky, vol. 1, p. 436).

Duties now performed by the election officers in addition to those previously mentioned, include comparing each applicant's signature with his signature on the precinct register before issuing him a ballot, and swearing such persons as are unable to sign their names, keeping a record thereof (Carroll, op. cit., sec. 1486b-45). When the polls are closed they must seal up the ballot box and deliver it to the county clerk (ibid., sec. 1482). All infractions of the election law must be reported to the commonwealth attorney in order that the offenders may be apprehended (ibid., sec. 1592).

The present board of election commissioners has power to remove any election officers prior to five days before an election (ibid., sec. 1596a-3).

Registration of Voters

278. REGISTRATION BOOKS, 1909-12, 1915-22, 1924--. 89 vols. Original and duplicate registration books; name, address, precinct, race, party affiliation, remarks. Contains: Registration Books, 1934--, entry 280. Arr. numerically by precincts and alph. by name of registrant in precincts. Hdw. Vols. aver. 385 pp. 20 x 18 x $\frac{1}{2}$. 67 vols. 1924--, Co. Ct. Clk's. off.; 22 vols., 1909-12, 1915-22, 1927--, Co. Ct. Clk's. vlt.

279. AFFIDAVITS FOR REGISTRATION, 1924-25. 1 vol.
Statement of voters pertaining to age, residence, sex, marital status, party affiliation, period of residence in state, county, and precinct. Arr. alph. by name of voter. Hdw. pr. fms. 160 pp. 17 x 9 x 1½. Co. Ct. Clk's. vlt.
For prior and subsequent records see entry 289.

280. REGISTRATION BOOKS, 1934--. In Registration Books, entry 278.
Registration books giving permanent registration of voters; name, address, precinct no., occupation, sex, race, marital status, weight, height, and party affiliation.

Petitions and Declarations

281. CANDIDATES PETITIONS, 1893-94, 1904-13, 1915-17, 1924-28, 1930-33. 19 file boxes. 1919, in Power of Attorney, entry 89.
Petitions of voters that names of certain prominent men be placed on ballots for nomination for general assembly and various county offices; date, names of petitioners and proposed candidates, dates of primary and general elections, party affiliation. Hdw. File boxes aver. 40 docs. 4½ x 10 x 6. Co. Ct. Clk's. vlt.

282. NOMINATION PAPERS, 1898, 1907-09. 3 file boxes.
Nomination papers for sheriff, commissioner, etc.; name of candidate, no. of votes received. Arr. chron. Hdw. File boxes aver. 15 docs. 4½ x 10 x 6. Co. Ct. Clk's. vlt.

283. CANDIDATE'S REGISTER, 1912--. 2 vols.
List of candidates for nomination in primaries; title of office sought, name of candidate, residence, political party, date petition received, date of election. Arr. chron. by election date. Alph. indexed by name of candidate. Hdw. Vols. aver. 480 pp. 18 x 12 x 2. Co. Ct. Clk's. vlt.

Elections and Certifications
(See also entries 282 and 289)

284. ELECTION OF OFFICERS, 1896-97. 1 file box.
Returns from election precincts showing no. of votes cast for various candidates for office; itemized statement of votes, date of election. Hdw. pr. fms. 85 docs. 4½ x 10 x 6. Co. Ct. Clk's. vlt.

285. CERTIFICATES OF ELECTION, 1883-96, 1919-25. 3 vols.
Certificates indicating candidates receiving highest no. of votes in election; names of candidates, date of election, offices won. Arr. chron. Hdw. pr. fms. Vols. aver. 200 pp. 18 x 14 x 2. 2 vols., 1883-96, 1919-23, Co. Ct. Clk's. off.; 1 vol., 1924-25, Co. Ct. Clk's. vlt.

Expenses

286. CANDIDATES' PETITIONS AND EXPENSE ACCOUNTS, 1917, 1921, 1923-27,

1929, 1931, 1933-34. 12 file boxes.
Expense account for holding primary and general elections and expenses of candidates for office; copies for filing and mailing of petitions to county clerk and state election board. Hdw. File boxes aver. 45 docs. 4½ x 10 x 6. Co. Ct. Clk's. vlt.

287. GRAND JURY SUMMONS (Candidates' Expense Accounts), 1936--. 1 file box.
Election expenditures of candidates for school board; names of candidates, date of election, date expense paid, nature of expense, amount. Hdw. 30 docs. 6½ x 14 x 10. Co. Sheriff's off.

Miscellaneous

288. CANDIDATE'S DRAWINGS (Petitions), 1915-31. 4 file boxes.
Requests from election officers concerning extra supply of official ballots needed to hold election; names of affiant, date and purpose of affidavit. File boxes aver. 18 docs. 4½ x 10 x 6. Co. Ct. Clk's. vlt.

289. RECORD (County Board of Election Commissioners), 1898-1923, 1935--. 4 vols. 1920-31 in Miscellaneous Papers, entry 221.
Records of proceedings of county board of election commissioners and tabulation of votes cast in various election precincts; statements, affidavits, etc. executed by voters and officials. Arr. chron. Hdw. Vols. aver. 482 pp. 17 x 12 x 3. Co. Ct. Clk's. vlt.

COUNTY BOARD OF EDUCATION

The first legislation concerning general education in Knox County, approved December 1805, was a re-enactment of an earlier law which provided that counties without schools be authorized to have located, surveyed, and patented, six thousand acres of land, the proceeds from the sale of which were to be used for educational purposes. This plan, however, was far from successful and was abandoned in 1821 when the general assembly passed an act establishing a fund, which act provided that one-half the clear profits made after that date by the Bank of the Commonwealth of Kentucky, be set aside as a "Literary Fund", and be used to operate the school system of Kentucky. This method of raising money was discontinued in 1825, when the Knox County Court created seven school districts in the county and appointed seven trustees to operate the school system (Bulletin of Kentucky, Department of Education, vol. 7, no. 4, dated July 1914, pp. 3, 4; Morehead and Brown, Digest, vol. 2, pp. 1418, 1419).

In 1830, the county court authorized three school commissioners to manage the school interests within Knox County, thereby discontinuing the school trustees. In 1838, it was provided that the state board of education should appoint five persons for each school district to act as commissioners of the common schools, to serve in office for one year

(Loughborough, Digest, p. 530). The title of "commissioners" was changed later to "trustees". In 1844, the number of trustees for each district was reduced to three, who were authorized to appoint a collector for their respective districts and a clerk for the board of trustees (Acts of the General Assembly of 1844, ch. 282, secs. 1-9, pp. 53, 54). In 1850, the court of levy and claims was authorized to appoint not more than three commissioners for the common schools in the county, and one commissioner was appointed to hold office for two years (Revised Statutes of Kentucky, vol. 2, p. 320).

The school system was reorganized in 1852, but the number and manner of appointing the school trustees remained the same. In 1873, the number of trustees for each district was reduced to one who had the same powers and duties previously exercised by all of the trustees (General Statutes of Kentucky, 1873 ed., p. 223). In 1878, however, three trustees instead of one were again authorized, one each year for a term of three years. The trustee having the shortest term was chairman of the board and presided at all meetings (Acts of the General Assembly of 1878, ch. 193, secs. 1-7, pp. 21-22). Additional duties were given them by laws passed during the next few years.

The county school superintendent first appears in the school organization of the county in 1884, when his office was created with the stipulation that he take over the duties of the county school commissioners (Acts of the General Assembly of 1884, vol. 1, art. 6, secs. 1-29, pp. 121-128; see Fiscal Court). He was elected for a two-year term. In 1908, the term was changed to four years. Statutory provision in 1920 made his office appointive by the county board of education for not more than four years (Carroll's Kentucky Statutes, 1930 ed., sec. 4399-10a). In 1934, an additional act made substantially the same provisions (ibid., 1936 ed., sec. 4399-34).

Upon further reorganization of the school system in 1908, it was provided that the entire county, except such cities as constituted separate school districts, should compose one district (Kentucky Statutes, 1915 ed., secs. 4226a-1, -2). The county was divided into educational districts, each of which was in turn divided into school sub-districts, with a trustee elected by the voters for a term of two years for each sub-district (ibid., secs. 4226a-1, -2, -3). All the trustees in a division constituted a division board and elected a chairman thereof (ibid., sec. 4426a-4).

Also in 1908 the county board of education was established, to be composed of the chairman of the several division boards in the county and the county superintendent, who was ex officio chairman. The county board of education was a corporate body meeting at times and places designated by the school superintendent and vested with the title, care, and custody of all school property belonging to the districts of the county (ibid., secs. 4426a-7, -14). An act of 1920, as amended in 1922,

provided that each county district should be under the management and control of a county board of education consisting of five members, one to be elected from each of five divisions in which the county was to be divided (Carroll, op. cit., 1930 ed., secs. 4399-1a, -1b). To be eligible for election, a person must be at least twenty-four years of age, a citizen of Kentucky for three years preceding his election, a voter in the district for which he is to be elected, and must have completed at least the eighth grade (ibid., sec. 4399-22). The board of education holds one regular meeting a month, but special meetings may be called by the chairman and the secretary upon request of three members. A majority constitutes a quorum, and a member failing to attend three consecutive regular meetings without excuse vacates his office (ibid., sec. 4399-29). The members receive no salaries but may receive expenses incurred in the performance of their duties (ibid., sec. 4399-32). Members are elected for four years, with the county school superintendent the executive officer and secretary (ibid., sec. 4399-24). An act passed in 1934 made further provision for similar government of county schools under a system whereby the entire county, outside the independent school district of Barbourville, composes one school district.

Prior to the reorganization of the school system in 1908, when the office of sub-district trustee was organized, the trustees, under various acts from 1857 up to that time, had general jurisdiction over school property and management. They were authorized to create, grant, and procure the erection of schoolhouses, expel students, make reports to the commissioners, and visit the schools once a week, inviting children to attend (Acts of the General Assembly of 1852, ch. 35, sec. 8, p. 166). Later, in 1873, the number of trustees was reduced to one, having the same powers and additional duties requiring him to make an annual census of white children, to assess and collect the poll tax for school expenses, to change locations of school sites, to secure rights-of-way for roads, and to erect school buildings (General Statutes of Kentucky, 1873 ed., p. 223). Later duties were to visit the parents of pupils during the two weeks preceding the opening of school and urge upon them the necessity of prompt and regular attendance, and to meet periodically to consider the condition of the schoolhouse, furniture, apparatus, and equipment (Acts of the General Assembly of 1888, vol. 1, art. 8, secs. 1-19, pp. 174-182). In certain cases additional power was granted to levy taxes and appoint a treasurer to receive the same (Kentucky Statutes, 1899 ed., secs. 4443, 4481).

After 1908, the trustees were required to supervise the schools in their respective sub-districts, personally reporting the need thereof to the division board, which in turn referred such reports with its recommendations to the county board. The trustees were required to make a census of the children in their districts (ibid., sec. 4426a-5). After 1920, the trustee of each sub-district superintended generally the care of his schools, reporting to the county school superintendent. Under the law passed in 1934, and now in force, the trustee nominates compo-

County Board of Education (Next Entry, 290, p. 114)

tent teachers for each teaching position in his sub-district, to be elected by the board of education and exercises general control over the school property of his sub-district (Carroll, op. cit., 1936 ed., sec. 4399-9). Under supervision of the county board of education, he advises with the school superintendent on all matters concerning general welfare of schools (ibid., sec. 4399-11). In case of vacancy in the office of sub-district trustee, the county board of education, on the recommendation of the superintendent of schools, appoints a person to fill the vacancy (ibid., sec. 4399-10).

When the county board of education was established in 1908, it was authorized: to establish county high schools and unite with city authorities for that purpose; if necessary, to estimate and lay before the fiscal court the educational needs of the county; to receive and expend taxes collected by the sheriff for school purposes; upon petition, to submit to the voters of sub-districts whether or not a tax should be levied for school purposes therein and to act upon the returns of such election; to establish new school sub-districts or change existing ones; to purchase, lease, sell, rent, or repair school sites, buildings, and necessary furnishings; to receive gifts, grants, or donations for the benefit of the schools; to condemn property for school use; to employ and fix salaries of teachers in the high schools established by them, and to prescribe the course of study and select text books to be used in said high schools (Kentucky Statutes, 1915 ed., secs. 4226a, et seq.). Acts of later years reaffirmed and extended practically all of these duties. Further specified powers provided for in 1920 were: to determine, upon consent and advice of the county school superintendent and subject to the by-laws of the state board of education, the educational policy of the county, and prescribe rules and regulations for the conduct and management of the schools; to have control of county school funds in its corporate capacity (Carroll, op. cit., 1930 ed., sec. 4399a-5); to provide sanitary facilities for each school (ibid., sec. 4399a-6); to appoint all principals, teachers, and supervisors from a list of names submitted by sub-district trustees; to call a meeting of teachers to give instruction concerning their work; to hold title to all school property and to suspend or remove from office the county school superintendent or any teacher, employee or sub-district trustee for cause (ibid., sec. 4399a-7). The board of education also appoints a district trustee for each district (ibid., sec. 4399a-14) and employs supervisory attendance officers (ibid., sec. 4399b-1).

As provided for by additional statutes, the county board of education must provide, by establishment of a school or by contract with another district, at least an approved twelve-grade school service for the pupils in its district (ibid., 1936 ed., sec. 4399-2). It may purchase and condemn real estate (ibid., sec. 4399-21); fill vacancies in the board (ibid., sec. 4399-30); appoint a secretary for a term of one, two, three, or four years (ibid., sec. 4399-38); by concurrent action with other contiguous school districts, merge the district with other school districts (ibid., sec. 4399-12); submit to the voters whether or not the board shall issue bonds and levy

(Next Entry, 290, p. 114)

taxes to pay for them (ibid., sec. 4399-13); and issue work permits to children (ibid., sec. 4434-4).

The county board of education has power, also, to maintain a permanent and continuing school census (ibid., sec. 4434-25); to provide for instruction of children with defective eyesight, hearing, or physical or mental handicaps (ibid., sec. 4434-33); to furnish text books and other school supplies to indigent children (ibid., sec. 4363-12); to prepare a school budget estimating the total to be received from the common school fund and the amount that must be raised by local taxation, and file a copy thereof with the clerk of the tax levying authority of the district (ibid., sec. 4399-40); to elect a treasurer of the board if the secretary does not serve (ibid., sec. 4399-42); to appoint a bank or trust company to serve as its depository (ibid., sec. 4399-43); to borrow money on the credit of the board and issue negotiable instruments in anticipation of revenues from school taxes (ibid., sec. 4399-44); to maintain separate schools for white and colored children (ibid., sec. 4399-49); to make reports to the state board of education on all phases of the school service and publish, for the information of the public, the progress of the schools (ibid., sec. 4399-54); to summon and force the attendance of witnesses in any investigation or proceedings before it (ibid., sec. 4399-55); to take possession of, sue for, and recover, sell, or convey property in the district that escheats to the state (ibid., sec. 4399-56); to convert to its general school fund money that it owns for which it is to receive only the income (ibid., sec. 4399-60); and to provide for roads or passways to its school buildings (ibid., sec. 4399-61).

County School Superintendent

Prior to 1884, the administration of the county schools was directed by commissioners, varying in number from one to five, elected annually in each district. They composed a body corporate, and their duties as commissioners of common schools were to: aid and superintend the dividing of the county into school districts; apply for and receive all moneys apportioned or raised for use of common schools in the county; apportion such moneys among the school districts; and make reports, annually, to the state board of education covering the number of school districts, length of school term, number of children attending each school, receipts and expenditures, and a list of property subject to school taxes (Loughborough, Digest, pp. 531-536).

After 1884, when the office of the county school superintendent was created, duties formerly performed by the county school commissioners were taken over by the county school superintendent. In 1908, with the reorganization of the school system, he was authorized to lay off, abolish, or consolidate districts; to condemn unfit schoolhouses and equipment; to visit school districts at least once a year and make a record of school attendance, names of children unable to purchase books, conditions of school and property, conduct, discipline, and method of instruc-

(Next Entry, 290, p. 114)

County Board of Education-County School Superintendent

tion; to see that trustees discharge their duties and to give them advice, especially in regard to securing attendance; to advise with teachers and admonish them for neglect of duties in regard to school property, and, by every means in his power, to strive to promote and advance the cause of common schools (Kentucky Statutes, 1909 ed., sec. 4403). It was his duty: to report to the county judge the number and cost of text books needed to supply indigent children (ibid., sec. 4405); to make all additional reports required by the state superintendent of public instruction (ibid., sec. 4406); to pay teachers' salaries upon receipt of certificates from the district board of trustees (ibid., sec. 4407); to settle with the county judge annually for the previous school year, forwarding to the superintendent of public instruction a copy certified by the county clerk and showing moneys received and disbursed; to refund to the state treasurer any unused funds (ibid., sec. 4409); to make a complete report to the superintendent of public instruction on August 1 (ibid., sec. 4410); to hold office at the county seat on the second Saturday of each month and at such other times as necessary to transact his official business (ibid., sec. 4415).

Further duties were: not to act as text book agent (ibid., sec. 4416); to receive compensation as fixed by the fiscal court (ibid., sec. 4419); not to be interested in contracts to build or repair schoolhouses; to approve plans for building schools (ibid., sec. 4440a); to furnish each chairman of the board of trustees with trustee's record books (ibid., sec. 4438); to receive money for district taxes from the sheriff, giving him a receipt thereof (ibid., sec. 4463a-8); and to hold such money for the district, paying same on order of the board of trustees (ibid., sec. 4443); to take separate receipts for all salaries paid out of the county tax fund, and make settlements with the county judge for the county tax fund (ibid., sec. 4463a-10); to organize and cause to be held an annual teachers' institute for not less than five nor more than ten days, for the educational improvement and better qualification of teachers in his county, and see that the proceedings are published (ibid., sec. 4507-17); to keep a county teachers' library under his care in his office, and be a member of the library committee (ibid., sec. 4518); and to furnish a statement of boundaries of school districts for purposes of tax assessment to companies operating railroads or bridges, and to receive taxes from such companies (ibid., secs. 4099, 4100).

An act of 1920, amended in 1922, made the county school superintendent executive officer and secretary of the board of education, requiring him to attend all meetings except when his own tenure, salary, or the administration of his office was under consideration. The county superintendent could advise on any question but could not vote (ibid., 1930 ed., sec. 4399a-2). The board, however, may appoint as many assistant superintendents as it deems necessary (ibid., 1936 ed., sec. 4399-34).

By an act of 1934 the county school superintendent is required, be-

fore assuming his duties, to present to the board a statement signed by the state superintendent of public instruction that he has been issued a certificate of administration and supervision (ibid., sec. 4399-34). Former duties were retained in the provisions of this act in substantially the same form, the county school superintendent having power to enforce all laws, rules, et cetera, relating to schools; to appoint necessary clerks to prepare rules, regulations, bylaws, and statements of policy for approval and adoption by the board, and subject to control of the board; and to have general supervision of the conduct, course of instruction, management of teachers, discipline of pupils and management of business affairs (ibid., secs. 4399-16, 4399-34). The school superintendent is further empowered to appoint members to such free libraries as may be established in the county (ibid., sec. 938d-5). He is exempt from jury service during school session (ibid., sec. 2253a-2). He must make a yearly report at the close of the scholastic year to the state board of education, giving an itemized account of all funds received from the state and other sources, and a statement of all expenditures during the year (ibid., sec. 4370-5).

During the school year of 1912-13, the board of trustees of Union College, a denominational college at Barbourville, suffered such financial reverses that the continuance of the school was jeopardized. A vigorous local campaign for funds was organized, and a crisis was averted by a group of thirty citizens of Barbourville, who underwrote the necessary funds for continued operation of the school (For Union College, see Historical Sketch, p. 6).

Financial
(See also entry 85)

290. SETTLEMENTS OF SCHOOL COMMISSIONERS, 1876-1918. 1 vol.
Vouchers and receipts showing amount paid to school teachers; date and amount of voucher and receipt, names of teacher and county superintendent. Arr. numerically by district no. Hdw. pr. fms. 600 pp. 18 x 12 x 3. Co. Ct. Clk's. vlt.

291. COUNTY CLERK'S RECORDS (County School Superintendent's Settlements), 1897-1917. 5 file boxes.
Record of settlements of school superintendent; name of teacher, date and amount of salary paid, receipt from teacher. Arr. chron. Hdw. pr. fms. File boxes aver. 200 docs. 4½ x 10 x 6. Co. Ct. Clk's. vlt.

292. REPORT, 1928. 1 file box.
Financial report of superintendent of Wilton graded school, all expenses of school for the year. Arr. chron. Hdw. 10 docs. 4½ x 10 x 6. Co. Ct. Clk's. vlt.

Bonds

293. SCHOOL BONDS (County School Superintendent's Bonds), 1892-1930.

2 vols.
Bond given by county superintendent as surety of faithful discharge of duties; date, names of bondee and surety. Arr. chron. Alph. indexed by name of superintendent. Hdw. pr. fms. Vols. aver. 200 pp. 14 x 9 x 2. Co. Ct. Clk's. vlt.

294. SCHOOL TREASURER BONDS, 1894-1913. 1 vol., 1 file box.
Bonds given by school district treasurer (twice the amount collected by him from taxes); names of bondee and surety, date and amount of bond. Vol. arr. chron.; file box arr. alph. by name of treasurer. Hdw. pr. fms. Vol. alph. indexed by name of treasurer; file box, no index. Vol., 112 pp. 14 x 9 x 1; file box, 45 docs. 4½ x 10 x 6. Co. Ct. Clk's. vlt.

Miscellaneous

295. RECORD CENSUS REPORTS OF SCHOOL CHILDREN, 1882-1905, 1924. 11 vols., 1 file box.
Records of census; names of parents, guardians, or heads of families, names and ages of children, date of birth, sex and race. Arr. chron. Hdw. Vols. aver. 639 pp. 15 x 10 x 2½; file box, 65 docs. 4½ x 10 x 6. Co. Ct. Clk's. vlt.

296. APPOINTMENT OF EXAMINERS, 1919-21. In Miscellaneous Papers, entry 221.
Appointment of examiners of teachers' certificates; names of examiner and person appointing him, date of appointment, statement of examiners, signatures of examiner and person appointing.

COUNTY BOARD OF HEALTH

In 1893 an act of the general assembly authorized the state board of health to appoint for a two-year term three or more intelligent and discreet citizens, residing in the county, to constitute the county board of health. Duties were essentially the same as those of the present board. Compensation was determined by the county court (Acts of the General Assembly of 1893, ch. 185, secs. 9-15, pp. 824-826). When this act was amended in 1904, the state board was given power to appoint for a term of two years three intelligent, discreet, licensed and practicing physicians residing in the county, who, together with the county judge and one person appointed by the fiscal court, constituted the county board (Acts of the General Assembly of 1904, ch. 35, secs. 1-2, pp. 106-107).

In 1918 an act regarding the county board of health defined its duties as they stand today (Acts of the General Assembly of 1918, ch. 65, secs. 1-3, pp. 290-353). No change was made in the method of appointing members of the board, but it was stipulated that they were to draw no compensation (Carroll's Kentucky Statutes, 1936 ed., sec. 2055).

The board has authority: to require heads of families and other persons

to execute such sanitary regulations as it may consider expedient to prevent the outbreak and spread of cholera, smallpox, yellow fever, scarlet fever, and other communicable diseases; to bring infected populations under prompt and proper treatment during premonitory or other stages of the diseases; to inspect premises believed unclean and infectious; to determine and fix the location of an eruptive hospital for the county sufficiently remote from habitation and public highways; to enforce rules and regulations adopted by the state board of health; and to subject persons failing to comply with them to a fine of not less than $10. or more than $100 for each day of non-compliance. It is the duty of local physicians and heads of families in the county to report all the above-mentioned or other communicable diseases.

The board makes reports to the state board of health at least every three months; first, the character of infectious, epidemic and communicable diseases prevailing in the county; second, the number of persons reported infected with such diseases; third, the action taken by the county board of health in arresting progress of epidemics; and fourth, the visible effect of such action. The county board also makes such special reports as required or desired by the state board (ibid., sec. 2055).

General Index to Health Records

297. GENERAL CARD INDEX, n.d. 2 file boxes.
Index to pre-school hygiene, pre-natal clinic, epidemiological cases, tuberculosis cases, general medical cards, food handlers. Arr. alph. by name of patient. Hdw. File boxes aver. 750 cards, 4½ x 6 x 12. Health Dept., City Hall.

Vital Statistics

298. BIRTH RECORDS, 1853-57, 1859, 1904-07, 1911, 1930--. 24 vols.
Record of births; name, address, date and place of birth, stillborn or alive at birth, sex, race, names and addresses of parents, names of physician and hospital, legitmacy. Arr. chron. by date of birth. 10 vols., 1853-57, 1859, 1904-07, 1911, alph. indexed by name of child; 14 vols., 1930--, no index. Hdw. pr. fms. Vols. aver. 275 pp. 10 x 5 x 2. 9 vols., 1853-57, 1859, 1904-07, Kentucky Historical Society, Old State Capital (first floor), Frankfort, Kentucky; 1 vol., 1911, Co. Ct. Clk's. off.; 14 vols., 1930--, Health Dept., City Hall.

299. DEATH RECORDS, 1853-57, 1859, 1911, 1930--. 15 vols.
Record of deaths; name, age, date and cause of death, sex and race of decedent, name of examing physician. 1 vol., 1911, arr. alph. by name of decedent; 14 vols., 1853-57, 1859, 1930--, arr. chron. by date of death. 8 vols., 1853-57, 1859, alph. indexed by name of decedent; 7 vols., 1911, 1930--, no index. Hdw. pr. fms. Vols. aver. 240 pp. 10 x 6 x 2. 8 vols., 1853-57, 1859, Kentucky Historical Society, Old State Capitol (first floor), Frankfort, Kentucky; 1 vol., 1911, Co. Ct. Clk's. vlt.; 6 vols., 1930--, Health Dept., City Hall.

Laboratory and Clinic Reports

300. TUBERCULIN TEST, 1930--. 3 file boxes.
Record of tuberculin tests; name, age, address, school, parent's name, date, remarks; x-ray report, interpretations, diagnosis, advice, name of family physician. Separate index in entry 297. Hdw. pr. fms. File boxes aver. 170 docs. 4½ x 6 x 12. Health Dept., City Hall.

301. DENTAL HEALTH, 1930--. 1 file box.
Record of dental health; name, age, address, school, parent of child, condition of teeth, no. of cavities, recommendations. Arr. chron. Hdw. pr. fms. 300 docs. 4½ x 6 x 12. Health Dept., City Hall.

Diseases

302. VENEREAL DISEASE, 1933--. 2 file boxes.
Record of venereal diseases; name, address, birth date, sex, color, marital status of patient, diagnosis, reason for investigation, relation to other clinic cases, name of physician, treatment given. Arr. alph. by name of patient. Separate index in entry 297. 1 file box, 1936--, hdw. pr. fms.; 1 file box, 1933--, typed pr. fms. File boxes aver. 325 docs. 6 x 6 x 16. Health Dept., City Hall.

303. COMMUNICABLE DISEASE, 1930--. 1 file box.
Record of communicable disease; name, address, sex, and color of patient, disease, date, head of family, physician reporting, occupation or school, source of milk supply. Separate index in entry 297. Hdw. pr. fms. 300 docs. 8½ x 6½ x 20. Health Dept., City Hall.

304. RABIES RECORD, 1936--. 1 file box.
Record of rabies cases; name, age, address, sex, color of patient, date, result. Arr. chron. Separate index in entry 297. Hdw. pr. fms. 100 docs. 4½ x 12 x 6. Health Dept., City Hall.

Hygienic Records

305. SCHOOL HYGIENE, 1930--. 1 file box.
Record of children of school age; name, sex, color, address, date of birth, parent's name, physician, recommendations, visits. Separate index in entry 297. Hdw. pr. fms. 1000 docs. 4½ x 6 x 12. Health Dept., City Hall.

306. INFANT AND PRE-SCHOOL HYGIENE, 1930--. 1 file box.
Record of infant and pre-school hygiene; dates opened and closed, name, sex, color, address, parent and date of birth of child, immunity dates. Separate index in entry 297. Hdw. pr. fms. 800 docs. 8½ x 6 x 20. Health Dept., City Hall.

307. ADULT HYGIENE, 1930--. 1 file box.
Record of adult hygiene; name, age, address, physical condition, disease, im-

munity status, examination, recommendations, field visits. Hdw. pr. fms. Arr. chron. 250 docs. 4½ x 6 x 12. Health Dept., City Hall.

308. MATERNAL HYGIENE, 1930--. 3 file boxes.
Record of mother and child; name, age, health record of mother, physical examination. Separate index in entry 297. Hdw. pr. fms. 1000 docs. 8½ x 6½ x 20. Health Dept., City Hall.

Sanitation Reports

309. SANITATION, 1930--. 1 file box.
Report of sanitation inspection of school; location of school, date, teacher, parts of building inspected. Arr. chron. Hdw. pr. fms. 1000 docs. 8½ x 6 x 20. Health Dept., City Hall.

310. SANITATION REPORTS, 1925--. 1 file box.
Sanitation reports, tests of drinking water; names of owner and occupant. Arr. alph. by name of occupant. Typed pr. fms. 500 docs. 7½ x 9¼ x 12. Health Dept., City Hall.

Miscellaneous

311. IMMUNIZATION (Typhoid, Diphtheria, Smallpox), 1930--. 9 file boxes.
Record of immunization, showing name, age, address, sex, color, address of parents, parents' initials, date, result. Arr. chron. Hdw. pr. fms. File boxes aver. 160 docs. 4½ x 6 x 12. Health Dept., City Hall.

312. CRIPPLED CHILDREN, 1930--. 1 file box.
Record of crippled children in county; name, date of birth, sex, color of child, physical history, parent's name, notes on clinic visits. Separate index in entry 297. Hdw. pr. fms. 200 docs. 4½ x 6 x 12. Health Dept., City Hall.

313. MISCELLANEOUS RECORDS, 1930--. 1 file box.
Crippled children's Records, various summaries, W. P. A. records, monthly reports, laboratory reports, social history. Hdw. pr. fms. 800 docs. 4½ x 6 x 12. Health Dept., City Hall.

314. INDIGENT CASES, 1925--. 1 file box.
Records of indigent cases; name of head of family, names of patient and each member of family treated, kind of disease and treatment, name of physician. Arr. alph. by name of patient. Typed pr. fms. 1000 cards 8½ x 11½ x 9. Health Dept., City Hall.

315. MIDWIFE RECORD, 1930--. 1 file box.
Description of midwife; name, age, color, address and directions. Arr. chron. Separate index in entry 297. Hdw. pr. fms. 500 docs. 4½ x 6 x 12. Health Dept., City Hall.

316. (MISCELLANEOUS HEALTH PAPERS), 1914-17, 1928-29, 1931. In Road Bids and Contracts (Miscellaneous Road and Health Papers), entry 318.

Certificates of appropriation of money for maintenance of health unit in Barbourville.

COUNTY HEALTH OFFICER

An act of 1893 authorized appointment by the county board of health of a competent physician to act as county health officer for a two-year term (Acts of the General Assembly of 1893, ch. 185, secs. 9-15, pp. 824-828).

In 1904 this act was amended to provide for the health officer to serve as secretary of the board. His duty is to see that the rules and regulations of the state board are enforced. He holds office at the pleasure of the county board and receives such salary as fixed by the fiscal court (Acts of the General Assembly of 1904, ch. 35, pp. 106-108). In 1918 an act redefined the position of county health officer but made practically no change in the office (Acts of the General Assembly of 1918, ch. 65, secs. 1-3, pp. 290-353; Carroll's Kentucky Statutes, 1936 ed., sec. 2055).

COUNTY ROAD ENGINEER

The county court appointed surveyors of highways for Knox County at the second meeting of the county court, as authorized by an act of 1799 (Morehead and Brown, Digest, vol. 1, p. 506). The office of surveyor of highways continued to exist as appointed by the county court, being reaffirmed with subsequent changes in the general county governmental set-up (The General Statutes of Kentucky, 1877 ed., p. 764). The title of this office was changed in 1894, when it was provided that the fiscal court appoint a supervisor of roads (Carroll's Kentucky Statutes, 1936 ed., sec. 4313; see Fiscal Court).

An act of 1912 created the office of county road engineer (Acts of the General Assembly of 1912, ch. 110, secs. 1-9, p. 309, 353). Two years later this was reaffirmed and the act of 1894 repealed, provision being made for the appointment by the county judge, of the county road engineer for a two-year term, subject to approval by the fiscal court. He must be either a reputable civil engineer or a man who has had practical experience as a road supervisor or builder for two years and has passed a creditable examination by the state commissioner of public roads or one of his representatives (Carroll, op. cit., 1915 ed., sec. 4325). The offices of road supervisor and road overseer were abolished by an act of 1914 for the general supervision of roads (ibid., 1936 ed., sec. 4356k), but continued for counties worked by hands, a copy of the appointment to be delivered to the road engineer (ibid., secs. 4356p-4356r). The county judge makes the appointments, and the terms of office are for two years.

The fiscal court, having general control and supervision of public roads and bridges either by taxation or by hands allotted to work on same, appoint-

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The fiscal court, having general control and supervision of public roads and bridges either by taxation or by hands allotted to work on same, appoint-

ed overseers for each precinct to supervise, control, and oversee labor and materials and to report to the county judge in a manner similar to that of the county supervisor (The Kentucky Statutes, 1899 ed., secs. 4307-4314).

Duties of the surveyor of highways, supervisor of roads, and county road engineer were and are: to post on the courthouse door a printed notice for bids on contracts to build or repair roads and bridges; to exercise general charge over all public roads and bridges within the county, except turnpikes or bridges owned privately; to keep same repaired; to supervise all construction of same; to receive new roads and alterations in roads and report same to the county court at the time and in the manner directed by the court; with the consent of the county judge, to designate certain roads or parts of roads that are not to be let out, but which are to be worked and kept in repair by special contracts privately made, by hands and teams hired by him, by delinquent taxpayers, or by persons sentenced to labor, who, by law, may be liable to work out fines; to return to the county court at its annual September term a descriptive list of such roads, which shall be recorded in its order book; to report in writing all hands and teams hired, amount paid, length of time, and place employed; to give a similar report of delinquents and names of persons working out fines; to supervise all said work and to employ competent persons to oversee; if necessary, to put ball and chain on convicts to prevent their escape (ibid., sec. 4315); to be responsible for tools and implements furnished him by order of the court (ibid., sec. 4318); to make such reports as directed by the county judge and fiscal courts; to advise and direct those employed by various contractors the best way to repair, maintain, and improve such roads and bridges; to examine various formations and deposits of gravel for the purpose of ascertaining the most suitable materials; to submit such samples, upon request, to the state commissioner of public roads; to acquire gravel beds and stone quarries for grading purposes with the approval of the fiscal court (ibid., sec. 4337); to provide for necessary grade and drainage; to enter any lands adjacent to public roads to drain same (ibid., sec. 4352); to consider plans, specifications, and estimates submitted for erection, repair, and maintenance of public roads; to hold road meetings in each magisterial district yearly; to inspect or cause the inspection of each road or bridge during its construction and improvement, and certify to the fiscal court that the work is carried on according to contract and, when it is not, to stop such work until the fiscal court passes on it (ibid., sec. 4328); to hear and examine complaints (ibid., secs. 4332, 4353); to certify claims of contractors (ibid., sec. 4333); to inspect roads every six months, remove obstructions, post guide boards, and place foot bridges across streams (ibid., sec. 4334); to bring suits to see that owners keep approaches in repair (ibid., sec. 4356b); to examine toll bridges (ibid., sec. 4356c); to turn over his books to his successor (ibid., sec. 4356b); post notices of closed roads (ibid., sec. 4356f); post signboards at cross roads (ibid., sec. 4320); not to be personally interested in contracts (ibid., sec. 4332); on order of court, to have hills cut down by contract (ibid., sec. 4339); to plant shade trees (ibid., sec. 4340); to establish wells and cisterns (ibid., sec. 4341); and to appoint assistant supervisors (ibid., sec. 4344).

Commissioner's Reports

317. ROAD COMMISSIONER'S AND APPRAISER'S REPORTS, 1934--. 1 file box. 1926-29 in Suits, entry 198; 1930-31, 1933 in Order Books (Court Orders), entry 204; 1914-17 in Civil Executions, entry 206; 1923-29 in County Court Papers, entry 226.
Reports of road commissioners, viewers, and surveyors, appraisers' report; date of report, name of commissioner, viewer, surveyor, or appraiser, description of land damaged by road, cost of transportation in division of land, reason land owners should be paid more for right-of-way, name of land owner. Arr. chron. Hdw. 50 docs. 4½ x 10 x 6. Co. Ct. Clk's. off.

Bids

318. ROAD BIDS AND CONTRACTS (Miscellaneous Road and Health Papers), 1914-17, 1928-29, 1931. 4 file boxes.
Bids for construction of roads, fill, bridges, and contracts to build roads. Contains: Claims for Services, entry 12; Miscellaneous Health Papers, entry 316. Hdw. File boxes aver. 45 docs. 4½ x 10 x 6. 3 file boxes, 1914-17, 1931, Co. Ct. Clk's. vlt.; 1 file box, 1928-29, Co. Ct. Clk's. off.

Orders

319. ROAD ORDER BOOKS, 1872--. 7 vols. (1-7), 7 file boxes. 1921-22 in Papers On Docket (Miscellaneous), entry 225.
Petitions to appoint and orders appointing county road overseers and helpers, orders for building bridges, new roads, repairs; date of petition, order, and appointment, names of persons appointed, location of road, signatures of petitioners. Contains: Claims for Services, entry 2. Hdw. Vols. aver. 631 pp. 18 x 12 x 3; file boxes aver. 90 docs. 4½ x 10 x 9½. Co. Ct. Clk's. vlt.

320. INDEX TO ROAD ORDER BOOKS, 1872--. 7 vols.
Index to Road Order Books, entry 319; arr. alph. by name of claimant, showing p. and vol. no. where recorded. Hdw. Vols. aver. 45 pp. 18 x 12 x ½. Co. Ct. Clk's. vlt.

Road and Bridge Bonds

321. KNOX COUNTY BONDS (Bridge), 1903-30. 1 file box.
Bonds issued by county for building bridges; date, amount, date of maturity, signatures of county judge and county clerk. Hdw. pr. fms. 175 docs. 4½ x 10 x 6. Co. Ct. Clk's. vlt.

322. ROAD BONDS, 1915-16. 1 file box.
Bonds for building roads; names of bondee and bondsmen, amount and date of bond. Contains: Vouchers for Services on Roads, entry 4. Arr. chron. Hdw. pr. fms. 15 docs. 4½ x 10 x 6. Co. Ct. Clk's. vlt.

County Roads

323. (RECORDS OF ROADS BUILT), 1910-16. In Clerk's Record, entry 220. Record of roads built in county; location of road, dates work begun and completed, total value of road, signature of road engineer.

SURVEYOR

The second constitution, adopted in 1799, provided that, when a surveyor was needed in the county, the county court should recommend to the governor two proper persons to fill the office, one of whom he should appoint to hold office during good behavior (Const. of 1799, art. 4, sec. 8; Littell, Statute Law of Kentucky, vol. 3, p. 405). The third constitution authorized the election of a surveyor in the county for a term of four years (Const. of 1850, art. 4, sec. 30; art. 6, sec. 1); he was required to give bond and security before entering upon the duties of office (ibid., art. 6, sec. 9; General Statutes of Kentucky, 1873 ed., pp. 683, 800). When the office of surveyor became vacant, the county court was directed to order the clerk to take charge of the books and papers of said office until another surveyor should qualify (General Statutes of Kentucky, 1873 ed., p. 801; Carroll's Kentucky Statutes, 1936 ed., secs. 1526, 4677).

The present constitution again provides that a surveyor shall be elected in each county for a term of four years (Const. of 1891, sec. 99), requiring him to be at least twenty-four years of age and a resident of the county, and to give such bond as directed by law (ibid., secs. 100, 103). Furthermore, before entering the duties of office, he must file with the county clerk a certificate from some college or from the circuit judge that he is competent to perform the required duties (Carroll, op. cit., sec. 4672a-1).

An act of 1800 authorized the court to direct orders of survey to any person elected (Morehead and Brown, Digest, vol. 1, p. 328). Upon his recommendation, moreover, the county court could appoint one or more deputies for whose conduct he was answerable (Revised Statutes of Kentucky, vol. 2, p. 402). After the third constitution, statutory provision again authorized the court, at its discretion or by consent of the parties, to direct orders of survey to any person, and, when the county surveyor was one of a set of commissioners appointed to survey land, he could administer oath to the other commissioners and act himself upon his oath of office (General Statutes of Kentucky, 1873 ed., p. 801).

As provided for by statutes after the constitution of 1891, surveying or civil engineering work which the court orders the surveyor to do, must be considered as belonging to the office of county surveyor, unless, by order of the court, another surveyor is appointed. The surveyor's failure to comply with the court's orders subjects him to a fine which the court can assess. This work might include the processing of land, the locating of lost corners and dividing lines, the surveying and division of an estate when land is sold by order of the court, and surveying, locating, and superintending construction of roads, canals, levies, and ditches that are financed by taxation. In all orders of the court, the surveyor has the selection of chainmen and other

necessary help (Carroll, op. cit., sec. 4672a-2). He is also a member of committees or commissioners appointed by the courts to locate, inspect, care for, and report on bridges and other public improvements (ibid., sec. 4672a-3).

In 1814 the county surveyor was authorized to survey lands in the county and return the survey to the register of the land office which issued patents thereon (Morehead and Brown, Digest, vol. 2, p. 877). Upon the establishment of his office, he was to keep a record of lands to which title, interest, or claims were relinquished by persons concerned (ibid., vol. 2, p. 1102); in 1841 he was given power to administer oaths to chain carriers (Loughborough, Digest, p. 562). Later statutes reaffirmed these duties and also required him to make out and return a plat and certificate for every survey made (General Statutes of Kentucky, 1873 ed., pp. 683, 800). In addition to previously defined duties, statutes passed after the adoption of the present constitution directed the surveyor to keep a record of all plats and explanatory notes of surveys made by him or his deputies in a book furnished by the county court, all of such records to be the property of the county and to be kept in the surveyor's office at the county seat (Carroll, op. cit., secs. 4672a-4, 5). It is also his duty to append to the field notes of every survey made by him the date of such survey and the variation of the needle from the true meridian at the time of making such survey (ibid., sec. 4676).

Legislation subsequent to the adoption of the second constitution provided that the county surveyor should be compensated for his services by fees fixed by law (Morehead and Brown, Digest, vol. 1, p. 679). This method of compensation has been subsequently reaffirmed (Revised Statutes of Kentucky, vol. 1, p. 516; Carroll, op. cit., sec. 1744).

Maps

(See also entry 226)

324. MAP OF CORBIN, 1903. 1 p.
Map of Corbin in Whitley and Knox counties. Fox and Peck, engineers, Big Stone Gap, Virginia. Blue print. Scale 1" = 200'. 36 x 1. Cir. Clk's. off.

325. MAP OF SOUTH END OF EAST STREET CORBIN, n.d. 1 p.
Map showing streets and bridges of south and east Main Street, Corbin, Knox county. Fox and Peck, engineers. Black and white. Scale 1" = 100'. 31½ x 16. Cir. Clk's. off.

326. SURVEY SHARP GAP ROAD, 1917. 1 sheet.
Map by Thomas Hubbard, Barbourville. Black and white. 1" = 100'. 18 x 28. Co. Ct. Clk's. vlt.

327. MAP, n. d. 1 p.
Map showing workings of No. 4 openings of interstate coal mines. Warren, exhibit by Roy Ridney. Author, C. M. Addington. Black and white. Scale 1" - 20'. 28 x 26. Cir. Clk's. off.

328. CUMBERLAND COAL COMPANY, TOWN SITE, 1905. 1 p.
Map by W. F. Westerfield, Barbourville. Black and white. 23 x 8. Ct. Ct. Clk's. vlt.

329. SURVEY OF CUMBERLAND RAILROAD RIGHT-OF-WAY IN KNOX COUNTY, 1905. 1 p.
Map by J. W. Williams, Barbourville. Blue print. 1" = 600'. 25¼ x 18¼ Co. Ct. Clk's. vlt.

330. T. E. WILLIAMS, EXHIBIT NO. 1, UNITED STATES BRUSH CREEK COAL COMPANY, 1909. 1 p.
Map showing land belonging to United States Brush Creek Coal Company. Author, B. F. Johnson. Black and white. Scale 1" = 20 poles. 5¼ x 33. Cir. Clk's. off.

COUNTY AGRICULTURAL AGENT

Although no specific provision is made by law for the office of the county agricultural agent, acts of congress passed in 1914, 1928, 1930, provide appropriations for the carrying on of the cooperative extension work in agriculture and the employment of extension agents in counties of the several states (United States Code, Title 7, secs. 341, et seq.). This work consists of the giving of instruction and practical demonstrations in agriculture to persons not attending or residents in colleges. It is carried on in such manner as is mutually agreed upon by the secretary of agriculture and the University of Kentucky (Carroll's Kentucky Statutes, 1936 ed., sec. 4636f-9).

The Kentucky General Assembly in 1916 and in 1930, assented to the provisions and requirements of these acts and authorized the trustees of the University of Kentucky to receive the grants of money appropriated under said acts, and to conduct agricultural extension work, carried on in connection with the university (ibid., secs. 4636f-9, 4636h-1). The fiscal courts and boards of education of the counties are authorized to appropriate such sums of money out of their annual funds as, in their wisdom, are necessary to aid in carrying on the extension work (ibid., sec., 4636g-2).

The powers and duties of such agents are not enumerated by statute, but depend upon agreements and regulations made by the secretary of agriculture, trustees of the University of Kentucky, and the county fiscal courts.

Contracts

331. CARD INDEX, n.d. 1 file box.
Index to Tobacco Contracts, A. C. P., and Corn and Hog Contracts, entries 332 and 333. Arr. numerically and alph. by communities. Hdw. 1000 cards 4½ x 6 x 12. Co. Agent's off.

332. CORN AND HOG CONTRACT, 1935. 1 file box.

Corn and hog contracts with owners of livestock; name of land owner, amount of crop per year. Arr. numerically by contract no. Hdw. pr. fms. 53 docs. 8½ x 6½ x 28. Co. Agent's off.
Record discontinued.

333. TOBACCO CONTRACTS (A.A.A.), 1934-35. 1 file box.
Contracts between A.A.A. and tobacco growers; names of land owner, no. of acres, amount of crop per year. Arr. numerically by contract no. Hdw. pr. fms. 150 docs. 8½ x 6½ x 28. Co. Agent's off.
Record discontinued.

Soil Conservation

334. AGRICULTURAL CONSERVATION PROGRAM, 1936--. 2 file boxes.
Record of Agricultural Conservation Program; name of owner, description of property, no. of acres. Arr. numerically by contract no. Hdw. pr. fms. File boxes aver. 366 docs. 8½ x 6½ x 28. Co. Agent's off.

MISCELLANEOUS

Public Records

335. ENROLLED MILITIA, 1862-88. 1 vol.
Enrolled militia for county; names and addresses of men living on county roads ordered out once a year for work on roads. Arr. alph. by name of man. Hdw. 150 pp. 13 x 9 x 1. Co. Ct. Clk's. off.

336. WAR REGISTRATIONS, 1917. 1 file box.
Register of men eligible to draft for army service in World War; name, age, and residence of man. Arr. alph. by name of man. Hdw. 250 docs. 4½ x 10 x 13. Co. Ct. Clk's. vlt.

337. RECORD OF HONORABLE DISCHARGED SOLDIERS, 1918-19. 1 vol.
Record of honorably discharged soldiers from military service of the United States; name of soldier, company, commanding officer, date of enrollment and discharge, service record. Arr. alph. by name of soldier. Hdw. 480 pp. 18 x 12 x 3. Co. Ct. Clk's. off.

Private Records

338. ROAD BOOK, 1873-77. 1 pamphlet.
Report of the management of the Wilderness Turnpike Road; record of transactions, names of commissioners. Arr. chron. Hdw. 7 pp. 8 x 6. Co. Ct. Clk's. vlt.

INDEX TO COUNTY RECORDS

Numerals refer to entry number
unless otherwise specified.

A.A.A. Contracts 333
Ad Valorem Tax (see Tax)
Additional List, Sheriff's
  Omitted Property 255
Administrators
  Appointments (see Appointments)
  Bonds (see Bonds)
  Division of Lands 174,181
  Index to Executors and 179
  List of 178,180
  Orders Appointing 226
  Reports, Exceptions to
    County Court 184
  Settlements (see Settlements)
Adult Hygiene 307
Affidavits 93,232
  Circuit Court 93
  Quarterly Court 232,234
  Registration 279
  Requests for Tax Exoneration 231
  Search Warrants 232
  Unmarried Mothers 227
  Voters and Officials 289
  Warrants for Arrest 232
Affidavits and Warrants
  Circuit Court 92,93
  County Court 195,196
  County Judge 232
  Quarterly Court 232,233
Agent, County (see County Agricultural
  Agent)
Agreements 40
Agricultural Agent (see County
  Agricultural Agent)
Alimony, Suits for 198
Allotment of Dower
  Petitions for 193
Animal Shows, License Receipts 56
Animal and Bastardy License Bonds
  (see Bonds)
Answers to Garnishee 245
Appeal Bonds (see Bonds)
Appeal Cases to Circuit Court 101
Appearance Bonds (see Bonds)
Applications, Automobile License 59
Appointments
  Administrators 178,180,204,226
  Appraisers 226
  Attorneys 89
  Commissioners to Appraise Land 205
  County Patrolmen 222
  Examiners 296
  Executors 178
    Index to 179
  Fiduciaries 178-180,204
  Guardians 204
  Land
    Appraisers 226
    Processioners 198
  Notaries 90
  Officers 204
  Officials by Governor 90
  Requests for Guardian 194
  Road Overseers, Petitions for 319
  Surveyors of Roads 204
  Viewers 21
Appraisements
  Estates, Orders for 205
  Fiduciaries 220
  Inventories and 175-177,205
  Land 220
  Livestock Killed by Dogs 264
  Personal Property 175
Appraisers
  Land, Appointments (see Appointments)
  Real Estate, Reports of 228
  Reports
    Livestock, Court Costs 253
    Right-of-way 317
    Road 317
  Settlements (see Settlements)
Apprenticeship
  Bond Book 229
  Indenture of 229
Appropriation
  Funds for Health Unit in
    Barbourville 316
  Ledger 275
  New Roads 21
Appropriations and Disbursements
  Treasurer 275,276
Army, Register of Draft Eligibles 336
Arrest, Warrants for (see Warrants)

ex to County Records

icles of Incorporation 41
essment
Contracts, Omitted Taxes 19
List 269
Intangible 272
Taxes 269
essments 268-272
Franchise 33
Personal Property 268,270,274
Real Estate 268,274
Revision of 273,274
Supervisor's 270,274
Taxable Property 270
Tax Commissioner 43,268,272
ignees
Bonds (see Bonds)
Inventory 177
Settlements (see Settlements)
ignments, County Court 226
umed Names, Firms Under 42
achment
Bonds (see Bonds)
General, Quarterly Court 234
Orders of
Circuit Court 123
Quarterly Court 239
tendance of Witnesses 146,164,165
Circuit Clerk 164,165
Claims 146
Commonwealth 165
torney
Commonwealth (see Commonwealth Attorney)
County (see County Attorney)
Power of 89
torneys
Appointments (see Appointments)
Fees 242
Receipts for Suits 246
ditor p.104
ditor's Receipts 160
Report 10,219
tomobile Licenses
Receipts of 59
Reports on 60
il Bonds (see Bonds)
allots, Requests for Additional 288
arbour, James, Deed 28
arbourville Cemetery Company Deeds 31
Index to 32
Bastardy Cases 227
Appearance Bonds (see Bonds)
License Bonds (see Bonds)
Warrants 227
Bench Warrants (see Warrants)
Bids
Construction of Bridges, Fills, and Roads 318
Fiscal Court 17,18
Road 318
Treasurer's 17
Bill of Sale 44
Bills
County Court 224
Tax 252
Birth Records 298
Board of
Education (see County Board of Education)
Election Commissioners
Records of Proceedings 289
Health (see County Board of Health)
School Commissioners
Expenditures 290
Settlements 290
Tax Supervisors p.99; 273,274
Bond Book, Trustees 191
Bonds
Administrators 188
Suits for Increase of 198
Animal and Bastardy License 65
Appeal
Circuit Court 138
County Court 216
Appearance, Bastardy Cases 227
Apprentice 229
Assignees 191
Attachment
Circuit Court 136
County Court 210
Bail
Circuit Court 140
Forfeited Docket 108
County Court 211
Summons on Forfeited 97
Bridge 321
Building Bridges 19,321
Circuit Court 132-142
Replevin 134,137

nds (Con't.)
Circuit Court Clerk 73
Commissioners 132
Committee
Circuit Court 142
Paupers 192
Constables 75
Contract 40
Cost
Circuit Court 141
County Court 215
County
Court 208-216,226
Clerk 73-80
Board of Education 293,294
Executors 189
Fiduciaries 188-192
Forfeited Baid, Docket
Circuit Court 108
Summons on 97
Guardians 190
Injunction
Circuit Court 135
County Court 208
Justice of the Peace 74
Liquor Cases 214
Marriage 81
Ministers 80
Notary Public 80,90
Officers 78
Officials 73-80,90
Approval of 204
Paupers, Committee 192
Peace
County Court 212,213
Released 213
Police Judge 77
Replevin
Circuit Court 134,137
County Court 209
Road 322
Road and Bridge 321,322
Sale, Circuit Court 134
School
Superintendent 293
Treasurer 294
Sheriff 76
Stay of Execution 139
Supersedeas, Circuit Court 139

Bonds (Con't.)
Surety
Administrators 188
Circuit Court Clerk 73
Committee for Paupers 192
Constables 75
County Court Clerk 73
Executors 189
Guardians 190
Justices of the Peace 74
Ministers 80
Notary Public 80,90
Officers 78
Officials 73-80,90
Police Judge 77
School
Superintendent 293
Treasurer 294
Sheriff 76
Tavern Keepers 79
Trustees 191
Tavern Keepers 79
Trustee of Jury Fund 133
Trustees 191
Bridge and Road Fund, Fiscal Court 2-4
Bridge Fund
Treasurer's Settlements 11
Bridges
Bids for Construction 318
Bonds (see Bonds)
Building and Repairing 4
Claims 2
Expenses 276
Orders for Building 319
Repairs 4
Budget Commission, County (see County Budget Commission)
Burial Lots, Deeds 31
Cancelled Cheks 71,85
Candidacy, Notice of 89
Candidates
Drawings (Petitions) 288
Elected 284,285
Expense Accounts 286,287
Petitions 281
Petitions and Expense Accounts 286
Register 283
Registered for Nomination 283
Candidates for School Board
Election Expenses 287

dex to County Records

pias Pro Fine 124,129
Executed 196
Receipts for Circuit Clerk 162
Returns on 129
pitation Tax (see Tax)
d Index
Health Records 297
Tobacco, Corn, Hog Contracts 331
e of Paupers, Expense 275
ses
Appealed to Circuit Court 101
Bastardy 227
Commonwealth 235
Indigent 314
Juvenile Orders 250,251
Not Executed 252
sh
Book 82
Circuit Clerk 157
County Clerk 82
Sheriff 254
Receipts 265
Expenditures, County Clerk 82
Receipts, Quarterly Court 242
nsus, School 295
rtificates
Claims Allowed
Fiscal Court 13
Road and Bridge 3
Election 285
Idiot 161
Land Leased 34
Medical, Register of 61,62
rtifications, Election 285
ange of Roads, Petitions for 1,21
attel
Liens 47
Mortgages 45
Pledges 47
ecks
Due Commonwealth 71
Paid Teachers, Cancelled 85
ecks and Receipt, Returned for Insufficient Funds 162
ildren
Crippled 312,313
Delinquent 247-251
ircuit Court Clerk p.56; 156-165
ircuit Court p.42; 91-155
Circuit Judge p.44
City Graded (Tax Bills) 252
Civil
Cases
Orders 234
Subpoenas Returned
Circuit Court 94
Witness Attendance 154
Cases not Executed (Sheriff's Stubs Taxes Received) 253
Circuit Court Order Books 119
Index to 120
Docket
Circuit Court 106
Quarterly Court 236
Executions 206
Circuit Court 126,129
Index to 127,207
Judgments, County Court 201
Order Books
Circuit Court 119
Index to 120
Orders
Circuit Court 117
Common Pleas 117
Quarterly Court 234
Subpoenas Returned 94
Suits
County Court 198
Quarterly Court 234
Witness Book 164
Claims
Against Court
Circuit Court 144-146
Allowed 15
Road and Bridges 3
County 223
Fiscal Court
Certificates of 13
Circuit Court Witness 146
Cost of Clearing Right-of-way 223
County Expenses 16,223
Court of (see Court of Claims)
Dog 69
Fiscal Court 2,12-16
Hauling 20
Not Allowed 16
Jailers 144
Jurors 145

Claims (Con't.)
Inquests of Idiots 223
Librarian 145
Livestock 70,263,264
Livestock and Poultry 70,264
Not Allowed 16
Not Properly Filed 16
Officers, Circuit Court 153
Orders to Pay 19
Paid 11,15
Poultry 70,264
Prisoners Expenses 16
Road 2
Services 144
County Court 226
Officials 144
Roads 12
Special 14
Transfer of Persons from Jail to Court 223
Witnesses 146
Clearing Right-of-way 223
Clerk, Circuit (see Circuit Court Clerk)
County, Records of 228
County Court (see County Court Clerk)
Clerk's
Book 87
Cash Book, Circuit Court 157
Fee Book 57
Index to 58
Records 14
County 85,291
Court 204,220
Reports 68
Clinic Reports 300,301
Coal Leases 34
Cold Checks and Receipts 162
Collection Report, County Court Clerk 67
Collections
Itemized, Sheriff 10
Tax, Sheriff 252-260
Corn and Hog Contracts 332
Commission, Budget (see County Budget Commission)
Commissioner
Master (see Master Commissioner)
Tax (see Tax Commissioner)
Commissioners
Bonds (see Bonds)
Commissioners (Con't.)
County Election (see County Election Commissioners)
Deeds 167
Index to 168
Election Record 289
Report
Damaged Lands 317
Exceptions 180
Land Divisions 181
Index to 182
Land Sales 169
Auditor's Reports 219
Recorded by County Clerk 57
Roads 317
School
Expenditures 290
Settlements (see Settlements)
Commissions
Notaries and Officials 90
Commitment, Orders of, Juvenile Cases 251
Committed County Prisoners 267
Committee for Paupers, Bonds (see Bonds)
Committee's Bonds (see Bonds)
Common Pleas (see Court of Common Pleas)
Commonwealth
Attorney p.45
Cases
Appealed to Circuit Court 101
Attendance of Witnesses 165
Dismissed 235
Quarterly Court 237
Tried by Jury 235
County Clerk's Reports 67,68
Docket 105,106
Execution Book 240
Index to 241
Executions 128,129,131,240
Executions for Cost 125,128
Fines (see Fines)
Judgments, Circuit Court 100,111,115
Order Book 121
Index to 122
Reports to 67,68
Subpoenas Returned 94
Summonses 96
Warrants, Quarterly Court 239
Witness Attendance 165
Commonwealth and Civil Subpoenas Returned 94

unicable Disease 303
cerns, Assumed Names of 42
demnation
  Petitions, New Roads 1
servation, Soil (see Soil Conserva-
  tion)
stable p.91
tracts
  Assessments in Omitted Taxes 19
  Bonds (see Bonds)
  Building Bridges 19
  Corn and Hog 332
  County Agricultural Agent 331-333
  Lease of Lands 34
  Partnerships 40
  Roads 318
  Tobacco (A.A.A.) 333
perative Association, Unemployed
  Knox County 86
bin
  Map 324
  Map of South End of East Street 325
roner p.95
rporations
  Assumed Names 42
  Capital Stock 41
  Franchises 33
st
  Bonds (see Bonds)
  Clearing Right-of-way 223
  Commonwealth Executions for 125,128
unty
  Agricultural Agent p.124; 331-334
  Attorney p.79
  Board of Education p.108; 290-296
  Board of Health p.115; 297-316
  Budget Commission p.101
  Cash Expenditures 82
  Claims Allowed 223
  Clerk
    Records of 85,228
  Court p.62; 171-231
    Clerk p.27; 22-90
  Election Commissioners p.104;278-289
  Employees, Salaries 13
  Expenses
    Claims 16,223
    Receipts 9
County (Con't.)
  Funds 20
  Health Officer p.119
  Judge p.41
  Levy, Claims paid from 13,15,276
  Map of 226
  Offices, Candidates Certified 285
  Papers 226
  Patrolmen, Discharges of 222
  Physician's Expense 276
  Poll Tax, Receipts and Stubs 260
  Prisoners 267
  Road Engineer p.119; 317-323
  Roads 323
    Maps 326
    Petitions for 1
    Workers 335
  School Superintendent p.112
  Tax
    Assessment List 269
    Bills 252
  Taxes 7,254,273
  Treasurer p.102; 275-277
  Warrants 275
Court
  Circuit (see Circuit Court)
  Costs, Livestock, Appraiser's
    Report 253
  Claims Against 144-146
  County (see County Court)
    Clerk (see County Court Clerk)
  Docket, Equity (see Docket)
  Fiscal (see Fiscal Court)
  Judgments, Quarterly Court 238
  Juvenile (see Juvenile Court)
  Minutes
    Circuit Court 91
    Court of Claims 2
  Orders (see Orders)
  Papers, County Court 222
  Proceedings, Lunacy
    County Court 223,230
  Quarterly (see Quarterly Court)
  Summons Returned 6
Court of Claims
  Decisions, Meetings, Record,
    Rules 2

dex to County Records

rt of Common Pleas
  Orders, Civil and Equity 117
    Index to 118
  Public Funds Collected 157
urthouse
  Repairs and Supplies 224
iminal
  Executions 131
    Circuit Court 126
      Index to 127
  Judgments
    County Court 201
  Suits, County Court 198
ippled Children 312,313
mberland
  Coal Company, Town Site 328
  Railroads, Suits 198
rrent Index Mortgages, Real Estate 37
ily Cash Receipts Record 242
maged Land, Commissioner's Report 317
alers
  Gasoline Sales 55
  Liquor 217
ath Record 299
bts, Suits for 198
clarations and Petitions (see Petitions and Declarations)
ed
  First Deed Recorded 28
  First White Habitation in Kentucky 30
  Oldest Log Cabin 29
  James Barbour 28
  Walker Memorial Park 30
ed Books 22-32
eds 88
  Barbourville Cemetery Company 31
  Bills for Recording 224
  Burial Lots 31
  County Court 22
  General Cross Index to 23
  Master Commissioner 166,167
    Index to 168
  Partition 166
  Recorded 22
  Right-of-way 26
  Unrecorded 24
eds and Mortgages 25
fault Judgments (see Judgments by Default)
Delinquent
    Children 247,248
    Tax Receipts 52
    Taxes (see Tax)
    Taxpayers 53
Dental Health 301
Depositions, Circuit Court
    Rules and Notices to Take 152
    Suits 151
Descriptive List of Taxes 266
Diphtheria Immunization 311
Disbursements
    County Court Clerk 69-72,85
    Sheriff's Record of 7
    Treasurer 275,277
Discharges
    County Patrolmen 222
    Soldiers 337
Diseases 302-304
    Communicable 303
    Venereal 302
Division of Land
    Administrators 174
    County Court 173,174
    Guardians 174
    Petitions 193
    Settlements (see Settlements)
    Administrators and Commissioner's
      Reports 181
      Index to 182
Divorce Cases
    Equity Docket 103
    Orders 121
Docket
    Circuit Court 103-108
      Felonies Off 102
      Forfeited Bail Bond 108
    Civil
      Circuit Court 106
      Quarterly Court 236
    Commonwealth 105,106
    County Court 200
    Equity 103,106
      Circuit Court 106
      Steps to 104
    Juvenile 249
    Motion 107
    Ordinary
      Circuit Court 106
      Quarterly Court 237

ket (Con't.)
Suits off
County Court 180
Quarterly Court 234
kets and Orders
Juvenile Court 249-251
kets and Suits
Circuit Court 99-108
County Court 197-200
Quarterly Court 234-237
tors
Register of 61,62
Services, Suits for Payment 198
ument Removals 87

Claims (see Claims)
License (see License)
s Killing Poultry and
Livestock 264
er, Petitions for Allotment of 193
ft for Army Service 336
rings, Candidates 288
nking Water Tests 310
ggist Record of Liquor Sales 217
cation, County Board of (see
County Board of Education)
oted Candidates 284,285
ction
Board of Commissioner's Record 289
Candidates Expenses 286,287
Certificates of 285
Commissioners
Certifications 285
County (see County Election
Commissioners)
Expenses 286
Record 289
List of Officials 289
Officers
Expense 275
Requests 288
Returns 284
ctions and Certifica-
tions 282,284,285,289
umbrances on Real Estate (see
Incumbrances)
gineer, County Road (see County
Road Engineer)
gineer's Payroll 4

Enrolled Militia 335
Equalization Tax (see Tax)
Equity
Cases, Quarterly Court 237
Circuit Court Orders 117
Dockets 103,106
Circuit Court 106
Divorce Cases 103
Steps to 104
Orders
Circuit Court 117
Common Pleas 117
Petitions in 150
Returns 95
Suits, County Court 198
Estate, Real (see Real Estate)
Estates
Administrators 178,180,181
Bonds (see Bonds)
Appraisements 175
Division of 173,174,181
Executors 178
Bonds (see Bonds)
Index to 179
Guardians Bonds (see Bonds)
Settlements (see Settlements)
Will Books 171
Index to 172
Evidence, Transcripts of
Circuit Court 151
Examiners
Appointment of 296
Teachers Examinations 296
Examining Trials, Record of 197
Exceptions
Administrators Reports 184
Commissioner's Reports 180
Executed
Capias Pro Fine 196
Summons 244
Warrants 243
Execution Book, Commonwealth 240
Index to 241
Executions
Circuit Court 125-131
Index to 127
Civil 126
County Court 206
Index to 207

dex to County Records

ecutions (Con't.)
Commonwealth 128,129,131,240
Cost 125,128
County Court 206,207
Debt 126,206
Criminal 126,131
Jury Fee 130
Quarterly Court 238,240,241
ecutions and Orders
Quarterly Court 239,241
ecutors
Appointments (see Appointments)
Bonds (see Bonds)
List of 178
Settlements (see Settlements)
ecutors and Administrators 178
Index to 179
emptions, Tax (see Tax)
nerations
Poll and Property Tax 231,259
penditures
County's Cash 82
School Commissioners 290
penses
Building and Repairing Bridges 276
Candidates for Office 286,287
Candidates for School Board 287
Care of Paupers 276
County (see County Expenses)
Election Commissioners 286,287
Health Officer 276
Elections 286
e Book
Circuit Clerk 158
Clerk's 57
Index to 58
County Judge 242
Jury 163
eble-Minded Persons
Inquests 148
Physician's Statement 148
es
Attorneys 242
Collected 56
County Court Clerk's 56-58
Executions for Jury 130
Felony 125
Jury Service 163
Paid 11
Statutory 125
Fees and Fines Collected 242
Felonies, Circuit Court
Filed and Dismissed 102
Off Docket 102
Fiduciaries
Administrators' Bonds (see Bonds)
Appointments (see Appointments)
Appraisements 220
Assignee's Bonds (see Bonds)
Bonds (see Bonds)
Settlements (see Settlements)
Surety Bonds (see Bonds)
Fills, Bids for Construction 318
Final Settlements 185
Financial Records
Circuit Clerk 143,157-162
Circuit Court 143
County Board of Education 85,290-292
Wilton Graded School 292
Fines
Collected 154
Commonwealth, Receipts for 9
Fines and Fees Collected 242
Fines and Forfeitures 83,115
Firms, Assumed Names of 42
First White Habitation in Kentucky
Deed to Site of 30
Fiscal Court p.20; 1-21
Fish and Game Licenses 64
Forcible Entry and Detainer Suits
Quarterly Court 234
Forfeited Bail Bonds
Docket 108
Summonses 97
Forfeitures, Circuit Court 115
Franchise Assessments 33
Fund, Road and Bridge
Certificates of Claims 3
Treasurer's Settlements 11
Vouchers 4
Fund, Public, Collected 157
County Judge 242
Funds, State and County 7
Game and Fish Licenses 64
Garnishee
Answers to 245
Tax, Sheriff's 226
Gas Leases 34
Gasoline Sales 55

eral
Attachment, Orders of
Circuit Court 123
Quarterly Court 234
Card Index 297
Index
Circuit Court Suits 99
Deeds and Mortgages 23
Health Records 297
Orders 116
nd Jury
Summons (Candidates' Expense Accounts) 287
Warrants Waived to 233
nts
New Trials, Circuit Court 155
Right-of-way 26
nds for New Trial 199
rdians
Appointments (see Appointments)
Requests for 194
Bonds (see Bonds)
Division of Land 174
Motions for Appointment 225
Settlements (see Settlements)
ling, Claims for (see Claims)
lth
County Board of (see County Board of Health)
Dental 301
Officer (see County Health Officer)
Papers, Miscellaneous 318
Records, Index to 297
Unit in Barbourville
Appropriations for 316
rings, Sanity 147,230
orably Discharged Soldiers 337
ting License 64
gienc
Adult 307
Infants 306
Maternal 308
Pre-school 306
School 305
gienic Records 305-308
ot
Certificates 161
Committee Bonds (see Bonds)
Inquests 223,230
Immunization 311
Imprisonment, Payment of Fine 196
Incorporations, Articles of 41
Incumbrances on Real Estate 38
Index to 39
Indenture of Apprenticeship 229
Index
Barbourville Cemetery Company
Deeds 31
Card
Health Records 297
Tobacco, Corn, Hog Contracts 331
Circuit Court
Civil Order Books 120
Judgments 110
Judgments by Default 113
Civil
Executions 207
Order Books 120
Clerk's Fee Book 58
Commissioners' Deeds 168
Common Pleas Order Book 118
Commonwealth
Execution Book 241
Order Book 122
Deeds
General 23
Right-of-way 27
Division of Land and Commissioners' Report 182
Dog License 262
Executions 127
General
Card, to Health Records 297
Circuit Court
Orders 116
Suits 99
Incumbrances, Real Estate 39
Inventory and Appraisements 176
Judgments 110
by Default 113,205
Land Sold for Taxes 258
Lease Books 35
List of Executors and Administrators 179
Mechanics' Liens 49
Mortgages
Current 37
General 23

dex (Con't.)
Order Books
Civil 120
Commonwealth 122
Road 320
Record
Book (Dog License) 262
Land Sold by Commissioner 170
Right-of-way 27
Road Order Books 320
Sheriff's Settlements 8
Tobacco Contracts 331
Will Books 172
dictments, Circuit Court 156
digent Cases 314
fant and Pre-School Hygiene 306
ferior Courts, Judgments from 238
junction Bonds (see Bonds)
quests
Feeble-minded Persons 148
Lunacy Proceedings, County Court 223,230
Record of 230
struments
Land (see Land Instruments)
Miscellaneous 221
nsufficient Funds, Checks 162
ntangible Property, Assessments 33,272
terstate Coal Mines No. 4, Map 327
ventories and Appraisements 175
County Court 175-177
Index to 176
ventory, Assignees' 177
rmized
Collections, Sheriff 10
Statement of Votes 284
ail
Register 267
Supplies, Repairs 224
iler p.93; 267
dge, County (see County Judge)
dge's
Docket, Juvenile Cases 249
Report 154
dgments
Circuit Court 100,109-115
Commonwealth 111,115
Criminal 114
Index to 110
Civil, County Court 201
Commonwealth 111
Judgments (Con't.)
County Court 201-203
Criminal 201
Feeble-Minded Persons 148
Inferior Courts 238
Juvenile 248
Quarterly Court 238
Settlements of Estates 185
Judgments by Default 112-202
Index to 113-203
Jurors, Circuit Court 143
Jury
Commonwealth Cases Tried by 235
Fee Book 163
Fees
Executions for 130
Trustees Reports 143
Fund 130,143,163
Report of Trustee Circuit Judge 143
Trustees Bonds (see Bonds)
Justices of the Peace p.81
Juvenile Court p.78; 247-251
Delinquent Children 247-248
Docket 249
Judgments Recorded 248
Orders 250,251
Petitions 247
Warrants 248
Kentucky Children's Home, Committed Children 251
Knox County
Bonds (see Bonds)
Court Docket 200
Court Papers 222
Fiscal Court, Reports to 9
Quarterly Court Warrants 239
Unemployed Cooperative Association 86
Laboratory and Clinic Reports 300,301
Land
Appraisements 220
Appraisers, Appointment of (see Appointments)
Book 34
Index to 35
Divisions
Administrators and Guardians 174
County Court 173,174
Instruments
County Court Clerk 22-39
Master Commissioner 166-170

(Con't.)
Owned by Non-residents 266
Petitions for Division of 193
Process, Record of 173
Processioners, Appointment of (see Appointments)
Sales 257
Commissioners 219
Index to 258
Settlements (see Settlements)
Sold by Master Commissioner
Record of 169
Index to 170
Sold for Taxes 257
Index to 258
Surveys
Orders for 205
Reports of 173
e Books 34
Index to 35
ses
Coal Lands, Gas, Oil, and Mineral 34
nse
Automobile 59
Dog 261
Index to 262
Fees Collected 154
Game and Fish 64
Hunting 64
Male Animal 65
Marriage 81
Miscellaneous 66
Sheriff 261,262
Truck 11
nses and Registration
County Court Clerk 59-66
Animal and Bastardy Bonds 65
nses
Issued, Clerk's Report 67
Recorded 56,64
ns
Material 50
Mechanics 48-50
Index to 49
or
Cases, Bonds, County Court 214
Dealers 217
Sales, Drug Stores 217
Search Warrants 243
Lis Pendens Notices 200
List of
Administrators 178-180
Delinquent
Taxes 256
Taxpayers 53
Executors and Administrators 178
Index to 179
Legal Voters 278
Omitted Taxes 54,255
Taxes 266
Unrecorded 24
Voters 278
Weights and Measures 84
Livestock
Claims 70,263,264
Court Costs, Appraiser's Report 253
Killed by Dogs, Appraisements 264
Killed or Injured 263
Poultry Killed by Dogs 264
Reports 253
Livestock and Poultry Claims 70
Log Cabin (Oldest), Deed 29
Lunacy
County Court Inquests 223,230
Hearings, Notices of
Circuit Court 147
Proceedings
Circuit Court 147,148
County Court 223,230
Maintenance, Courthouse 224
Male Animals, Licenses (see Licenses)
Maps 324-330
Corbin 324
County 226
Interstate Coal Mines 327
Sharp Gap Road 326
South End of East Street, Corbin 325
Surveyor 324-330
Town of Corbin 324
Town Site
Cumberland Coal Company 328
Williams, T. E., U. S. Brush Creek Coal Company 330
Marriage
Declarations 81
License and Bonds Recorded 81
Registrations 81
Master Commissioner p.60; 166-170
Maternal Hygiene 308

ures, List of Weights and 84
anics' Liens 48-50
Index to 49
cal Certificates, Register of 61,62
ines, Paupers 9
y-go-rounds, License Receipts 56
ife Record 315
tia, Enrolled for County 335
er, Samuel
Marriage License 81
Mortgage (Negro Slave) 46
ral Leases 34
isters' Bonds (see Bonds)
te Book
Circuit Court 91
Fiscal Court 2
tes
Chattel Mortgages 47
Circuit Court 91
Fiscal Court 2
ellaneous
Claims, Circuit Court 145
Health Papers 318
License, Register 66
Papers 21,50,221,226,227
Circuit Court 150,155
County Court 180,221
Petitions for Road Changes 21
Records p.125; 88,335,338
Circuit Court 149-155
County
Board of Education 295,296
Board of Health 311-316
Court 218-231
Clerk 82-90
Election Commissioners 288,289
Fiscal Court 17-21
Quarterly Court 242-246
Sheriff 266
Road Papers 318
Taxes 253
ing Records
Affidavits for Registration 279
Assessment Lists 269
Attorney's Receipts for Suits 246
Birth Reports 298
Bond Book Trustees 191

Missing Records (Con't.)
Bonds
Animal and Bastardy License 65
Appeal 138,216
Attachment 136,210
Bail 140,211
Commissioner's 132
Committee for Paupers 192
Constable's 75
Cost 141,215
County and Circuit Clerk's 73
Executors 189
Guardians 190
Injunction 135,208
Justice of Peace 74
Liquor Cases 214
Peace 212
Released 213
Replevin 134,137,209
Sale 134
School
County Superintendent 293
Treasurer's 294
Sheriff's 76
Supersedeas 139
Trustee of Jury Fund 133
Candidates'
Drawings (Petitions) 288
Petitions 281
Petitions and Expenses 286
Register 283
Capias Pro Fine 124
Cash Book 82
Certificates of
Claims Allowed 3,13
Election 285
Circuit Court Suits 100
Civil Executions 206
Claims 144,145
Allowed 15
Livestock 263
Witness 146,263
Commissioner's Deeds 167
Commissions 90
Commonwealth and Civil Subpoenas 94
Commonwealth Cases 101,235
County
Clerk's Record (County Superintendent's Settlements) 291

dex to County Records

ssing Records (Con't.)
County
Poll Tax Receipts and Stubs 260
Treasurer's Settlements 11
Court Summons Returned 6
Daily Cash Receipt Record 242
Death Reports 299
Deeds of Partition 166
Deeds and Mortgages 25
Descriptive List of Taxes 266
Division of Lands 174
Docket
Equity 103
Forfeited Bail Bond 108
Knox County Court 200
Motion 107
Ordinary 106,237
Dog
Claims 69
License 261
Executed
Summons 244
Warrants 243
Executions 126
Commonwealth 128,131
Jury Fee 130
Exonerations 259
Felonies Filed and Dismissed 102
Fines and Forfeitures 115
Fiscal Court
Minutes 2
Order Book 5
Franchises 33
Grand Jury Summons (Candidates' Expense Account) 287
Indictments 156
Inquest of Feeble-Minded Persons 148
Intangibles 272
Inventory and Appraisements 175
Jail Register 267
Judgments 109,201,238
Commonwealth 111
Default 112,202
Jury Fees 163
Juvenile Judgments Rendered 248
Land Sold for Taxes 257
License
Dog 261

Missing Records (Con't.)
License
Recorded (Fishing and Hunting) 64
List of
Delinquent Taxes 256
Unrecorded Deeds 24
Livestock and Poultry Claims 70
Mineral Leases 34
Minute Books
Circuit Court 91
Fiscal Court 2
Nomination Papers 282
Old Returns, Ordinary and Equity 95
Omitted Tax List 54
Order Book 239
Orders of
Attachment 123
Commitment 251
Petitions 193,194,247
Road Motions 1
Pharmacy Book 63
Real Estate and Personal Property 268
Record
Book (Dog Licenses) 261
Census Reports of School Children 295
(County Board of Election Commissioners) 289
Civil Docket 236
Examining Trials 197
Inquests 230
Land Sold by Commissioner 169
Process Land 173
Reports 160
Registration Books 278
Report of Trustee of Jury Fund 143
Reports to State and Knox Fiscal Court 9
Returns on Commonwealth Executions 129
Road Commissioner's and Appraiser's Reports 317
Road and Bridge Fund Vouchers 4
Rules and Notices to Take Depositions 152
Settlements 7,186
School Commissioners 290

ssing Records (Con't.)
Sheriff's
Additional List 255
Cash Book Receipts 254,265
Settlements 7
State Tax Commission 67
Suits 198
Suits Off Docket 234
Summonses 96,97,218
Tax
Book 273
List on School District 271
Receipts 51,52,56
Warrants 276
Arrest 92,195
Livestock Fund 264
Witness
Attendance 165
Book 72,164
ney Received, Public 157
nthly Report of Tax Collections
Auditor's Report 10
rtgage
Book 36
Peter Vanary to Samuel Miller 46
rtgages 22
Chattel 45,46
Index to 37
General 23
Real Estate 25,36,166
Recorded 22
rtgages and Deeds 25
thers, Unwed, Affidavits 227
tion and Grounds for New Trial 199
tion Docket, Circuit Court 107
tions
Appointment of Guardians 225
Road, Petitions for 1
otor Vehicles
Bill of Sale 44
Checks Due Commonwealth 71
Register 59
mes, Assumed, Firms Under 42
w
Roads
Orders for Building 319
Petitions for Condemnation Right-of-way 1
Trials (see Trials)
Nomination
Candidates Registered 283
Papers 282
Non-residents, Lands Owned by 266
Notaries, Appointment of (see Appointments)
Notary Public Bonds (see Bonds)
Notes Unpaid 38
Notices
Circuit Court Motions 107
Lis Pendens 200
Lunacy Hearings 147
Supervisors' 274
To Take Depositions 152
Officer, County Health (see County Health Officer)
Officers
Appointment of (see Appointments)
Bonds (see Bonds)
Claims, Circuit Court 153
Election of 284
Settlements and Reports 7-11
Officials
Appointment of (see Appointments)
Bonds (see Bonds)
Claims, Circuit Court 144
Oil Leases 34
Old
Deeds 22
Executions, Orders, of Attachment, Circuit Court 123
Returns, Ordinary and Equity 95
Witness Claims 146
Oldest Log Cabin, Deed 29
Omitted
List of Taxes 54,255
Property, List of, for Taxes 255
Taxes, Contracts 18,19
Order Books 204,239
Civil, Circuit Court 119
Index to 120
Common Pleas 117
Index to 118
Commonwealth 121
Fiscal Court 5
Probate 205
Quarterly Court 239
Road 319
Index to 320

ders
Appearance of Officials 6
Appointment of
Administrators 204,226
Guardians 204
Land Appraisers 205,226
Officers 204
Road Overseers 319
Surveyors of Roads 204
Viewers 21
Appraisement of Estates
County Court 205
Approving Bonds of Officials 204
Attachment 123
Building Bridges 319
Changing Roads 204
Circuit Court 101,116-124,155
General Index to 116
Staying Judgments 101
Civil
Circuit Court 117
Common Pleas 117
Quarterly Court 234
Commitment, Juvenile Cases 251
Commonwealth, Index to 122
Confirming Settlements 204
County
Court 204,205,222
Road Engineer 319,320
Court
County 204
Fiscal 5,6,69
Juvenile 250,251
Quarterly 234
Equity, Circuit Court 117
Filing Commissioners Reports 204
Fiscal Court 5,6
Payment of Claims 19
Garnishee 245
General Attachment, Quarterly
Court 234
Juvenile Cases 250,251
Land Surveys 205
New Roads 319
Payment of Claims 19
Quarterly Court 239
Road 319
Engineer 319,320
Repairs 319
Orders and Dockets
Juvenile Court 241-251
Orders, Judgments, and Executions
Quarterly Court 238-241
Ordinary
Docket
Circuit Court 106
Quarterly Court 237
Returns 95
Overseers, Road
Orders and Petitions to Appoint 319
Paint Hill Tavern, Deed 29
Papers
County Court 226
Fiscal Court 19,20
Miscellaneous (see Miscellaneous
Papers)
Nomination 282
Off Docket 149
On Docket 225
To Be Docketed 231
Railroad 43
Partition of Land
Deeds of Master Commissioner 166
Partnership Contracts 40
Patrolmen, County
Appointment of 222
Discharged 222
Paupers
Bonds of Committee
Circuit Court 142
County Court 192
Claims Allowed 223
Expense 275
Idiots Certificates 161
Medicines, Receipts for 9
Payment of Claims, Fiscal Court Orders 19
Payroll, Engineer's 4
Peace Bonds (see Bonds)
Peace, Justice of (see Justices of
the Peace)
Permanent Record Census
School Children 295
Personal Property 33,40-50
Appraisements 175
Assessments 270
Inventories and Appraisements 175
Mortgages 45,47
Sale of 175

dex to County Records

rsonal Property (Con't.)
Tax Receipts 51,52
Taxes 268,273,274
rsonal Services, Road Vouchers 4
titions 247
Acquiring Right-of-way 149
Administrators' Settlements 194
Allotment of Dower 193
Appointing Road Overseers 319
Building or Surveying Roads 1
Candidates 281,283,288
Candidates for Election 286
Change of Roads 1,21
Circuit Court
Acquiring Right-of-way 149
Condemnation
Land for Roads 1
Right-of-way 1
Roads 1
County Court 193,194
Division of
Land 193
Voting Precincts 194
Equity 150
Filed by County Clerk 57
Fiscal Court, Road Changes 1,21
Guardians Appointment 194
Juvenile Court 247
New Roads 1
Quarterly Court 234
Receipts for 149
Right-of-way 9
Condemnation 1
Upkeep of Roads 1
Voters 281,283
Widening Roads 1
titions and Declarations
County Election Commissioners 281-283
titions and Warrants, Juvenile Court 247,248
harmacy Book 63
hysicians
Register 61,62
Statement
Feeble-Minded Inquests 148
Pleas, Court of Common (see Court of Common Pleas)
Pledges, Minutes Chattel Mortgages 47
Police Judge Bonds (see Bonds)
Poll Tax (see Tax)
Poultry Claims (see Claims)
Power of Attorney 89
Circuit Court 150
Pre-school Hygiene 306
Prisoners
Committed 267
County 267
Expenses 16
Register 267
Transfer to Court 223
Private Records 338
Probate Order Book 205
Proceedings
Circuit Court 91
County Board of Election Commissioners 289
Equity Cases 104
Juvenile Court 247-251
Lunacy
Circuit Court 147,148
County Court 223,230
Process Land, Records of 173
Processes, Circuit Court 94
Processioners, Reports of 173
Property
Assessments 269,270
Damaged, New Roads 317
Intangible, Assessments 272
Inventories 175
Omitted Taxes 54
Personal (see Personal Property)
Sold for Taxes 257
Index to 258
Treasurer's Settlements 11
Tax Exonerations 259
Transfers 22
Public
Funds Collected 157
By County Judge 242
Money Received 157
Notary Bonds (see Bonds)
Records 335-337
Roads, Grants of Right-of-way 26
Quarterly Court p.74; 232-246
Rabies Record 304
Railroad
Assessments 43

ex to County Records

lroad (Con't.)
Right-of-way
Petitions for 149
Writ of Possession 149
l Estate
Assessments 269
Incumbrances 38
Index to 39
Mortgages 25,36
Reports to Appraisers 228
Tax Receipts 51,52
Taxes 268,273,274
l Estate and Personal Property 268
eipts
Auditor's 160
Cash 277
Circuit Court 157
County Clerk 82
Quarterly Court 242
Checks with Insufficient Funds 162
Circuit Clerk
Auditor's 160
Capias Pro Fine 162
Supersedeas Appeals 162
Poll Tax 260
Reports on Automobile License 60
Salaries to School Teachers 290
Sheriff's
Cash Book 254,265
Record of 7
Suits, Attorneys' 246
Tax 51,52,56,254
Volumes Removed from Office 87
ord
Births 298
Book (Dog Licenses) 261
Index to 262
Census Reports of School
Children 295
Civil Docket 236
Clerk's 220
(County Board of Election
Commissioners) 289
Deaths 299
Druggists' Liquor Sales 217
Examining Trials 197
Firms Under Assumed Names 42
Honorably Discharged Soldiers 337
Inquest 230

Record (Con't.)
Land Sold by Commissioner 169
Midwife 315
Permanent School Census 295
Process Land 173
Rabies 304
Reports, Circuit Clerk 159
Roads Built 323
Sanitation 310
Sheriff's Reports 83
Supervisor's Assessments 274
Treasurer's 277
Records
Birth 298
County Clerk's 43,85,228,291
Death 299
Financial (see Financial Records)
Hygienic (see Hygienic Records)
Judgments from Inferior Courts 238
Marriage 81
Miscellaneous (see Miscellaneous
Records)
Peace Bond 212
Private 338
Public 335-337
Report of Taxes 56
Recovery of Money, Suits for 198
Reduction of Taxes, Suits for 198
Reform School
Orders for Maintenance 222
Register
Automobile 59
Candidates for Nomination 283
Doctors 61,62
Eligibles for Arny Service 336
Jail 267
Medical
Certificates 61,62
Miscellaneous Licenses 66
Motor Vehicles 59
Pharmacists 63
Prisoners 267
Unemployed Persons 86
Registration
Books 278,280
County Court Clerk 59-66
Marriage 81
Voters 278-280
Affidavits for 279
War 336

mittances to Commonwealth 71
movals, Volumes and Documents 87
pairs
Courthouse 224
Roads 319
Road and Bridge 4
plevin Bonds (see Bonds)
port of Taxes, Records of 56
ports
Appraisers
Livestock Court Costs 253
Real Estate 228
Road 317
Assessments 270
Auditors' 10,219
Births 298
Cash Receipts 265
Census 295
Circuit Court Judge's 154
Clerk's Monthly 68
Clinic 300,301
Commissioners 181,317
Exceptions to 180
Road 317
County Clerk 55,67,68
Death 299
Financial, Wilton Graded School 292
Gasoline Sales 55
Jury Fund 143
Laboratory 300,301
Officers 7-11,153
Processioners 173
Record of Sheriff's 83
Retail Gasoline Dealers 55
Road Commissioners 317
Sanitation 309,310
Sheriffs 265,277
Land Sold for Taxes 257
Surveyors 173
Treasurer 277
Trustee Jury Fund 143
Wilderness Turnpike Road 338
Wilton Graded School 292
ports and Settlements 187
ports to
Commonwealth 67,68,159
State and Knox Fiscal Court 9
quests
Election Officers 288
Guardian Appointments 194
Resignations
Letters of 222
Master Commissioners' 155
Restaurants, License Receipts 56
Retail Dealers' Gasoline Sales 55
Return of Sheriff, Tax Delinquents 256
Returns
Circuit Court Summons and Warrants 98
Old 95,98
Returns on Commonwealth Executions and Capias Pro Fine 129
Revenue
Common School 51
County Court Clerk 51-68,82,83
Revision
Assessments 273,274
Taxes 274
Right-of-way
Appraiser's Reports 317
Cost of Clearing 223
Cumberland Railroad Survey 329
Deeds 26
Index to 27
Suits for 198
Rights
Coal, Oil, Gas, Mineral 34
Road
Bids and Contracts 318
Bonds (see Bonds)
Book, Wilderness Turnpike Road 338
Claims (see Claims)
Commissioners' and Appraisers' Reports 317
Contracts 318
Engineer, County (see County Road Engineer)
Fund, Treasurer's Settlements 11
Motions, Petitions 1
Order Books 319
Index to 320
Overseers
Orders and Petitions Appointing 319
Repairs 4,319
Reports of Commissioners 317
Survey Sharp Gap 326
Surveyors, Appointment of 204
Tax (see Tax)
Workers 335

ndex to County Records

oad and Bridge
  Bonds (see Bonds)
  Certificates of
    Claims Allowed 3
  Fund, Fiscal Court 2-4,11
  Vouchers 4
oads
  Appropriations for Building 2
  Bids for Construction 318
  Built 323
  Condemnation of Right-of-way 1
  County 323
  New, Orders for Building 319
  Personal Service 4
  Petitions
    Building or Surveying 1
    Changing 1,21
    Condemning 1
    Widening 1
  Suits for Building or Surveying 1
ules and Notices to Take Depositions 152
alaries, County Employees 13,275
ale
  Bill of 44
  Bonds (see Bonds)
ales
  Gasoline 55
  Land for Taxes 257
    Index to 258
  Liquor 217
  Personal Property 175
  Retail Gasoline 55
anitation
  Public 310
  School 309
anity Inquests, County Court 223,230
chool
  Board Candidates
    Election Expenses 287
  Board of Commissioners
    Expenditures and Settlements 290
  Bonds (see Bonds)
  Census, Permanent Record 295
  District Tax List 271
  Expenditures 290
  Hygiene 305
  Sanitary Inspection 309
School (Con't.)
  Superintendent's Surety Bonds (see Bonds)
Search Warrants 93
  Liquor 243
Sentences
  Convicted Persons 267
  County Prisoners 267
Services
  Bids for 18
  Claims for (see Claims)
  Fees for 158
  Record of Soldiers' 337
Settlements
  Administrators 181-187
    Petitions for 194
  Appraiser of Real Property 228
  Approval of 204
  Assignees 228
  Auditor's Report 219
  County
    Court 228
    School Superintendent 291
  Estates 181-187
  Executors and Administrators 183
  Fiduciaries 181-187
    Final 185
  Guardians 181,185,186
  Land 185
    County Court 181-187
  Master Commissioner 169
    Index to 170
  Officers 7-11,290
  School Commissioners 290
  Sheriff's 7,265,277
    Index to 8
    Land Sales for Taxes 257
      Index to 258
  Supplemental 184
  Treasurer's, To Be Recorded 11
Sharp Gap Road Survey 326
Sheep Killed By Dogs 264
Sheriff p.85; 252-266
Sheriff's
  Additional List 255
  Cash Book, Receipts 254,265
Smallpox Immunization 311
Soil Conservation 334
Soldiers, Honorably Discharged 337

th End of East Street, Corbin, Map325
cial
Claims 14
Terms, County Court 204
te
Auditor of Public Accounts 160
Park Commission, Deed to Thomas Walker Cabin 30
Report to 9
Tax (see Tax)
Tax Commission 67
te and County Funds
Reports 68
Collected by Sheriff 83
tehouse, Orders on Maintenance 222
tements
Unmarried Mothers 165
Voters and Officials 279,289
tionery Bills, County Court 224
tistics, Vital (see Vital Statistics)
tute, Working (see Working Statute)
y of Execution, Bonds (see Bonds)
ying Judgments, Circuit Court Orders on 101
ps to Equity Docket, Circuit Court 104
poenas
Circuit Court 94-98
County Court 206,218
Returned, Commonwealth and Civil, Circuit Court 94
its
Attorneys' Receipts for 246
Building or Surveying Roads
County Court 200
Circuit Court 100
General Index to 99
Civil
County Court 198
Quarterly Court 234
Criminal, County Court 198
Depositions 151
Equity, County Court 198
Quarterly Court, Forcible Entry and Detainer 234
its and Dockets
Circuit Court 99-108
County Court 197-200
Quarterly Court 234-237
Suits Off Docket
County Court 180
Quarterly Court 234
Summonses
Circuit Court 94-98,101,123,125
Lunacy Hearings 147
Witnesses 98
Commonwealth 96
County Court 218
Executed 244
Fiscal Court 6
Forfeited Bail Bonds 97
Grand Jury 287
Issued by County Clerk 57
Orders of Attachment, Circuit Court 123
Ordinary, County Court 218
Sheriff 95
Superintendent
County School (see County School Superintendent)
Wilton Graded School
Financial Report 292
Supersedeas
Bonds, Circuit Court (see Bonds)
Circuit Court 101
Receipts for Appeals
Circuit Court 162
Supervisors
Assessments 274
Box 270
Notice 274
Tax, Board of (see Board of Tax Supervisors)
Assessments 274
Records of 274
Supplemental Settlements (see Settlements)
Supplies, Courthouse 224
Surety Bonds (see Bonds)
Survey
Cumberland Railroad Right-of-way 329
Report of County Court 173
Sharp Gap Road 326
Surveyor p.122; 324-330
Surveyors, Appointment of 204
Surveys, Orders for Land 205
Tabulation of Votes 289
Tangible Property, Assessments 33,269,270

ern
Keepers Bonds (see Bonds)
Paint Hill, Deed to 29

Ad Valorem 83
Assessed 20
Assessment List 269
Bills (City Graded) 252
Book 273
  Suits for Recovery from Sheriff 198
Capitation 83
Certified List 255
Collections
  Auditor's Report 10
  Sheriff 252-260
Commissioner p. 96; 268-272
County 7,254,273
  Court Clerk 51,55
Delinquent 52,53,256,257
Descriptive List of 266
Dog License 261
Equalization 252,273
Exemptions 252,273
Garnishee, Sheriff's 226
Intangible 272
Land Sold For 257
List for School District 271
Non-resident 266
Omitted
  Contracts 19
  List of 54
Personal Property 268,271,273,274
Poll 10,252,271,273
  Receipts and Stubs 260
Real Estate 268,273,274
Receipts 56,253,254
  Delinquent 52
  Personal Property 51
  Real Estate 51
Revision 274
Road 10,252
Sales 257
  Index to 258
  Sheriff's 257
School 10,252,254,271,273,294
State 7,253,254
Supervisors
  Board of (see Board of Tax Supervisors)

Tax (Con't.)
  Supervisors
    Notice 274
  Unpaid 38
Taxable Property
  Amount of Tax 20
  List of Omitted Taxes 255
Taxpayers, Delinquent List of 53
Teachers
  Cancelled Checks 85
  Examination, Appointment of Examiners 296
Telegraph Lines, Assessments 43
Tenants, Land Leases 34
Tests
  Drinking Water 310
  Tuberculin 300
Tobacco Contracts (A.A.A.) 333
Town Site, Cumberland Coal Company 328
Transcripts of Evidence, Circuit Court 151
Transfer
  Prisoners to Court 223
  Property 22
Treasurer p. 102; 275-277
Trial
  Examining 197
  New
    Grants for 155
    Motion and Grounds for County Court 199
Truck Licenses, Treasurer's Settlements 11
Trustees
  Bonds (see Bonds)
  Jury Fund 133
    Books 133
    Report 143
  School (see School Trustee)
  Surety Bonds (see Bonds)
Tuberculin Test 300
Typhoid Immunization 311
Unemployed Cooperative Association Knox County 86
United States Brush Creek Coal Co., Map 330
Unlicensed Dogs 69
Unmarried Mothers
  Affidavits 227
  Statements 65

aid Notes and Taxes 38
ecorded Deeds 24
ary, Peter, Mortgage (Negro Slave) 46
ious Old Returns 98
icle Register, Motor 59
ereal Disease 302
wers
Appointments of 21
Orders Appointing 21
al Statistics
Birth 298
Deaths 299
Marriage 81
lume and Document Removals 87
ers
Affidavits 289
Legal, List of 278
Petitions of 281
Registration of 278-280
Statements 279,289
es
Itemized Statement of 284
Tabulation of 289
ing Precincts
Petitions for Division 194
achers
Payment to School Teachers 290
Road and Bridge 4
Services on Roads 4
Teachers Salaries 85
lker
Memorial Park, Deed 30
Thomas (Cabin), Deed 30
Registrations 336
rants 93,276
Arrest 92,195,233
Circuit Court 92
County Court 195
Bastardy 195
Bench 93,243
Circuit Court, Witnesses 96,98
Commonwealth, Quarterly Court 239
County Expenses 275
Executed 243
Juvenile Court 248
Knox Quarterly Court 239
Livestock Fund 264
Search 93
Treasurer's 277
Waived to Grand Jury 233
Warrants and Affidavits
Circuit Court 92,93
County
Court 195,196
Judge 195,232
Quarterly Court 232,233
Weights and Measures, List of 84
Whiskey Dealers 217
Widening Roads, Petitions 1
Wilderness Turnpike Road 338
Will Books 171
Index to 172
Williams, T. E., Exhibit No. 1
United States Brush Creek Coal Company 330
Wilton Graded School Financial Report 292
Witness Book
Civil, Circuit Court 164
County Court Clerk 72
Witnesses
Attendance of
Circuit Court 146,164,165
Commonwealth 165
Civil Cases 164
Subpoenas 94
Warrants of Arrest for 92
Claims (see Claims)
Workers on Roads 335
Working Statute, Capias Pro Fine 124,196
Writ of Possession, Railroad
Right-of-way 149

APPENDIX

p. refers to page numbers and ent. to entry numbers in this volume.

Alsop, John p.5

Ballinger
- James p.20
- John p.5
- Lucy, Marriage License ent.81
- Richard p.5

Barbour, James p.5
Barbourville
- Cemetery Co., Deeds ents.31,32
- Town
  - County Seat p.6
  - Deed to ent.28
  - Established p.5
  - Records of pp.17,18

Brittian, George p.5

Collins, Josiah p.5
Comstock, Isaac p.5
Cumberland
- Coal Company ent.328
- Railroad
  - Suits ent.198
  - Survey ent.329

Dewees
- David p.5
- Thomas p.5

Eaton, John p.5

Garrard, James, Governor pp.4,20
Goodwin
- Alexander p.5
- Thomas p.5

Hudson, John p.5

Johnson, James p.5

Knox
- County Unemployed Co-operative Ass'n. ent.86
- Knox (con't)
  - James, Colonel p.4
  - Henry, General p.4

Lincoln, Abraham, President ent.81
Logan
- James p.5
- John p.5

"Long Hunters" p.4

Mahan, James p.5
Manchester, Suits ent.198
McNeal, Jonathan p.5
Methodist Church p.6
Miller, Samuel F. p.20
- Marriage License ent.81
- Mortgage, Negro Slave Girl ent.46

Paint Hill Tavern, Deed ent.29
Pogue, James H. p.20

Reddick, John p.5

Stewart, Alexander p.5

Union College p.6
University of Kentucky p.12
U. S. Brush Creek Coal Company ent.330

Vanary, Peter ent.46

Walker
- Memorial Park, Deed ent.30
- Thomas p.6, ent.30

Wilderness Turnpike Road ent.338
Williams, T. E. ent.330
Wilton Graded School ent.292
Woodson, Silas p.30