

# GUIDE AND CHECK LIST

of

# COUNTY GOVERNMENTAL ORGANIZATION

and

# COUNTY RECORD SYSTEM, PAST AND PRESENT

of

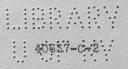
# KENTUCKY COUNTIES

Prepared by
Historical Records Survey. Kentuckey.
W.P.A. Project 9903
Louisville, Ky.

COUNTY	No.
Field Worker	
District No.	
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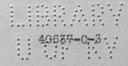
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#### INTRODUCTION

Aided by various workers employed in making the Historical Records Survey in Kentucky, we have prepared for the use of the Historical Records Survey Staff a manual which will be known as the "GUIDE AND CHECK LIST OF COUNTY GOVERNMENTAL ORGANIZATION AND COUNTY RECORD SYSTEM, PAST AND PRESENT."

The purpose of this "CHECK LIST" is to insure a more accurate analysis of the amount of work that has been performed in each county, serve as a yardstick in providing the field workers with a more comprehensive idea of what they are expected to find in different counties, and indicate the material to be contained in the information filled out on the HR forms.

This "CHECK LIST" has been prepared as a matter of information and guide. There has been no intent to reproach any county governmental organization or record system. Our entire thought has been to devise a means of avoiding omissions in listing county officials, boards and their records. It will be noted that in the Dictionary of Forms are definition and description of our invention; included so that a means of identification of records will be provided, thus insuring completeness of the inventory. It will be found that some of the offices included in the Directory of Offices and Boards are not in existence in numerous counties; e.g. (The office of County Assessor is included in order to make the Directory complete, although this office has been abolished). In the Catalogue of Forms and Dictionary of Forms, it will be found that many forms referred to are not being used.

We desire our field workers to explain to officials of each particular bureau the purpose of the Historical Records Survey Project as outlined in the "MANUAL OF INSTRUCTIONS TO FIELD WORKERS" and familiarize the officials with the "CHECK LIST" which shows the graph of county governmental organization, the relationship of the various offices and an explanation of statutory and constitutional duties laid down for each official.

The workers are instructed that no criticism should be made because such omissions in county organizations or county record systems occur; the purpose of our project is to record an inventory of county archives and to prepare a historical sketch of the county and county government.

We are particularly indebted for the use of the Law Libraries at the University of Louisville and the University of Kentucky, Lexington, in preparing the data contained in this List.

Walter M. Hoefelman

State Director

Historical Records Survey

W.P.A. Project 9903.

March 29, 1937 Louisville, Kentucky

### INSTRUCTIONS TO FIELD WORKERS, DISTRICT STAFF AND STATE OFFICE STAFF

The introduction to this manual has in a brief regime advised of the content of this manual and certain general instructions were expressed. It is our purpose to break down by these instructions the division of each separate section and instruct in the use of the manual. The preparation of this manual has been designed to serve as a self check of workers! work in the county concerned.

#### SECTION I - GRAPH

The graph which is included is for the purpose of providing each field worker with a ready means of listing all of the County Offices and Boards existing in each County. The way in which to use this graph is to explain carefully to the County Officials concerned its purpose. In some counties this can be handled through one Official. Check off with a pencil each office not now existing in the County concerned. By doing this a complete picture is presented to the State Office of the offices that are now in existence in each County.

#### SECTION II - DIRECTORY

A directory of the County Officials and County Boards has been prepared. Capital letters and Roman numerals refer to Elective Offices. The field workers are asked to draw a pencil line through those offices not now existing in the County in which the survey is being made. The system of capitals and Roman numerals is consistent throughout the manual and will be used in reference only to Elective Offices and Boards. Small case and Arabic numerals refer to Appointive Offices and will be used consistently in reference to Appointive Offices.

#### SECTION III - SYNOPSIS

The synopsis is enclosed primarily for the field workers' own information and may or may not be used as an additional check against the preceeding two records.

#### SECTION IV - INDIVIDUAL OFFICES

We are listing under Section IV the duties of each Elective Officer as provided in Kentucky Constitution and Kentucky Statute and Acts. We are doing this for the purpose that each field worker can in his contact with the County Official concerned check off the duties that he does not perform in the County where the survey is being prepared. Understand, all of the duties listed under each Official frequently are not performed by the Official for the reason that there is no need for such performance. Part 2 of each County Office is divided into a catalogue of the forms and a dictionary of the forms issued and used by that particular official in the affairs of his office. The Official concerned will be glad to advise you as to what forms he uses and in reference to forms used by his predecessors. The definitions and descriptions of these forms have been prepared as a matter of guidance.

They are of our own invention and are not to be considered as being a legal dictionary, but as a matter of identification for our workers to make field work easier rather than for the purpose of legal clarity. The Dictionary of Forms is arranged in numerical order by item number and is of our own origination; four spaces are provided for the checking of these forms.

When the field worker has checked for the forms referred to in the Dictionary of Forms, an estimate of the number of forms is to be made and written into the first space, marked, "Est. Number". In the second space, marked "F.W.", a check mark will be made when the HR forms of this particular record have been prepared. In the instances where none of the forms are to be found that are referred to in the dictionary, the word, "none", is to be inserted in the space marked, "Est. Number", and a check mark made in the space marked, "F.W.". This will indicate to us that the form in question has not been omitted through error.

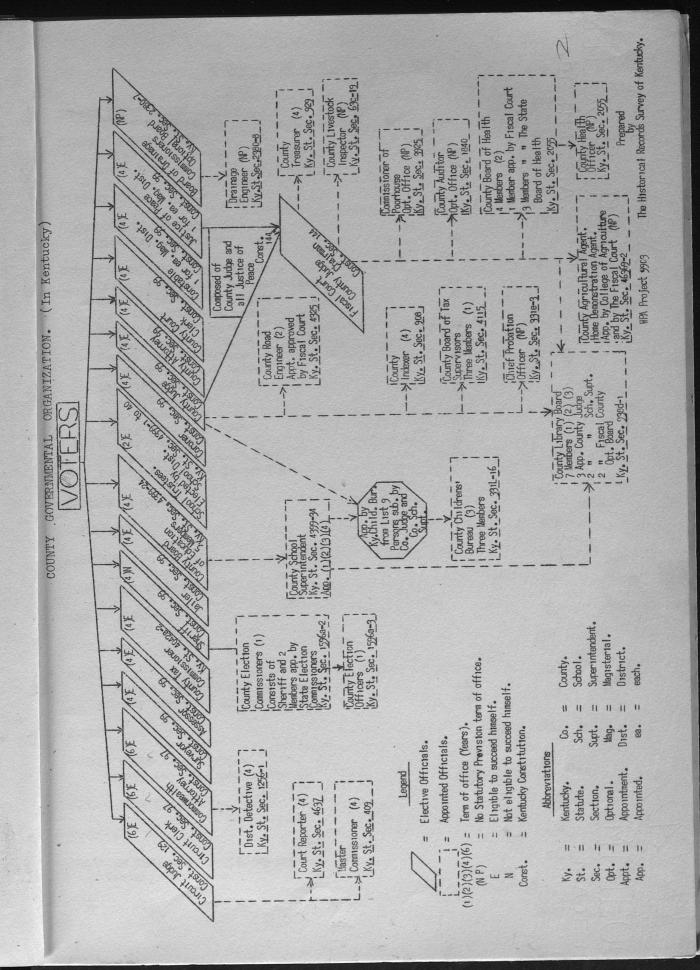
# SECTION V - MISCELLANEOUS FORMS

The Section entitled Miscellaneous forms has been attached for the purpose of checking for forms that we may have omitted for various reasons. In many instances separate and distinct forms have been developed by Officials to keep certain records. These records may be very old, may be of emergency creation and may be the most important in the survey of the particular County. You are to fill in the title as assigned by the official for these forms and then write your own description of these forms in the miscellaneous section of this manual. This may be the largest part of your work.

IN CONCLUSION, this manual will become a permanent part of the field work in the same manner that HR forms are filed and kept in reference to each inventory prepared. This will be the last data that will be mailed to your District Office. The District Office will check this against the forms they have received from your County, and when they have prepared the condensed inventories they will forward it on to the State Office where the inventory will be prepared in its final form for Washington approval. A conscientious and careful use of this manual will make your work easier and assure absolute accuracy. Parts that are not understood please refer to your District Supervisor or the State Office.

# ABBREVIATIONS

app	appointed
appt.	appointment
art	article
atty.	attorney
chap.	chapter
Co	County
child.	children
Civ.	Civil
Comm.	Commonwealth
Const.	Kentucky Constitution
Crim.	Criminal
D. O	District Office
Dist.	District
еа	each
est	estimate
et seq	et sequens
F. W	Field Worker
G. A	General Assembly
Ку	Kentucky
Mag	Magisterial
n	new
opt	optional
R	Reference to previous definition or description
S. O	State Office
sch	school
Sec	Section
St	Kentucky Statute
Supt.	Superintendent
1	40637



# DIRECTORY OF OFFICES AND BOARDS

COUNTY COURT CLERK		I
CIRCUIT JUDGE		II
Master Commissioner	2a	
Court Reporter	2b	
CIRCUIT CLERK		III
COMMONWEALTH ATTORNEY		IA
District Detective	4a	
COUNTY JUDGE AND FISCAL COURT  County Board of Tax Supervisors  County Agricultural Agent  Home Demonstration Agent  County Library Board  County Board of Health  County Health Officer  County Children's Bureau  Chief Probation Officer  County Treasurer  County Auditor  County Road Engineer  County Indexer  Commissioner of Poorhouse  County Livestock Inspector	5a 5b 5c 5d 5e 5f 5g 5h 5i 5j 5k 5m 5n	V
JUSTICE OF PEACE		VI
SURVEYOR		VII
ASSESSOR		VIII
COUNTY TAX COMMISSIONER		IX
COUNTY ATTORNEY		X
CONSTABLE		XI
SHERIFF County Election Commissioners County Election Officers	12a 12b	XII
JAILER		XIII
COUNTY BOARD OF EDUCATION County School Superintendent	14a	XIV
SCHOOL TRUSTEES		XV
CORONER		XVI
BOARD OF DRAINAGE COMMISSIONERS Drainage Engineer	17a	XVII

# SYNOPSIS OF OFFICES AND BOARDS

# I COUNTY COURT CLERK

- a. Term of office -- 4 years, Ky. Constitution Sec. 99.
- b. Eligible to succeed himself -- yes \*.
- Time limit--none.
- c. Time limit--none.d. Method of removal--Same as County Judge; same as Comm. Atty.

### II CIRCUIT JUDGE

- a. Term of office -- 6 years, Constitution Sec. 129.
- b. Eligible to succeed himself -- yes \*.
- c. Time limit -- none.
- d. Method of removal -- May be removed from office by the governor upon the address of twothirds of each house of the General Assembly, Constitution Sec. 112; Removal of a judge from his district vacates the office. Constitution Sec. 129.

# 2-a Master Commissioner (Circuit Court)

- a. Appointed by -- Circuit Judge.
- b. Term of office--4 years.
- c. How removed -- May be removed at any time at pleasure of court.
- d. Citation -- Kentucky Statute, Sec. 409.

### 2-b Court Reporter

- a. Appointed by -- Circuit Judge.
- b. Term of office--4 years.
- c. How removed -- By judge at any time for neglect of duty, misbehavior or incompetence.
- d. Citation -- Kentucky Statute, Sec. 4637.

### III CIRCUIT CLERK

- a. Term of office -- 6 years, Constitution Sec. 97.
- Eligible to succeed himself--yes\*.
- Time limit -- none.
- d. Method of removal -- Same as Comm. Atty.

#### IV COMMONWEALTH ATTORNEY

- a. Term of office -- 6 years, Constitution Sec. 97
- b. Eligible to succeed himself -- yes \*.
- c. Time limit -- none.
- d. Method of removal -- May be removed from office for buying votes, bribery, conviction of felony or high misdemeanor, Constitution Sec. 150.

### 4-a District Detective

- a. Appointed by -- Commonwealth Attorney.
- b. Term of office--4 years.
  c. How removed--By Commonwealth Attorney at any time
- d. Citation -- Kentucky Statute, Sec. 125b-1.

# V COUNTY JUDGE AND FISCAL COURT

- a. Term of office -- 4 years, Constitution Sec. 99.
- b. Eligible to succeed himself -- yes \*.
- c. Time limit -- none.
- d. Method of removal -- May be removed from office for malfeasance, misfeasance and for neglect of official duties, Constitution Sec. 227 (also same as Comm. Atty.).
- 5-a County Board of Tax Supervisors (3 members).
  - a. Appointed by--County Judge. b. Term of office--l year.
  - Term of office -- l year.
  - c. How removed -- No statutory provision
  - d. Citation -- Kentucky Statute, Sec. 4115.
- 5-b County Agricultural Agent.
  - Home Demonstration Agent (No specific statutory provision for) These officers are locally appointed by the College of Agriculture and by the Fiscal Court, Kentucky Statute, Sec. 4636g-2.
- 5-c County Library Board (Optional).
  - a. Appointed by -- Fiscal Court appoints 2 members, County School Supit. appoints 2, County Judge appoints 3.

  - b. Term of office--1, 2 and 3 years.
    c. How removed--No statutory provision.
    d. Citation--Kentucky Statute, Sec. 938 Citation--Kentucky Statute, Sec. 938d-1.
- 5-d County Board of Health (4 members).
  - a. Appointed by -- State Board of Health selects 3; Fiscal Court selects 1.
  - b. Term of office -- 2 years.
  - c. How removed -- No statutory provision.
  - d. Citation -- Kentucky Statute, Sec. 2055.
- 5-e County Health Officer.
  - a. Appointed by -- County Board of Health.
  - b. Term of office -- No statutory provision.
  - c. How removed -- Holds office at pleasure of Board.
- d. Citation--Kentucky Statute, Sec. 2055. 5-f County Childrens Bureau (3 members).
- - a. Appointed by -- Kentucky Childrens Bureau from a list of 9 persons submitted by County Judge and the County Superintendent of Schools.
  - b. Term of office -- 3 years.
  - c. How removed -- No statutory provision.
  - d. Citation -- Kentucky Statute, Sec. 3311-16.
- 5-g Chief Probation Officer (Juvenile Court).
  - a. Appointed by -- County Judge.
  - b. Term of office -- No statutory provision.
  - c. How removed -- No statutory provision.
  - d. Citation -- Kentucky Statute, Sec. 331e-3.
- 5-h County Treasurer.
  - a. Appointed by -- Fiscal Court.
  - b. Term of office--4 years.
  - c. How removed -- By Fiscal Court at any time for neglect of duty, incompetency or dishonesty.
  - d. Citation -- Kentucky Statute, Sec. 929.

- 5-i County Auditor (Optional office).
  - a. Appointed by -- Fiscal Court.
  - b. Term of office -- No Statutory provision.
  - c. How removed -- No statutory provision.
  - d. Citation--Kentucky Statute, Sec. 1840.
- 5-j County Road Engineer.
  - a. Appointed by -- County Judge with approval of Fiscal court.
  - b. Term of office -- 2 years.
  - c. How removed -- By County Judge upon his own volition for incompetency, malfeasance or misfeasance in office - upon written charges.
  - d. Citation--Kentucky Statute, Sec. 4326.
- 5-k County Indexer.
  - a. Appointed by -- County Judge.
  - b. Term of office -- 4 years.
  - c. How removed -- By Judge at any time for incompetency or neglect of duty.
  - d. Citation--Kentucky Statute, Sec. 908.
- 5-m Commissioner of Poorhouse (Optional office).
  - a. Appointed by -- County Court.
  - b. Term of offices -- No statutory provision.
  - c. How removed -- No statutory provision.
  - d. Citation--Kentucky Statute, Sec. 3925.
- 5-n County Livestock Inspector.
  - a. Appointed by Fiscal Court, Kentucky Statute, Sec. 63c-18.
  - b. Term of office -- No statutory provision.
  - c. How removed -- May be removed for nonfeasance.
  - d. Citation -- Kentucky Statute, Sec. 63c-19.

# VI JUSTICE OF PEACE (One Justice for each Magisterial District).

- a. Term of office--4 years, Constitution Sec. 99.
- b. Eligible to succeed himself -- yes \*.
- c. Time limit--none.d. Method of removal--Same as County Judge; same as Comm. Atty.

#### SURVEYOR

- a. Term of office--4 years, Constitution Sec. 99.
- b. Eligible to succeed himself--yes\*.
- c. Time limit -- none.
- d. Method of removal -- Same as County Judge; same as Comm. Atty.

### VIII ASSESSOR

- a. Term of office -- 4 years, Constitution Sec. 99.
- b. Eligible to succeed himself--yes\*.
- c. Time limit -- none.
- d. Method of removal -- Same as County Judge; same as Comm. Atty.

#### IX COUNTY TAX COMMISSIONER

- a. Term of office--4 years, Kentucky Statute Sec. 4042a-2.
- b. Eligible to succeed himself -- yes \*.
- c. Time limit -- none.
- d. Method of removal -- May be removed from office by the Circuit Court of the county from which elected upon petition of the State Tax Commission or any tax payer, for wilful disobedience of any just or

legal order; misfeasance or malfeasance,

in office or wilful neglect of official duties. Kentucky Statute, Sec. 4042a-7; also same as Comm. Atty.

#### X COUNTY ATTORNEY

- a. Term of office--4 years, Constitution Sec. 99.b. Eligible to succeed himself--yes\*.
- Time limit -- none.
- d. Method of removal -- Same as County Judge; same as Comm. Atty.

# XI CONSTABLE (One Constable for each Magisterial District) \*\*.

- a. Term of office -- 4 years, Constitution Sec. 99.
- b. Eligible to succeed himself--yes\*.
- c. Time limit -- none.
- d. Method of removal -- Same as County Judge; same as Comm. Atty.

#### XII SHERIFF

- a. Term of office -- 4 years, Constitution Sec. 99.
- b. Eligible to succeed himself -- NO, Constitution Sec. 99.
- c. Time limit--4 years (may not even serve as a deputy during next succeeding term) Constitution Sec. 99.
- d. Method of removal -- Same as County Judge; same as Comm. Atty.

#### 12-a County Election Commissioners (2 appointed members and sheriff constitute).

- a. Appointed by -- Board of Election Commissioners.
- b. Term of office -- l year.
- c. How removed -- No method prescribed.
- d. Citation--Kentucky Statute, Sec. 1596a-2.

#### 12-b County Election Officers.

- a. Appointed by -- County Election Commission.
- b. Term of office -- l year.
- c. How removed -- No provision.
- d. Citation-Kentucky Statute, Sec. 1596a-3.

### XIII JAILER

- a. Term of office -- 4 years, Constitution Sec. 99.
- b. Eligible to succeed himself -- yes \*.
- c. Time limit -- none.
- d. Method of removal -- Same as County Judge; same as Comm. Atty.

# XIV COUNTY BOARD OF EDUCATION (5 members)

- a. Term of office--4 years, Kentucky Statute, Sec. 4399-24, 4399-17
- b. Eligible to succeed themselves -- yes \*.
- Time limit--none.
   Method of removal--Office automatically vacated if any member becomes financially interested in any contract for school supplies; moves from district; does anything which would have rendered him ineligible before election. Kentucky Statute, Sec. 4399-17.

### 14-a County School Superintendent

- a. Appointed by -- County Board of Education.
- b. Term of office--1, 2, 3 or 4 years.
- c. How removed -- May be removed for cause by a vote of 4 members of Board.
- d. Citation--Kentucky Statute, Sec. 4399-34.

### XV SCHOOL TRUSTEES

- a. Elected by school districts.
  b. Term of office--2 years.
  c. Method of removal--by governor for cause.
- d. Citation--Ky. Statute, Sec. 4399-1 to 40.

#### XVI CORONER

- a. Term of office--4 years, Constitution Sec. 99.
- b. Eligible to succeed himself -- yes \*.
- c. Time limit--none.d. Method of removal--same as County Judge; same as Comm. Atty.

# XVII BOARD OF DRAINAGE COMMISSIONERS

- a. Term of office -- no set term, Ky. Statute, Sec. 2380-7.
- b. Eligible to succeed himself--yes\*.
- c. Time limit--none.d. Method of removal--none.

# 17-a Drainage Engineer

- a. Appointed by--Board of Drainage Commissioners.
  b. Term of office--no statutory provision.
  c. How removed--no statutory provision.
  d. Citation--Ky. Statute, Sec. 2380-8.

- All elective officers are eligible to succeed themselves unless constitution specifically provides otherwise.
- The elected constable appoints deputy constables who serve under him.

# COUNTY COURT CLERK

THE COUNTY COURT CLERK performs the duties expressed in his title. In addition he is the State's recording agent in the county; issues and collects the State's fees for various licenses; performs various incidental tax assessments functions; acts as clerk of the Fiscal Court; and performs a variety of ministerial duties under the election and other laws. Compensation is by fees, (except in counties containing a city of the first class, where he receives a salary) paid in civil actions by the parties thereto and in other cases by the State or County. No provision is made for an accounting by the Clerk of fees earned in civil cases.

Specifically, the County Court Clerk is:
(1) the general local recording agent,

(2) secretary,

(3) collector of revenues,

(4) subordinate tax administrator (5) general ministerial officer.

These classifications, however, are not mutually exclusive.

- (1) As a Recording Agent: This set of functions is characteristic of the office in practically all the states, though it is not uncommon for these duties to be shared with other officers, such as recorders or registers of deeds, etc. In Kentucky, this function would include not only documents of a private nature, (that is directly affecting private individuals) but also proceedings of the local governing bodies and the report of county officers.
- (2) As a Secretary: Clerk of the Fiscal Court and required to keep a full and complete record of its meetings. For these services the statute authorizes a "reasonable" compensation, to be paid from county levy (St. 1835).

Clerk of the County Court; this duty being, in fact, indicated in his constitutional title.

Clerk of the Board of Supervisors. Compensation as in the capacity of the Clerk of the County Court (St. 4121).

(3) As a Collector of Revenues: Special revenues collected include: taxes on deeds, mortgages, marriage licenses, seals, suits, leases, and powers of attorney. Report on the first of each month to the Auditor of Public Accounts is mandatory, (Laws of 1914, Chap. 12, Sec. 3). In the same manner, collection is made of mortgage recording taxes of twenty cents on each \$100.00 on all mortgages, the term of which is greater than five years. (St. 4019a-9). (Note: This tax is distinct from and additional to the regular mortgage tax).

Under the game and fish law, the County Court Clerk issues hunting licenses and retains a fee for each license issued, the balance being paid into the State Treasury (St. 1954c-26, 27 and 30).

A state license is necessary to operate numerous forms of business, including: "intinerants", transient merchants, peddlers, taverns, vendors of playing cards, pistols and deadly weapons, trading stamp companies, keepers of bowling alleys, circuses, slaughter and packing houses, vendors of cigarettes and cigarette papers, dealers in petroleum, animal exhibitions, auctioneers, keepers of billiard and pool tables, bill posters, wharfboats, bottlers of soft drinks, brokers and commission merchants, fortune tellers, hack lines, ice factories, steam laundries, loan companies, lightning rod agents, keepers of merry-go-rounds, oleomargarine dealers, dealers in patent medicines, photograph galleries, piano and organ agents, railroad eating houses, restaurants, real estate agents, sewing machine agencies, shooting galleries, retail merchants of soft drinks, picture enlargement solicitors, theaters, vendors of spectacles or jewelry, vendors of stoves and ranges, skating rinks, tax brokers (St.4202a, 4219, 4220, 4224). The stubs are forwarded to the Auditor of Public Accounts, likewise the receipts, the Clerk collecting his commission at the time he remits to the State (St. 4195).

He collects a license tax on motor vehicles (St.

2739g-2, 6, 19).

He is authorized to collect delinquent general property taxes with interest, cost, commission, and penalties, and is required to report thereon to the Auditor of Public Accounts for amounts due to the State and Treasurer of the County, for amounts due to the county, this report to be examined by the County Judge before presentation.

(4) As a subordinate Tax Administrator: Between July 1 and October 1, he receives listings of mineral rights, oil, gas, etc., makes out tax bills for the same, assessing a penalty if the owner does not comply with the provisions of the law, and turns over the bill to the sheriff for collection (St. 4039).

Before September 1, he makes and certifies to the County Tax Commissioner, a complete statement of all purchase money, notes, mortgages, and other obligations or other liens for money due (St. 4051a (10)).

On or before the first of January of each year, he prepares a tabulated statement of all sales of real estate (showing the consideration, if stated) as shown by the deed books of the county and files these with the State Tax Commission. For this service, the Fiscal Court is required to grant him a "reasonable" compensation (St. 4114i-14).

On or before the first of January, he receives from the County Tax Commissioner the schedules, (except those of intangible personal property), which he files and preserves for five years (St. 4114i-15).

On or before February 1, as an aid in locating property subject to inheritance taxes, he furnishes the State Tax Commissioner with a list of all persons who have died during the preceding year, together with a statement of the amount of property owned by such persons (St. 4281b-1).

After the County Tax Commission has corrected his tax books he turns them over to the County Court Clerk who must test the accuracy of the extensions and additions and file a certified copy of this recapitula-

tion with the State Tax Commission (St. 4114i-15).

INT KARREYS

Malore Me

He notifies the County Board of Supervisors, (from information reported by the County Tax Commissioner) of all persons failing to list their property for taxation (St. 4061, 4064, 4065).

During the tax assessment period, he acts as Clerk of the Board of Supervisors and delivers to the Sheriff a list of all persons whose tax has been raised by the Board and the amount of increase (St. 4121).

If any property is omitted from taxation by the Tax Commission and this omitted property is reported by the Sheriff, the County Court Clerk makes out a bill for assessment of such omitted taxes. He is compensated for this service (St. 4125).

After review of the first recapitulation by the Tax Commission and its correction by the Board of Supervisors, the County Court Clerk returns to the State Tax Commission a second recapitulation annually on or before May 10 (St. 4129a-1).

After certification of the total tax assessment by the State Tax Commission, the County Court Clerk makes out a tax bill for each property owner and turns it over to the Sheriff for collection. He receives a fee for preparing each tax bill.

He certifies the tax on all distilled spirits and files with the bill to the Auditor of Public Accounts for collection, to the proper collecting officer in the State, County, or District (St. 4108).

He makes out original bills for each person required to pay the poll tax (St. 4239i).

(5) As a general Ministerial Officer: Under this caption should be included his duties in connection with elections.

He receives from the Secretary of State certifications of names of candidates and measures to be voted upon and causes them to be printed on election ballots; with County Attorney causes instructions to be printed for guidance of voters (St. 1457, et seq.). He receives campaign statements of candidates in primary elections and files the same (St. 1506).

Under the school law, he files the affidavits of the Board of Examiners (St. 4422) and returns from the school census (St. 4499).

#### CATALOGUE OF FORMS

Miscellaneous license; certificate of transfer of taxes; miscellaneous automobile license forms (application for duplicate receipt, plates, or badge; public service motor vehicle; application for conversion of classification; application for dealer registration; affidavit of

Office I, Item 1-8 common carrier or contract carrier; bill of sale of motor vehicle; affidavit and application of automobile owner; affidavit and application of farmer owning truck; affidavit of residence; patents; land grants; deeds; mortgages; chattels; marriage license; report of case in court.

DICTIONARY OF FORMS

Est.

Number F.W. D.O. S.O.

	DICTIONARY OF FORMS	Est. Number	F.W.	D.O.	S•0•
1.	MISCELLANEOUS LICENSE.				<b>1</b>
	Duplicates of licenses issued to indi- viduals or firms for various purposes.				
2.	CERTIFICATE OF TRANSFER OF TAXES				
	Transfers of tax claims.				
3.	APPLICATION FOR DEALER REGISTRATION, 1926. (Ch. 109, G. A.).				
	Automobile dealers application for license and duplicate plates.				
4.	APPLICATION FOR CONVERSION OF CLASSIFICATION.				
	Certificate that an automobile has been converted into a truck.				
5.	APPLICATION FOR DUPLICATE RECEIPT, PLATES OR BADGE, 1920. (Ch. 90, G.A.)				
	Owner's certificate of lost registration receipt, plates or chauffeur's badge.				
6.	PUBLIC SERVICE MOTOR VEHICLE, 1920, (Ch. 90, G. A.).				
	Applications for free registration of motor vehicles.				
7.	AFFIDAVIT OF COMMON OR CONTRACT CARRIER.				
	Applications for registration of motor vehicles.				

40637-C-18

8. BILL OF SALE OF MOTOR VEHICLE, 1920

Vendor's bill of sale of motor vehicle; court clerk's acknowledgment.

(Ch. 90, G. A.).

(0001 7.00)

9. AFFIDAVIT OF AUTOMOBILE OWNER.

Affidavit shows from whom automobile was purchased.

10. AFFIDAVIT OF FARMER OWNING TRUCK

Farmer's affidavit that his truck will be used only for transporting supplies used on his farm and for hauling products grown on his farm.

11. AFFIDAVIT OF RESIDENCE.

Affidavit shows former and present address.

12. PATENTS.

An instrument making a conveyance of public lands, also by lands or territory so conveyed.

13. LAND GRANT.

A grant of land by the government especially for roads or railroads or for agricultural or industrial colleges.

14. DEEDS.

Article describes location and boundaries of land changing ownership; date, amount of consideration; amount of cash payment; amount and maturity dates of lien notes given in payment.

15. MORTGAGES.

Lien on real estate or personal property guaranteeing payment of debt; amount of lien and date of maturity.

16. CHATTELS.

Lien on real estate or personal property guaranteeing payment of debt; amount of debt; date of maturity.

Est. Number	F.W.	D.O.	S.O.
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Office I, Item 17, 17A

### 17. MARRIAGE LICENSE

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Marriage bonds; gives names of both parties, ages and dates of birth; names of parents; signature of county clerk and official or clergyman performing ceremony.

# 17A. REPORT OF CASE IN COURT.

This form used for both children and adult cases tried in court.

Est. Number	F.W.	D.O.	S.O.

OF

### CIRCUIT COURT JUDGE

THE CIRCUIT COURT JUDGE presides over the Circuit Court, which is the people's great Court for the trial of all litigated controversies except the smallest, and for the trial of all of the more important criminal cases. He is conservator of the peace throughout the state, and he presides in the court of record, which court has original jurisdiction of all matters, both law and equity, not delegated to some other courts. His jurisdiction is in matters of land that is in question, or upon which it is sought to enforce a lien, or to subject same, on land by provisional remedy to the payment of debts. He is further authorized to make appointments of county officers as provided for in the Statutes. These Statutory references are in many scattered references in the Constitution, Statutes, and Codes.

A circuit court shall be established in each county now existing, or which may hereafter be created, in this Commonwealth (Source: Const. 850, Art. 4, Chap. 16) (Const. 125). Jurisdiction of Circuit Court regulated by legislature (Const. 126).

Salary for his services is an adequate compensation fixed by law, which shall be equal and uniform throughout the state. It is paid out of the State Treasury (Const. 133). The General Assembly shall provide by law for holding Circuit Courts when, from any cause, the Judge shall fail to attend, or, if in attendance, and does not properly preside, a special judge shall preside (Const. 136). Each county having a population of one hundred and fifty thousand or over, shall constitute a district, which shall be entitled to four Judges. Additional Judges for said district may, from time to time, be authorized by the General Assembly, but not to exceed one Judge for each increase of forty thousand of population in said county, to be ascertained by the last enumeration. Act of March, 1912, provides for an increase for 6 to 7, Jefferson County (St. 963). The appointive officers are scattered over a large field in the Constitution, Statutes, and Codes. The Circuit Courts are courts of the County, although the Judges are elected from a district larger than the County. Two of the officers of the county are direct appointees of the judge, to wit, the Master Commissioner and the Trustee of the Jury Fund.

There are thirty-six circuits in the State of Kentucky: Kenton, Campbell, Fayette and Jefferson counties each constitute a separate circuit. The remaining circuits comprise from two to six counties, the average number being four. Every county which has a population as great as 40,000 (Const. 137) has its own circuit judge, and where there are over 75,000 (Const. 137-138) there is at least one additional judge. Where there is only one county in a circuit the Court is one of continuous sessions. In the other counties Circuit Court is held as provided by statute, from three to nine times in every year. However, section 131 of the Constitution provides that at least three regular terms of Circuit Court must be held in each county every year.

#### CATALOGUE OF FORMS

Affidavit and order recommitting to Eastern State Hospital until dis-

charged by law: affidavit and order recommitting to State Hospital for not more than 35 days, pending inquest; inquest proceedings and judge's order committing to hospital or asylum; affidavit of doctor and judge's order committing to State Hospital pending inquest; order of allowance to pauper idiot; order of allowance to physician on inquest proceedings; order of commitment of convicted person to state penitentiary; order of allowance to witnesses; subpoena; subpoena in action of commonwealth; summons equity; summons ordinary; warrant of arrest (for failure to answer subpoena); summons on forfeited recognizance; order for bail bond; bench warrant; appeal bond; order of general attachment; writ for execution; bond for cost; appeal and supersedeas bond; capias ad satisfactiondum; writ of venditioni exponis; replevin of fine bond; forthcoming bond; schedule of estate liable for debts; summons on indictment; bail bond; execution for cost; rule and order of court; information about offense committed; summons to parents or custodian of boy under 17 years of age; summons to appear in court in regard to \_\_\_\_; summons to appear in court to answer charge of ; summons to bring child or children charged with delinquency; subpoena to appear as witness in court; affidavit and warrant for failure to support child; petition for juvenile inquest (dependent); petition for juvenile inquest (delinquent); affidavit and warrant for aiding in delinquency of child.

#### DICTIONARY OF FORMS

18. AFFIDAVITS AND ORDER FOR RECOM-MITMENT OF PERSON WITH UNSOUND MIND.

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Affiant's petition that person be returned to institution, doctor's statement and judge's order of recommittal.

Number	F.W.	D.O.	S.O.
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Office II, Item 19-27

19. AFFIDAVITS AND ORDER RECOMMITTING PERSON OF UNSOUND MIND.

Recommitting lunatic to hospital for 35 days for observation and treatment.

20. INQUEST PROCEEDINGS.

Petition for inquest, jury findings and judge's order committing person of unsound mind to hospital or asylum.

21. AFFIDAVIT AND ORDER.

Physician's affidavit and judge's order committing person of unsound mind to hospital pending sanity inquest hearing.

22. ORDER OF ALLOWANCE FOR PAUPER IDIOT.

Order for allowance of \$37.50 to committee in charge of pauper idiot.

23. PHYSICIAN'S ALLOWANCE ON INQUEST PROCEEDINGS.

Court's allowance of \$3.00 to examining physician in sanity cases.

24. ORDER COMMITTING CONVICTED PERSON TO STATE PENITENTIARY.

Court's order to sheriff to confine convicted person in state penitentiary for a certain number of years.

25. WITNESS FEE ALLOWANCE.

Fee allowed for witness attendance by commonwealth.

26. SUBPOENA.

Summons of witness to testify in action brought in circuit court.

27. SUBPOENA.

Summons of witness to testify in action brought by commonwealth.

Est. Number	F.W.	D.O.	S.O.
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Office II, Item 28-38

Est.

Summons of defendant to answer petition in equity filed in circuit court.

29. SUMMONS ORDINARY.

Summons of defendant to answer petition filed in circuit court.

Warrant for witness to appear in circuit court after failure to answer subpoena.

31. SUMMONS ON FORFEITED RECOGNIZANCE.

Summons of executor of bail bond to appear in court to pay forfeiture.

32. ORDER FOR BAIL BOND. (Crim. Code, Sec. 143) (Date of Act not available).

Bond given by defendant to guarantee his compliance with order of court.

33. BENCH WARRANT. (Crim. Code, Sec. 142).
Warrant for arrest on indictment.

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34. APPEAL BOND.

Bond given by defendant against whom judgment has been rendered in quarterly court.

Order to attach and keep property of defendant, not exempted from execution, to satisfy judgement.

36. WRIT FOR EXECUTION.

Execution to recover court costs.

Bond given by plaintiff guaranteeing court cost.

38. APPEAL AND SUPERSEDEAS BOND.

Bond given to satisfy fine and court cost when case appealed to circuit court.

Number	F.W.	D.O.	S.O.
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Est.

39. CAPIAS AD SATISFACTIENDUM. (Ky. st. Sec. 1661) (1893).

Writ for arrest of person against whom judgment for damages and costs have been assessed.

40. WRIT OF VENDITIONI EXPONIS. (Ky. st. Sec. 1664) (1893).

Writ for sale of attached property to satisfy judgment obtained.

41. REPLEVIN OF FINE BOND. (Ky. St. Sec. 1667) (1893).

Bond guaranteeing payment of judgment, interest and costs within three months.

42. FORTHCOMING BOND. (Ky. St. Sec. 1671) (1893).

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Bond guaranteeing delivery of property called for on schedule attached.

43. SCHEDULE OF ESTATE LIABLE FOR DEBTS. (Ky. St. Sec. 2180) (1890).

Affidavit attached to schedule of all property liable for debt.

44. SUMMONS ON INDICTMENT. (Crim. Code, Sec. 146).

Summons to appear in court to answer indictment for misdemeanor.

45. BAIL BOND. (Crim. Code, Sec. 82).

Bond given by defendant in custody that he will abide by order of court in prosecuting charge against him. Statement under oath of surety's worth.

46. EXECUTION FOR COST. (st. 1651) (Act of 1893).

Writ for execution to collect costs assessed against defendant convicted.

47. RULE AND ORDER OF COURT.

Rule ordering defendant to answer court's order to pay judgment.

Number	F.W.	D.O.	S.O.
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Office II, Item 48-57

Est. INFORMATION. 48. Number F.W. D.O. S.O. Oath of informant that a person committed an offense. SUMMONS TO PARENT OR CUSTODIAN OF BOY. 49. Notice to parent of son's arrest and case to be tried in juvenile court. SUMMONS TO APPEAR IN COUNTY COURT. 50. Summons to appear in county court. SUMMONS TO APPEAR IN COUNTY COURT 51. TO ANSWER CHARGE OF \_\_\_\_. Summons to defendant to appear in county court to answer a charge filed against him. SUMMONS TO BRING CHILD OR CHILDREN INTO COURT. Summons to bring delinquent, dependent or neglected child into court for order bearing upon child's welfare. 53. SUBPOENA. Subpoena for witness in action before county or juvenile court. AFFIDAVIT AND WARRANT. 54. Affidavit of person alleging that a father has failed to support his child and warrant for arrest of accused to answer in court. 55. PETITION. Petition of person that a dependent child be brought before the court. 56. PETITION. Petition of a person that a delinquent child be brought before the court. AFFIDAVIT AND WARRANT. Affidavit of person making specific charge

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40637-C-26

against the father of a neglected child and warrant for arrest of accused to answer

said charge in court.

OF

### CLERK OF THE CIRCUIT COURT

The duties of the CLERK OF THE CIRCUIT COURT fall into two general classes: First, a recording and secretarial agent of the Circuit Court, and second, a collector of certain revenues for the State, which, however, come into hands as an incident of the first function and are forwarded to the Auditor of Public Accounts. He also exercises certain judicial powers in the absence of the Circuit Court Judge.

As recording and secretarial agent of the Circuit Court, he enters every subpoena or process to be issued, filing with papers relating to each case (St. 379). He keeps a record of names of witnesses who attend court on legal summons (St. 383); he indicates all cases held before the court; this in addition to the obvious and usual functions of keeping or maintaining the record of all acts of the court.

As a collecting agent, he records taxes on all suits and moneys received, and, if necessary, places these in the hands of the Sheriff for collection (St. 906, 4243 and 4244). He turns over to the Trustee of the Jury Fund such sums as the court orders to be paid to jurors. He collects fines and forfeitures from the unsuccessful defendants in felony cases and turns them over to the State Treasurer (St. 1721). He makes out an alphabetical list of claims against the State, payable out of the State Treasury, which have been allowed by the court (St. 359).

Control over the Clerk in his collector capacity is accomplished by the requirement that his fees shall not be allowed until he has filed with the Auditor of Public Accounts, his monthly report of fines and forfeitures and taxes on suits and appeals. The enforcement of this requirement is further had by a provision for an indictment and fine (St. 4248). On November 1, the Clerk makes a full statement of suits brought and indictments filed in the court in the preceding year, this report designating whether the suit was in chancery or common law or a prosecution for a felony or a misdemeaner (St. 385).

An important judicial power exercised by the Clerk is that of issuing temporary restraining orders. Such orders may only be issued in the absence of the judge and are effective for ten days only. Adequate bond must be given by the party in whose behalf the order is issued.

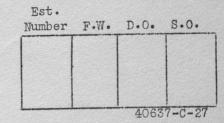
#### CATALOGUE OF FORMS

Certificate of witness attendance; supersedeas; taxation costs; notice of petition under major street improvement act.

#### DICTIONARY OF FORMS

58. CERTIFICATE.

Certificate of circuit court clerk of witness attendance and claim allowance.



59. SUPERSEDEAS.

Suspension of fine and costs assessed when appeal bond is given.

60. TAXATION COSTS.

Itemized court cost of both litigant parties, on printed form.

61. NOTICE OF PETITION UNDER MAJOR STREET IMPROVEMENT ACT. (Ky. St., Sec. 2839b-11) (1930).

(Form used in circuit court where there is more than one court or branch in county). Notice to property owners of a major specific improvement on a named street; that property has been assessed at a higher value for taxes. Office III, Item 59-61

Est.
Number F.W. D.O. S.O.

OF

### COMMONWEALTH ATTORNEY

THE COMMONWEALTH ATTORNEY represents the Commonwealth in all matters pertaining to violations of criminal and penal laws and prosecutes all violations thereof in his district.

He attends each circuit court and discharges all other duties assigned him by law; he also, except in Franklin County, attends to all civil cases and proceedings in the circuit courts of his district in which the Commonwealth is interested; but in civil cases the governor may employ counsel to assist the Commonwealth's attorney. The fees for such counsel are paid from the State Treasury upon voucher signed by the governor (St. 118). He receives an annual salary, payable monthly out of the State Treasury, commencing from the time of his qualifications under his commission (St. 119). He is allowed fees from judgments, fines, forfeitures, etc. in favor of the Commonwealth not to exceed \$4,000.00 (St. 125) (Const. 98).

In the absence of the Commonwealth Attorney at any term or part of term of a circuit court, the judge of such court may appoint a suitable attorney to act in his place (St. 120). He shall not defend in any criminal prosecution in the Commonwealth except in cases in which he was employed before his election, or to which he is a part (St. 121). He gives the collector money due the Commonwealth in each county of his district, and all necessary advice in regard to motions against delinquent collecting officers for failure to return executions and shall be allowed ten per cent of the damages imposed by law and collected against these officers for such failure (St. 121).

He shall be allowed a first and second Assistant Commonwealth Attorney where the population is 200,000 or over; they are created by (St. 125a-1). They must have the same qualifications as the Commonwealth Attorney and have the same duties and powers (St. 125a-2 and St. 125a-3). They are subject to the direction and control of the Commonwealth Attorney (St. 125a-3). They shall aid the Commonwealth Attorney in all matters pertaining to his office and such matters as designated by him (St. 125a-3).

#### CATALOGUE OF FORMS

Notice to defendant of inquest hearing; motion to dismiss indictment.

#### DICTIONARY OF FORMS

62. NOTICE TO INDIVIDUAL OF SANITY TRIAL.

Commonwealth Attorney's notice to individual that an inquiry as to his sanity will be held on a certain date.

63. MOTION TO DISMISS INDICTMENT.

Motion by commonwealth's attorney to dismiss indictment.

Est. Number	F.W.	D.O.	s.o.

OF

#### COUNTY JUDGE

THE COUNTY JUDGE presides over the County Court, Quarterly Court and Fiscal Court, and is the chief executive officer of the county.

As Judge of the COUNTY COURT, he has jurisdiction over wills, appointment and removal of personal representatives, guardians, trustees, committees, curators, and other fiduciaries (but may not act in these capacities himself); may grant tavern and drug licenses (St. 1057), and such other jurisdiction as may be provided by law. A regular term is held once every month, on Monday, which arrangement, however, may be changed by court order. Special terms may be held at any time for the transaction of any business except the probating of a will or the granting of a license, and the Court may adjourn from time to time until the business is disposed of. This court has jurisdiction also to bind out infant children (St. 2591, et seq.). At any session, it may establish and aid in the construction of levees along any water-course in the county (St. 93a-1)

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The QUARTERLY COURT over which the Judge presides, has four terms at intervals of three months, but may hold monthly sessions on order (St. 1051). Its jurisdiction is concurrent with that of Justice of the Peace in all cases for recoveries of money where the amount involved is \$100.00 or less and concurrent with that of the Circuit Court where the value in controversy is over \$50.00, and not over \$200.00 (St. 1515), but when the title to real property is involved, the controversy may be transferred on motion of either party, to the Circuit Court. This Court also has jurisdiction on motions against Constables and their sureties. The Judge keeps a record book in which are recorded the proceedings of the court.

This Court also has jurisdiction in certain criminal cases (St. 1093), especially cases arising under the Prohibition Enforcement Act of 1922.

As Judge of the FISCAL COURT he is member of and presides over the Fiscal Court (St. 1836). He preserves order, imposes fines and imprisonment for contempt of court the same as when presiding as Judge of the County Court (St. 1836). He presides over the Fiscal Court with the Justice of the Peace, or County Commissioners, thereby constituting the Fiscal Court. (Function of Fiscal Court under caption "Fiscal Court" giving more details of same elsewhere.).

MISCELLANEOUS JURISDICTION: The County Judge has jurisdiction in fish and game cases (1893b-9), (1938a-9); purchases books for indigent school pupils (St. 442lb-17); may solemnize marriages (St. 2103); and may issue licenses therefore in the absence of the Clerk (St. 2113).

In connection with administration of the County Jail, he designates the Jailer in certain cases (St. 2332); makes rules governing the Jail (St. 2333); inspects the Jail monthly and directs the removal of prisoners if it is insecure (St. 2240).

OF

# FISCAL COURT

Fiscal Courts. Counties shall have a Fiscal Court, which may consist of the Judge of the County Court and the Justice of the Peace, in which court, the Judge of the County Court shall preside, if present; or a county may have three commissioners, to be elected from the county at large, who together with the Judge of the County Court, shall constitute the Fiscal Court. A majority of the members of said court shall constitute a court for the transaction of business. But where, for county governmental purposes, a city is by law separated from the remainder of the county, such Commissioners may be elected from the part of the county outside of the city (Const. 144).

In all but eight of the one hundred and twenty counties of Kentucky, the Fiscal Court consists of the Justice of the Peace, elected from districts three to eight in number, together with the County Judge. In the others, (Boyd, Campbell, Daviess, Jefferson, Mason, McCracken, Montgomery, and Scott) the commission plan is in operation.

Powers of the Fiscal Court as they are set down in the statutes (St. 1838). The Fiscal Court may:

> Appropriate county funds authorized by law to be appropriated. Erect and repair public buildings. Secure sufficient jail facilities and a convenient place for

holding court at the county seat.

Erect and keep in repair bridges and other structures and superintend the same.

Regulate and control the fiscal affairs and property of the

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Make provision for the maintenance of a poorhouse; provide hospitalization for the care, treatment and maintenance of the poor who are sick. Provide for the good condition of the highways in the county.

Appropriate funds to secure immigration into the County. Advertise the resources of the county.

Appropriate funds for the benefit of colleges and infirmaries for the sick located in the county (St. 1838).

In addition to the foregoing, the Fiscal Court may execute its orders, and within its jurisdiction, deal with such matters relating to the levying of taxes as were formerly by special law conferred upon the County Clerk of Levy and Claim (St. 1838).

# CATALOGUE OF FORMS

Capias ad satisfactiendum; writ of venditioni exponis; replevin of fine bond; forthcoming bond; schedule of estate liable for debts; warrant on forcible entry and detainer; fiduciary's reinvestment bond; traverse bond on forcible entry and detainer; warrant of restitution

#### Juvenile Session

Affidavits and order recommitting to State Hospital until discharged by law; affidavit and order recommitting to Eastern State Hospital for not more than 35 days, pending inquest; inquest proceedings and judge's order committing to hospital or asylum; affidavit of doctor and judge's order committing to State Hospital pending inquest; order of allowance for pauper idiot; order of allowance for physician on inquest proceedings; rule and order of court, information about offense committed; summons to parents or custodian of boy arrested under 17 years of age; summons to appear in county court in regard to \_\_\_\_\_; summons to appear in county court to answer charge of \_\_\_\_\_; summons to bring child or children charged with delinquency; subpoena to appear as witness in court; affidavit and warrant for failure to support child; petition for juvenile inquest (dependent); petition for juvenile inquest (delinquency of child.

#### DICTIONARY OF FORMS

- 18. AFFIDAVITS AND ORDER FOR RECOMMITTMENT OF PERSON WITH UNSOUND MIND.

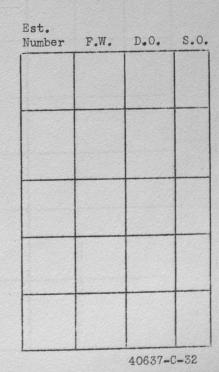
  See Office II, Item 18.
- 19. AFFIDAVIT AND ORDER RECOMMITTING PERSON WITH UNSOUND MIND.

  See Office II, Item 19.
- 20. INQUEST PROCEEDINGS.

  See Office II, Item 20.

- 21. AFFIDAVIT AND ORDER.

  See Office II, Item 21.
- 22. ORDER OF ALLOWANCE FOR PAUPER IDIOT.
  See Office II, Item 22.



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Office V, Item R (23, 39-43, 47-52) Est. Number F.W. D.O. S.O.

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23. PHYSICIAN'S ALLOWANCE ON INQUEST PROCEEDINGS.

See Office II, Item 23.

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39. CAPIAS AD SATISFACTIENDUM. (Ky. St., Sec. 1661) (1893).

See Office II, Item 39.

40. WRIT OF VENDITIONI EXPONIS. (Ky. St., Sec. 1664) (1893).

See Office II, Item 40.

41. REPLEVIN OF FINE BOND. (Ky. St., Sec. 1667) (1893).

See Office II, Item 41.

42. FORTHCOMING BOND. (Ky. St., Sec. 1671) (1893).

43. SCHEDULE OF ESTATE LIABLE FOR DEBTS. (Ky. St., Sec. 2180) (1890).

See Office II, Item 43.

See Office II, Item 42.

47. RULE AND ORDER OF COURT.

See Office II, Item 47.

48. INFORMATION.

See Office II, Item 48.

49. SUMMONS TO PARENT OR CUSTODIAN OF BOY.
See Office II, Item 49.

50. SUMMONS TO APPEAR IN COUNTY COURT.

See Office II, Item 50.

51. SUMMONS TO APPEAR IN COUNTY COURT TO ANSWER CHARGE OF \_\_\_\_\_.

See Office II, Item 51.

52. SUMMONS TO BRING CHILD OR CHILDREN INTO COURT.

See Office II, Item 52.

Office V, Item R (53-57)N 64-67A

Est. Number

F.W. D.O. S.O. 53. SUBPOENA. See Office II, Item 53. 54. AFFIDAVIT AND WARRANT. See Office II, Item 54. PETITION. See Office II, Item 55. 56. PETITION. See Office II, Item 56. 57. AFFIDAVIT AND WARRANT. See Office II, Item 57. 64. WARRANT ON FORCIBLE ENTRY AND DETAINER. (Civ. Code, Sec. 454). Warrant for entering or possessing property without permission. 65. FIDUCIARY'S REINVESTMENT BOND. (Civ. Code, Sec. 493) (Passed 1892, amended 1920). Surety bond furnished by guardian, committee, husband or next friend. 66. TRAVERSE BOND ON FORCIBLE ENTRY AND DETAINER. (Civ. Code, Sec. 463). Bond given by complainant with request for warrant on forcible entry and detainer. 67. WARRANT OF RESTITUTION. (Civ. Code, Sec. 461). Order of justice of the peace that owner be put in possession of his property taken by forcible entry and detainer. 67A. (Record Book Quarterly Court) Recordings by County Judge of Quarterly Court proceedings.

OF

## COUNTY TREASURER

THE COUNTY TREASURER is appointed by the Fiscal Court. His office is in the County seat in rooms provided by the Fiscal Court.

He receives and receipts for the county for all money due, or to become due; from several collection officers thereof, or from any other person or persons whose duty it is to pay money into the County Treasury; all moneys so received are held subject to the order of the Fiscal Court of that County. He has power, and it is his duty, when directed by the Fiscal Court, to institute actions in the name of the County against all delinquent sheriffs or collectors of the County who shall fail or refuse to pay over the same when due, on demand.

He keeps a book or books, furnished by the Fiscal Court, paid for by the County, showing an accurate account of all moneys received and disbursed by him for the County. The books are balanced on the first of each month, so as to show the correct amount on hand belonging to each fund on the day balance is made.

He also keeps a record of all suits he is directed to institute on behalf of the County, showing their condition and the money collected, if any, thereunder.

He reports to the County Judge, in writing, each payment made to him as Treasurer, showing when and from whom received and on what account. His failure to do so within five days after payment is made causes him to be guilty of misdemeanor and on conviction he shall be fined.

He shall, when required by the Fiscal Court, settle his accounts as County Treasurer and at each regular April term of the Fiscal Court held for the County after the appointment of the Treasurer, he shall make a full settlement of his office for the preceding year with the Fiscal Court, on a day in said term to be fixed by it, or with such person or persons as the Fiscal Court may by order of record, appoint to make settlement with him. (St. 931).

In cities with population of less than 50,000 the Fiscal Court may require by order, the County Treasurer to purchase at market price any road bonds or other bonds of the County issued and outstanding, or otherwise, to invest the funds in his hands in bonds of the United States or Commonwealth of Kentucky and to pay for such bonds out of funds in his hands not bearing interest and which will not be required for payment of County bonds or coupons issued and outstanding, maturing within twelve months after the entry of such order. (St. 933-1).

The books of the County Treasurer shall at all times be open to inspection of the Fiscal Court or any member thereof and shall be public records open to inspection at all reasonable times by any taxpayer of the County. (St. 935).

# CATALOGUE OF FORMS

Appropriation ledger accounts (sheet 6-A); appropriation ledger accounts (sheet 6-B); appropriation ledger accounts (sheet 7-A); appropriation ledger accounts (sheet 7-B); appropriation ledger accounts, other funds (sheet 8-B); condition of sinking fund principal (sheet 24); condition of sinking fund interest (sheet 24); comparative income statement (sheet 2); condition of general expense fund appropriation allotments (sheet 22); summary of budget requests for the fiscal years 193\_..193\_ and comparative statements (page 1); schedule 1, general expense fund, statement of budget requests for 193\_..193\_ by departments or purposes (sheet 3); schedule 2, road funds, statement of budget requests for 193\_..193\_ (Sheet 4); schedule 3, sinking fund for bonded indebtedness, statement of budget requirements for 193\_..193\_ (sheet 4); schedule 4, statement of floating indebtedness (sheet 4); schedule 5, estimated receipts and distributions (sheet 5); condition of cash fund (page 21); claims against county.

DICTIONARY OF FORMS

68. APPROPRIATION LEDGER ACCOUNTS (Sheet 6-A) (Ky. St., Sec. 1851c-1 - 1851c-11) (1934).

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Ledger sheets contain printed appropriation accounts.

69. APPROPRIATION LEDGER ACCOUNTS (Sheet 6-B) (Ky. St., Sec. 1851c-1 - 1851c-11) (1934).

Ledger sheets contain printed appropriation accounts.

70. APPROPRIATION LEDGER ACCOUNTS (Sheet 7-A) (Ky. St., Sec. 1851c-1 - 1851c-11) (1934).

Ledger sheets contain printed appropriation accounts.

Est. Number	F.W.	D.O.	s.o.
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Office 5h, Item 71-80

Est.

71. APPROPRIATION LEDGER ACCOUNTS (Sheet 7-B) (Ky. Stat., Sec. 1851c-1 - 1851c-11) (1934).

Ledger sheets contain printed appropriation accounts.

72. OTHER FUNDS. (Sheet 8-B.).

Ledger sheets for appropriation accounts not listed on Form 68, 69, 70, 71.

73. CONDITION OF SINKING FUND PRINCIPAL (Sheet 24).

Ledger account.

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74. CONDITION OF SINKING FUND INTEREST (Sheet 24).

Ledger account.

75. COMPARATIVE INCOME STATEMENT. (Sheet 2).

Ledger account.

76. CONDITION OF GENERAL EXPENSE FUND APPROPRIATION ALLOTMENT. (Sheet 22).

Ledger account.

77. SUMMARY OF BUDGET REQUESTS FOR THE FISCAL YEARS 193, 193, and COMPARATIVE STATEMENT. (Page 1).

Ledger account.

78. GENERAL EXPENSE FUND, SCHEDULE 1. (Sheet 3).

Statement of departmental budget requests for fiscal year.

79. ROAD FUND, SCHEDULE 2. (Sheet 4).

Statement of budget requests for fiscal year.

80. SINKING FUND FOR BONDED INDEBTEDNESS, SCHEDULE 3. (Sheet 4).

Statement of budget requirement for fiscal year.

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Office 5h, Item 81-84

81. STATEMENT OF FLOATING INDEBTEDNESS SCHEDULE 4. (Sheet 4).

Statement of principal and interest on current indebtedness.

82. ESTIMATED RECEIPTS AND DISTRIBUTION SCHEDULE 5. (Sheet 5).

Statement of all revenue and how distributed.

83. FISCAL COURT COUNTY, CONDITION OF CASH FUND. (Page 21).

Financial statement of fiscal court.

84. AFFIDAVIT OF CLAIM AGAINST COUNTY.

Form used in all claims against county.

Number	F.W.	D.O.	S.O.

OF

### COUNTY ROAD ENGINEER

THE COUNTY ROAD ENGINEER is appointed by the County Judge and acts under the direction of the Fiscal Court.

He has general supervision of the construction and maintenance of roads and consults with contractors regarding materials and methods of construction. He protects the County's rights relative to public roads and takes legal action when necessary. He purchases or rents teams, and rents or leases machinery and gravel beds. He makes periodical inspection of all County roads.

Compensation for this office is by annual salary.

When a County receives State aid, the County Road Commissioner becomes subject to supervision by the State Highway Commission. (St. 4307a-2).

Building, altering, discontinuing or maintaining of a road, bridge or landing, or sale of public road or bridge, to be let by contract, shall be made public, unless otherwise provided by law, by means of hand-bills and newspapers. A specific time must be allowed for receipt of bids. If satisfactory bids are not received at the end of the time limit period, the Fiscal Court is empowered to act as it sees fit. (St. 4304).

The State Highway Commission must be notified by the County Road Engineer regarding repairs of a bridge or road where the cost exceeds \$500.00, in which case the State Highway Commission furnishes the County Road Engineer plans, specifications and estimates of cost. (St. 4304).

The County Road Commissioner reports to the Fiscal Court and the County Court at each regular term thereof and at such other intervals as the Court may require an itemized statement of expenditures.

OF

## JUSTICES OF THE PEACE

THE JUSTICES OF THE PEACE are judges of minor civil and criminal cases; district members of the Fiscal Court, except those in counties that have a commission form of government (Const. 144).

Justices' Courts are courts of record (St. 1088). Their jurisdiction is concurrent with that of the Circuit and Quarterly Courts in all actions for the recovery of money where the matter in controversy does not exceed \$100.00. The justices have jurisdiction exclusive of the Circuit Courts and concurrent with the Quarterly Court in cases where the value in controversy does not exceed \$50.00. They also have jurisdiction concurrent with the Quarterly Court of motions against constables failing to discharge their duties, and such other jurisdiction as may be provided by law (St. 1086).

In penal cases they have jurisdiction exclusive of the Circuit Court when the punishment involved is limited to an imprisonment of not exceeding twenty days, and jurisdiction concurrent with the Circuit Courts of all penal cases, the punishment of which is limited to a fine not exceeding \$100.00 or imprisonment not exceeding fifty days, or both (St. 1093). Compensation is by fees regulated by law (Const. 106). They may hold inquests under the same conditions as a Coroner (St. 535).

### CATALOGUE OF FORMS

Capias ad satisfactiendum; writ of venditioni exponis; replevin of fine bond; forthcoming bond; schedule of estate liable for debts; warrant on forcible entry and detainer; traverse bond on forcible entry and detainer; warrant of restitution; replevin of execution bond; sale bond; warrant (specific charge); affidavit of sureties' worth; affidavit for immediate possession; affidavit and attachment bond; order of attachment; bond for bail and order to release prisoner; bond for costs; delivery bond; bond to discharge distress warrant; forthcoming bond; warrant to recover judgment and costs; confession of judgment and agreement; execution on judgment for debt; order of commitment; petition for discovery; partial release; rule against garnishee; magistrate's rule; subpoena; summons; distress warrant for rent; warrant of arrest; writ of discovery; writ of forcible entry and detainer.

DICTIONARY OF FORMS Number F.W. D.O. S.O. 37. BOND FOR COSTS. See Office II, Item 37. 39. CAPIAS AD SATISFACTIENDUM. See Office II, Item 39. 40. WRIT OF VENDITIONI EXPONIS. See Office II, Item 40. 41. REPLEVIN OF FINE BOND. See Office II, Item 41. 42. FORTHCOMING BOND. See Office II, Item 42. 43. SCHEDULE OF ESTATE LIABLE FOR DEBTS. See Office II, Item 43. 64. WARRANT ON FORCIBLE ENTRY AND DETAINER. See Office V, Item 64. 66. TRAVERSE BOND ON FORCIBLE ENTRY AND DETAINER. See Office V, Item 66. 67. WARRANT OF RESTITUTION. See Office V, Item 67. 87. REPLEVIN OF EXECUTION BOND. Bond given by defendant and his surety to recover property that has been seized. 88. SALE BOND. Bond given by defendant and his surety for purchase price of goods sold to satisfy debt or damage. 89. WARRANT.

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For arrest of person on specific charge made by another person under oath.

Number F.W. D.O. S.O. 90. AFFIDAVIT OF SURETY'S WORTH Affidavit of property owner for purpose of becoming surety on bond. 91. AFFIDAVIT FOR IMMEDIATE POSSESSION. Affidavit of property owner to gain possession of property detained by defendant. 92. AFFIDAVIT AND ATTACHMENT BOND. Affidavit of plaintiff and bond given for property attached to satisfy claim. 93. ORDER OF ATTACHMENT. Justice of Peace order to attach property to satisfy claim of plaintiff. 94. BOND FOR BAIL, AFFIDAVIT AND JUSTICE OF PEACE'S ORDER. Bail bond, surety's affidavit of his worth, justice of peace's order to release prisoner. 95. DELIVERY BOND. Bond guaranteeing return of property to defendant if plaintiff loses case in court. 96. BOND TO DISCHARGE DISTRESS WARRANT. Bond guaranteeing payment of rent. 97. CAPIAS PRO FINE. Warrant for arrest of person failing to pay fine and costs. 98. CONFESSION OF JUDGMENT AND AGREEMENT. Acknowledgment of defendant's attorney

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of judgment and consent to pay to defendant a certain amount of money attached.

Est.

Number F.W. D.O. S.O. 99. EXECUTION ON JUDGMENT FOR DEBT. Order of justice of peace to sheriff or constable to sell certain property of defendant to satisfy debt and court costs. 100. ORDER OF COMMITMENT. Order of Justice of Peace committing convicted person to jail in lieu of non-payment of fine. 101. PETITION IN EQUITY FOR DISCOVERY. Petition for order of general attachment to recover amount of judgment rendered against defendant. 102. PARTIAL RELEASE. Order of justice of peace to release garnishee except for certain amount to be held for plaintiff. 103. RULE AGAINST GARNISHEE. Rule of justice of peace that defendant pay plaintiff a certain sum of money. 104. MAGISTRATE'S RULE. Summons to defendant to appear in magistrate's court to answer charge of 105. SUBPOENA. Summons to witness to appear in court. 106. SUMMONS. Summons to defendant to appear in court to answer charge of 107. DISTRESS WARRANT FOR RENT. Order of justice of peace to attach certain property to satisfy rent and costs of action.

Office VI, Item 108-110

108. WARRANT OF ARREST.

Affidavit of person that a certain person has committed an offense, justice's order for arrest.

109. WRIT OF DISCOVERY.

Summons to defendant to answer in court his failure to satisfy judgment in favor of plaintiff.

110. WRIT OF FORCIBLE ENTRY AND DETAINER.

Summons to defendant to appear in court to answer for holding property belonging to plaintiff.

Number	F.W.	D.O.	S.O.

Est.

OF

#### COUNTY SURVEYOR

THE COUNTY SURVEYOR is primarily an adjunct of the court in determining the boundaries of real property in litigations.

He performs any surveying or civil engineering duties which the courts may order him to do and the courts may fine him if he fails to comply with their orders. Such orders relate to the processioning of land, the locating of lost corners and dividing lines, the surveying and division of an estate, land being sold by order of court, surveying, locating, and superintending the construction of roads, canals, levees, and ditches that are built by taxes.

In the performance of such duties, he may have the selection of chain men and other necessary help and the fees for such services are to be taxed at cost (St. 4672a). The Surveyor keeps a record of plats and explanatory notes made by him or his deputies, and for this service receives the fees prescribed by law (St. 4672a-4). No survey or re-survey of real estate made by any person except the County Surveyor or his deputies may be considered as legal testimony in any court unless such surveys are made by mutual consent reduced to writing and signed by the parties and recorded in the County Surveyor's office or made by order of Court (St. 4672a-4). (See also St. 4672a-6 to 4679a-3, inclusive).

Office VIII

OFFICE

OF

# ASSESSOR

The abolition of the office of ASSESSOR as authorized by Constitution Sec. 104, and creation by the Legislature of the office of County Tax Commissioner in each county, the powers and duties of the Assessor were divided between the new office and the State Tax Commission (St. 4042a-1).

OF

#### COUNTY TAX COMMISSIONER

Upon the abolition of the office of Assessor, as authorized by Constitution Sec. 104, the Legislature has created in every county, the office of COUNTY TAX COMMISSIONER, and divided the powers and duties of the Assessor and the State Tax Commission (St. 4042a-1). The term of office of County Tax Commissioner is the same as that of Assessor under the Constitution (St. 4042a-2).

The County Tax Commissioner keeps his office open daily from July 1 to October 31, inclusive, each year. It is his duty, either personally or by deputy, to call at the residence of each taxpayer who does not call upon him, for the purpose of listing his property. In making such a call, he leaves a list and notice for the delinquent personally to appear before him or his deputy and list property. From the first of November to the thirty-first of December he makes up his assessment book and performs such other duties as may be required to obtain a fair and complete assessment of the property in the county (St. 4042a-12). All property is to be assessed as of July 1 of each year.

The Fiscal Court furnishes the Commissioner with a suitable office, whenever possible, in the County Courthouse (St. 4042a-14). He meets with the County Board of Supervisors and furnishes them with memoranda showing all real estate assessed to different parties or in the different districts in the previous year, together with some other information as they may require. For these additional services he is authorized to receive such compensation as is paid to members of the County Board of Supervisors (St. 4042a-15). On or before the first of January, he returns his tax books and schedules to the County Clerk (St. 4115ia-15).

# CATALOGUE OF FORMS

Schedules of Assessments.

# DICTIONARY OF FORMS

111. SCHEDULE OF ASSESSMENTS.

Schedules of tangible and intangible personal property assessed for taxes.

Est. Number	F.W.	D.O.	s.0

OF

### COUNTY ATTORNEY

THE COUNTY ATTORNEY represents the State in criminal cases and the county, the State, and Public Officers in the County, in civil suits to which the public is a party. He is also legal advisor to the Fiscal Court and other county officers and boards.

He may be compensated by fees from the State Treasury (Const. 106), but subject to the limitation of fee officers, and in counties containing a city of over seventy-five thousand inhabitants receives a salary in lieu of all fees. Vacancies in his office are filled by appointment by the County Court (St. 1526) until the next general election occurring not later than three months following the vacancy. The county attorney is the county's prosecuting officer, but in felony cases is subordinate to the Commonwealth Attorney. Indictments may not be dismissed by him except with the permission of the court. (St. 313).

In addition to the prosecution of the ordinary common law and statutory crimes, the county attorney may be called upon by several local State agencies to enforce particular laws, e.g., he assists the County Health Officer in the abatement of nuisances (St. 2059a-14), although the Public Health Boards are authorized to employ special counsel (St. 2059a-19).

Under the road law, he opposes the wrongful opening or alteration of a road.

Under the tax and revenue law, he takes action against the County Tax Commissioner on his bond to recover for taxes omitted from the assessment list (St. 4042a-10 and 4068); prosecutes persons and agents of corporations for neglect to comply with the provisions of the law (St. 4114i-12 (8); institutes proceedings to secure redemption by owners of land sold for taxes, is subject to a fine for failure to do so (St. 4153); examines (and swears to the fact) the list of conveyance and sales prepared by the County Clerk for the State Tax Commission (St. 4114i-12 (9)). He also has a general duty to prosecute county officials for failure to perform the duties required of them under this law (St. 4068), and in this connection assists the State Tax Commission when, as a result of their investigations of local tax administration, prosecution becomes necessary (St. 4114i-12). He represents the Board of Supervisors in all suits before the Quarterly Court (St. 4128). An incidental function under this same law, is the conduction of examination of candidates for the office of County Tax Commissioner under the direction of the State Tax Commission (St. 4042a-11). The County Attorney also aids in the collection of revenues to the extent that he must take all necessary steps to cause unsatisfied judgments in his county in favor of the Commonwealth to be collected and paid into the treasury (St. 130).

His activities also extend to the Circuit Court, with particular reference to felony cases. In the exercise of this duty he is an assistant to the Commonwealth Attorney, but he may not allow a prosecution to be dismissed except with the Commonwealth Attorney's consent.

The law requires magistrates to notify him of cases before them (St. 128). The assumption is that he may use his discretion in appearing on behalf of the

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County or State in any cases arising within that jurisdiction. He is charged with the duty of compelling the performance of particular official duties on the part of other county officers, e.g., the enforcement of the act requiring the County Jailer to make an inventory and be responsible for any losses of furniture or equipment in the county buildings (St. 3939).

He is also a general legal advisor and attorney for the county. In this capacity, he must attend all County and Fiscal Courts held in the county and conduct all cases and business therein which touches the interest of the county, (St. 126) and give the several County officers advice concerning any business within their jurisdiction (St. 127).

## CATALOGUE OF FORMS

Order of dismissal; notice of land sold.

#### DICTIONARY OF FORMS

112. ORDER OF DISMISSAL.

Order of county attorney that suit brought for nonpayment of taxes be dismissed.

113. NOTICE OF LAND SOLD.

County attorney's notice to land owner that his land has been sold for non-payment of taxes.

Est. Number	F.W.	D.O.	s.o.

OF

#### CONSTABLES

CONSTABLES may be described briefly as district sheriffs, wholly independent of the sherrif.

They are subject to indictment and prosecution for misfeasance or malfeasance in office, but have a right to appeal to the Court of Appeals. They may appoint one or more deputies (St. 425), and where there is no qualified Constable, the marshal of any town is authorized with power to perform the duties of the office (St. 925a-1).

Constables may execute bench warrants, warrants of arrest, distress or other warrants, summons, subpoenas, judgments, notices, rules and order of the court in criminal, penal, and civil cases, and shall return all such processes noting the time of the execution on them, to the court of persons issuing them. (St. 436).

Compensation is by fees except in counties having a population of 75,000 or more (Const. 106). (See also St. Sec. 424 to 445, 1053, 1086. For Constables' fees see St. 1733, 441, 435 and 901).

#### CATALOGUE OF FORMS

Attachment bond; constable's sale.

#### DICTIONARY OF FORMS

114. INDEMNIFYING BOND.

Indemnifying bond given sheriff by complainant.

115. CONSTABLE'S SALE.

Constable's notice that he will sell at public sale certain described property to satisfy debt, interest and costs.

Est. Number	F.W.	D.O.	S.O.
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OF

#### SHERIFF

THE SHERIFF is primarily the executive arm of the court whose duty is to execute various process or writs. He is also a peace officer and as such is authorized to make arrests on warrants issued by the court. He is also collector of various taxes.

Except in counties or cities having seventy-five thousand inhabitants or more, his compensation is by fee (Const. 106) which is to be regulated by law. Where he is compensated by salary, he may receive for his own compensation and for pay of his deputies and all office expenses not to exceed seventy-five per cent of the fees collected and paid into the treasury. Vacancies in the office are filled by appointment of the Governor until the next succeeding election, occurring within three months of the time of the vacancy (Const. 152).

The Sheriff may appoint his own deputies with the approval of the Fiscal Court, but he is responsible for their acts on his bond; he may revoke these appointments at pleasure (St. 4560 and St. 4563) and recover from his deputy for any damage sustained (St. 4561). He may not collect other fees than authorized by law. (St. 457).

As conservator of the peace, the Sheriff may command and take with him the "power of the county" (St. 4578), and has considerable authority in enforcing arrests and executing process (St. 4879, et seq.). (Closely related to this function is the duty of impounding unlicensed dogs running at large.)

In his capacity as a tax official, the Sheriff has a multiplicity of duties, relating chiefly to the direct collection of taxes. The law specifically charges him with the collection of the property tax, the poll tax (St. 4239i), the school capitation tax (St. 1922c-7), and the inheritance tax (St. 428la-8); he is also collector of all other revenues for which no other collector is designated (St. 4129). He must not, however, collect any taxes until the tax administrator's book, as approved by the Board of Supervisors, has been put into his hands by the County Clerk (St. 4067). During the tax collection period, he reports, on oath, to the County Court, on the first day of May, June, July, August, September, October, November and December the amount of taxes collected up to those dates for the State and County. This report is filed by the County Clerk (St. 4167). The Sheriff, on the first day of May, June, July, August, September, October, November and December reports and turns in to the Auditor of Public Accounts all moneys received by him in payment of State Taxes and on all moneys so received and not accounted for and turned in by December 31, he pays a penalty of six per cent per annum (St. 4143). In its October term, the County Court appoints some competent person with whom the sheriff is to settle his accounts for county taxes (St. 4146).

He collects all fines and forfeitures and all officers' fees listed with him or his deputies and due and payable in his county. (St. 4572).

After he has made his settlement with the Auditor of Public Accounts,

Office XII, Item R(45,87,88) N, 116, 117

he reports, on oath, a list of property known by him to have been omitted from taxation and all property duplicated (St. 4042 and 4241.)

On all taxes not collected by December 1, he collects a penalty of six per cent annum and if these taxes remain unpaid on December of the next year, an additional penalty of six per cent (St. 4148).

He notifies all persons whose list have been increased or assessed by the Board of Supervisors and is allowed a "reasonable" compensation for this service out of the county levy (St. 4122).

When property is to be sold for taxes, he advertises and conducts the sale (St. 4040). He issues a certificate of purchase describing the property and stating the details relating to the sale (St. 4158). He then makes a deed of conveyance on behalf of the Commonwealth, for which a fee is allowed (St. 4159). If there is no other buyer, he is required to purchase the property for the State (St. 4141-2). If the Sheriff believes that another person is indebted to the owner of property for which taxes are due, and the taxes cannot be collected in any other way, he may attach the debt (St. 4184).

### CATALOGUE OF FORMS

Summons of witness before grand jury; summons for grand juror services; bail bond; replevin of execution bond; sale bond; summons to appear as a witness before compensation board; bond indemnifying sheriff.

#### DICTIONARY OF FORMS

45.	BAII	BOND.		
	See	Office	II,	Item 45.

87. REPLEVIN OF EXECUTION BOND.
See Office VI, Item 87.

88. SALE BOND.

See Office VI. Item 88.

116. SUMMONS.

Summons of witness to appear before grand jury.

117. JUROR'S SUMMONS.

Summons for grand jury service.

Est. Number	F.W.	D.O.	s.o.

Office XII, Item 118, 119a

118. SUMMONS.

Summons of witness to appear before workmen's compensation board.

119. ATTACHMENT BOND.

Indomnifying bond given sheriff by complainant.

119a. DOG LICENSE.

(Tax) Permission to own a dog.

Est. Number	F.W.	D.O.	S.O.

OF

#### JAILER

THE JAILER performs not only the duties which are indicated by his title, but is charged with the custody of the county property at the seat of justice. He is, by law, an officer of the court analogous to the sheriff.

He is compensated by fees except in counties having a population of seventy-five thousand or more. He is subject to indictment for misfeasance or neglect of duty and upon conviction his office becomes vacant. If a vacancy occurs in the office, it must be filled by appointment until the succeeding election (Const. 152).

The Jailer is an officer of the Circuit and County Courts (St. 2225) and process from any court in civil or criminal cases may be executed by him and in all such cases he is subject to the law applicable to the Sheriff (St. 2334). He is subject to the control of these courts in several respects. The County Judge inspects the jail once a month (St. 2235). If the jail is found to be unsafe, either the Circuit or County Judge may order the removal of the prisoners to another jail (St. 2238), and the cost of such removal is borne by the State Treasury (St. 2240). The County Judge may rent temporarily property which may be used as a jail while another is being built. (St. 3950). The Jailer reports monthly to the County Court the disposition of prisoners kept at hard labor (St. 1382).

The Jailer receives and keeps all prisoners committed to him (St. 2226), keeps the jail clean and comfortable (St. 2236). In all counties not having seventy-five thousand population, he is Superintendent of the public square and courthouse, clerk's offices, the jail, and other public buildings at the seat of justice. The Fiscal Court is required annually to appropriate out of county funds a sum sufficient to purchase labor and materials necessary to keep these properties in repair, to furnish heat, etc. In connection with these duties, the Jailer has power to institute suit to recover possession of, and for injury to, county property (St. 3948). He takes care of and preserves all furniture in the courthouse, etc., and makes an annual inventory thereof, for the County Court, for which duties he is responsible on his bond (St. 3949).

He must reside within four hundred yards of the jail (St. 2229).

In the absence of the Jailer, the Sheriff assumes the duties of the office (St. 2231), or the County Judge may designate another substitute if the Sheriff cannot act (St. 2232).

County Jails may be used by the Federal Government upon the payment of the Jailer's fees (St. 2227). Upon the same terms, cities and towns may use the jails (St. 2228); but the county has no power to require payment from a city for the use of the jail, (Mason County V. City of Maysville, 19 R. 400).

BOARD

OF

### COUNTY BOARD OF EDUCATION

THE COUNTY BOARD OF EDUCATION has the general control and management of the public schools in its district. It is a Board for determining school policies within the portion of the county not included in a municipality or in a graded school district. To see that all other necessary services are rendered for the welfare of the pupils - principally in matters of education which may be consistent with the rules and regulations of the Board of Education (St. 4399-20). The Board is a body politic and corporate and exercises the powers usual to bodies so established including power to hold title to real property and to rent, lease, or condemn property (St. 4399-21).

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The Board of Education consists of five members who are elected for four years; each from his respective district. They are eligible for reelection. (St. 4399-23). They take oath for office. The Board is empowered to distribute State Funds (St. 4334a-13) and to raise additional funds for school purposes within the limitations set and according to the procedure laid down in the statutes. The Board selects a County Superintendent for a term of one, two, three, or four years, whose duty it is to approve the contracts and building plans, appoint a board of examiners, represent the State superintendent on all examinations for teacher's certificates, recommend principals and teachers, and act as the general executive of the Board. The Board must meet at least once each month in regular session. Special meetings may be called by the chairman. Three members of the Board constitute a quorum and can transact the business of the Board. The secretary may call for special meetings but must give due and timely notices of such meetings, object and purpose for same. The majority of three constituting the quorum can transact the business as though all members were present and it is the duty of the secretary to be present and make records of all of the proceedings of all meetings held by the Board. Any member failing to attend three consecutive meetings, without excuse, has his office vacated (St. 4399-29). They receive no salary. They may, however, receive all necessary and actual expenses incurring attending meetings in their districts in the performance of their duties, and such other expenses in performance of duties authorized by the Board. But in no case shall such expense of any member exceed one hundred dollars a year. (St. 4399-32). They make their own by-laws for the governing of the school affairs. A quorum of three members may change, alter or amend or set aside such rules.

They must see to it that a permanent and continuous census is taken of such nature that the number of children, name, age, nativity, post office address, age of each parent, guardian or custodian, occupation, may be determined at any time in each school (St. 4434-25).

Est.

# CATALOGUE OF FORMS

Permanent census record (form C-A-2); school enrollment card (form C-A-3); notice of transfer (form C-A-4); report of withdrawal (form C-A-5); reentrance report to attendance officer (form C-A-6); physician's report (form C-A-9); monthly reoprt of attendance officer (form C-A-11); orders of treasurer of \_\_\_\_\_ board of education (form F-40); monthly financial report to state department of education (form F-50); principal or head teacher's monthly attendance report to superintendent or to school board for \_\_\_\_\_ (form 150); teacher's contract; teacher's daily register (form R-140).

DICTIONARY OF FORMS

120. PERMANENT CENSUS RECORD. (Form C-A-2)

Permanent record of all children of school age.

- 121. SCHOOL ENROLLMENT CARD. (Form C-A-3),

  Form used for recording date of entrance and other data.
- 122. NOTICE OF TRANSFER. (C-A-4).

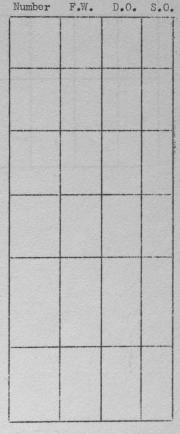
  Record of transferring from one school to another.
- 123. REPORT OF WITHDRAWAL. (C-A-5).

  Form used when a child withdraws from school without a transfer notice.
- 124. RE-ENTRANCE REPORT TO ATTENDANCE OFFICER. (C-A-6).

This form is used when a child, on whom a C-A-4 or C-A-5 has been issued, returns to school.

125. PHYSICIAN'S STATEMENT. (C-A-9).

Form used by attending physician when professional services have been rendered a child attending school.



		Est. Number	wa	D.O.	S.O.
126.	MONTHLY REPORT OF ATTENDANCE OFFICER (Form C-A-11).			<b>D.</b> G.	
127.	ORDERS OF TREASURER OF BOARD OF EDUCATION. (Form F-40).				
	Form used for approving for payment salaries of teachers, officials and board employees: claims and other bil	ls.			
128.	MONTHLY FINANCIAL REPORT. (Form F-50	)			
	Monthly financial report to state department of education.				
129.	TEACHER'S MONTHLY ATTENDANCE REPORT. (Form 150).				
	Report of teacher to school superintendent or school board.				
130.	TEACHER'S CONTRACT.			4, 10	
	Contract entered into by teacher and board of education.				
131.	TEACHER'S DAILY REGISTER. (Form R-14	FO')			
	A daily register of all children atteding school. This record is made by teacher and given to school superinted dent at end of school term.				

OF

#### SCHOOL TRUSTEES

THE SCHOOL TRUSTEE is generally the custodian of the school buildings and other property contained in his district. He makes monthly visits to the school, and with the consent of the County Superintendent sees that the school is furnished with fuel and other necessary supplies. It is his duty to report to the County Superintendent any necessary repairs or improvements that the buildings or grounds need.

One sub-trustee is allowed for each county school district in the State (St. 4399-7).

Each sub-trustee in office when this Act becomes effective and each Trustee that may be elected to office at the time of the Act shall have the power and it shall be his duty to exercise general control over the school property of the sub-district, under the general supervision of the County Board of Education. It shall be his duty to advise freely with the Superintendent of the Schools of the County on all matters pertaining to the general welfare of school or schools in his district (St. 4399-11).

As district school attendance officer in his school district, he is to see that there is instituted and maintained a complete and accurate, permanent and continuous census of all children between the ages of six and eighteen residing in the school district. He shall also specify name, date, birth, sex, and names of parents, guardian, or custodian, of each child, post office address of each parent, guardian, or custodian, the school district to which the child belongs, said school to be described by number and name, and all such other data as may be required by the Superintendent of Public Instruction. Each Board of Education may furnish the necessary assistance in preparing said census. (St. 4434-26). In June of each year he must prepare and make ready these reports of census for the district for the Board of Education to mail or cause to be in the hands of the Superintendent of Public Instruction such reports, showing the whole number of children covering the above. The report must list the children according to the schools of each district. Forms are furnished by the State Board of Education for this purpose. Duplicate copies of the census reports are placed in the office of the District Board of Education and are sworn to before a notary public as being a correct statement as shown upon the School Census on file in the office of the attendance officer. (St. 4434-27).

OF

#### CORONER

THE CORONER is a common law officer and is in some respects a sort of vice-sheriff. In Kentucky, however, his duties are fixed by statute and extend to inquests into causes of deaths which occur under such circumstances as to give ground for suspicion that a crime has been committed (St. 528). In case he is able to find by inquest that any person is guilty of the crime of murder or manslaughter, or is accessory thereto, he may arrest and commit any such person to the county jail (St. 529). In the performance of such duties, he has the powers of a magistrate (St. 530). He disposes of the body of any person found dead, under the circumstances described, in the manner provided in the statutes (St. 531). When in his opinion it is necessary, he may call in the assistance of a competant surgeon or physician who may perform an autopsy upon the body (St. 532). In cases of probable homicide or where death has been caused by the negligence of another person, he summons a jury to assist at the inquest (St. 533). In the absence of the coroner, an inquest may be conducted by a Justice of the Peace.

In addition to the foregoing powers, the Coroner may execute processes in criminal, penal, and civil cases, and when so acting is subject to the laws applicable to Sheriffs (St. 536).

See also (St. 537, 537a, and 537b).

Note: For Coroner's fees, see St. 1739.

## CATALOGUE OF FORMS

Request for permit; coroner's summons.

## DICTIONARY OF FORMS

132. REQUEST FOR PERMIT.

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133. CORONER'S SUMMONS.

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BOARD

OF

# DRAINAGE COMMISSIONERS

THE BOARD OF DRAINAGE COMMISSIONERS is an optional board which is only installed in cases where the county has need of a levee, ditch, drain or canal. One director is elected from each drainage district and becomes a member of the board.

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