



A
D I G E S T

OF THE

STATUTE LAWS OF KENTUCKY,

OF

A PUBLIC AND PERMANENT NATURE,

FROM THE COMMENCEMENT OF THE GOVERNMENT TO THE SESSION OF THE LEGISLATURE
ENDING ON THE 24TH FEBRUARY, 1834.

WITH REFERENCES TO JUDICIAL DECISIONS.

IN TWO VOLUMES.

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VOL. I.

FRANKFORT, KY.

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1834.

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courts of equity as heretofore.

Fee to clerk.

Arbitrators to receive 9 shillings per day.

How paid.

Allowance to witnesses.

ing herein contained shall be construed to take from courts of equity their powers over awards, arbitrations or umpirages. (j)

SEC. 4. The clerks shall be allowed for all the services, to be performed by them under this act, the same fees as are allowed by law for the like services, in cases of a similar nature.

SEC. 5. The arbitrators for their services shall receive nine shillings per day each if demanded, to be paid jointly by the contending parties, before copies of the award are delivered to them as aforesaid. The fees to the clerk prior to the return and entry of the award, shall be jointly paid down by the contending parties, as those services are rendered; but after the award is entered of record, all subsequent costs shall be charged to, and collectable from that person against whom the judgment or decree of the court shall be, under such award; except, however, it shall be otherwise directed, in and by said award.

SEC. 6. Witnesses shall be allowed the same compensation, while travelling to, and attending on said arbitrators, and be equally privileged from arrests, as witnesses attending the courts of quarter sessions.

TITLE 11.

ARMS PUBLIC.

1814.

IN FORCE FROM ITS PASSAGE.

AN ACT authorizing the Governor to provide for the collecting together, and safe keeping of the Public Arms: Approved February 1, 1814.—5 Litt. 129.

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the governor is hereby authorized and empowered to take such steps for collecting of said arms as he may think proper; and when so collected, to appropriate a sufficient number of rooms in the penitentiary or elsewhere, in the town of Frankfort, for the

Governor authorized to collect the public arms.

(j) The above proviso, it will be perceived, leaves to courts of equity the same powers they had over awards before the passage of this law; and as to how far the chancellor will interfere, see

Baker's Heirs v. Crockett, Har. 394, where the English authorities are collated. See also *Callant, &c. v. Downey*, 2 J. J. Mar. 348.

deposit and safe keeping of the said arms, and other military accoutrements. Any expenses incurred by the governor under the provisions of this act, shall be paid out of the public treasury, on the amount of said expenses being certified by the governor to the auditor of public accounts: *Provided*, that the governor may, at his discretion, from time to time distribute the said arms and accoutrements, or as many of them as he may think proper, amongst the different independent volunteer companies, or troops of the militia of this state; taking bond and security of the commanding officer of such company or troop respectively, for the safe keeping and returning of such arms to the quarter-master general of this state, whenever called on for that purpose.

May distribute the same to volunteer companies.

Bond to be taken for return of the same.

1831.

IN FORCE FROM ITS PASSAGE.

AN ACT further to regulate the Militia Correspondence, and for other purposes: Approved December 23, 1831.—*Session Acts 1831*, p. 238.

[SEC. 1.] It shall also be the duty of the quarter-master general, whenever he ascertains that the public arms which have been distributed, and in the possession of independent companies, are not kept in an arsenal or room for that purpose, but are distributed among the individual members of the company, and are in bad order, to require the officers who gave bonds for the same, to return them to the arsenal, at Frankfort, within a reasonable time.

SEC. 5. *Be it further enacted*, That it shall be the duty of the brigade inspectors, to examine into the condition of the public arms, and report specially, to the brigadiers, who shall transmit the same to the adjutant general, to be handed by him to the quarter-master general: *Provided, however*, that if any brigade inspector fails to make such report, he shall be fined, by a brigade court-martial, in any sum not less than twenty dollars, nor more than fifty dollars.

Quarter-master-general authorized to have the public arms returned to the arsenal.

Brigade inspector to report the condition of the public arms.

Proviso.