

MINUTES } CITY OF PIKEVILLE

At a regular meeting of the Common Council Council of the City of Pikeville, Kentucky, convened and held at the City Hall in said city, on the 17th day of April, 1928, the following were present: Mayor, Geo. Pinson Jr., Councilmen, I.E. Brooks, Oscar Jackson, and E.E. Trivette:

On motion made, seconded and carried, the reading of the Minutes of former meetings is dispensed with, on account of pressing business.

Nora L. Thornbury, City Assessor, appeared before the City Council and recommended the appointment of Ola Crutchfield, as Deputy Assessor of the City of Pikeville, Kentucky, to fill the vacancy caused by the resignation of George Thornbury, and Councilman, I.E. Brooks moved that the appointment of Ola Crutchfield be confirmed by the Council, and said motion being duly seconded, carried by a unanimous vote.

The said Ola Crutchfield being present in open Council, accepted said office, and took the oath as required by law,

Councilman, Rush Sword, now present.

W.W. Charles appeared before the Council and asked that he be exonerated from paying the poll tax charged against Sebert Cochran for the years 1926 and 1927, and added to the property tax against said Cochran for said years, and upon motion, made, seconded and carried, the request is denied.

J.P. Hobson Jr., appeared before the City Council on behalf of the Ky., & W. Va., Power Company, and asked for a Franchise to be sold by the City of Pikeville, Kentucky, in conformity with the Standard Franchise, (a copy of which is presented to the members of the Council) held by the said Ky., & W. Va. Power Co., with various other cities, and filed a written request, signed by S.T. Preston, District Manager, and requested the passage of an Ordinance in conformity therewith, and Councilman, Rush Sword moved that the further consideration of this request be postponed until April 19th, and said motion being duly seconded, carried by a unanimous vote.

"Said request is as follows":

"TO THE HONORABLE MAYOR AND COUNCIL OF THE CITY OF PIKEVILLE, KENTUCKY,
PIKE COUNTY, KENTUCKY:

The undersigned, KENTUCKY AND WEST VIRGINIA POWER COMPANY, INC., a corporation duly organized and existing under the laws of the State of Kentucky, hereby makes application to your Honorable Body to offer for sale to the highest and best bidder, after due advertisement as provided by the constitution and statutes of the State of Kentucky, the right, privilege, franchise and authority to acquire, construct, maintain and operate in, above, under, across and along the streets, thoroughfares, alleys, bridges and public places (as the same now exist or may hereafter be laid out) of the City of Pikeville, Kentucky, lines for the distribution of electric energy, either by means of overhead or underground conductors, with all the necessary or desirable appurtenances for the purpose of supplying electric energy to said City and the inhabitants thereof and persons or corporations beyond the limits thereof, for light, heat, power, or any other purpose or purposes for which electric energy is now or may hereafter be used, and for the transmission of the same within, through or across said City; such right, privilege, franchise and authority to continue in force for a period of twenty (20) years after the date of the passage of the ordinance granting the same and to be subject to such terms and conditions as your Honorable Body may prescribe.

Respectfully submitted, this 17 day of April, 1928.

KENTUCKY AND WEST VIRGINIA POWER COMPANY, INC.,

By S.T. Preston,
DISTRICT MANAGER."

The resignation of Leston Justice, as Deputy Chief of Police, is presented and read to the Council, and Councilman, I.E. Brooks moved that said resignation be accepted, and said motion being duly seconded by E.E. Trivette, carried by a unanimous vote.

Butler Bales appeared in open Council and asked that he be exonerated from paying the taxes charged against him by the City, for the years 1926 and 1927, because that he does now own the property, and that same was given in by his mother and paid on by her, and upon motion made, seconded and carried, the further consideration of this matter is postponed, and said matter referred to the City Clerk, and Councilmen, I.E. Brooks and Rush Sword, for investigation, and they are directed to make a report on same, to the Council, at its next regular meeting.

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Councilman, I.E. Brooks, moved that the Mayor appoint a Commission, to draw up a Budget Bill for the city of Pikeville, and said motion being duly seconded, carried by a unanimous vote.

The Mayor, thereupon, appointed on said Budget Commission, Councilmen, I.E. Brooks, Rush Sword, and B.A. Ratliff; J.E. Sanders, City Clerk, and J.M. Hatcher, City Attorney.

It appearing that Lon Robinson has been appointed Policeman of the city of Pikeville, in lieu of Deputy Chief of Police, and given bond therefor, in sum of \$1,000.00, upon motion of Rush Sword, seconded by I.E. Brooks, and carried, it is ordered that bond of \$2500.00, formerly given by said Lon Robinson, as Deputy Chief of Police is cancelled and set aside, and the National Surety Company, his surety on said bond, is hereby released from any further liability on said bond, from this date, on, but this shall in no way act as a release of liability on said bond, while said Lon Robinson was acting as a Deputy Chief of Police, under said bond of \$2500.00, in the event that any thing should arise.

L.A. Duty and Lon Robinson, Policemen of the City of Pikeville, Kentucky, presents bonds, in the sum of One Thousand (\$1,000.00) Dollars, each, with the National Surety Company of New York, of date April 5th, 1928, as such Policemen, and Rush Sword, moved that said bonds be accepted and approved, and spread at large on the Minute Book of this Council, and said motion being duly seconded, by I.E. Brooks, carried by a unanimous vote:

"Bonds of L.A. Duty and Lon Robinson, as Policemen."

"KNOW ALL MEN BY THESE PRESENTS, That we LON ROBINSON as Principal, and the NATIONAL SURETY COMPANY of New York, a corporation of the State of New York, having its principal office in the City of New York, and authorized to do business in the State of Kentucky, as Surety, are held and firmly bound unto CITY OF PIKEVILLE, KENTUCKY, in the penalty of ONE THOUSAND (\$1,000.00) Dollars, to the payment whereof, well and truly to be made and done, the said Principal binds himself, his heirs, executors and administrators, and the said Surety binds itself, its successors and assigns, jointly and severally, firmly by these presents.

SIGNED, sealed and dated this 5th day of April A.D., 1928.

THE CONDITION OF THE AFOREGOING OBLIGATION IS SUCH, that WHEREAS the said Principal was duly elected or appointed to the office or position of Police for the term beginning April 5th, 1928 and ending April 5th, 1930 or until his successor is elected or appointed and qualifies.

NOW THEREFORE, if the said Principal shall well and truly perform all the duties of his said office or position, and shall pay over and account for all funds coming into his hands by virtue of his said office or position as required by law, then this obligation shall be null and void, otherwise to be and remain in full force and virtue.

THIS BOND is executed and delivered upon the following express conditions, which shall be conditions precedent to the right of recovery hereunder:

FIRST- If the Surety shall so elect this bond may be cancelled by giving thirty (30) days' notice in writing to the City of Pikeville, Kentucky, and this bond shall be deemed cancelled at the expiration of said thirty (30) days, the Surety remaining liable for all or any act or acts covered by this bond, which may have been committed by the Principal up to the date of such cancellation, under the terms, conditions and provisions of this bond, and the surety shall upon surrender of this bond and its release from all liability hereunder, refund the premium paid, less a pro-rata part thereof, for the time this bond shall have been in force.

SECOND--The Surety shall not be liable hereunder for any loss sustained by reason of the failure of any bank or banks, depository or depositories in which public moneys are now on general or special deposit or may hereafter be placed on general or special deposit by or on behalf of the said Principal, any Law, Decision, Statute or Ordinance to the contrary notwithstanding.

THIRD- The liability under this bond shall commence from April 5th, 1928, and the Surety hereunder shall in no event be held liable in respect to any act or acts of the said Principal committed prior to the said date or for any shortage existing prior to the said date, or for funds or property used or applied towards such shortage.

FOURTH: The Surety shall not be liable hereunder for any loss or losses resulting by reason of the failure of the said Principal to collect any portion of or all taxes which he may be chargeable to collect by reason of his election or appointment to the office or position aforesaid.

IN TESTIMONY WHEREOF, the said Principal has hereunto set his hand and seal and the said Surety has caused this instrument of writing to be signed by its Resident Vice-President, attested by its Resident Assistant Secretary, and its corporate seal to be hereunto affixed the day and year first above written.

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NATIONAL SURETY COMPANY.
By George D. Heaton

ATTEST:

L. Moorman,
Resident Asst. Secretary.

George D. Heaton, Atty-in-fact.

Countersigned.

J.M. Hatcher,
Agent & Attorney in fact. "

"KNOW ALL MEN BY THESE PRESENTS, that we LEMUEL ALBERT DUTY as Principal, and the NATIONAL SURETY COMPANY of New York, a corporation of the State of New York, having its principal office in the City of New York, and authorized to do business in the State of Kentucky, as surety, are held and firmly bound unto CITY OF PIKEVILLE KENTUCKY in the penalty of ONE THOUSAND & 00/100 (\$1,000.00) Dollars, to the payment whereof, well and truly to be made and done, the said Principal binds himself his heirs, executors and administrators, and the said Surety binds itself, its successors and assigns, jointly and severally, firmly by these presents.

SIGNED, sealed and dated this 5th day of April A.D. 1928.

THE CONDITION OF THE AFOREGOING OBLIGATION IS SUCH, that WHEREAS the said Principal was duly elected or appointed to the office or position of Police for the term beginning April 5th, 1928, and ending April 5th, 1930, or until his successor is elected or appointed and qualifies.

NOW THEREFORE, if the said Principal shall well and truly perform all the duties of his said office or position, and shall pay over and account for all funds coming into his hands by virtue of his said office or position as required by law, then this obligation shall be null and void, otherwise to be and remain in full force and virtue.

THIS BOND is executed and delivered upon the following express conditions, which shall be conditions precedent to the right of recovery hereunder:

FIRST: If the Surety shall so elect this bond may be cancelled by giving thirty (30) day's notice in writing to the City of Pikeville, Kentucky, and this bond shall be deemed cancelled at the expiration of said thirty (30) days, the Surety remaining liable for all or any act or acts covered by this bond, which may have been committed by the Principal up to the date of such cancellation, under the terms, conditions and provisions of this bond, and the Surety shall upon surrender of this bond and its release from all liability hereunder, refund the premium paid, less a pro-rata part thereof, for the time this bond shall have been in force.

SECOND: The surety shall not be liable hereunder for any loss sustained by reason of the failure of any bank or banks, depository or depositories in which public moneys are now on general or special deposit or may hereafter be placed on general or special deposit by or on behalf of the said Principal, any Law, Decision, Statute or Ordinance to the contrary notwithstanding.

THIRD: The liability under this bond shall commence from April 5th, 1928, and the Surety hereunder shall in no event be held liable in respect to any act or acts of the said Principal committed prior to the said date or for any shortage existing prior to the said date, or for funds or property used or applied towards such shortage.

FOURTH: The Surety shall not be liable hereunder for any loss or losses resulting by reason of the failure of the said Principal to collect any portion of or all taxes which he may be chargeable to collect by reason of his election or appointment to the office or position aforesaid.

IN TESTIMONY WHEREOF, the said Principal has hereunto set his hand and seal and the said Surety has caused this instrument of writing to be signed by its Resident Vice-President, attested by its Resident Assistant Secretary, and its corporate seal to be hereunto affixed the day and year first above written.

NATIONAL SURETY COMPANY.
By George D. Heaton,

George D. Heaton, Atty-in-fact.

ATTEST:

L. Moorman,
Resident Asst. Secretary.

(SEAL)

Countersigned:

John M. Hatcher,
Agent & Atty-in-fact. "

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It appearing that L.A. Duty and Lon Robinson, Policemen of the City of Pikeville, Kentucky, has given bond with the National Surety Company, in the sum of \$1,000.00, and that they had heretofore given personal bond, upon motion, made seconded and carried, the sureties on the personal bonds of L.A. Duty and Lon Robinson, are hereby released from further liability on said bond, but will remain liable on said bonds for all or any acts covered by said bond which may have been committed by the Principal up to this date.

ORDERED THAT:

Herman Polley be allowed the sum of Nine (\$9.00) Dollars, for three days salary as caretaker of fire station, 1,2,& 3 of April @ \$3.00 per day.

ORDERED THAT:

J.C. Williamson be allowed the sum of Thirty Four and 25/100 (\$34.25) Dollars, for Salary as Fire Chief for 3 months of 1928, and atnd. 14 fires @ \$2.00 each.

ORDERED THAT:

J.M. Hatcher, Agent, be allowed the sum of Twenty (\$20.00) Dollars, for premium on surety bonds of L.A. Duty and Lon Robinson, as Policemen.

ORDERED THAT:

Tina B. Miller be allowed the sum of One (\$1.00) Dollars, for over charge on tax ticket #585, for year 1927, through error in addition.

ORDERED THAT:

Leston Justice be allowed the sum of One Hundred Twenty Five (\$125.00) Dollars, for salary as Deputy Chief of Police for month of April, 1927, for reason that notice was not given him until after first of month, of change.

ORDERED THAT:

T.N. Huffman Coal Company be allowed the sum of Six (\$6.00) Dollars, for two loads of coal, 1 to fire and 1 to Police Station, as per bills of 4-9 & 4-11-1928.

On motion made, seconded and carried, Council is adjourned until next Thursday, April 19th, 1928.

ATTEST:

J.E. Bauder
City Clerk.

APPROVED:

Geo. Pinnow Jr.
MAYOR