

1894

General Laws for the Government of the Town of Horse Cave, Hart County, KY

Kentucky Library Research Collections

Follow this and additional works at: http://digitalcommons.wku.edu/dlsc_kl_non_mat



Part of the [Administrative Law Commons](#), [Civil Law Commons](#), [Courts Commons](#), [Criminal Law Commons](#), and the [History Commons](#)

Recommended Citation

Kentucky Library Research Collections, "General Laws for the Government of the Town of Horse Cave, Hart County, KY" (1894).
Kentucky Library Research Collections. Paper 20.
http://digitalcommons.wku.edu/dlsc_kl_non_mat/20

This Book is brought to you for free and open access by TopSCHOLAR®. It has been accepted for inclusion in Kentucky Library Research Collections by an authorized administrator of TopSCHOLAR®. For more information, please contact topscholar@wku.edu.

THE GENERAL LAWS

— FOR THE GOVERNMENT OF —

1894

THE TOWN OF HORSE CAVE,

HART COUNTY, KY.

1894.
RECORD BOOK & JOB PRINT.
HORSE CAVE, KY.

TOWN LAWS.

The Board of Trustees of the Town of Horse Cave do ordain as follows :

ARTICLE I.

§ 1. That all ordinances and by-laws heretofore enacted for the government of the town of Horse Cave, which are inconsistent with the ordinances hereinafter set forth and enacted, are hereby repealed, and this repeal to take effect from and after the fifteenth (15) day of June, 1894.

§ 2. For the government of said town of Horse Cave, the following ordinances are enacted to take effect from and after the fifteenth (15) day of June, 1894.

ARTICLE II.

LAWFUL AND UNLAWFUL CONTRACTS WITH THE TOWN.

§ 1. It shall not be lawful for any member of the trustees of the town of Horse Cave, Marshal, Clerk, Treasurer, or City Attorney of said town, or any officer, servant or agent of said town, while in office to become interested, directly or indirectly in any contract with the town of Horse Cave; and anyone thus offending shall forfeit all right which he may acquire under such contract, and anyone so offending shall be deemed guilty of a high misdemeanor, and upon conviction thereof shall be fined not less than ten nor more than fifty dollars for each such offense.

§ 2. That in all contracts between the said town and anyone for work of any kind to be done therein whereby said town shall be required to pay out money exceeding one hundred dollars, said contract shall be let to the lowest bidder, after at least ten days notice shall have been advertised thereof either by written or printed posters, posted in at least five public places in said town containing full specifications of the work to be done and such other information as will enable bidders to intelligently bid therefor. Such contract must in all cases be in writing and signed by the contractor, and by the town by the Chairman of the board of trustees and entered upon the Journal of the board of trustees, and the original contract filed away and carefully kept and preserved among the records and papers of the board of trustees of said town. In all such cases of contracts for work to be done for said town it shall be unlawful for the town treasurer to pay out any money upon warrant drawn upon him until he shall first be satisfied by an inspection of the Journal of the trustees that said contract was evidenced by writing and the trustees of said town shall in all cases demand of the contractor bond with approved security for the faithful performance of his contract before the same shall be signed by the Chairman of the

board of trustees of said town which shall be attested by the clerk recorded, filed away and preserved.

§ 3. It shall be unlawful for any of the trustees of said town, Marshal, Town Attorney or any other officer or agent of said town to deal in trade for or purchase either directly or indirectly any claim of or due or owing by said town or payable out of its treasury while in office or which was incurred while they were in office, and any one violating this ordinance shall be liable to a fine not less than five nor more than thirty dollars.

§ 4. It shall be the duty of the board of trustees to appoint a finance committee to consist of three members of the board to whom all claims against the town shall be referred, and no claim against it shall be ordered to be paid until the same has been referred to said committee at a regular meeting of the board and reported upon and the original filed away.

§ 5. It shall be the duty of the board of trustees to appoint a committee to consist of two members of the board to be styled and known as Street committee, whose duty it shall be in connection with the Marshal of said town of Horse Cave, who is ex-officio to constitute a member of said committee, to overlook the streets, alleys and public square of said town including bridges and culverts from time to time and report their condition to the board at a regular meeting thereof, and what improvements, if any are needed, and the probable cost thereof, and no contract shall be made by the board for work on said streets, alleys and public square of said town until such report shall have been first made showing the necessity thereof. Said committee shall so far as they may be able to do so, having a proper regard to the present condition of said streets, alleys, bridges and culverts, and attempt to equalize the repairs and improvements on the streets of said town.

§ 6. No order shall be made by the board of trustees for payment for work done upon the streets, alleys, bridges and public square of said town until said committee shall have inspected said work and reported in writing to a regular meeting of said board whether the work done be done in accordance with the contract made by the board stating fully all the facts in regard thereto.

§ 7. All the reports from this committee shall be entered of record upon the Journal and the original filed away and carefully preserved.

ARTICLE III.

RULES AND REGULATIONS FOR THE GOVERNMENT OF THE BOARD OF TRUSTEES.

§ 1. The Chairman and two members of the Board of Trustees, or three members of the Board, in the absence of the Chairman shall be a sufficient number to call the Board to order and send for absent members and make an order for their censure and impose a fine for non-attendance, upon a regular meeting of the Board or a call meeting, when called and notice had by them of its call.

§ 2. The presiding officer shall call the Board of Trustees to order at the hour to which the last adjourned, or at the hour to which a called meeting thereof was called, and on the appearance of a quorum he shall cause the journal of the preceeding meeting to be read and when approved it shall at once be signed by him in the presence of the Board before preceeding with any other business.

§ 3. It shall be the duty of each member of the Board of Trustees to attend regularly upon the stated meeting of the Board, at the hour to which the preceeding meeting adjourned; and at the called meetings, at the hour to which they may be called; and upon failure to do so, the member so offending, unless the Board by vote excuse the delinquent shall be fined in any sum not exceeding three dollars.

§ 4. The presiding officer of the Board of Trustees is invested with all the power necessary for the preservation of order and decorum. He may speak to points of order without rising from the chair, and shall decide all questions of order, subject to an appeal to the Board on motion of one member of the Board seconded by another.

§ 5. The order of business before the Board of Trustees shall be as follows:

1. Communications from the Trustees and other officers of the town.
2. Petitions to the Board upon any matter of interest to the town.
3. Reports of standing committees.
4. Reports of select committees.
5. Resolutions upon new business which shall always be in writing.

§ 6. The presiding officer shall have the right to name any member of the Board to perform the duties of the chair, but such substitution shall not extend beyond the adjournment of that meeting. He may participate in debate when not in the chair.

§ 7. The Board of Trustees, in the absence of the Chairman of the Board, who shall be the presiding officer of the Board of Trustees, may appoint one of its members Chairman, pro tem.

§ 8. When a member of the Board is about to speak in debate, or deliver any matter to the Board, whether by motion, resolution or address, or petition, he shall arise and respectfully address himself to the Chairman.

§ 9. When two or more members shall arise and endeavor to address the Chairman at or about the same time, the Chairman shall decide who is entitled to the floor.

§ 10. No member shall speak more than twice on the same question without the unanimous consent of the Board; nor more than once, unless every other member of the Board desiring to speak shall have done so, or had a reasonable opportunity to do so; and no member shall speak longer than ten minutes without leave of a majority of the Board, and while speaking shall confine himself strictly to the question under consideration. The mover of any motion, resolution or matter of action before the Board, shall have the right to open and close the debate upon such matter.

§ 11. Every member of the Board present at any meeting shall be required to vote on all questions put to a vote during such meeting unless excused therefrom by the consent of a majority of the members of the Board.

§ 12. When a motion is made and seconded, it shall be stated by the Chairman to the Board, who shall at the same time announce that the question is open for debate if any member desires to be heard thereon.

§ 13. After a motion is stated by the Chairman of the Board of Trustees, it shall be considered in possession of the Board, but may be withdrawn at any time by the mover thereof before decision, or amendments have been voted thereto.

§ 14. When a question is under debate, no motion shall be received, unless, to amend it, commit it, or postpone it, for the previous question, or to adjourn or to lay it on the table.

§ 15. A motion to adjourn shall always be in order unless the Board is engaged, and shall be decided without debate.

§ 16. The previous question being moved and seconded, the question from the Chair shall be, "Shall the main question be now put?" And if the nays prevail the main question shall not then be put, a refusal to sustain the previous question shall not bar the Board from proceeding to the consideration of the subject. The effects of the previous question being sustained shall be to put an end to all debate, and bring the Board to a direct vote upon the amendments reported by a committee, if any, then upon pending amendments and then upon the main question.

§ 17. Any member of the Board may call for the division of the question, when the sense of the Board will admit of it.

§ 18. A motion for amendment shall preclude all other amendments of the same question.

§ 19. Motions and reports may be committed and re-committed to the appropriate committee, or without instructions by the Board at the pleasure of the Board by a majority vote thereof.

§ 20. No motion or proposition on a subject different from, and not germane to that under consideration, shall be admitted under color of amendment.

§ 21. In all cases of election, there shall be a previous nomination by some member of the Board.

§ 22. Anyone voting with the majority may move a re-consideration of any action, or vote of the Board, but no motion for a re-consideration shall be entertained after the adjournment of the meeting at which such vote or action was had or taken.

§ 23. All propositions, ordinances, or resolutions, which have been once rejected, shall not again be introduced, unless special leave be granted by a vote of two-thirds of the Board.

§ 24. Every ordinance before being voted upon shall be read at two

meetings of the Board, unless two-thirds of the members of the Board shall vote for the dispensation of this rule.

§ 25. The first reading of an ordinance shall be for information, and the rules suspended, that it may have its second reading, and the ordinance shall be referred to its appropriate committee.

§ 26. Upon the second reading of an ordinance, the Chairman shall state that it is ready for amendments, or re-commitment; and if there is no motion to amend, or re-commit, the question shall be on its passage.

§ 27. The foregoing rules of the Board of Trustees shall not be changed, nor new rules introduced, unless notice of the motion thereof be given at the preceding meeting.

§ 28. None of the foregoing rules of the Board shall be dispensed with, unless two-thirds of the members of the Board concur therein.

§ 29. No member of the Board, while it is in session, shall leave its chamber without special leave permitting him to do so.

§ 30. A regular meeting of the Board of Trustees shall be held on the first Wednesday night in each month in said town of Horse Cave, and said meeting shall be public.

ARTICLE IV.

MISDEMEANORS AND THEIR PUNISHMENT.

§ 1. If any person within the corporate limits of the town of Horse Cave shall willfully interrupt or disturb a congregation of people assembled for, or engaged in worshiping God, or shall willfully interrupt or disturb any school, seminary or college, while the students of same are engaged in their studies, or undergoing an examination or exhibition, or shall interrupt or disturb any other assemblage of people met for or engaged in a lawful purpose, he shall be fined not less than twenty nor more than fifty dollars, or imprisoned in the county jail of Hart county or the jail of Horse Cave for not more than twenty days, or both so fined and imprisoned at the discretion of the jury trying the case.

§ 2. If any person within the town of Horse Cave shall profanely curse or swear, he shall be fined one dollar for each offense, and every oath shall be deemed a separate offense; and if it shall occur in the presence of the Judge of said town, he may inflict the penalty without further proof.

§ 3. If any person shall be drunk in said town, he shall be fined one dollar therefor for each offense.

§ 4. If any person shall be guilty of drunkenness or disorderly conduct in said town, he shall be fined therefor not less than three nor more than ten dollars for each offense.

§ 5. Every person who shall commit fornication or adultery in said town shall be fined not less than twenty nor more than fifty dollars for each offense.

§ 6. No work or business shall be done in said town on the Sabbath day, except the ordinary household offices or other work of necessity or charity or work required in the maintenance or operation of a railroad. If any person on the Sabbath day shall himself be found at his own work or any trade or calling or shall employ his apprentices or other person in labor or business, whether the same be for profit or amusement unless such as is above permitted, he shall be fined not less than two nor more than fifty dollars for each offense. Every person or apprentice so employed shall be deemed a separate offense. Persons who are members of a religious society who observe as a Sabbath any other day in the week than Sunday shall not be liable to the penalty prescribed in this section if they observe as a Sabbath one day in each seven as herein provided.

§ 7. If any person in said town shall exhibit or show by riding or leading a stud horse, jack or bull, or use him in covering within view or hearing of any place of public religious worship in said town during the time an assemblage of people are engaged for such worship or assembled for that purpose or dispersing therefrom he shall be fined not less than ten nor more than fifty dollars; or if he shall use such horse, jack or bull in covering in view of any private residence, school house or seminary in said town he shall be fined not less than ten nor more than fifty dollars.

§ 8. If any person when legally summoned by the marshal of the town of Horse Cave, or the Police Judge of said town, to assist him in the execution of his office shall refuse or fail to do so, he shall be fined not less than one nor more than fifty dollars, unless he shall give a good reason for such a refusal or failure.

§ 9. If any butcher, or other person shall within said town of Horse Cave, knowingly sell any of the flesh of any animal dying otherwise than by slaughter, or slaughtered when diseased, or shall sell the flesh of an animal knowing it to be that of another species of animal than that for which it is sold, or if a baker or brewer or distiller or other person knowingly sell unwholesome bread or drink he shall be fined not less than one nor more than fifty dollars.

§ 10. If any person shall in said town unnecessarily or cruelly beat or torture use otherwise mistreat any horse or other beast whether his own or that of another he shall be fined not less than ten nor more than one hundred dollars.

§ 11. If any person shall cast or place the carcass of any dead horse or other dead animal or fowl in any cistern, well or pond within said town he shall be fined not less than five nor more twenty dollars.

§ 12. If any person within said town, whose horse, mule, cow, sheep dog, hog, or other animal shall die upon their premises, or on premises in their possession, and shall permit the same to remain there eighteen hours after death or notification of such fact to them, or shall remove the same after death and leave the same in the town limits, he shall for each offense be punished by a fine of not less than five nor more than fifteen dollars.

§ 13. If any person or persons shall be guilty of a breach of the peace in said town, or of a riot or unlawful assembly or affray therein he or they shall be fined not more than one hundred dollars, or imprisoned in the jail of Hart county or the jail of Horse Cave not more than fifty days at the discretion of a jury.

§ 14. If any person within the town of Horse Cave, shall be engaged directly or indirectly, in running a horse by way of practicing him, or in running a horse race on the streets of said town, or shall ride or drive any horse in a gallop, or run on or through the streets of said town he shall be fined not less than ten dollars for each offense.

§ 15. If any person shall within said town, carry concealed upon or about his person, a deadly weapon other than an ordinary pocket knife, or shall sell such weapon to a minor, other than an ordinary pocket knife he shall on conviction be fined not less than twenty-five dollars nor more than one hundred dollars, and be imprisoned in the county jail of Hart county, or the jail of Horse Cave for not less than ten nor more than thirty days.

§ 16. If any person shall shoot or discharge firearms within said town of Horse Cave, unless in defense of his person, family or property he shall be fined therefor not less than five nor more than ten dollars.

§ 17. If any person or persons shall within the town of Horse Cave, sell, barter or traffic in spirituous, vinous or malt liquors or any mixture thereof, or shall sell, barter or traffic in any wine, beer or any mixture thereof in any quantity whatever, for any purpose whatever, he shall be fined not less than one hundred nor more than two hundred dollars.

§ 18. If any person or persons shall sell, loan, or give, or procure for or furnish to, spirituous, vinous or malt, or any mixture of either to a person under twenty-one years of age other than his own child, without special written directions so to do, stating the person by name and the quantity from the father, mother, or guardian of such infant he shall be fined fifty dollars for each offense.

§ 19. Whoever shall suffer any game whatever at which any money, property or other things of value is or may be bet, won, or lost, to be played in any house or on premises in said town of Horse Cave in his use, occupation or under his control for the time being shall be fined for each offense not less than twenty nor more than fifty dollars.

§ 20. Whoever shall within said town, invite, persuade, or otherwise induce another to visit any place where gaming is carried on, or to participate in any unlawful game, shall be fined not less than five nor more than ten dollars for each offense.

§ 21. If any person or persons in said town shall engage in any hazard or game on which money, property is bet, won, or lost, he or they shall be fined not less than twenty nor more than fifty dollars for each offense.

SEC. 22. If any person or persons in the town of Horse Cave, shall

remove, deface or tear down any sign, or placard intended to denote one's place or kind of business, or shall remove or tear down any style block, sample table or side walk, constructed by the town or private individual, or shall injure or deface any property real or personal, he or they shall be fined not less than two nor more than ten dollars.

SEC. 23. If any person or persons in said town shall be guilty of tying cans or other things to the tail of a dog or any other animal, whereby to alarm him and cause him to create a disturbance upon the streets, alleys or public square of said town, they shall be fined therefor in any sum not exceeding ten dollars for each and every offense committed.

SEC. 24. Whoever obstructs the streets, alleys or public square of said town of Horse Cave with wood, lumber or other rubbish of any kind whatever, and permits the same to remain for the space of twenty four hours, shall be fined therefor for each offense in any sum not exceeding ten dollars. Provided, however, the Board of Trustees of the said town of Horse Cave, may grant permits to any person or persons under such restrictions as they may see proper to occupy the streets, alleys and public square of said town with lumber for building and repairing purposes. The continuance of every twentyfour hours, shall be a distinct offense under this section.

SEC. 25. Whoever shall erect, create, cause, maintain and foster a public nuisance within the town of Horse Cave, shall be fined therefor not less than five nor more than fifty dollars for each and every such offense. A failure to remove said nuisance after service of ordinance passed by the trustees of said town, requiring suppression and removal upon the party erecting, maintaining, creating, causing or fostering the same for the space of twenty-four hours, shall be deemed a separate offense for which the party in like manner shall be fined. and its continuance for every additional twenty-four hours shall be a separate offense under this section.

SEC. 26. The committee of health shall consist of three members two of whom shall be members of the board of trustees of said town, and the marshal of said town shall be the other member of said committee to make monthly visits during the months of March, April, May, June, July, August and September to every part of said town and inspect the premises thoroughly of every dwelling therein, and if they shall find existing or being on such premises any cause, such as filth, or garbage, wet and foul cellars, wet and foul stables, or foul privies, calculated to breed and bring on disease it shall be their duty to report such fact in writing to the Board of Trustees of said town with minute details of the cause complained of and the name of the person upon whose premises the same shall be found.

SEC. 27. It shall be the duty of every occupier of premises in said town when notified by service of ordinance of the Board of Trustees of said town requiring them to remove any filth or garbage from their premises, or to cleanse, disinfect and lime their cellars, privies or other

premises, to be so at once; and a failure for twenty-four hours thereafter to perform this duty shall subject the offender to a fine not exceeding fifteen dollars.

§ 28. Whoever shall permit any privy, vault, sink or manure pile, in their possession or under their control, to become filthy, from which noxious gases or odors escape, and shall fail to clean or remove the same after being notified by the Marshal of said town for the period of twenty-four hours, shall be liable for all the cost of such removal, which shall be done under the order and direction of the Marshal of the said town, and recovery therefor may be had against such party by said Marshal in the Police Court of said town.

§ 29. All persons convicted in the Police Court of the town of Horse Cave for a violation of any ordinance of said town, or the penal laws of this Commonwealth within the corporate limits of said town, who shall fail immediately to pay or replevy such fine and the cost of the prosecution shall be assigned to hard labor on the streets, alleys or public square of said town until such fine and cost are paid; but the period for which the defendant may be placed at hard labor shall not exceed one day for each dollar of said fine and cost, and the Judge of the Police Court shall, in his discretion, fix the punishment at hard labor on the streets, alleys, public square or property of said town, in lieu of imprisonment for the same period, if the punishment prescribed be in whole or in part imprisonment in the town jail of Horse Cave or the county jail of Hart county; but such culprit shall not be compelled to labor more than eight hours a day, and when not engaged in labor he shall be confined in the town jail of Horse Cave, or the county jail of Hart county, as the Police Judge of the town of Horse Cave shall direct.

SEC. 30. Any person or persons who shall hitch or fasten any animal to any fence, ornamental or shade tree or awning post not belonging to him or his employer; and any persons riding or driving on any side walks in said town, shall upon conviction thereof, be fined not more than three dollars and costs, for each offense.

SEC. 31. Any person or persons not having visible means of support to maintain themselves, who are without employment, and are idling, loitering about, or staying in groceries, drinking houses or houses of bad repute, houses of ill-fame, gambling houses, railroad depots, store or other public houses, or who shall be found trespassing at night upon the private premises of others, or begging for and receiving alms, shall be deemed a vagrant, and upon conviction thereof, be fined not less than two no more than five dollars and costs, for each offense.

SEC. 32. Any person or persons who shall obstruct any street, alley, or side-walk, or public crossing, with boxes, wood, coal, teams, vehicle, or other obstruction, for a longer period than five minutes, shall upon conviction thereof, be fined not less than one nor more than five dollars and costs for each offense.

ARTICLE V.

SEC. 1. The Town Marshal of Horse Cave shall be the warden and jailer of the jail of Horse Cave for and during the pleasure of the Board of Trustees of said town of Horse Cave.

SEC. 2. In said jail, or the jail of Hart county, all persons shall be confined who shall be taken under process, or order from the Police Court of the town of Horse Cave, for non-payment of fines, for contempt, or who may be adjudged to be so confined upon a judgment of said court for a violation of the ordinances of said town of Horse Cave or the laws of the State of Kentucky, except such persons who may be held to bail by said court for trial in the Circuit Court.

SEC. 3. The Town Marshal of said town of Horse Cave shall require all persons confined in said jail for non-payment of fines, or for contempt, or adjudged to be so fined for a violation of any ordinance of said town or law of the State, to perform such reasonable work upon the streets, alleys and public square of said town as they may be respectively able to perform without detriment to health during the period of their confinement.

SEC. 4. Anyone so confined in said jail, who shall attempt to escape therefrom, or who shall fail or refuse to perform such reasonable work, as said Marshal require of them, upon the streets, alleys or public square of said town, shall for each and every such attempt to escape, or escape therefrom, or failure or refusal to perform such reasonable work as the said Marshal of said town shall require of them: or who shall escape while in the performance of said work, shall be punished therefor, by confinement in said jail for a period equal to that for which they were originally committed to said jail.

SEC. 5. It shall be the duty of the Marshal of said town of Horse Cave to provide all persons confined in said jail with suitable lodgings and dieting at the expense of the town of Horse Cave.

ARTICLE VI.

REVENUE AND TAXATION.

SEC. 1. An annual tax not exceeding fifty cents upon each one hundred dollars of value of property directed to be assessed for taxation as as hereinafter provided shall be paid by the owner, person or corporation assessed upon all property real, personal and mixed and upon all franchises within the town of Horse Cave.

SEC. 2. All real and personal estate within said town of Horse Cave shall be subject to taxation, unless the same be exempt from taxation by the Constitution of the State of Kentucky, and shall be assessed at its fair cash value estimated at the price it would bring at a fair voluntary sale.

SEC. 3. For the purpose of taxation of property within the town of Horse Cave, real estate shall include all land and improvements thereof; and personal estate shall include every other species and character of property—that which is tangible and that which is intangible.

SEC. 4. The Board of Trustees of the town of Horse Cave shall appoint a sober, discreet, capable person, not under twenty-four years of age, Assessor of said town who, before he enters upon the execution of

his duties of Assessor for said town, shall execute bond, with good security, to said town in the penal sum of five-hundred dollars condition for the faithful performance, and he may appoint a deputy, with the approval of the Board of Trustees, not under the age of twenty-four to assist in the duties and the discharge of the duties of Assessor. The Assessor and his assistant are authorized and required to administer the oath to be taken by persons whose property is required to be listed for taxation, which shall be the same oath required of persons listing property for State and county purposes.

SEC. 5. The assessor and his deputy shall take the same oaths which are required to be taken by the county assessor and his deputies before entering upon the duties of their office, and shall in all things be governed as nearly as possible in assessing the property of said town by the law of the State of Kentucky concerning the assessment of property in said State.

SEC. 6. All Taxable estate in the said town shall be assessed and valued as of the 15th day of September in the year listed, and the person owning and possessing the same on that date, shall list it with the assessor, and remain bound for the tax notwithstanding he may have sold or parted with the same.

SEC. 7. If any person in said town fail or refuse to give a list of his taxable property when legally called upon for that purpose by the assessor or his deputy, or shall give a false or fraudulent list, or refuse to give the amount he is worth, he shall be fined not exceeding twenty dollars and be subjected to the payment of twice the amount of tax upon his estate by the Police Judge of said town.

SEC. 8. There shall also be imposed annually a per capita or poll tax of not exceeding one dollar and fifty cents upon each male inhabitant over twenty-one years of age residing in said town, which shall be collected at the same time and by the same persons when the ad valorem tax is collected.

SEC. 9. The Town Marshal of Horse Cave shall be collector of taxes for said town. It shall be his duty as soon as the tax list comes into his hands to proceed to the collection of the same and give receipts therefor, and it shall be his further duty upon receipting money belonging to or for the use of said town, to settle for the same with the clerk of said town on the first Monday in each month, and immediately pay the same into the treasury on the order of the clerk, for the benefit of the funds to which such money belongs.

SEC. 10. All auctioneers, resident and non-resident, who shall offer for sale, at public auction, goods, wares and merchandise in the town of Horse Cave, which have been brought into said town for the purpose of such auction sale, shall pay a license of five dollars per day. They shall, in addition to their license, retain 20 per cent. of the product of sales of all goods, wares and merchandise sold by them to be paid by him into the town treasury.

SEC. 11. All itinerant persons vending goods, wares or merchandise, who shall, under color of bona fide merchants, take up a temporary residence in this town, for the purpose of selling goods, wares and merchandise of whatsoever kind either at auction or at retail, shall be deemed peddlers, and shall first obtain a license as such before selling

This license shall not apply to merchants or their agents, selling goods at wholesale by sample.

SEC. 12. The tax on a peddler shall be fifty dollars per year, or ten dollars per month.

SEC. 13. All circusses and menageries, before exhibiting in said town shall pay a tax of not less than ten nor more than one hundred dollars per day, at the discretion of the Board. All theatrical troupes, sleight of hand performers, and all other shows not heretofore named shall pay a tax of not less than one nor more than five dollars per day. The specific amount each shall pay to be determined by the Board.

SEC. 14. If any of the persons embraced in this article shall undertake to exercise or carry on the business, for which by this article, a license or tax is required to be obtained or paid, without first obtaining such license, and paying said tax, he or they so offending, shall on conviction thereof, be fined not more than twenty dollars.

SEC. 15. The Board of Trustees shall have power to remit said taxes or license for benevolent purposes, or when the public policy may demand it.

JNO. ALTSHELER, Chairman.

J. M. PERKINS, Clerk.