

Owensboro City Charter: The Growth of Owensboro From Town to City Traced

By Jerry Long



Owensboro Inquirer, Owensboro, KY, 6 October 1901, p.12:

EARLY RECORDS.

The Growth of Owensboro From Town to City Traced.

Manuscript of the Records for Fourteen Years Before and During the Civil War.

City Clerk O'Bryan has, by diligent search, at last succeeded in getting together all of the old records of the city back to the year 1852, but beyond that he is unable to go, and no trace of any earlier record is to be found. He would be extremely glad if any person knowing anything of records back of that time will communicate with him.

In 1852 Owensboro was a town, and so remained until 1866, when it was incorporated as a city. The trustees were elected every year, and of course all of the subordinate officers were elected along with them or by them afterwards. The board met on May 9, 1852, for organization, and J. M. Rogers was elected chairman. The other trustees were William N. Mason, George N. McCoy, Tolbert Kelly, Francis M. Pearl, Robert G. Moorman and W. Chambers. John H. Todd held the offices of clerk and attorney at a salary of \$100 per year. Warner Crow was assessor at the same salary. S. M. Wing was treasurer and William C. Norris was marshal. The ad valorem tax was 30 cents on the \$100, poll tax \$1.50 for free persons, and \$1 for male slaves over sixteen years of age.

James M. Rogers was again chairman of the board for 1853, but the board of the previous year had not given satisfaction or else the members did not desire reelection, William N. Mason

being the only one of the old board to be chosen for a second term. The other members of the board were John Comb, Barnett Tribble, J. P. Magruder. Daniel M. Griffith and P. W. Johnson. George H. Yeaman was clerk and attorney, and Stephen Rogers was elected assessor and collector. On April 9 the board passed a resolution that every member absent from any regular meeting should be fined \$1.

There was another clean sweep in the membership of the following year, 1854, "Uncle Billy" Mason being the only member who held over. H. B. Roberts was chairman and the other members were F. L. Hall, Samuel Cottrell, Thomas Carico, Samuel Mitchell and E. T. Lambden. George H. Yeaman was still clerk and attorney, with nothing said about his salary. James M. Rogers probably thought the job of assessor and collector suited him better than being chairman of the board, for he was elected to those two offices. Charles R. Moorman was treasurer. The assessor was allowed 10 cents for every list, and the tax levy was 40 cents and the poll tax \$1.50. There was doubtless complaint about the extravagance of the trustees in raising the taxes 10 cents on the \$100, a guess that is amply borne out by the fact that all of the members were retired except Mr. Mason, who was as popular and highly respected then as he continued to be to the day of his death, many years afterward.

The board for 1855 was as follows: William J. Duke, chairman; N. B. Allen, W. N. Mason, J. H. Keller, W. M. Haney, S. G. Harrison and John D. Marks. Georg H. Yeaman's ability was recognized by the new board, and he was again made clerk and attorney. The plan of having the assessor collect the taxes did not work well, or else the new board wanted more places to divide up, and James M. Rogers was made collector and John F. Hunter was made assessor. The tax levy was again placed at 40 cents. Male dogs were taxed 50 cents, and female dogs were taxed \$2.

The following is an extract from the minutes of April 7, 1855: "Ordered that the capitation or poll tax for the year ending the first Monday In April, 1856, be assessed at one dollar and fifty cents on each white male person over the age of twenty-one year, and the same on each free negro over the age of sixteen years; and on each male white person and each male slave and free negro over the age of sixteen years one dollar in lieu of working on the roads of the county, and to be expended in the improvement of the streets of Owensboro."

The board of trustees for 1856 was organized April 16, as follows: A. B Johnson, chairman; P. W. Johnston, R. F. Miller, G. B. Tyler, William Able, James B Cruse, Thomas Carrico. The familiar name of Mr. Mason is missing. Clinton McCarty [sic, McClarty] was clerk and attorney; Joseph Thomas, treasurer; Gabriel Bryan, assessor, and James A. Rouse, collector. The tax levy was 40 cents.

The following is an extract from the minutes of June 10, 1856: "Be it ordained that the police Judge and marshal of the town of Owensboro report a list of fines and pay the same over on or before the last Saturday of every month, and upon their failure to do so they shall be fined the sum of \$20."

There was another almost complete change when the new board met April 11, 1857, for organization. The board of trustees for that year was as follows: W. C. Norris, chairman; P. W. Johnston, Elijah Comstock, James A. Wilhite, A. B. Johnson, F. L. Hall, John Higgins. Clinton McCarty was attorney and clerk; James A. Rouse, collector; Joseph Thomas, treasurer: J. M. Rogers, assessor.

The tax levy was 40 cents on the \$100. The minutes of the year were of the ordinary routine character, and were devoid of any particular interest.

Two of the board of 1857 were passed to that of 1858. an unusual number. The board held its first meeting April 30, 1858, and organized as follows: S. M. Moorman, chairman; Elijah Comstock, Sam Mitchell, J. A. Wilhite, W. T. Owen, B. A. Wilhite, W. J. Littell.

John H. McHenry, Jr. was elected clerk and attorney, and Jos. Thomas treasurer.

The tax levy was again placed at 40 cents on the \$100.

The board of trustees for 1859 was organized April 25, as follows: J. G. Harrison, chairman; T. H. Pointer. W. J. Little, Sam Mitchell, J. M. Rogers, B. A. Wilhite, W. B. Tyler. John H. McHenry, Jr., was again elected clerk and attorney; F. L. Hall, assessor; Jos. Thomas, treasurer: Joseph W. Funk, collector

The following is an extract from the minutes of May 3. 1859: "The resignation of F. L. Hall was tendered to the board as assessor. The resignation was accepted and Warner Crow was appointed assessor for the ensuing year."

The board of trustees for 18600 was organized April 16., as follows: G. N. McKay, chairman; W. J. Little, Sam Mitchell, J. A. Wilhite, J. G. Harrison, J. B. Mitchell, S. D. Kennady. This was Judge Kennady's first appearance on the municipal stage, where he served long and well, being in after years both mayor and city judge. J. H. Mc-Henry, Jr., was clerk; C. R. Moorman, treasurer; W. E. Brown, collector; S. G. Howard, assessor.

On account of the election for trustees for the year 1861 being illegal the old board continued in office. G. N. I McKay resigned as chairman and S. D. Kennady was elected in his stead. J. G. Harrison and J. B. Mitchell resigned as trustee and N. B. Alien and George W. Brown were elected in their stead. The officers for the year 1861 were C. N. S. Taylor, clerk: C. R. Moorman, treasurer; J. G. Harrison, assessor; W. N. Sweeney, attorney and Henry Chism, collector.

The board of trustees for 1862 was organized May 6. with S. D. Kennady chairman, and W. P. Tyler, N. B. Allen, Newton Smock, William Reinhardt. W. P. Dorsey, George W. Brown, trustees.

T. S. Anderson was elected clerk; C. R. Tyler, assessor; J. H. Chism collector, and C. R. Moorman, treasurer.

S. D. Kennady was again chairman of the board organized April 10. 1863, F. L. Hall, B. Bransford, B. A. Wilhite, William Shelby and G. W. Brown were trustees. There was one vacancy on the board. Alf Grissom was clerk; William O'Nan, assessor H. P. Tompkins, collector; J. W. Coleman, treasurer.

The first meeting of new board in 1864 was held April 14, and S. D. Kennady was again chairman. The other members were L. M. Queen, C. R. Coffey, B. A. Wilhite, William Shelby, George W. Brown, F. L. Hall.

J. M. Hughes was clerk; J. W. Coleman, treasurer; Powhatan Ellis, assessor, and S. V. Rogers, collector.

The board which went into office April 13. 1865, was the last which ever served Owensboro as a town. It was as follows: S. D. Kennady, chairman; George W. Brown, C. R. Coffey, B. A. Wilhite, W. N. Mason, James Porter, M. P. Fuqua. J. M. Hughes was again elected clerk; J. W. Coleman, treasurer; W. N. Sweeney, attorney, and T. S. Hutchison, collector.

The following is an extract from the minutes of May 18, 1805: "W. N. Sweeney, pursuant to request, having drawn up una presented to this board a charter incorporating this town as a city, and the provisions of said charter being carefully examined and considered by the board, the same is approved and it is ordered that S. D. Kennady, chairman, forward the same to the representatives

of Daviess county in the senate and legislature, with the request that they introduce it into the legislature and aid in its passage."

The bill to Incorporate the city of Owensboro was duly introduced into the legislature at the next session and was passed and approved, and the history of Owensboro as a town was ended forever. It was at this time that the old spelling of "Owensborough" was changed to "Owensboro," saving barrels of ink for the next and future generations.

The formalities of the change from a town to a city were observed in the way and manner indicated In the following from the minute books of the first meeting of the council, which was held April 9, 1866:

"Pursuant to the provisions of the charter incorporating the city of Owensboro, E. S. Ayres, who had been duly elected to the office of mayor of said city, James Kennady, M. D. Loyd and J. Deal, who had been duly elected as councilmen for the upper ward and B. Bransford, George Brown and William Shelby, who had been duly elected as councilmen for the lower ward, appeared at the courthouse in the city of Owensboro on Monday, the 9th day of April. 1866, at 3 o'clock p. m. and were duly sworn into office by E. T. Berry, Esq., and thereupon the chairman and the trustees of the town of Owensboro delivered over to said mayor and council the records and papers of said town. The said mayor and council then organized and on motion James Hughes was appointed clerk pro tem, and on further motion the said council adjourned to Thursday night, the 12th of April, 1866, to meet at the storehouse of Kennady & Bro."

The new government was at once touched with the hand of death. Between the time of the taking the oath of office and the holding of the first meeting Mayor Ayres was taken ill and did not appear to preside. On the night of the 17th he died. on the morning of the 18th the council held a called session, with William Shelby acting as mayor pro tem., and passed suitable resolutions on his death. It was recommended that all business houses be closed on the morning of the 19th from 10 to 12 o'clock, the time of the funeral. It is said that this was done, and that the funeral was attended by nearly every person in the city. It has been generally believed that Mr. S. D. Kennady was the first mayor of the city, which is not exactly true, though he was the first to occupy the chair at a session of the council. At some time between the death of Mayor Ayres and May 24 Mr. Kennady was appointed mayor, for on that date we find in the minutes that Mr. Kennady produced and tendered to the council nis commission from the governor and also his qualification as mayor of the city of Owensboro before the county judge to fill the unexpired term of. E. S. Ayres, deceased, and took his seat as presiding officer of the council.



Owensboro Monitor, Owensboro, KY, 28 February 1866, p.3:

Owensboro Chartered as a City.

The Legislature has passed a bill granting to Owensboro all the powers and privileges of a city, but as we as a community have never belonged to the category of "one-horse towns," and have enjoyed all the benefits of a full-fledged city, we are not over-elated at the action of our State Solons. "We will, however, indulge in one hearty hurrah! Now for a wide-awake City Council, an efficient perleice and plenty of pavements. If it is the unanimous wish of the dear people to secure a nice, clever man to fill the responsible post of Mayor, we are the fellow to fill the bill, provided the salary be not less than \$2,000 per annum, with a liberal margin for perquisites. Not that we care for "filthy lucre" at all, but to have the office dignified, &c. We think (and we know of a gal

that agrees with us, who has a great interest in our welfare and success in life,) that Mayor to our name would sound well, and give "tone," (as did the accession of some of our elder and most worthy citizens to the Home Guard company at the beginning of the war,) by infusing a little leaven of young America spirit into the Board of City Dads. – The charter will be presented to the citizens a short time for ratification, which will doubtless receive their sanction by a decided vote.



Owensboro Monitor, Owensboro, KY, 7 March 1866, p.5:

Law of Kentucky,
Chapter 624.

An Act to Incorporate the City of Owensboro, in Daviess County.

1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That so much of the county of Daviess as includes and embraces the whole of the territory now included within the boundaries of the Town of Owensboro, agreeably to its presents limits and extending across the Ohio river opposite and in front of said town, as far as the jurisdiction of the of State of Kentucky extends, and the persons residing within said boundaries, are hereby enacted a body corporate and politic, by the name and style of Owensboro, and by that name may have perpetual succession; sue and be sued; plead and be impleaded, defend and be defended against, at law and in equity, in all courts and places, and in all matters whatsoever; contract and be contracted with, purchase lands, tenements, goods and chattels, and hold the same for the benefit of them selve and successors, or sell and convey them to other persons; have and use a common seal, and break and alter at pleasure, and generally have and enjoy all the powers and privileges, and be liable to all the duties and obligations, of a municipal corporation. The exercise of the powers, and the administration of the affairs of said city, are hereby confided to one principal officer, to be styled the "Mayor," and a Board of three persons from each ward of said city, and to be styled the Council, and such other officers as are herein after named and provided for

2. Said city is hereby invested with all the lands, tenements, and hereditaments, and the appurtenances, and all the goods and chattels, moneys, revenues, rights and demands in possession or expectancy, accrued or to accrue, of the Town of Owensboro, as fully as the same were held by said town; and said city shall be bound by all contracts, and liable for all debts and demands accrued or to accrue, in the same manner and to the same extent as said town was or might be bound or liable; and all suits pending, and all judgments recovered, in any court, may be continued and prosecuted, and the benefits thereof recovered, as effectually in the name of said city as they could have been in the name of said town, if this act had not been passed.

3. Said city is hereby divided into two wards as follows, to-wit: The first ward shall include all that part which lies above St. Ann street; and the second ward shall include all that part which lies below St. Ann street; and the Mayor and Council are hereby authorized to change the number and boundaries of said wards as the public convenience shall require, always endeavoring to equalize, as nearly as may be, the population thereof respectively.

4 The officers of the city of Owensboro shall consist of a Mayor, three Councilmen for each ward, a City Judge, an Assessor, Collector, Marshal, Treasurer, Clerk, and such other officers as from time to time may be found necessary and proper to transact the business of the city. The Mayor, Councilmen, City Judge and Marshal, shall be elected by the qualified voters of the city;

all the other officers shall be appointed by the Mayor and Councilmen, and be liable to dismissal at the pleasure of the Councilmen.

5. I be Mayor, Councilmen, and all other elective officers, shall be elected on the first Monday of April, 1866. The Mayor, City Judge and Marshal, to hold their offices two years, and until their successors shall be elected and qualified; all the other elective officers may hold office for one year, and until their successors shall be chosen and qualified. All officers shall take an oath, or affirmation, to faithfully discharge their respective duties.

6. No person shall be eligible to the office of Mayor who has not resided two years within the limits of the city, and have attained the age of twenty five years; nor shall any person be eligible to any other office created by this charter who has not been a resident within the limits of the city one year next preceding his election or appointment, and a qualified voter under the Constitution and laws of the State of Kentucky: *Provided*, That no officer into whose hands the money of the city may pass shall be eligible to re election until he has discharged his liability therefor, and obtained a legal discharge for the same.

7. Every while male citizen over the age of twenty-one years, (who is sane and has paid his tax) who shall be a legal voter under the Constitution and laws of the State. and has resided sixty days next preceding the day of election in the city. shall be entitled to the right of suffrage in all elections for city officers.

8. It shall be the duty of the Mayor to preside at all meetings of the Council, and, in all cases of a tie, he shall have a vote, and not otherwise; he shall be a conservator of the public peace; may arrest offenders against the penal laws of the city and of the Commonwealth in view, and summons the *posse comitatus* to his aid if necessary; he shall exercise a strict supervisory control over the public affairs of the city; see that the ordinances of the city are duly enforced and observed, and that each and every officer of the city properly discharges his duty, and cause to be impeached any one of them who may prove direlect; he shall take the necessary steps, and is empowered with due authority, to suppress all riots, insurrections, and disorderly meetings; he shall sign all commissions, licenses and permits, granted by authority of the city, perform all such duties, and exercise such powers as from time to time may be confided to him by the laws and ordinances of the city, or may otherwise pertain to the office of Mayor.

9. The three Councilman elected on the first Monday of April, 1866, from each ward, together with the Mayor, shall constitute the Common Council for one year subsequent to their election, and until their successors shall be chosen and qualified. At their first meeting they shall appoint a Clerk, who shall keep a true and intelligible record, in a book provided for that purpose, of all the proceedings of the Council, which said record shall, at all times during business hours, be subject to examination by any citizen, and perform such other reasonable duties pertaining to his office as may be required of him by the Council. The Council shall meet on the first Thursday in each month, and oftener if the public business may require it; and shall men upon their own adjournments, and determine the rules of their own proceedings, which shall always be open to the public. A majority of the Council shall be necessary to transact business. In the absence of the Mayor, the Councilmen shall select one from their own body to preside in their meetings. The Mayor and Council shall have full power and authority to assess and collect, annually, against each and every male inhabitant liable to taxation under the laws of the State of Kentucky, a capitation tax not exceeding one dollar and fifty cents, and upon all property, real, personal and mixed, including regular merchandise, except such as is exempt by the laws of the State from taxation, and excepts rights, credit, and money which is to be found and usually kept in the city, such *ad valorem* tax as they shall from time to time deem expedient: *Provided*, Such assessment shall not

exceed seventy five cents on the one hundred dollars worth of taxable property. *Provided, however.* That in lieu of an *ad valorem* tax, the Council may levy each year a specific tax on each house for the sale of merchandise of any kind, dry goods, groceries, or liquors, or any or all of them, boat stores, or for the purchase and sale of county produce, up on each tobacco, stemmery, forwarding and commission house, or boat occupied for any of the above purposes, of any sum between five and fifty dollars, and the amount to be assessed as nearly as may be by amount if business done by said houses. The Council shall cause to be made out a copy of the assessment roll of the previous year on or be done the third Monday of April of each year and handed to the Assessor, together with a precept, commanding him, in the name of the city, to make and return to the Mayor and Council, on or before the first Monday of June then next a complete list of all persons liable to the poll tax as aforesaid, and of all lands, tenements and hereditaments. goods and chattles liable to be taxed as aforesaid, with the name of the owner thereof (if known) and a just valuation, and a certain description of said property. The Assessor shall execute and return said precept according to the command thereof, stating therein the names of the persons respectively liable for such taxes, in alphabetical order, and every such assessment shall be made, or taken as it made on the first Monday of May in each year, from which time the taxes of the current year shall be a lien upon the property so assessed, and a charge against the then owner thereof, until such taxes shall be paid; but for the present year the Mayor and Council shall cause such taxes to be assessed as nearly as possible in the manner aforesaid with out regarding however the precise time stated aforesaid.

10. The Mayor and Council shall have power to lay out, make, alter, grade, pave and repair, at the expense of the city, all such streets, sidewalks, alleys, market spaces, and other public improvements of the like kind within the city, as they shall from time to time think proper, and have exclusive supervision thereof. – If the private property of any person is taken, or used by the order of the Mayor and Council for streets, alleys or other public improvements made in the city; or, if the grounds, buildings, or other property of a private person shall be injured as a consequence of carrying out the laws and ordinances of the city, such person shall be paid a just compensation therefore out of the city treasury – the damages sustained to be assessed by a jury to be summoned by the Sheriff of Daviess county before the County Judge of said county, which may be done at the instance of either party – the proceedings to be regular as in other oases of adjudication. Either party may appeal from the decision of the jury, within thirty days after the award shall be made known, by filing a bond in the Clerk's office of the Daviess Circuit Court with such penalty and security as the Clerk of said Court shall determine condition to prosecute such appeal to effect; or, either party may, in the first instance, file a petition in said Court, concisely stating the facts of the case, and praying that damages may be assessed and in either case the suit shall be tried by a jury, unless the parties shall agree that the Court shall try it; but no other question shall be determined than the regularity of the proceeding in the suit, and the amount of damages sustained – And so long as the Mayor and Council shall not be guilty of an abuse of their power in making any such improvement, or doing any other acts, or not be guilty of gross neglect, they shall not be personally liable to any action therefor, nor shall the city be liable therefor otherwise than in the manner aforesaid; nor shall the Mayor and Council be prohibited or delayed in proceeding with such improvement, or doing any lawful act.

11. The Mayor and Council shall have power to make and repair all necessary wharfs, piers, docks, landings, and other improvements of the like kind, along the Ohio river, and in the city, and to fix, by ordinance, rates of wharfage and other fees for the use of the same, and have the exclusive supervision and regulation thereof; and such wharfage and fees shall, until paid, be a lein upon the boat or other craft, goods, or other property, on account of which the same accrued,

and if payments thereof shall, after demand be refused, such boat, craft, or other property, may be proceeded against by attachment, whether the owners thereof shall be known or not; in the manner, and subject to, the provisions prescribed in the statute Jaws of Kentucky authorizing the seizures of boats and other vessels.

12. In all cases of public nuisances of whatever kind, the Mayor and Council, after reasonable notice to the party guilty thereof, and his neglect to abate the same, may cause the same to be abated, and sue such guilty party in any court of competent jurisdiction, and recover a full compensation for the expenses of such abatement, and if such expenses shall be incurred in the draining, filling up, or otherwise repairing, of any ground in the city, there shall be a lien upon such ground, and may be enforced accordingly by the Mayor and Council.

13. The Mayor and Council shall grant a license to any person applying for the same, who may have complied with the statute of the State in such cases made and provided, to retail spirituous liquors by less quantity than one quart, to keep a tavern, inn, ale, porter or coffee bouse, or shop, or any other house of public entertainment or convenience, not prohibited by law. They shall also grant a license or permit to any person wishing to exhibit, for gain, any animal, wax figure, or other natural or artificial curiosity, or any feats of horsemanship, circus riding, tumbling, vaulting, rope or wire dancing, legerdemain, ventriloquism, or other feats of agility; and in granting such license it shall be lawful for the Mayor and Council to require that such sum of money shall be paid therefor, and to prescribe such conditions and regulations, of the use thereof, as to them shall seem right; and for a violation of such conditions and rules, the Mayor and Council may, in their discretion, suspend or revoke such license; and if any person, without having obtained such license. shall keep such house, inn, or shop, or sell by retail any such liquors, or exhibit any such show for gain, in the city, he, she, or they, and all aiding and assisting him, her or them, therein shall severally forfeit and pay for such offense a penalty of not less than ten, nor more than fifty dollars, for the benefit of the city.

14. The Mayor and Council, (a majority of all elected voting for it) shall have power to borrow money, and issue the bonds of the city for the same, and pledge the faith, property, and revenues of the city therefor – but no amount beyond the revenue of the current year shall be borrowed without the concurrence of a majority of all the qualified voters of the city. When the Mayor and Council submit a proposition to the voters of said city to authorize them to borrow money, they shall issue an ordinance stating the sum to be borrowed, the time for which it is to be borrowed, and the object or objects for which the money borrowed is to be expended; and the money so borrowed shall be applied to the purpose for which it was borrowed. The Mayor and Council shall, before they issue an ordinance to take the vote of said city to authorize them to borrow money, make provision for payment of the interest on the sum to be borrowed, as it shall accrue, and to pay the debt when it shall become due; which provision, so made, shall be distinctly stated in the ordinance proposing to borrow money; and the ordinance made shall be published in one or more newspapers in the city of Owensboro for at least three weeks before the vote is taken. All bonds of the city for the payment of money shall be signed by the Mayor, and countersigned by the Treasurer. No bond of the city shall be sold for less than par, or bear a higher rate of interest than six percent, payable semi-annually. The Mayor and Council shall also have power and authority to establish a Board of Health for the city, and invest it with such powers, impose upon it such duties, and prescribe for it such regulations, as shall best secure the city from contagious and infectious diseases, and make all other provisions, and do all other things necessary, to the public health to provide for the maintenance of the paupers of the city; to procure fire engines, hose, and other fire apparatus; establish and organize fire companies, and make all proper

regulations for their government; and for that purpose to make such abatement of the poll and other taxes; of fire ; who shall be exempt from serving on any jury to compel the citizens to provide themselves with fire buckets, and assist in the extinguishment of fires; to regulate the sweeping and burning out of chimneys, the storage of gunpowder, and other combustible and dangerous articles and to take all other usual and proper measures for preventing and extinguishing fires; sink wells and cisterns, and supply the city with wholesome water; to provide for lighting the streets of the city; to establish a city watch, with power in the watchman to arrest all persons found within the city violating any the criminal laws of this State, or penal ordinances of the city, and take them before the City Judge or Magistrate for examination to regulate and prevent the interment of deceased persons within the city; and purchase, hold and regulate burying grounds for the city; to abate and prevent the erection of all nuisances; define and declare what shall be a nuisance, and prevent by fine the exercise of all noxious or offensive trades within the city, or within any part thereof; to establish markets and market places, and regulate the buying and selling of articles usually sold in market; to appoint measurers, weighers, gaugers and inspectors for ascertaining the quality and quantity of flour, meal, beef, pork, and other provisions; coal, wood, lumber, hay, and other articles for market, and the accuracy of weights and measures, and fix the fees of such officers; to license and regulate porters, carts, wagons, hacks, and other vehicles, plying in the city for hire; fix the price therefor, and prohibit those not licensed; to license auctioneers, and regulate auctions to prohibit and prevent hogs, cattle, horses, and other animals, from running at large in the city; to assess an animal tax on the owners or keepers of dogs within the city; to suppress gaming houses, and houses of ill-fame and punish the persons who shall keep them; and to preserve good order and the public peace by preventing intoxication, immorality, lewdness, idleness, vagrancy, quarreling, fighting, rioting, and other disorderly conduct within the city, and punish those guilty of such conduct therein; and the Mayor and Council are hereby authorized to make all bylaws, ordinances, and regulations, necessary and proper to carry the foregoing, and all other powers granted by this act, into full effect; and to enforce the same by penalties, not exceeding fifty dollars to be recovered before the City Judge.

15. On the 1st Monday of June, annually, or as soon after as practicable, the Mayor and Council shall determine the amount of the poll, and the rate of the *ad valorem* taxes for the year, and the Clerk shall thereupon make and deliver to the Collector, as soon as practicable, a list, in alphabetical order, of the persons named in the assessment rolls, and the amount of the taxes of the current year and delinquent taxes of the preceding two years, charged against each – specifying whether the tax is a poll or property tax and if the latter, concisely describing, the property with a precept under the seal of the city, commanding the Collector, in the name of the city, to collect the taxes charged in said list, by demanding payment of the persons therein charged, or by distress and sale of their respective goods and chattels, or of lands, tenements, and hereditaments described in said list; and to return said precept and list to the Mayor and Council, and pay over the money so collected to the Treasurer on or before the first Monday of December then next.

16. The Collector shall execute and return said precept according to the command thereof, and he shall specify in his return what taxes have been collected by distress and sale, the property sold, the price for which it sold, and the name of the purchasers, and what taxes remain unpaid, and the cause of their non-payment; and he shall make oath that his return is just and true; which oath shall be appended to his return. The Collector shall also report to the Mayor and Council all omissions and other errors in the assessment and tax rolls which shall have come to his knowledge, and the Mayor and Council shall, at all times have power to correct any assessment or tax roll, by

adding to, or subtracting from, as to them shall seem right, and refund any moneys, and make any other just restitution for taxes wrongfully assessed and collected.

17. The Collector, upon the receipt of the tax books, shall advertise in one or more newspapers of the city, calling upon the tax-payers to meet him at his office to pay their taxes; and if any tax shall remain unpaid on the first Monday in September, the Collector may collect the same by distress and sale at auction of the goods and chattels of the person charged therewith and found in the city, returning the overplus, if any, to the owner, giving ten days notice of such sale by written advertisement, put up in three public places in the city.

18. The Treasurer and Collector shall, before entering upon their respective duties, each execute a bond in the penalty of six thousand dollars with good and sufficient security, conditioned for their honest and faithful discharge of official duty; the bonds to be approved by the Council, who shall cause the same to be filed in the Clerk's office, and true copies of which shall be spread of record. If at any time it shall be deemed proper, the Council may require additional security of one or both the above named officers, and increase the amount of either, or both, of their paid bonds.

19. The Mayor and Council shall be authorized to establish rules to enforce a faithful and honest discharge of the official functions of all the officers of the City, and to inflict a penalty for their non-observance; to remove from office the Mayor or member of the Council, or other city officer; but in all cases of impeachment, the party accused shall be notified of the charge or allegations against him at least ten days previous to the day of trial, and they shall also be placed of record in the proceedings of the Council.

20. Whenever the owners of two-thirds of the free-hold property, (to be determined by lineal measure of front feet,) on any street shall, by petition, represent to the Mayor and Council that they are desirous of having such street or alley or section thereof graded, paved, or otherwise improved, or lighted, at the expense of the owners of lots fronting on such proposed improvement, and shall show therein particularly what lot or parts of lots, are owned respectively by the petitioners, the Mayor and Council shall cause such petitions to be recorded, and such improvements to be made, as nearly according to the prayer of the petition as shall be consistent with the general plan of improving the city, and without rendering the city liable for any other expenses than the making such improvements at the intersection of the streets and alleys, and the superintending the work; all the other expenses the Mayor and Council shall assess upon the lots fronting on such improvements in proportion to their number of feet thereon, and such assessments, with the names, if known, of the owners, of the lots, shall be recorded, and the Clerk shall forthwith make out a copy thereof and hand it to the Marshal with a precept, under the seal of the city, commanding him to collect such assessment by demanding payment thereof from the owners, or by distress and sale of the lots according to exigency, and to return said assessment and precept to the Mayor and Council and pay over the moneys so collected to the Treasurer, within three months from the date of said precept, and the Marshal shall forthwith demand payment of such owners who reside in the city, and give notice to those who are non-residents, or unknown, by publication one month in a newspaper of the city, concisely stating in such publication and demand, the names of the owners, is known, the number of lots, or parts thereof, and the amount of the assessment, and that unless the assessments shall be paid, the lots or parts thereof will be sold to satisfy them; any person aggrieved by such assessment, may appeal therefrom to the Daviess Circuit Court, within thirty days after such demand or publication, by filing his bond, in said Court, in such penalty and with such security as the Clerk of said Court shall determine, conditioned to prosecute his appeal so effect and pay the amount which may be adjudged against

him, and all assessments not so appealed from, shall be conclusive upon the owners, and unless paid, the Marshal shall collect then by giving such notice, selling such interest, and giving such certificate of sale, as are prescribed in the 28th section of this act, and such certificate shall be recorded, and have like effect, and be subject to like redemption, as are therein stated, and the money paid or collected on said assessment shall be, appropriated for the payment of the expense of such improvement or lighting, or the Mayor and Council, may at any time, when in their opinion the public good shall demand it, proceed to make such improvement in the absence of such petition, and cause the same to be paid for in the manner prescribed above.

21. The Mayor and Council shall have power to erect all buildings which they may deem necessary, and when the public good shall require it, to erect a city prison and regulate the management and police thereof, and the Marshal shall be the keeper thereof, and have the same authority, and be subject to the same liability as such, that Jailors have, and are subject to as the keepers of county jails; Provided that until such prison shall be ready for the reception of prisoners the said city shall be allowed the use of the jail of Daviess county, for the confinement of all such persons as may be convicted before the City Judge, and who shall be liable to imprisonment under the laws of this State or ordinances of said city, and all persons so imprisoned shall be under the charge of the Jailer of the said County of Daviess, who shall receive and discharge such persons in, and from said Jail in such manner as shall be prescribed by the ordinances of said city, or otherwise by due course of law.

22. All moneys of the city raised, collected, or received by means of taxes, licenses, penalties or otherwise, shall be paid into the Treasury, and shall not be drawn therefrom except by the authority of the Mayor and Council, upon an order signed by the Mayor and countersigned by the Clerk. The Mayor and Council shall cause all demands in favor of and against the city to be adjusted and paid as speedily as possible, and shall require all officers and agents intrusted with the keeping or expenditure of moneys of the city, to account for, and dispose of the same, at such short intervals, and in such manner as they may direct, and they shall cause annually to be published in one or more newspapers of the city, a full and concise statement of the receipts and expenditures of the city. They shall also at the close of each fiscal year cause to be published a true delinquent list, giving the name of each delinquent tax payer, with the amount of his or her delinquency to be published in like manner.

23. All fines assessed by the City Judge for offences against the penal laws of the State, shall be paid over to the Trustee of the Jury fund so soon as collected.

24. The Mayor or a majority of the Council, may call special meetings of the Mayor and Council whenever they shall judge it expedient, by giving notice to the other Councilmen who shall at that time be in the city; the Mayor, and in his absence the President pro-tempore of the Council, shall sign the records of their proceedings, and a copy of the record so signed, certified by the Clerk, and under the seal of the city, shall be competent evidence in any Court in this State. No by-laws or ordinances of a penal nature shall be passed by the Mayor and Council without being publicly read twice, and the vote upon the passage thereof shall be by ayes and noes and entered on the record, but no such by-laws or Ordinances shall be in force until a copy thereof, certified by the Clerk, under the seal of the city, shall have been published ten days in one or more newspapers of the city.

25. On the first Monday of April next and bi annually thereafter, a City Judge shall be elected by the qualified voters of the city. The Mayor shall certify to the Governor of the State the name of the person chosen City Judge, when the Governor shall issue, without delay, a commission to him as such City Judge. On receipt of such commission the City Judge shall, before entering on

the discharge of the duties of his office, take an oath or affirmation that he will support the Constitution of the United States, and that of the State of Kentucky, and faithfully to discharge the duties of his office. In case of vacancy in the office of City Judge it shall be the duty of the Mayor and Council to fill the vacancy by appointment of a successor to serve until the next annual election, and until his successor shall be elected, commissioned and qualified. The City Judge shall have the same jurisdiction and power in both civil and criminal cases, which Justices of the Peace have, if the causes of action or of complaint shall have arisen, or the defendants, or one of the defendants shall be found in the city, and he shall have jurisdiction of all cases for a violation of any by-laws or Ordinance of the Mayor and Council; he shall also have the same power to issue all process for carrying the jurisdiction into effect, shall proceed in the same manner, and be entitled to the same fees as Justices of the Peace, he shall keep a docket, which in all respects shall have the same effect as the docket of a Justice of the Peace, and a copy therefrom certified by the City Judge, under his seal, shall be competent evidence in any Court in this State, and the parties to any suit before him shall have the same right to a change of venue, to a trial by jury, and to an appeal, as if the suit was pending before a Justice of the Peace. As soon as such City Judge shall be qualified, the docket and files of the Police Judge of the town of Owensboro shall be delivered to him and he shall hold and act upon the same as a Justice of the Peace holds and acts upon the docket of his predecessor in office.

27. It shall be the duty of the Marshal to serve and return all process directed to him by the City Judge, and his power for this purpose shall be co-extensive with Daviess county; he shall attend all trials before the city Judge, receive the same fees for services, and do the same duties in like cases, as constables. In case of the absence or inability of the Marshal, the City Judge may direct process to any Constable of Daviess county who shall serve and return the same. The Marshal may appoint one or more deputies in the same manner and subject to like responsibilities as Sheriffs.

28. If no goods or chattles shall be found out of which to make the taxes charged in any lands, tenements, and hereditaments or being found and sold shall be insufficient to satisfy such taxes, the Collector shall seize such lands, tenements, hereditaments, and having given three weeks general notice of the sale in a newspaper published in the city, he shall at the Court House in the city, on the first Monday of November, between ten o'clock in the forenoon and five o'clock in the afternoon, and thence from day to day as long as shall be necessary, sell at public auction for cash, the least interest in said lands, tenements, or hereditaments that will satisfy the taxes charged thereon and the costs of sale and the taxes and costs being paid by the purchaser, the Collector shall give to him a certificate of such sale, signed and sealed by himself, stating particularly the property sold, the amount and year of the tax, and the purchasers name; said certificate shall be recorded by the Clerk in a book kept for that purpose, within sixty days after its date. The Collector shall charge one dollar on the costs of sale, of which he shall keep seventy-five cents for making, and pay to the Clerk twenty-five cents for recording the certificate, and if all proceedings relative to the tax and sale shall have been regular, such certificate shall vest in the purchaser and his representatives and assigns an indefeasible title to the interest so purchased in such lands, tenements or hereditaments, and the certificate shall be prima facie evidence of such regularity. If any lot or part of lot sold as directed by this section, shall not be redeemed at the expiration of two years from the date of the sale, the Collector that made the sale, or the Collector of the city for the time being; shall make a deed to the purchaser, in which deed the certificate of sale shall be recited and acknowledge the same for record in the Daviess County Court Clerk's office, and such deed shall be prima facie evidence of the regularity of the sale and vest an indefeasible title in the

purchaser. But any person interested in lands, tenements, or hereditaments so sold, may redeem the same at any time within two years from the date of such sale, by paying to the purchaser or the Clerk of the city for the purchaser's use, the amount for which the same was sold, together with one hundred per cent thereon and six per cent per annum as interest on the purchase money, but the purchaser, his representatives and assigns. shall not be liable to account for the use and occupation of the lands, tenements and hereditaments between such sale and redemption, and then they shall have the right to remove all improvements made by them within such period: This act shall not be so construed as to impair the rights of infants and *feme covert* to redeem as aforesaid, or to contest the validity of the sale as aforesaid for two years after their respective disabilities shall be removed, but this saving shall not extend to any joint tenant or tenant in common not laboring under said disability.

29. The Council shall provide by Ordinance for all elections in conformity with this act and the Constitution and laws of this State.

30. The first election under this act shall be held on the first Monday of April, 1866, at such places, in the respective wards as shall be designated by the Commissioners, (or any one of them.) hereinafter named and empowered, to superintend the organization of the city government under this act. It is hereby made the duty of the Sheriff of Daviess county to see that the proper officers be appointed and sworn to conduct the elections in the wards, and that the polls be opened and the elections conducted in the manner and form prescribed by law for holding elections. At the closing of the polls in each ward, it shall be the duty of the Judges, Clerk and Sheriffs of such elections to certify the poll books and deposit the same with the Sheriff, whose duty it is made to safely keep the same until Wednesday next succeeding the election, and such Sheriff shall make due return of the same to the Chairman and Trustees of the town of Owensboro, who by this act are required to meet on that day at the Court House, between the hours of two and five o'clock, P. M., of said day, and compare the polls, and declare the result. When the polls shall have been thus compared, and the result thus declared, it shall be the duty of the Clerk, of the Chairman, and Trustees of the town of Owensboro to notify in writing each person elected of his election. Provided, further, that should the Chairman and Trustees of the town of Owensboro fail to obey the requisitions aforesaid, then the Commissioners as above, shall meet and discharge the duties hereby imposed upon the Chairman and Trustees, and their acts and doings under this commission shall be valid. The Mayor and Council shall meet at the same place on the next Monday at three o'clock in the afternoon and be sworn into office; and thereupon the Chairman and Trustees of the town of Owensboro shall deliver to the Mayor and Council all records, papers and property in their or their Clerk's hands, pertaining to said town. Previous to all elections thereafter the Mayor shall, by proclamation, issued ten days before the day of election, notify the qualified voters to meet at such places in their respective wards as shall be appointed for holding elections for the election of such officers (naming them) as are then to be chosen, election shall, in all respects, be conducted as hereinbefore directed; but the Mayor and Council are authorized to appoint the Sheriffs and Judges of such elections, the Sheriffs and Judges shall certify the returns of elections to the Mayor, and the Mayor and Council shall meet within five days after such elections, inspect and compare the returns and declare the result, and cause the persons elected to be notified thereof; and on the second Monday in April deliver over to their successors all records, papers, and property in their hands to their successors.

31. J. H. Branham, Thomas L. Hutchison, J. H. Blair, John O'Brien, C. A. Hathaway, and S. S. Watkins are hereby appointed Commissions to superintend the organization of the city government under this charter, the act of a quorum to be valid, and in all respects binding: said

Commissioners are required to make oath or affirmation before a civil magistrate or other officer authorized to administer entering on the discharge of their duties, and their commission shall terminate so soon as the government shall be organized as prescribed in this act.

32. The Common Council shall have full power to cause each officer appointed by them, before he enters upon the duties of his office to execute bond in such penalty as they may direct, (by ordinance) with such security as they may approve conditioned that he will faithfully discharge the duties of his office, and fully pay over to the Treasurer, when required by order of the Council, all moneys which he may have received by virtue of his office, which bond shall be filed away by the Clerk. Each and every bond required, or authorized to be executed by this act by any city officer, (except as otherwise provided) shall be executed to the "City of Owensboro." And upon all such bonds suit may be brought, and judgment recovered in any of the Courts of this Commonwealth. All suits commenced hereafter and prosecuted for and in behalf of said City shall be in the name of the "City of Owensboro."

33. This act shall be a public act, and be judicially noticed and liberally construed by all Courts in this State, and in pleading it shall not be necessary to recite the by-laws or ordinances of the Mayor and Council, but it shall be sufficient to refer to their date, title and section. The rights and privileges herein granted shall not be taken away or effected by any law hereinafter made, unless the corporation hereby created shall be expressly named therein, and the fact of any person being a citizen of the City of Owensboro shall not render such person incompetent to be a witness in any suit to which the city may be a party.

34. This act shall be in force from and after its publication in the Owensboro Monitor and the Southern Shield, and its ratification by the vote of a majority of the qualified voters of said town under this act; the ratification election to be held on the second Monday of March next at the Court House in said town of Owensboro, and to be conducted as prescribed above. Notice of the same shall be given one week by publication in the above named papers, or either one of them, so far as to authorize an election on the first Monday of April, 1866, and from that time the act entitled "An Act to incorporate the town of Owensboro," and other acts coming within the purview of this act, are hereby repealed. Provided, however, that the Legislature shall at any time have the right to repeal, alter or amend this charter.

H. TAYLOR,
Speaker of the House of Representatives.
RICHARD T. JACOB.
Speaker of the Senate.
Approved: February 16th. 1860.
THOS. E. BRAMLETTE,
Governor of Kentucky.

Commonwealth of Kentucky,
Office of Secretary of State.

E. L. Vanwinkle, Secretary of State, and keeper of the archives thereof, do hereby certify, that the foregoing copy of an Act approved 16th February, 1866 is a full, true, and correct copy from the original Enrolled Bill on file in this office. I

In Testimony Whereof, I have hereunto set my hand and affixed [L. S.] my official seal.
Done at Frankfort, this 28th day of February, 1866.

E. L. VANWINKLE,
Secretary of State.

By JAS. R. PAGE, Assistant Sec'y.



Owensboro Monitor, Owensboro, KY, 14 March 1866, p.3:

CITY CHARTER

An election was held at Court Hall on Monday last, to ratify or reject the City Charter lately framed by the Legislature, and on that day was submitted to the people – Messrs. Beers and McKay, Judges; W. H. Perkins Sheriff, and A. L. Ashby Clerk. Votes polled in favor of City Charter were 270, against Charter 7. It will be seen that an overwhelming number of our citizens have eschewed town habits, and will now assume city airs, &c. We hope all will cordially join the behests of the, people, and pull together to make our city such as it should be – good pavements, market houses, fire engines, and many other needed agencies, are required, and which no doubt our embryo city dads will duly consider.

The first election for city officers will be held in April. Candidates are presenting themselves in the usual quantity – Messrs. Bransford, Sweeney, Ayers, Kennedy, and Rouse, we learn, are spoken of as candidates for the Mayoralty. They are all excellent gentlemen and eminently fit to fill, not only the position of executive officer of the city, but any other post to which they might aspire.

The friends of Joseph H. Branham, Esq., are also solicitous for him to present his name for the same position, and if he will consent to do so, he will receive a flattering vote from some our most influential citizens. He would certainly make an admirable and efficient officer.

In this connection we would urge our citizens the great necessity for a wise choice in the various officers at the city election, as the welfare of the place will depend nearly entirely upon the men chosen. Energetic, wide-awake men are needed at this time, and let us have them.



Owensboro Monitor, Owensboro, KY, 30 May 1866, p.3:

The City of Owensboro Seal.

Our town having recently been incorporated a city, it become necessary to have a seal in order to affix it to official acts and papers in which the city was concerned. The Common Council were very much exercised about this seal, for a long time settled down upon the idea to have engraven upon the seal a mullen stalk, intended, we suppose, to represent a tobacco stalk," and surrounded by the words, in semi-circular form, "The City of Owensboro Seal."

It reminds us of an artist, who, after devoting a long time in painting an animal, thought it necessary after he had completed his chef d'oeuvre, that there might possibly arise some mistake about what kind of an animal it was, wrote under it, "this am bar." It is the first time we ever heard of the word "seal" placed upon aa article used to indent official papers, besides the word 'The' is entirely superfluous, and there is nothing upon the seal to indicate whether the City of Owensboro is in Daviess county, Ky., or in any other county and State in the Union, or in Mexico, and in consideration of this fact we doubt very much whether it would be considered a legal seal in a Court of Justice. We think the best thing the Common Council can do is to throw this "laughing stock" away and get another with the proper device upon it.



History of Daviess County, Kentucky.

Inter-State Publishing Co., Chicago, IL, 1883, pp.328-332:

OWENSBORO AS A CITY.

Owensboro received a city charter from the State Legislature, Feb. 16, 1866. The following is the first entry of proceedings in the record book, and bears date of April 9, 1866:

"Pursuant to the provisions of the charter incorporating the city of Owensboro, E. S. Ayres, who had been duly elected to the office of Mayor of said city, James Kennady, M. D. Soyd and J. Deal, who had been duly elected as Councilmen for the upper ward, and Benjamin Bransford, George Brown and William Shelby, who had been duly elected as Councilmen for the lower ward, appeared at the court-house in the city of Owensboro on Monday, the 9th day of April, 1866, at three o'clock P. M., and were duly sworn into office by E. T. Berry, Esq., and thereupon the chairman and trustees of the town of Owensboro delivered over to the said Mayor and Council the records and papers of said town. The said Mayor and Council then organized, and, on motion, James Hughes was appointed Clerk, *pro tem.*, and, on further motion, the said Council adjourned to Thursday night, the 12th day of April, 1866, to meet at the store-house of Kennedy & Bro.

"C. N. S. TAYLOR, *Clerk.*"

At the next meeting of the Council, held April 12, C. N. S. Taylor was duly elected Clerk for the year; J. W. Coleman was chosen Treasurer, under \$15,000 bonds, and the office of Attorney was filled by the election of W. N. Sweeney. At a meeting held April 16, forty-nine ordinances were presented to the Council, and the same were adopted April 18, and ordered printed in the Owensboro *Shield*. The first thirteen of these ordinances provided for licenses of various kinds, the following being the scale

Tavern or hotel.....	\$100	Auction on streets	\$20
Restaurant.....	50	Peddling	30
Ardent spirits.....	20	Boat selling merchandise	50
Billiard saloon per table, not		Circus, Museum or Menagerie	
exceeding two	100	per day	100
Billiard saloon per table,		Theatrical performances each	10
exceeding two	50	Tobacco stemming	25 to 50
Ten-pin alley	50	Hauling for profit	5
Auction house.....	50		

Among the other ordinances was one in regard to the observance of the Sabbath (to this day Owensboro is noted for the strict compliance with the law on this subject, no stores being open on Sunday, even for an hour), discharging fire-arms, riot, disturbing religious worship, dog-fights, disturbing good order, fighting animals, riding fast, hitching on streets, exhibiting stallion or jack, nuisances, rubbish on streets, obstruction of streets, driving animals on pavement, obstructing sewer pipes, curbing, bathing in Ohio River, city scales, wharf, ferry-man, wharfmaster, wharf-boat, freight, wharf-boat rates, swearing on streets, contagious diseases, selling unwholesome flesh as food, shade trees, concealed weapons, gaming fines recoverable, city judge, marshal's report, and taxing of dogs. By the organization of the Council and the adoption of these ordinances the

machinery of city government was fairly set in motion, and Owensboro became a city in fact as well as in name.

The seal of the city of Owensboro was adopted April 18, 1866, and bears upon it the words, "The City of Owensboro Seal," and the figure of a tobacco leaf.

The first Mayor of Owensboro never presided over the deliberations of the Council. Shortly after the first meeting at which he was sworn in, Mayor E. S. Ayres was taken ill, and died in less than a week. The following appropriate testimonial was adopted by the Council April 18:

"WHEREAS, An inscrutable Providence in his wisdom has removed by death our esteemed fellow-citizen, Captain E. S. Ayers, recently elected to the office of Mayor of this city, and who was therefore the presiding officer of this body, therefore be it

Resolved, That in the death of said Ayers the community has lost a useful citizen, who, by his affable manners and correct deportment had endeared himself to the hearts of all, and this Council an able and efficient presiding officer and member, and that we deeply deplore his loss and hereby tender to his bereaved family our warmest sympathies.

Resolved, That we will in a body attend his funeral, as a further testimony of our respect for his memory.

Resolved, That the citizens be requested to suspend all business, with closed doors, from 10 to 12 o'clock to-morrow, during the funeral ceremony.

Resolved, That the clerk of this Council present a copy of the foregoing preamble and resolutions to the wife of the deceased, and that the papers of the city be requested to publish them."

Salaries, etc.—The charter in force previous to 1882 allowed the city officials to vote themselves "back pay," which generally was justifiable, owing to increasing responsibilities commensurate with the increasing growth of the city. Some complaints being made, however, in 1874 the following facts were developed: 1859, the Board of Trustees received \$25 for their services; 1860, they increased the compensation of the chairman; 1861, pay of the clerk and attorney increased; 1862-'3, pay of the treasurer increased to \$75 and \$50 for the respective years; 1865, compensation of the councilmen doubled; 1866, same increased to \$150, and the mayor's to \$300; 1869, that of the clerk, treasurer and attorney increased; 1871, mayor received \$100 additional to his usual allowance; 1872, he received \$700.

Present Charter. —By act of the Legislature approved March 18, 1882, a new charter was granted the city, with the foregoing defect remedied, among several others. This charter, with the ordinances, is printed in pamphlet form, making eighty duodecimo pages, and can be obtained by any citizen from the city clerk. The first section of the charter describes the city limits, which had been enlarged in a southerly direction in 1872.

OWENSBORO IN 1872.

Owensboro in 1872 had a population of about 8,000, and was one of three principal cities on either side of the Ohio River between Louisville and Cairo. The city then had thirty-one lawyers, fifteen physicians, nine ministers of the gospel, three dentists, six drug stores, six express wagons, fifteen drays, twenty-five groceries, sixteen dry-goods stores, ten merchant tailors, two boot and shoe stores, one queen's-ware store, one carpet store, two tinware and stove establishments, three hardware stores, three bakeries, eleven confectioneries, two book and stationery stores, five barber shops, six meat and vegetable shops, six millinery stores, two furniture stores, two gunsmiths, two photographers, three jewelry establishments, thirty-five liquor saloons, six beer saloons, ten livery stables, three tobacconists and cigar-makers, three undertakers, nine shoemakers, seven clothing

houses, four saddlers, eight blacksmiths and wagon-makers, one hide and fur house, one dye-house and one real estate agent.

Also fifteen large tobacco stemmeries employing over 600 hands, two large planing-mills, one woolen-mill, one foundry, one broom-factory, two extensive breweries, three corn and wheat mills, one apple-brandy distillery, four brick mills, one marble yard, three banks, seven wholesale liquor-dealers, one sewing-machine establishment, six hotels, one furniture factory, a city hall, skating rink, two brass bands, two large public schools, three private schools, nine good church buildings, six large distilleries, a splendid courthouse, with town clock, a secure jail, two large wharf-boats, a good levee, public scales, gas-works, and lodges of Masons, Odd Fellows, Temperance, Harigari, etc., etc.

OWENSBORO IN 1882

is shown by the good directory published by Emerson & Williams, in which the items are so differently taken that an exact comparison with 1872 cannot well be made; but it is certain that while the population has increased to about 11,600, or forty per cent., business and improvements have gone forward with equal pace.

The taxable property of Owensboro in 1872 was listed by the city assessor as follows: Within the old city boundary, \$2,121,585; within the addition, \$181,945; property of negroes, \$13,495; total value of property, \$2,317,025. The property in the addition was listed separately because it was annexed to the city on condition that it should not share the railroad debt and some other responsibilities, and that of the colored people on account of their separate school interests. The assessment this year (1872) within the old city boundaries showed an increase of over \$104,000 in excess of the previous year subject to taxation. Some other statistics of this year were also published; but when we see that the whole negro population is charged, in the item of dogs, with owning only eleven of them, we are in doubt as to the value of the rest of figures. One of the freaks of the census!

Aug. 7, 1880, a proposition was voted on, 329 to 32, to issue bonds to the amount of \$50,000, for as much money to be expended in general improvements, namely: \$20,000 for graveling and guttering the streets; \$10,000 for sewers; \$10,000 for improving the wharf; \$5,000 for enlarging the school buildings; and \$5,000 for protecting the river front. For the issue of bonds the charter required the affirmative of a majority of all the qualified voters of the city, and therefore the above measure did not carry. The apathy of the citizens was astonishing. A public meeting had been held, and rousing speeches made.

Owensboro, however, is a nice city, apparently in as good a trim as any of her sisters.

POPULATION.

The population of Owensboro from time to time has been as follows:

1830.....	229	1870.....	3,430
1850.....	1,215	1875.....	about 8,000
1860	2,308	1880	nearly 10,000
1864.....	about 3,000	1883.....	about 11,597

The United States census for 1880 gave Owensboro only 6,231, which was evidently an error.



The Kentucky Legislature granted the city of Owensboro a new charter on 18 March 1882. Copy of the new charter was published in the Semi-Weekly Messenger, Owensboro, KY, 31 January 1882, p.3 and 3 February 1882, pp.2-3.



Owensboro City Hall (C. Waitman Taylor Municipal Building), 101 East 4th Street

