

## Appointing a Surveyor

### CHAPTER DXXVII.

#### **An ACT to authorize the appointment of a surveyor of the lands set apart for the officers and soldiers of Virginia state line.**

*Approved, December 11, 1822.*

Section 1. **Be it enacted by the General Assembly of the Commonwealth of Kentucky,** That the Governor be, and is authorized to nominate and by and with the advice and consent of the senate, appoint and commission some fit person to fill the vacancy occasioned by the death of the late surveyor of the lands set apart for the officers and soldiers of the Virginia state line, and that the person so appointed and qualifying himself according to law, shall be, and hereby is authorized to receive from the executor or executors of the deceased William Croghan, late surveyor aforesaid, or such other person or persons as have or may have in his, her or their possession any or all of the record books, papers and documents of the said office, and them remove to his own office, to be kept in Hickman County and there safely preserved until delivered out agreeably to law, and also to do and perform each and all the duties of said office, as by law is or may be required.

Section 2. Whenever hereafter a vacancy shall or may happen in said office of surveyor, by death, removal, resignation or otherwise, it shall and may be lawful for the governor to fill such vacancy in the same manner and under the same restrictions as he is now authorized to fill other vacancies.

Section 3. The surveyor nominated and appointed as aforesaid before he enters upon the duties of his office, shall enter into bond with security to be approved of by the governor, in the penalty of five thousand dollars, conditioned for the faithful discharge of the duties of his office, which bond shall be made payable to the commonwealth and filed in the office of the secretary of state, and may be put in suit as often as there shall be a breach of the condition thereof, by any person or persons who may be injured or aggrieved by such breach and a copy of said bond attested by the secretary or his deputy, shall be received and admitted as evidence in any suit upon the same.

Section 4. The further time of one year from and after the first day of December next, be allowed the person so appointed to perform the duties required by the first section of an act entitled "an act for surveying the military claims west of the Tennessee River". **Whereas** many surveys had been executed during the life of the said William Croghan, late surveyor of the lands set apart for the officers and soldiers of the Virginia state line and plats and certificates of the same made out by this deputies which had not been recorded before his death.

Section 5. The surveyor appointed in pursuance of this act is hereby authorized and required upon application of the owner of any such survey, by himself or his authorized agent, to record the same, and the surveys so recorded shall be as good and valid as if the same had been recorded by the said William Croghan in his life time, and for recording the same, the said surveyor is hereby allowed to retain out of

the fees paid upon each survey, twenty five cents, and the balance of the legal fees upon any surveys which he may receive, he is hereby required to pay over to the executors of the said William Croghan.

Ref: "Acts of the Kentucky General Assembly", 1823, pgs 232-233.