

Establishing Town at Iron Banks

CHAPTER CLXIX.

An ACT for establishing and laying off a Town at the Iron Banks.

Approved, December 27, 1820.

WHEREAS, the general assembly of the Commonwealth of Virginia, at their October session 1783, authorized the deputation of officers of the Virginia lines, on state as well as on continental establishment, to lay off four thousand acres of land in such manner and form as they might judge most beneficial for a town on the Mississippi, or the waters thereof, and vest the same in trustees, for the common benefit and interest of the whole: and whereas, William Croghan, Major Carrington, John Montgomery and John Rogers, were appointed trustees in pursuance of the act aforesaid; and on the second day of August 1784, did locate the four thousand acres of land aforesaid, for the purpose aforesaid, upon the Mississippi River, including the Iron Banks: and whereas it is represented to this general assembly, that the trustees aforesaid, or a majority of them, have departed this life before the trust reposed in them was executed: therefore,

Section 1. **Be it enacted by the General Assembly of the Commonwealth of Kentucky**, that William Croghan, the surviving trustee, Joseph Rogers Underwood, Richard Taylor, Jr., William Montgomery and David L. McKee, be, and they are hereby appointed trustees in the place of the trustees heretofore appointed; and it shall be the duty of the said trustees to cause a survey to be executed for the said four thousand acres of land in their own names as trustees, and have the same duly recorded in the office of [the] surveyor of the lands set apart for the military bounty on state establishment, and return the plat and certificate of survey to the register's office of this commonwealth, who shall thereupon forthwith issue a grant to the trustees aforesaid, who shall not (unless hereafter authorized by law) sell or dispose of the same or any part thereof, in any manner whatever, but hold the same subject to the control, and future disposition by the legislature.

Section 2. **And be it further enacted**, that it shall be the duty of the said trustees, as soon as practicable, to survey and lay out the said tract of four thousand acres of land into convenient lots, avenues, streets and alleys, in such manner as they may deem most expedient; and to number the lots and name the streets, alleys and avenues, reserving as much thereof for a public square and other public buildings and purposes, as may to them seem expedient and right: provided, that a quantity of the land aforesaid, not exceeding three hundred acres, shall be laid out in lots not exceeding one acre each, exclusive of the street, avenue or alley.

Section 3. **And be it further enacted**, that it shall be the duty of the trustees aforesaid, to make out a plan or plat of the said town, in neat form, representing the true position of every lot, avenue, street and alley, together with the numbers of the lots and the names of the streets, avenues and alleys, and have the same duly recorded in the county court within which the town at the time may be, and in the clerk's office of the court of appeals of this commonwealth.

Section 4. If one or more of the trustees appointed by this act, shall die or refuse to act, it shall be the duty of the governor to appoint some suitable person to fill the vacancy.

Section 5. Any two of the trustees aforesaid shall constitute a board, and in the absence of the other trustees, shall have full power to do and perform any act in as full, valid and ample a manner as if all the trustees were present: ***provided however***, that nothing in this section shall be so construed as to vest any two of the trustees in the presence of the residue of the trustees to do any act without the concurrence of a majority of the trustees.

Section 6. The trustees aforesaid, shall be, and they are hereby authorized and required to adopt such rules and regulations for the government of the said town and the inhabitants thereof, as to them shall seem right and reasonable; which rules and regulations shall not be inconsistent with the constitution or laws of this commonwealth, and shall be recorded in the clerk's office of the county within which the town shall at the time lay, and be and remain in force until the same shall be repealed by a board of trustees appointed and qualified according to law.

Section 7. That the trustees or a majority of them, may sell at public sale at the Iron Banks (giving three months notice thereof in the public newspaper of this state) any quantity of the in lots of said town not exceeding one hundred lots of half an acre each, and shall pay over the proceeds of such sale into the public treasury of this state.

Section 8. Before the trustees herein appointed shall proceed to sell the lots in the town established by this act, they shall enter into bond with security, payable to the Commonwealth of Kentucky in the penalty of \$50,000, conditioned faithfully to pay into the treasury any, and all of the money arising from the sale of the lots aforesaid, the security or securities to be approved of by the governor, and the bond or bonds to be filed in the office of the secretary of state.

Ref: "Acts of the Kentucky General Assembly", 1820, pp. 214-215.