422.190 Depositions taken in perpetuation of evidence to be recorded.

(1) When the depositions provided for in KRS 422.160 to 422.180 are completed and subscribed by the witness, they shall be certified to the circuit clerk of the county where the real property is located, by the officer before whom they were taken, in the same manner as other depositions are certified, and the officer shall take the clerk's receipt therefor.

(2) The clerk, upon receipt of the depositions, shall immediately mark the same "lodged in my office to be recorded" and give the date of the lodgment, and record the said depositions in a book kept by him for that purpose, properly labeled and indexed. Upon application the clerk shall deliver the original of the deposition to the party on whose behalf the depositions were taken. The clerk shall be allowed one dollar ($1) for each separate deposition that he records.

(3) The original or certified copy of the deposition or the record shall be evidence in any and all courts of this state.

Effective: October 1, 1942

History: Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. sec. 1649a-1.