

Second entry on the same warrant nullified.

Sec. 2. *Be it enacted*, That in all cases where surveys or warrants have been taken out of any of the surveyor's offices aforesaid, and the same warrant appropriated by a second entry in some other surveyor's office that such second entry is hereby declared null and void, and the Register of West Tennessee upon being notified and fully satisfied of the actual existence of such second entry, is hereby directed not to issue any grant on such second entry, any law, usage or custom to the contrary notwithstanding.

JAMES FENTRESS,
Speaker of the House of Representatives.
S. BREWER,
Speaker of the Senate.

August 22, 1822.

CHAPTER XXVII.

An Act for the benefit of certain Reserves.

Sec. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That all persons who may have obtained fee simple reservations, under the treaty commonly called Calhoun's treaty, and all persons who may have obtained life estate reservations under the treaty concluded at the Cherokee Agency between General Andrew Jackson, General Meriwether, and Gov. Mc'Minn, commissioners on part of the United States, and the head men and warriors of [the] Cherokee Nation of Indians, in the month of July 1817, and taken and registered as by that treaty required, on or before the first of July 1818, and which are not now in dispute, may within nine months from the passage of this act pay into the Treasury of East Tennessee one dollar and twenty-five cents per acre, for each and every acre contained in any of said reservations, and upon obtaining the receipt of the Treasurer and presenting the same to the Register with a plat and certificate of said reservation or reservations made out and certified in pursuance of said treaties, it shall be the duty of the Register of East Tennessee to issue grant or grants as in other cases, which said grants shall be signed by the Governor and countersigned by the Secretary of State.

Sec. 2. *Be it enacted*, That when it shall so have happened that said reserves in fee simple may have sold and conveyed, or may hereafter within the time set forth in the first section of this act sell and convey any of said reservations to any person

Reservees may have grants on paying the treasurer \$1 25 per acre for their reservations.

Purchasers of reservations allowed the same privilege.

or persons whatsoever, it shall and may be lawful for the grant to issue to the purchaser in the same manner it might issue to the original reservee, any thing in any law to the contrary notwithstanding.

Sec. 3. *Be it enacted*, That nothing in this act contained shall be so construed as in any wise to recognize any of these reservations which have been ordered to be surveyed, or which have been sold under the authority of this state.

JAMES FENTRESS,
Speaker of the House of Representatives.
S. BREWER,
Speaker of the Senate.

August 22, 1822.

CHAPTER XXVIII.

An Act concerning the commissioners for the adjudication of North Carolina Land Claims.

Be it enacted by the General Assembly of the State of Tennessee, That after the fifteenth day of October 1822, it shall not be lawful for any person or persons to file, nor for the commissioners to receive any evidence which may be offered to substantiate any claims that may have been filed for adjudication.

JAMES FENTRESS,
Speaker of the House of Representatives.
S. BREWER,
Speaker of the Senate.

August 23, 1822.

CHAPTER XXIX.

An Act to amend the tenth section of the fourteenth chapter of the acts of 1741.

Sec. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That when any single woman shall accuse any man of being the father of a bastard child or children begotten of her body, such person so accused shall be adjudged the reputed father of such child or children, unless such person so accused, shall file his affidavit clearly setting forth that justice requires an issue to be made to try the truth of such charge, whereupon it shall be the duty of the court in which such charge may be pending, to hear proof and determine the matter as to right and justice may appertain.

Sec. 2. *Be it enacted*, That the several County Courts within this State when making allowances

No evidence to be filed with Commissioners after 1st of October, 1822.

Issue in bastardy may be tried on affidavit of defendant.

County court not to allow for maintenance of a child more than \$40 for the first year, &c.

to the mothers of illegitimate children for their support, shall not for the first year after the birth of such child or children exceed the sum of forty dollars; for the second year, thirty dollars; and for the third, twenty dollars; at the expiration of which time it shall be the duty of said court making such allowances, to dispose of such child or children in such manner as shall most conduce to the interest of such child, either by giving it to the reputed father, or binding it out to some suitable person in their discretion.

JAMES FENTRESS,

Speaker of the House of Representatives.
S. BREWER,

Speaker of the Senate.

August 22, 1822.

CHAPTER XXX.

An Act concerning School Lands.

Sec. 1. *Be it enacted by the General Assembly of the State of Tennessee,* That an act passed at Murfreesborough, November the 16th, 1821, concerning school lands in the counties of Warren and Franklin shall have effect and be in force from and after the passage of this act in the counties of McMinn, Monroe, Bedford and Lincoln.

Sec. 2. *Be it enacted,* That it shall be the duty of the County Court in the counties of Lincoln, McMinn, Monroe and Bedford at the first court after the first day of January next, to appoint three commissioners for each school tract of land within their county, observing the same rules and regulations in appointing said commissioners as directed in the before mentioned act, and said commissioners when so appointed shall be governed by the same rules, regulations and restrictions as the commissioners appointed for the school lands in the counties of Warren and Franklin are, any law to the contrary notwithstanding.

Sec. 3. *Be it enacted,* That when it has been, or may hereafter be necessary for the commissioners of any tract of school land appointed in the provisions of this or the aforesaid act of 1821, to institute or defend any action for the recovery of the possession of any tract of school land or part thereof in any county in this State, that it shall be the duty of the County Court, a majority of the acting justices being present, to allow the commissioners who may have instituted or defended such suit as aforesaid,

Act of Nov. 1821 in force in McMinn, Monroe, Bedford, and Lincoln.

County Court of said counties may appoint three commissioners.

County Court to allow commissioners who may have instituted or defended suits the costs which they may be liable for.

the cost which they may be liable for, accruing upon the termination of such suit, out of any money arising from other school lands in the county in which such suit or suits may have been commenced, provided the profits of the tract which had been in suit will not defray the same.

JAMES FENTRESS,

Speaker of the House of Representatives.

S. BREWER,

Speaker of the Senate.

August 23, 1822.

CHAPTER XXXI.

An Act concerning executors and administrators.

Sec. 1. *Be it enacted by the General Assembly of the State of Tennessee,* That all executors and administrators who may have settled up the business of the estate for which he, she, or they were appointed, shall be at liberty to exhibit his, her, or their accounts to the court of the county, and upon the exhibition of said account, it shall be lawful for said court in their discretion to make such executors or administrators a reasonable allowance and compensation for his, her, or their trouble and expense in the management of said estate.

Executors or administrators to be allowed reasonable compensation.

Sec. 2. *Be it enacted,* That the settlements now required by law to be made by executors and administrators with a committee of the county court, shall, when made, be received as *prima facie* evidence for such executor or administrator on the trial of any suit or suits instituted after such settlement is made, nevertheless, liable to be disproved as other presumptive evidence; *Provided always,* That when such commissioners shall return their report it shall and may be lawful for any person to contest said report as guardian *pendente lite* for any minor or minors interested; and if either party should be dissatisfied with the decision of the court an appeal shall lie as in other cases.

Settlements with them by commissioners of court prima facie evidence for executors or administrators.

JAMES FENTRESS,

Speaker of the House of Representatives.

S. BREWER,

Speaker of the Senate.

August 23, 1822.

CHAPTER XXXII.

An Act to compel owners of salt works in this State to keep them enclosed.

Whereas it has been represented to this General Assembly that great loss in cattle and other stock has accrued in consequence of their having access to salt wells; for remedy whereof;

Sec. 1. *Be it enacted by the General Assembly of the State of Tennessee,* That all and every person holding salt-works by lease or otherwise in this State, shall, from and after the passage of this act, proceed forthwith to enclose their salt-works with a good and sufficient fence.

Salt Works must be enclosed.

In case of failure to pay all damages that may accrue in consequence of failing to enclose said works or thereof.

Sec. 2. *Be it enacted,* That if any person shall fail or refuse to comply with the regulations of this act, then, and in that case, such person or persons [shall] be liable to pay the owner of such stock all damages that may accrue to the owners for failing to keep such wells or salt-works properly enclosed, to be recovered before any tribunal having cognizance thereof.

JAMES FENTRESS,
Speaker of the House of Representatives.
S. BREWER,
Speaker of the Senate.

August 23, 1822.

CHAPTER XXXIII.

An Act to regulate appeals from the judgments of Justices of the Peace.

Be it enacted by the General Assembly of the State of Tennessee, That upon all judgments rendered by any justice of the peace in this State, an appeal shall and may lie from the judgment of the justice rendering the same directly to the circuit or county court of the county where each judgment shall be rendered at the direction of the party praying or obtaining such appeal.

An appeal lies from a justice to the county or circuit court.

JAMES FENTRESS,
Speaker of the House of Representatives.
S. BREWER,
Speaker of the Senate.

August 28, 1822.

CHAPTER XXXIV.

An Act authorising the Commissioners to examine certain claims filed in their office.

Whereas there are a few entries which have unfortunately become void for omitting to be surveyed within one year agreeable to act of Assembly, passed 1815, and said entries being taken by subsequent entries, Therefore;

Be it enacted by the General Assembly of the State of Tennessee, That upon a certificate being given to the Commissioners for the adjudication of land claims of the above fact, by the surveyor as in other cases of interfering claims, that it shall be satisfactory to said commissioners that said entries are taken by law for subsequent entries, after the time limited by law for surveying said first entries, then said commissioners are authorised to adjudge of said warrants by which said entries were made, as in other cases.

Commissioners to adjudge certain warrants.

JAMES FENTRESS,
Speaker of the House of Representatives.
S. BREWER,
Speaker of the Senate.

August 23, 1822.

CHAPTER XXXV.

An Act to amend an act entitled "An act directing the proceedings in cases of forcible entry and detainer."

Sec. 1. *Be it enacted by the General Assembly of the State of Tennessee,* That when complaint shall be made to any justice of the peace as pointed out by the provisions of the act which this is intended to amend by any person or persons of forcible entry and detainer, of forcible detainer, and unlawful detainer, it shall be the duty of said justice before issuing a precept against the party complained of to require of the person or persons complaining, good and sufficient security for all costs and damages which shall accrue in the trial of the matters in controversy.

Persons complaining of forcible entry and detainer must give security for costs.

Sec. 2. *Be it enacted,* That in all cases where any magistrate or magistrates shall enter up a judgment against a defendant or defendants agreeably to the provisions of the act which this is intended to amend, it shall not be lawful for such magistrate or magistrates to issue a writ of restitution in favor of the complainant or complainants, within twenty days after the rendition of said judgment.

Writ of restitution not to issue for 20 days.

Sec. 3. *Be it enacted,* That when any judgment

Twenty days allowed defendant to remove his cause. shall be rendered as aforesaid, the defendant or defendants shall have twenty days to remove his or her cause from the judgment of said magistrate or magistrates as provided by the act which this is intended to amend, and in all cases it shall be the duty of said justice or justices, after the expiration of the time here given for the removal of such cause or causes, to issue a writ of restitution according to the provisions of the act [of] which this is amendatory.

JAMES FENTRESS,
Speaker of the House of Representatives.
S. BREWER,
Speaker of the Senate.

August 23, 1822.

CHAPTER XXXVI.

An Act to place upon the same equitable grounds, Deeds of Trust and Mortgages, in future.

Deeds of trust deemed deeds of mortgage hereafter. *Be it enacted by the General Assembly of the State of Tennessee, That all deeds of trust executed after the passage of this act, shall be deemed, taken, and held as deeds of mortgage upon [which] deed or deeds the equity of redemption shall attach as in cases of mortgage.*

JAMES FENTRESS,
Speaker of the House of Representatives.
S. BREWER,
Speaker of the Senate.

August 23, 1822.

CHAPTER XXXVII.

An Act to repeal a part of an act entitled "An act to prevent the wearing of dangerous and unlawful weapons," passed 19th October, 1821.

French knives may hereafter be worn. *Be it enacted by the General Assembly of the State of Tennessee, That so much of the before recited act as forbids the wearing of a French knife, be, and the same is hereby repealed.*

JAMES FENTRESS,
Speaker of the House of Representatives.
S. BREWER,
Speaker of the Senate.

August 23, 1822.

CHAPTER XXXVIII.

An Act more properly defining the Jurisdiction of the courts therein named.

Sec. 1. *Be it enacted by the General Assembly of the State of Tennessee, That all actions of Ejectment where the title of land shall come in question, shall hereafter be cognizable only in the circuit court.* Action of ejectment cognizable only in circuit court.

Sec. 2. *Be it enacted, That if [the] above named action shall now be pending in any of the county courts of this State, and either plaintiff or defendant shall make an affidavit to said court that they are informed and believe that the matters of law and fact arising in said cause can be more fully and correctly determined in the circuit court of their county than in the county court, it shall be the duty of said county courts to order said cause to be transmitted to the circuit court of said county for a trial to be had thereon.* On affidavit may be transferred from county to circuit court.

JAMES FENTRESS,
Speaker of the House of Representatives.
S. BREWER,
Speaker of the Senate.

August 23, 1822.

CHAPTER XXXIX.

An Act concerning the appointment of Notaries Public.

Sec. 1. *Be it enacted by the General Assembly of the State of Tennessee, That the appointment of any Notary or Notaries Public, which may have been, or may hereafter be made for any county in this [State], by joint resolution of both branches of the General Assembly, shall be as good and valid as though they had been made by joint ballot of both branches thereof.* Notaries may be appointed by joint resolution.

Sec. 2. *Be it enacted, That all laws and parts of laws which require the election of Notaries Public by joint ballot of both branches of the General Assembly are hereby repealed.* The law requiring notaries to be elected repealed.

Sec. 3. *Be it enacted, That Notaries Public, appointed agreeably to the provisions of the first section of this act shall be commissioned by the Governor.* Governor to commission them.

JAMES FENTRESS,
Speaker of the House of Representatives.
S. BREWER,
Speaker of the Senate.

August 23, 1822.

CHAPTER XL.

An Act to authorize the issuing of subpoenas for witnesses in criminal cases, and for other purposes.

Justice or Judge committing, or Clerk, after papers filed, may issue subpoenas.

Sec. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That upon any person being committed or bound in a recognizance to answer any criminal charge in any court in this State, it shall be lawful for the judge or justice so committing or taking a recognizance, to issue a subpoena or subpoenas for such witnesses as may be applied for either by the prosecutor or defendant, directed to any sheriff or constable of any county in the State, or upon the proceedings being filed in the clerk's office, such clerk may, in like manner, issue such subpoenas, which subpoenas in either case, shall be returnable to the courts in which the prosecution shall be had; *Provided*, That if witnesses be unnecessarily summoned, the party procuring such subpoenas may be taxed with the costs of such witnesses.

Party summoning witnesses unnecessarily to pay them.

Warrant for criminal who has fled may go to any county in the state.

Sec. 2. *Be it enacted*, That where it shall appear that any person charged with a criminal offence shall have fled, or resides out of the county where the offence shall have been committed, the warrant for apprehending such offender may issue to the sheriff or any constable of any county in the State, and such offender may be brought before the judge or justice issuing such warrant, or may be committed or admitted to bail, as the case may require, by any other judge or justice.

Where no one will prosecute, attorney general may ex officio by order of court.

Sec. 3. *Be it enacted*, That when it shall appear to the court that an indictable offence has been committed and no person will prosecute, such court may direct the attorney general to file a bill of indictment *ex officio*, and he may take out subpoenas for witnesses to give testimony before the grand jury.

JAMES FENTRESS,
Speaker of the House of Representatives.
S. BREWER,
Speaker of the Senate.

August 23, 1822.

CHAPTER XLL

An Act to provide for the issue of grants to purchasers in the Hiwassee district.

Sec. 1. *Be it enacted by the General Assembly*,

of the State of Tennessee, That upon payment to the Treasurer of East Tennessee of the moneys due the State for one or more tracts of land in the Hiwassee district, it shall and may be lawful for the Register of East Tennessee, to issue to the person or persons so making payment, a grant or grants for the lands by him or them purchased at the Hiwassee land sales, which grant shall be in the following form, (to wit):

On payment Register may issue grants to purchasers of Hiwassee land

State of Tennessee, No. To all to whom these presents shall come greeting: Know ye, that in consideration of the sum of _____ dollars and _____ cents paid into our Treasury by _____ there is granted by the State of Tennessee unto the said _____ and his heirs, a tract or parcel of land containing _____ acres, lying in the county of _____ in the Hiwassee district, situate in, (here set out the range, whether east or west of the meridian, township, section, half section, or quarter section, or fractional section,) with its appurtenances; To have and to hold the said tract or parcel of land with its appurtenances, to the said _____ and his heirs forever. In witness, whereof _____ Governor of the State of Tennessee has hereunto set his hand and caused the great seal of the State to be affixed at _____ on the _____ day of _____ in the year of our _____ Lord _____ and of American Independence

Form of a grant.

By the Governor,

A. B.

C. D.

Secretary.

upon which grant the Register shall endorse that the party hath title to the same, which having been signed by the Governor and countersigned by the Secretary, and sealed with the great seal of the State, shall be entered at full length by the Register in a well bound book to be by him provided for that purpose, and being so recorded shall be certified by the Register to have been recorded, and be delivered to the party or his agent.

Sec. 2. *Be it enacted*, That where any person or persons having bought lands at the Hiwassee sales, may have died or may have sold and transferred his or her certificate, the heirs of said purchaser, and the assignee of his certificate shall be at liberty to obtain

Heirs of purchaser and assignee entitled to same privileges.

their grants under the same rules that are prescribed in the preceding section.

JAMES FENTRESS,
Speaker of the House of Representatives.
S. BREWER,
Speaker of the Senate.

August 23, 1822.

CHAPTER XLII.

An Act for the relief of securities in certain cases.

Be it enacted by the General Assembly of the State of Tennessee, That where any person has heretofore or may hereafter become bound for the prosecution of any suit either in law or at equity, and shall conceive himself in danger of being injured thereby, it shall and may be lawful for the person so bound, first giving to the plaintiff, if in the State, and if not, to his attorney, ten days previous notice of such his intention, to obtain a rule upon the party or parties for whom he became bound, to give counter-security to indemnify him against all damage or injury which may arise from his being security; and if the party or parties thus notified and upon whom said rule has been allowed shall fail or refuse, within the time prescribed by the court to give good and sufficient counter-security, it shall be the duty of the court granting said rule to dismiss said suit and enter up judgment against the principal and security for all costs which have been incurred: *Provided nevertheless, That* if such party against whom such rule is obtained will make oath that he, she, or they are poor and unable to give security to prosecute such suit, and will moreover make oath that he, she, or they are advised and believe that he or they have good cause of action, then and in that case, such suit shall nevertheless be prosecuted without the party giving other security and the original security shall not be bound for the costs accruing after such notice, which oath shall be disproved in the manner pointed out in the fifth section of the twenty-second chapter of the acts of 1821.

JAMES FENTRESS,
Speaker of the House of Representatives.
S. BREWER,
Speaker of the Senate.

August 23, 1822.

CHAPTER XLIII.

An Act providing for the satisfaction of judgments rendered by Justices of the Peace against executors and administrators.

Sec. 1. *Be it enacted by the General Assembly of the State of Tennessee, That* when any judgment shall heretofore have been rendered or shall hereafter be rendered by any Justice of the Peace of this State against any executor or administrator on which execution shall have heretofore or may hereafter issue and be returned "no property found," it shall be the duty of the Justice of the Peace rendering such judgment or holding the papers in such case, on the suggestion and application of the plaintiff, his agent or attorney, to return the papers of such cause to the next county court of his county, when *retire facias* shall issue and all other proceedings be had for the satisfaction of such judgment, either out of the goods and chattels, lands and tenements of such executor or administrator, in case the assets of such estate shall have been wasted, or out of the real estate of such testator or intestate.

Sec. 2. *Be it enacted, That* the same proceedings as pointed out in the above section shall take place when the judgment shall heretofore have, or hereafter may be rendered in the life time of the testator or intestate, and execution issued after his death, returned "nothing found" as aforesaid.

Sec. 3. *Be it enacted, That* when such judgment shall have been or may hereafter be rendered by a Justice of the Peace and the papers of the cause, from death, resignation or other cause are deposited with the clerk of the county court, the same proceedings shall be had on application of the plaintiff, his agent or attorney, as is pointed out in the above section of this act.

JAMES FENTRESS,
Speaker of the House of Representatives.
S. BREWER,
Speaker of the Senate.

August 23, 1822.

CHAPTER XLIV.

An Act directing the payment of Jurors of View in the Western District.

Whereas from the situation of the western district at this time, from the thinness of its population and

Where no property found, justice to return papers to county court, where Sci. Fa. may issue against executors or administrators or the real estate.

Where testator or intestate died after judgment, on return of no property same proceedings may be had.

So where papers have been filed in clerk's office.

Securities for prosecution of any suit may have counter security.

On failure to give it suit to be dismissed.

Proviso in favor of poor suitors.

scarcity of provisions, it is extremely burdensome for the inhabitants there, to go the distance which is necessary to view, mark, and lay out such public roads as are essential for the good of the country without some compensation for their services;

Jurors of view to be paid in the western district.

Sec. 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the several county courts in the counties in the western district are authorized and required to pay jurors of view in the said district for services rendered as jurors aforesaid out of any monies in the respective county treasuries not otherwise appropriated not exceeding two dollars each, per day.

Householders may be jurors of view.

Sec. 2. *Be it enacted,* That hereafter householders shall be jurors of view in said district.

JAMES FENTRESS,
Speaker of the House of Representatives.
S. BREWER,
Speaker of the Senate.

August 23, 1822.

CHAPTER XLV.

An Act respecting Justices of the Peace.

Be it enacted by the General Assembly of the State of Tennessee, That where any justice of the peace of this State may hereafter remove himself without the county for which he was commissioned, then, and in that case his appointment shall be null and void to all intents and purposes, any law or usage to the contrary notwithstanding.

Removal out of the county vacates the office of Justice of the Peace.

JAMES FENTRESS,
Speaker of the House of Representatives.
S. BREWER,
Speaker of the Senate.

August 23, 1822.

CHAPTER XLVI.

An Act to repeal all laws which require the Judges of this State to try causes in which they may have been employed.

No Judge of S. Court to preside where he may have been employed.

Be it enacted by the General Assembly of the State of Tennessee, That no judge of the Supreme Courts in this State shall hereafter hear and determine, or preside upon the trial of any cause in which he may have been employed as an attorney or counsellor whilst at

the bar, unless by the consent of the parties, any law to the contrary notwithstanding.

JAMES FENTRESS,
Speaker of the House of Representatives.
S. BREWER,
Speaker of the Senate.

August 23, 1822.

CHAPTER XLVII.

An Act to regulate the fees of Clerks and Masters in future.

Be it enacted by the General Assembly of the State of Tennessee, That from and after the passage of this act the copy sheet shall consist of one hundred and eighty words, and the several clerks and masters shall regulate the taxation of costs accordingly, any law to the contrary notwithstanding.

Copy Sheet 180 words.

JAMES FENTRESS,
Speaker of the House of Representatives.
S. BREWER,
Speaker of the Senate.

August 23, 1822.

CHAPTER XLVIII.

An Act to continue the respective Agencies of the Bank of the State of Tennessee, and for other purposes.

Sec. 1. *Be it enacted by the General Assembly of the State of Tennessee,* That it shall be the duty of the President and Directors of the Bank of the State of Tennessee to continue the respective Agencies now required by law until the first day of January eighteen hundred and twenty-four, and as much longer as the President and Directors may think necessary to enable them to discontinue said Agencies.

Bank agencies to be continued until the first of January 1824, and as much longer as the President & Directors may think necessary.

Sec. 2. *Be it enacted, [That]* it shall be the duty of the President and Directors of the Bank of the State of Tennessee at Nashville and Knoxville to keep upon loan at the respective agencies within this State, a sum that shall be a due proportion to that loaned in the counties of Knox and Davidson and according to the proportion pointed out and allotted by the [act] establishing the Bank of the State of Tennessee.

To keep on loan at the respective agencies a sum proportionate to that loaned in Knox and Davidson.

JAMES FENTRESS,
Speaker of the House of Representatives.
S. BREWER,
Speaker of the Senate.

August 24, 1822.

COMPACT

BETWEEN THE STATE OF TENNESSEE AND THE PRESIDENT AND TRUSTEES OF THE UNIVERSITY OF NORTH CAROLINA.

Whereas the State of North Carolina hath issued to the President and Trustees of the University of North Carolina sundry land warrants, founded on military services performed by certain officers and soldiers of her continental line, who have died, leaving no heirs in the United States; and whereas the State of Tennessee hath contended that the State of North Carolina ought not to have issued said warrants, by virtue of any law of said State, to the President and Trustees of said University, and that grants ought not to issue on the same, or if grants were to issue on said warrants, the same would vest in, and belong to, the State of Tennessee; and the said Trustees having exhibited to the General Assembly of the State of Tennessee a memorial, wherein they prayed that grants might issue to them on said warrants, or so many of them as they may be entitled to, and their titles to lands entered by virtue thereof be perfected; and also that the lands owned by said President and Trustees in the State of Tennessee should be exempted from taxation; and the General Assembly of the State of Tennessee, having taken said memorial into consideration, have passed an act entitled "An Act concerning certain lands claimed by the Trustees of the University of North Carolina:"—In pursuance to which, and in obedience to the directions of said act, His Excellency WILLIAM CARROLL, Governor of the State of Tennessee, hath appointed JENKIN WHITESIDE and JAMES TRIMBLE, Commissioners "to investigate the title of said President and Trustees to said Warrants, and to confer and enter into an arrangement with the said President and Trustees, or their agent, touching and concerning the same, and for the exemption of the lands of the said President and Trustees within this State from taxation, and to do all acts and things necessary to adjust and settle the claims to said Warrants:"—

And the said Jenkin Whiteside and James Trimble, in pursuance of said appointment, after investigating the title of said President and Trustees to said warrants, and having ascertained that said warrants were issued by the Secretary of State of North

Carolina, in pursuance of the right exclusively reserved by that State to herself, in her compact with the State of Tennessee to issue military warrants; and it appearing that many of said warrants have been located and entered, and surveys made thereon by the officers of the State of Tennessee, and many others of the same have been filed with the Commissioners for adjudication under the provisions of the laws of said State; do adjudge and decide, and hereby direct, that grants shall issue by the State of Tennessee, upon the entries and surveys which are, and shall be made by virtue of said warrants to the Trustees of the University of North Carolina, or to their assigns, except as hereinafter directed:—And the said Trustees having appointed as their agent, JOSEPH H. BRYAN, with full power to act for them in all matters relating to said warrants, the said Jenkin Whiteside and James Trimble having conferred with the said Joseph H. Bryan on the matters stated in said act of the State of Tennessee hereinbefore recited, said parties have made and entered into the following agreement, (to wit.)

1st. That for, and in consideration of, a final settlement of all controversy on the subject of issuing grants on said warrants, as hereinbefore stated, and in consideration that the lands which shall be the *bona fide* property of the Trustees of the University of North Carolina lying within the State of Tennessee, shall be exempt and free from all public and county taxes, until the first day of January, in the year of our Lord one thousand eight hundred and fifty, unless the same shall be sold or disposed of by them before that time;—It is agreed on the part of said Trustees, that they will assign and transfer to such public seminaries as said Commissioners, on the part of the State of Tennessee may designate, to be applied exclusively to the purposes of education, of the warrants which are filed with the Commissioners for adjudicating land claims, the quantity of sixty thousand acres, subject to the contract for locating and procuring grants on the same, heretofore made by the agents of said Trustees, the title of which, and of the lands entered and granted thereon, they will warrant against the claim of all other persons claiming the same warrants; and in case any of the said warrants or lands shall be recovered in due course of law, by virtue of such claim, said Trustees or their successors in office will pay for said warrants

or lands so recovered, at the rate of one dollar and fifty cents per acre for the three fourths of the number of acres specified in such warrant, part of a warrant, or entry, or grant, founded on the same, with interest from the first day of January, A. D. 1823, to be discharged in such Bank Notes as may be current in the State of Tennessee at the time of such payment, or in other lands at a fair valuation at the time of such payment, to be adjudged of by two men of respectability and judgment, one of whom shall be chosen by each party, and if they cannot agree, these two are to select a third, whose opinion in writing shall be final: *Provided however*, That the liability on said warrant shall cease and terminate on the first day of January A. D. 1831, as to all lands to which there shall be no adverse claim by suit in law before that time. And it is also agreed, that said Trustees of the University of North Carolina will assign over in like manner one half part of all military warrants which may be hereafter issued by the State of North Carolina to said Trustees without any warranty of title; and it is agreed by said commissioners on the part of the State of Tennessee, that all lands which now are or shall hereafter be the *bona fide* property of the Trustees of the University of North Carolina in the State of Tennessee, shall be free and exempt from public and county taxes until the first day of January A. D. 1850, unless the same or any part thereof shall be sold previous to that time, and after such sale the lands sold are to be subjected to taxes as other lands.

2d. The said commissioners on the part of Tennessee do direct that said warrants contracted by the foregoing article to be assigned by the said Trustees shall be assigned as to one third part thereof to the Trustees of East Tennessee College, and as to two third parts thereof to the Trustees of Cumberland College as a fund for the support of education in said seminaries respectively, and that grants do issue by the State of Tennessee accordingly. And it is directed by the parties that grants shall issue to the Trustees of East Tennessee College and their successors on the following warrants, (to wit:)

No.	DATED	FOR	ACRES.
No. 855	DATED 16th Aug. 1821,	FOR 3840	ACRES.
" 952	" 5th Sept. "	" 2560	"
" 949	" 5th "	" 2560	"
" 695	" 25th July "	" 1000	"
" 705	" 1st Aug. "	" 1000	"
" 723	" 4th "	" 1000	"

No.	DATED	FOR	ACRES.
No. 787	DATED 8th Aug. 1821,	FOR 1000	ACRES.
" 841	" 16th "	" 640	"
" 842	" " "	" 640	"
" 843	" 16th Aug. "	" 640	"
" 845	" " "	" 640	"
" 846	" " "	" 640	"
" 850	" " "	" 640	"
" 857	" " "	" 640	"
" 859	" " "	" 640	"
" 867	" " "	" 640	"
" 888	" 5th Sept. "	" 640	"
" 892	" " "	" 640	"

Making in all twenty thousand acres. And that Grants shall issue to the Trustees of Cumberland College and their successors on the following warrants, viz:

No.	DATED	FOR	ACRES.
No. 824	DATED 16th Aug. 1821,	FOR 3840	ACRES.
" 925	" 5th Sept. "	" 2560	"
" 922	" " "	" 2560	"
" 864	" 16th Aug. "	" 2560	"
" 806	" " "	" 1000	"
" 816	" " "	" 1000	"
" 853	" " "	" 1000	"
" 866	" " "	" 1000	"
" 883	" 5th Sept. "	" 1000	"
" 885	" " "	" 1000	"
" 886	" " "	" 1000	"
" 931	" " "	" 1000	"
" 962	" 6th "	" 640	"
" 966	" " "	" 640	"
" 969	" " "	" 640	"
" 979	" " "	" 640	"
" 981	" " "	" 640	"
" 985	" " "	" 640	"
" 710	" 1st "	" 640	"
" 711	" " "	" 640	"
" 721	" 4th "	" 640	"
" 730	" " "	" 640	"
" 731	" " "	" 640	"
" 733	" " "	" 640	"
" 734	" " "	" 640	"
" 739	" " "	" 640	"
" 896	" 5th Sept. "	" 640	"
" 898	" " "	" 640	"
" 900	" " "	" 640	"
" 904	" " "	" 640	"
" 905	" " "	" 640	"
" 906	" " "	" 640	"
" 913	" " "	" 640	"

No.	DATED	FOR	ACRES.
No. 914	DATED 5th Sept. 1821,	FOR 640	ACRES.
" 918	" " "	" 640	"
" 936	" " "	" 640	"
" 938	" " "	" 640	"
" 940	" " "	" 640	"
" 941	" " "	" 640	"
" 945	" " "	" 640	"
" 765	" 8th "	" 640	"
" 772	" " "	" 640	"
" 773	" " "	" 640	"
" 775	" " "	" 640	"

In testimony of which the said JENKIN WHITESIDE and JAMES TRIMBLE, Commissioners on the part of the State of Tennessee, and the said JOSEPH H. BRYAN, Agent for the President and Trustees of the University of North Carolina, have hereunto set their hands and affixed their seals this 26th day of August, in the year one thousand eight hundred and twenty-two.

JENKIN WHITESIDE, [L. S.]
 JAMES TRIMBLE, [L. S.]
 JOS. H. BRYAN, [L. S.]

A true copy,
 DANIEL GRAHAM,
 Secretary of State.

ACTS

OF A

LOCAL OR PRIVATE NATURE

PASSED AT

THE SECOND SESSION

OF THE

FOURTEENTH GENERAL ASSEMBLY

OF THE

STATE OF TENNESSEE.

PRIVATE ACTS

OF THE

STATE OF TENNESSEE,

PASSED AT THE EXTRA SESSION WHICH WAS BEGUN AND HELD AT MURFREESBOROUGH, IN RUTHERFORD COUNTY, ON MONDAY THE TWENTY-SECOND DAY OF JULY, AND ENDED ON SATURDAY THE TWENTY-FOURTH DAY OF AUGUST, ONE THOUSAND EIGHT HUNDRED AND TWENTY-TWO:

WILLIAM CARROLL, Governor; DANIEL GRAHAM, Secretary of State; EVERLOD BREWER, Speaker of the Senate; JAMES FENTRESS, Speaker of the House of Representatives.



CHAPTER XLIX.

An Act to define the limits of the prison rules of Franklin county.

Be it enacted by the General Assembly of the State of Tennessee, That the limits of the prison rules of Franklin county shall hereafter be as follows, (to wit:.) Beginning on the north east bank of the Boiling Fork of Elk river below Christopher Bullard's Spring, thence running a straight line up the creek including said spring eight poles above, and including Nathan Green's spring on the south side of said creek; thence running parallel with the south boundary of the town of Winchester opposite to the southern corner of said town; thence running with the western boundary of said town so far past the western corner thereof as that a straight line running to the beginning will include Carrick Academy.

Limits of
prison rules
in Franklin
county.

JAMES FENTRESS,

Speaker of the House of Representatives.

S. BREWER,

Speaker of the Senate.

August 2, 1822.

CHAPTER L.

An Act to divorce Julia G. Harris from George E. Harris.

Be it enacted by the General Assembly of the State of Tennessee, That the bonds of matrimony

E

Julia Harris
divorced from
Geo. E. Harris

heretofore entered into, and now existing, between Julia G. Harris formerly Julia G. Marshall, of the county of Rutherford, and George E. Harris, be and the name are hereby dissolved; and from and after the passage of this act the said Julia G. Harris shall be called and known by the name of Julia G. Marshall.

JAMES FENTRESS,
Speaker of the House of Representatives.
S. BREWER,
Speaker of the Senate.

August 7, 1822.

CHAPTER LI.

An Act to alter the time of holding the County Court of Robertson County and for other purposes.

County
Court of Rob-
inson, when to
be held.

Sec. 1. *Be it enacted by the General Assembly of the State of Tennessee, That after the court which shall be holden in September next in the county of Robertson, said court shall be holden on the second Monday in November, February, May and August in each and every year, which may be holden one week.*

Where jus-
tices of the
peace to meet
to elect cer-
tain officers.

Sec. 2. *Be it enacted, That on the first Tuesday after the second Monday in August of the present year, the Justices of the Peace for the county of Robertson shall meet in the town of Springfield in said county, and elect for said county a sheriff, coroner and trustee.*

When said
court shall
carry into ef-
fect a certain
law.

Sec. 3. *Be it enacted, That at the next November term of the county court of Robertson county, the justices of the peace for said county shall carry into effect an act entitled "An act to authorise the county court of Robertson county to lay a tax," passed at Murfreesboro', the 30th October, 1821, as far as on them devolves by the provisions of said act.*

Duty of
Commission-
ers.

Sec. 4. *Be it enacted, That the commissioners appointed by the aforesaid act proceed as soon as practicable, after the next November term, to execute the duty which they have to perform under said act, and that William Seel be appointed a commissioner instead of William Steele.*

JAMES FENTRESS,
Speaker of the House of Representatives.
S. BREWER,
Speaker of the Senate.

August 9, 1822.

CHAPTER LII.

An Act to authorize the Militia south of Tennessee river, in Boone county, to hold a Battalion Muster in said bounds.

Sec. 1. *Be it enacted by the General Assembly of the State of Tennessee, That the militia in Boone county, on the south side of Tennessee river, are hereby authorized to hold a battalion muster within said bounds at such times and place as may be directed by the field officers of the regiment.*

Militia of
Boone county
may have bat-
talion muster
in their
bounds.

Sec. 2. *Be it enacted, That the militia officers and privates of Colonel James Phagan's regiment in Sullivan county, be authorized and allowed to keep up their present uniform, any law to the contrary notwithstanding.*

Col. Phagan's
Regiment al-
lowed their
present uni-

JAMES FENTRESS,
Speaker of the House of Representatives.
S. BREWER,
Speaker of the Senate.

August 13, 1822.

CHAPTER LIII.

An Act to authorize Adam B. Alexander of Madison county, to build a mill dam across Meridian Creek, in said county.

Sec. 1. *Be it enacted by the General Assembly of the State of Tennessee, That Adam B. Alexander do, and he is hereby authorized to build a mill dam across Meridian creek in Madison county on his own land, for the purpose of creating a grist and saw mill, together with other water works on said creek.*

A. B. Alex-
ander may
build a mill.

JAMES FENTRESS,
Speaker of the House of Representatives.
S. BREWER,
Speaker of the Senate.

August 13, 1822.

CHAPTER LIV.

An Act to repeal an act passed at Murfreesboro', November the 9th, 1821, making it the duty of the sheriffs and rangers of Lincoln and Franklin counties to have the publication of all auction sales of land and strays published in some newspaper printed in the town of Shelbyville.

Sec. 1. *Be it enacted by the General Assembly of the State of Tennessee, That the before recited act be, and the same is hereby repealed.*

Certain act
repealed.

Sec. 2. *Be it enacted*, That it shall be the duty of the sheriffs and rangers of the counties of Lincoln and Franklin to publish all execution sales of land and strays in some newspaper printed in Nashville, Shelbyville, Murfreesborough, or Sparta.

JAMES FENTRESS,
Speaker of the House of Representatives.

S. BREWER,
Speaker of the Senate.

August 13, 1822.

CHAPTER LV.

An Act for the benefit of Harpeth Academy.

Sec. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the Treasurer of West Tennessee be, and he is hereby authorized and directed to pay to the Trustees of the Harpeth Academy out of the academy funds which now is, or which hereafter may come to his possession, such amount thereof as may be the just proportion of the county of Williamson in said fund: *Provided* that the trustees, before they receive the same shall enter into bond with two sufficient securities to the governor and his successor in office, faithfully to disburse the amount so received for the use and benefit of said Harpeth Academy, and to no other purpose whatever.

Sec. 2. *Be it enacted*, That it shall be the duty of the treasurer of West Tennessee to collect without delay and portion of the academy money belonging to the county of Williamson which has been heretofore loaned out by the said treasurer to conformity with the existing laws of this State, and pay the same when collected, to the treasury of the board of trustees of the Harpeth academy for the use of said academy.

JAMES FENTRESS,
Speaker of the House of Representatives.

S. BREWER,
Speaker of the Senate.

August 13, 1822.

CHAPTER LVI.

An Act to authorize Matthew W. McGehee to obtain a Grant.

Whereas by an act of the Legislature of eighteen hundred and twenty one, the Treasurer of East Tennessee was authorized to expose to sale two reservations in the Hiwassee District, one claim-

ed by David Taylor, the other by Andrew Taylor; and whereas it also appears, that upon that sale Matthew W. McGehee became, and was the purchaser of the reservation claimed by Andrew Taylor.

Be it enacted by the General Assembly of the State of Tennessee, That the Register of East Tennessee be authorized and required to make out and deliver to said Matthew W. McGehee a grant for the aforesaid reservation, as the same is claimed by said Taylor in the same manner as grants have heretofore been made out by him.

JAMES FENTRESS,
Speaker of the House of Representatives.

S. BREWER,
Speaker of the Senate.

August 13, 1822.

CHAPTER LVII.

An Act to authorize the drawing of a lottery for the benefit of Arday Partee.

Sec. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Jesse W. Eggers, William Yanoy, Hiram Partee, Anthony J. Turner and Benjamin Reynolds or a majority of them, be and they are hereby appointed trustees for the purpose of accepting a conveyance of certain real estate herein after mentioned and specified, on which said Partee now resides, and for the purpose of conducting and managing a lottery and conveying said real estate to such persons as may become entitled to the same; and if the real property heretofore specified shall not be worth five thousand dollars, the said Partee shall be allowed to make up the deficit with other real or personal property at his election.

Sec. 2. *Be it enacted*, That it shall be lawful for the said Partee immediately to convey by deed in fee simple with general warranty to said trustees and the survivor or survivors of them and their heirs for ever, any real property belonging to him not exceeding in value five thousand dollars, in trust to be conveyed to such persons as may be entitled to the same after drawing of said Lottery by said Trustees; a schedule specifying the amount of the said property, with a full description thereof, shall be rendered by the said Partee to the Trustees on his oath before the deed is executed, and to be therein specially named; *Provided* always; That if

M. W. McGehee to have a grant for the reservation he purchased.

Trustees appointed to receive a conveyance of A. Partee's real estate.

Partee may convey his real estate to the amount of \$5,000.

the real property of the said Partee should not be by said Trustees considered worth five thousand dollars, he shall be permitted to make up the deficit of personal property, which likewise shall be scheduled as aforesaid and included in said deed of trust.

Duty of Trustees.

Sec. 3. *Be it enacted*, That it shall be [the] duty of said Trustees or a majority of them upon the execution and reception of said deed, to divide the property so conveyed into such lots or prizes as to them may seem expedient and to draft or cause to be drafted such plan or scheme of a Lottery, and fix the price of tickets and their numbers and to conduct the selling thereof, and the drawing of said Lottery, and all other things touching the same in such way as to them may seem proper consistently with the provisions of this act.

When to proceed to drawing lottery.

Sec. 4. *Be it enacted*, That when said Trustees shall have sold such a portion of the tickets as shall in their opinion authorize the commencement of the drawing of said Lottery, they shall proceed to the same under such rules and regulations as they shall have made known in their scheme, having first given at least twenty days notice in a public newspaper printed at Columbus or Nashville, of the time and place of drawing.

Trustees to convey to persons drawing prizes.

Sec. 5. *Be it enacted*, That when said Trustees shall have sold said tickets and the same shall have been drawn, each person who shall draw a prize shall be entitled in law and equity to such property as shall compose the prize he shall have drawn, and it shall be the duty of said Trustees or their survivor or survivors of them, or the heirs of such survivor, to convey by deed to such person drawing such prize, said property, to him, his heirs and assigns forever.

Proceeds to be paid to Partee.

Sec. 6. *Be it enacted*, That when the proceeds of said sales of tickets shall be received by said Trustees, they shall pay over to the said Partee after they shall have retained a reasonable remuneration for their services.

If lottery not drawn trustees to reconvey to Partee and refund to purchasers of tickets.

Sec. 7. *Be it enacted*, That if for any cause the said Trustees or a majority of them shall find it impossible for them to proceed with the conducting and drawing of said Lottery, it shall be their duty to reconvey to the said Partee the property conveyed to them by the said Partee, and refund to the purchasers of tickets the amount of money by them received according to the sums by each paid; *Provided nevertheless*, That if the sale of said tickets, and drawing of said Lottery hereinbefore mentioned shall not be

completed two years from the first day of January next, then the said property so to be conveyed shall revert to the said Partee and be subject to the claims and executions of his creditors as though this act had never passed; *And provided also*, That this act shall cease to be in force and effect if said Partee shall fail or refuse to execute the deed of trust herein mentioned within two months from and after the passing of this act.

JAMES FENTRESS,
Speaker of the House of Representatives.
S. BREWER,
Speaker of the Senate.

August 13, 1832.

CHAPTER LVIII.

An Act providing for the holding of such courts as by law are directed to be held in the town of Murfreesborough.

Sec. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the presiding judge of the fourth judicial circuit, and the presiding justices of the county court of Rutherford, shall, and they are hereby vested with power to adjourn the next circuit court and county court to be holden for the county of Rutherford to any other house in the town aforesaid which he or they may think proper, for and during the said term or terms.

Next county and circuit courts of Rutherford may be held in any house in Murfreesborough.

Sec. 2. *Be it enacted*, That it shall and may be lawful for the said circuit and county courts to be hereafter holden in any house in the town of Murfreesborough until otherwise provided for by law, any law, usage or custom to the contrary notwithstanding.

Sec. 3. *Be it enacted*, That all writs, process, returns or proceedings to be made to the said next term or terms of said courts respectively, shall be returned to the said court or courts as the case may be, at the house to which the judge or justices aforesaid may adjourn in the same way, and under the same rules and regulations as heretofore, which shall be as effectual to all intents and purposes as if the same had been made at, and to the courthouse in the town of Murfreesborough aforesaid, had this act never been passed.

JAMES FENTRESS,
Speaker of the House of Representatives.
S. BREWER,
Speaker of the Senate.

August 13, 1832.

CHAPTER LIX.

An Act for the relief of the heirs of Thomas Bond.

Whereas it is made appear to this General Assembly, that a land warrant for six hundred and forty acres, No. 3629, issued to Thomas Bond, and has been lost, by reason of which loss a duplicate cannot be obtained from the board of commissioners; for remedy whereof;

Be it enacted by the General Assembly of the State of Tennessee, That the Commissioners of land claims shall issue to the heirs of Thomas Bond a land warrant for six hundred and forty acres, in the same manner as if said land warrant, No. 3629 was produced: *Provided,* the said heirs shall make affidavit before some justice of the peace that they have not transferred or assigned the said warrant.

JAMES FENTRESS,

Speaker of the House of Representatives.

S. BREWER,

Speaker of the Senate.

August 13, 1822.

CHAPTER LX.

An Act for the relief of John Smith, of Sullivan county,

Be it enacted by the General Assembly of the State of Tennessee, That John Smith of Sullivan county be, and he is hereby released from so much of the penalty or forfeiture due the State, as was registered against him in the Supreme Court at Knoxville, (in) a quia tem suit brought by John C. Neal for himself, and the State of Tennessee, say law to the contrary notwithstanding.

JAMES FENTRESS,

Speaker of the House of Representatives.

S. BREWER,

Speaker of the Senate.

August 13, 1822.

CHAPTER LXI.

An Act directing the duties of the Ranger and Takers up of Estrays in the county of Sevier.

Sec. 1. Be it enacted by the General Assembly of the State of Tennessee, That it shall be the duty of the Ranger of Sevier county to receive from the taker up of any stray or estrays, the probate of such stray or

estrays, under the same rules, regulations and restrictions as now directed by law, and in the same manner as if a ranger had been appointed by the court of pleas and quarter sessions for said county, and had been in office at the time of such taking up.

Sec. 2. Be it enacted, That it shall be the duty of every person or persons who have heretofore taken up any stray or estrays in the county of Sevier, after the passing of this act, to give notice of such taking up as directed by the laws in force and use in this State, regulating and pointing out the duties of the takers up of estrays, and such notice to said ranger shall be as effectual in law as if the same had been returned within the time pointed out by law.

JAMES FENTRESS,

Speaker of the House of Representatives.

S. BREWER,

Speaker of the Senate.

August 14, 1822.

CHAPTER LXII.

An Act for the relief of John Hawkins.

Whereas it is represented to this General Assembly that said John Hawkins, in the year 1816, received, of and from the head-men and warriors of the Cherokee Nation of Indians, and with the advice and consent of the agent, col. Mearns J. Meigs and under his hand, a grant of six acres of ground and one mill upon Pond Creek, then in the Cherokee Nation, and to have the land and mill thereon for the space of ten years, the said John Hawkins paid one thousand dollars for the same, and in the year 1820, entered upon the lands whereas he was to erect said mill; that he commenced and finished three mills on said creek, one great saw-mill, and that he had them all completed, (viz.) two saw-mills and a grist-mill; and in the enjoyment thereof but a few months, when they were, with the three quarter sections of land upon which they were erected, sold at the Hwassee land sales, for a sum exceeding twenty-four hundred dollars, to a certain James Dardis; and whereas it also appears that the land, except for the mill-pond was worth nothing of consequence, and that the said John Hawkins never received any thing for the labor done by him whereby the value of said lands was so much enhanced; and whereas it is also represented that there (are) two

Persons taking up estrays in Sevier to give notice.

quarter sections of land upon said creek which are vacant and unsold that are extremely poor and barren but have tolerable sites for water works on them (viz.) the north west quarter section of section twenty-four, in the first fractional township of range first, east of the meridian, and the north west quarter section of section twenty-one, in second fractional township of range second, east of the meridian, and it is manifestly unjust to fill the coffers of the State at the expense of the labours and exertions of the poor, therefore:

Be it enacted by the General Assembly of the State of Tennessee, That it shall be the duty of the Register of East Tennessee to issue grants to the said John Hankins for the two last described quarter sections as a compensation to him for the loss he has sustained by the sale of his said mills; and that it shall be the duty of the Governor to sign, and the Secretary to countersign them, which when done shall vest a fee simple title of the said two quarter sections in said John Hankins, his heirs, and assigns forever.

JAMES FENTRESS,

Speaker of the House of Representatives.

S. BREWER,

Speaker of the Senate.

August 14, 1822.

CHAPTER LXIII.

An Act for the relief of John C. Haley.

Be it enacted by the General Assembly of the State of Tennessee, That the Register of East Tennessee be, and he is hereby authorized to issue to John C. Haley a certificate warrant for one hundred acres of land, the same being so much of a certificate warrant formerly issued by the commissioners of West Tennessee to Moses Elex for six hundred and forty acres, dated July 20, in the year 1807, designated by No. 54; Provided, That said John C. Haley shall first satisfy said Register by a proper certificate from the principal surveyor of the 4th district, that the right of one hundred acres of land warrant is vested in him and the same has never been appropriated.

JAMES FENTRESS,

Speaker of the House of Representatives.

S. BREWER,

Speaker of the Senate.

August 15, 1822.

CHAPTER LXIV.

An Act for the relief of Joel Dyer, a citizen of Smith county.

Whereas it is represented to this General Assembly that Joel Dyer purchased of his brother Abram Dyer his interest in three tracts of land granted to their father John Dyer by the State of Tennessee, (to-wit:) two tracts of one hundred acres each lying on the waters of Peyton's creek in said county, and one of twenty eight acres on Defeated creek, which tracts or his interest therein the said Abram Dyer, by deed dated 15th July 1816, conveyed to said Joel Dyer; and whereas it is also represented to this General Assembly that Joel Dyer, one of the subscribing witnesses to said deed has been almost continually out of the State since the execution of said deed, so that the same cannot be proven by him and therefore cannot be admitted to registration under the existing laws of this state.

Be it enacted by the General Assembly of the State of Tennessee, That it shall and may be lawful for this said Joel Dyer within twelve months after the passing of this act to have the said deed of conveyance proven in any court of record in this State by the oath of the other subscribing witnesses to said deed, and also proving that the said Joel Dyer, the other witness thereto, signed the same as a witness in his presence, and also that the said Joel Dyer has left the State, whereupon it shall and may be lawful for the said court to order said deed to be registered in the Register's office in Smith county, and the same when registered in said office shall have the same force and effect, and be of the same validity in law as if the same had been proven by both the subscribing witnesses thereto.

JAMES FENTRESS,

Speaker of the House of Representatives.

S. BREWER,

Speaker of the Senate.

August 15, 1822.

CHAPTER LXV.

An Act for the benefit of Susan Hulme.

Be it enacted by the General Assembly of the State of Tennessee, That hereafter Susan Hulme, wife of Thomas Hulme of Williamson county shall, and she

is hereby enabled, in that name to sue and be sued, plead and be impleaded, contract and be contracted with, and to possess and enjoy all that a *feme sole* could or might have, except that of intermarrying with another man during the life time of her said husband, and to secure to herself that which she may acquire by her own labour, or by the assistance and donation of friends, free from any liability for the debts and from the control of the said Thomas Hulme, any law, usage or custom to the contrary notwithstanding. **JAMES FENTRESS,**

Speaker of the House of Representatives.

S. BREWER,

Speaker of the Senate,

August 15, 1822.

CHAPTER LXVI.

An Act to authorize the field officers of Bledsoe county to exempt Captain Thomas Miller's county [company] from attending Battalion and Regimental Musters.

Sec. 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the field officers of Bledsoe county may, at their discretion, exempt captain Thomas Miller's company or any part thereof, from attending Regimental and Battalion Musters, and they may divide said company in any way they may think proper.

Sec. 2. *Be it enacted,* That a law passed at Murfreesborough 1st day of November 1821, laying off Captain Thomas Miller's company, be and the same are [is] hereby repealed.

JAMES FENTRESS,

Speaker of the House of Representatives.

S. BREWER,

Speaker of the Senate.

August 15, 1822.

CHAPTER LXVII.

An Act for the relief of Ann Huff.

Whereas it is represented to this General Assembly that one John Huff heretofore, in 1812, intermarried with a certain Ann Gilbreath with a view to defraud her of her estate, and whom he soon after abandoned; therefore,

Be it enacted by the General Assembly of the State

of Tennessee, That the said Ann Huff be and she is hereby authorized to trade and transact business, to sue and be sued in her own name, and that she have full power and authority to sell and dispose of all of the estate real and personal which she had before her marriage with the said John Huff, or has or may hereafter acquire, in as full and ample a manner as if she had never been so married to the said John Huff, and that she have and enjoy all the privileges of [a] *feme sole*; *Provided,* That nothing herein contained shall authorize said Ann Huff to contract a second marriage during the natural life of the said John Huff; *And provided,* That nothing herein shall be so construed as to affect the claim of any just and bona fide creditor of the said John Huff who could claim satisfaction out of said estate, and whose right accrued before the passage of this act.

JAMES FENTRESS,

Speaker of the House of Representatives,

S. BREWER,

Speaker of the Senate,

August 15, 1822.

CHAPTER LXVIII.

An Act to improve the navigation of Red River.

Whereas it is represented to this General Assembly that the navigation of Red River is much obstructed by mill-dams and other obstructions much to the inconvenience of the good citizens of Robertson county, and a part of Kentucky,

Sec. 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Richard Cheatham, Joel Moore, Henry Hart, Thomas Gau, Sen. and Garland Williams, are hereby appointed commissioners for the purpose of opening subscriptions for receiving donations for the purpose of improving the navigation of Red river, from the junction of the Sulphur Fork of said river to the Kentucky line.

Sec. 2. *Be it enacted,* That the said commissioners shall make quarterly reports to Robertson county court of the amount they may have received or have been subscribed for the purpose in the first section mentioned.

Sec. 3. *Be it enacted,* That when the commissioners above mentioned shall have procured to the satisfaction of said court of Robertson, a sufficient sum for the purposes above mentioned, or such part thereof as the court may think it advisable to commence the

Commissioners authorized to receive subscriptions for improving the navigation of the Sulphur Fork of Red River.

To make quarterly reports.

Repair and opening said river to be let to the lowest bidder.

same, they shall then appoint commissioners to let to the lowest bidder the opening and repairs of said river navigation by making slopes or gates in the mill dams of such mills as are now erected on said river within the bounds aforesaid.

Robertson county court may order commissioners to commence the work.

Sec. 4. *Be it enacted*, That the said county court of Robertson may at any time, (a majority of the justices of the peace being present,) order their said commissioners to commence said work as contemplated by this act, either in whole or in part.

Commissioners to give bond and security.

Sec. 5. *Be it enacted*, That the said commissioners before entering on the duties of their office shall give bond and security to the chairman of said county court in such sum as said court may require for the faithful performance of their duty.

Slopes to be made.

Sec. 6. *Be it enacted*, That all dams which may be hereafter erected on said river from its junction with Cumberland river to the Kentucky line, the owner or owners shall cause to be made a slope or gate, through which boats may with safety descend.

Owners indictable for omitting to make slopes in their dams.

Sec. 7. *Be it enacted*, That any dam being erected hereafter contrary to the provisions of this act, the owner or owners may be indicted for such omission and fined at the discretion of the court, and moreover be liable for all damages that may accrue in consequence of such neglect.

JAMES FENTRESS,

Speaker of the House of Representatives.

S. BREWER,

Speaker of the Senate.

August 15, 1822.

CHAPTER LXXIX.

An Act for the benefit of James Hughes and Richard Sutton.

Whereas it has been represented to this General Assembly that James Hughes and Richard Sutton stand charged with the crime of perjury, and are indicted for the same in the circuit court of Williamson county, and it appearing that the offence attributed to them was committed when they were very young and under the influence of a false notion of honor without the corruption usually attendant on such crimes; therefore;

James Hughes and Richard Sutton pardoned.

Sec. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the said James Hughes and Richard Sutton be pardoned for the said alleged crime of perjury, and that they be absolved and

discharged from all the consequences and effects thereof as fully in every particular as if the same had never been committed.

Sec. 2. *Be it enacted*, That upon any charge or indictment now pending or hereafter to be brought against the said James Hughes and Richard Sutton, this act may be given in evidence upon the general issue without being specially pleaded to the same.

This act may be given in evidence.

JAMES FENTRESS,

Speaker of the House of Representatives.

S. BREWER,

Speaker of the Senate.

August 15, 1822.

CHAPTER LXX.

An Act for the relief of John Brooks.

Be it enacted by the General Assembly of the State of Tennessee, That John Brooks, sen. of the county of Robertson, be, and he is hereby permitted to hawk and peddle in this State, not subject to a tax therefor.

JAMES FENTRESS,

Speaker of the House of Representatives.

S. BREWER,

Speaker of the Senate.

August 15, 1822.

CHAPTER LXXI.

An Act for the relief of John B. Williford.

Be it enacted by the General Assembly of the State of Tennessee, That the fines imposed on John B. Williford by the county court of Warren county at their July session 1822, for four cases of assault and battery, be and the same are hereby remitted together with the imprisonment, on condition the said Williford will indemnify the county, from the payment of any of the costs of said prosecution.

JAMES FENTRESS,

Speaker of the House of Representatives.

S. BREWER,

Speaker of the Senate.

August 15, 1822.

CHAPTER LXXII.

An Act to authorize the Sheriff and Ranger of Perry county to advertise lands and strays in some newspaper printed in the town of Columbia.

Be it enacted by the General Assembly of the State of Tennessee, That from and after the passing of this act the sheriff of Perry county shall advertise all lands by him reported and all other lands that he may be compelled to sell; and the Ranger of said county shall advertise all estrays taken up in said county, that the law makes it his duty to advertise, in some newspaper printed in the town of Columbia, any law, usage or custom to the contrary notwithstanding; and all laws and parts of laws compelling said sheriff and ranger to advertise the lands and estrays in any other newspaper be, and the same are hereby repealed.

JAMES FENTRESS,

Speaker of the House of Representatives.

S. BREWER,

Speaker of the Senate.

August 15, 1822.

CHAPTER LXXIII.

An Act for the relief of the heirs of Michael Carriger dec'd.

Whereas it appears to this General Assembly that John Robertson made two special entries for lands in John Carter's office, one the 31st day of March 1779, the other 28th September 1780, for two hundred acres each, one of No. 1320, the other 2653, which entries were severally transferred upon the books of the entry-taker from said John Robertson, the enterer to William Saffold, and by him to Joseph Greer, and by Joseph Greer to Andrew Greer; and whereas it is made appear to this General Assembly that Andrew Greer who is now dead, the last transferee on the books, for a valuable consideration sold said entries of land to Michael Carriger, who is now also dead, and made his assignments therefor, which assignments have been by casualty lost and the said heirs of Michael Carriger are likely to sustain injury on account of the loss of said assignments and are prevented getting grants thereon, for remedy whereof,

Be it enacted by the General Assembly of the State of

Tennessee, That Joseph Greer be and he is hereby authorized to assign, make over, and transfer said two special entries to the heirs of the said Michael Carriger, which assignments in all respects shall be valid, whereon warrants of survey and grants shall issue to the said heirs, any law, usage or custom to the contrary notwithstanding.

JAMES FENTRESS,

Speaker of the House of Representatives.

S. BREWER,

Speaker of the Senate.

CHAPTER LXXIV.

An Act to provide for the better regulation of the town of Kingston in county of Roane.

Sec. 1. Be it enacted by the General Assembly of the State of Tennessee, That John Loyd, Henry Liggett, Robert S. Gilleland, Richard Richards, William H. McEwen, Samuel Martin and David Patton, be and they are hereby appointed commissioners for the town of Kingston with full power and authority to enact and pass all laws and ordinances necessary and proper to preserve the health of the town, prevent and remove nuisances, to provide for licensing and regulating auctions, taxing, regulating and restraining theatrical and other public amusements and shows within the bounds of the town, to restrain and prohibit gambling within the town, to prohibit sporting and shooting matches within the said town or the commons thereof, to pave and keep in repair the streets of said town, to cause to be built a market house in some suitable part of said town, to impose and appropriate fines, penalties, and forfeitures for a breach of their by-laws and ordinances, to appoint a Treasurer, Clerk and High Constable, to lay and collect taxes for carrying the necessary regulations into effect for the benefit of the town, and to pass all laws and ordinances necessary and proper to carry the intent and meaning of this act into effect: *Provided*, they are not incompatible with the constitution of this State: *And provided further*, That no fine, penalty or forfeiture imposed by any by-law or ordinance shall exceed the sum of fifty dollars.

Their powers and duties.

Sec. 2. Be it enacted, That all fines, penalties, and forfeitures imposed by any by-law or ordinance as proscribed in the first section of this act, shall be recovered.

Fines, penalties, &c. how recovered.

recovered by action of debt before a single magistrate in the name of the commissioners for the time being, and for the use and benefit of said town, and all warrants issued under the provisions of this act for the recovery of fines, penalties and forfeitures shall be directed to, executed and returned by the High Constable of said town.

Sec. 3. *Be it enacted*, That the Justices of the Peace for the county of Roane shall have jurisdiction and issue warrants when properly demanded by the commissioners for the time being, for the said town of Kingston, for the collection of fines, penalties, and forfeitures incurred for a violation of the by-laws or ordinances of the said town.

Justices of the Peace have jurisdiction.

Commissioners to fill their own vacancies.

Act of 1820 incorporating the town repealed.

Sec. 4. *Be it enacted*, That the commissioners for the time being shall have power and authority to fill all vacancies in the said Board, happening by death, resignation or otherwise.

Sec. 5. *Be it enacted*, That an act passed on the — day of — 1823, entitled "An act to incorporate the inhabitants of the town of Kingston in the county of Roane," be and the same is hereby repealed.

JAMES FENTRESS,
Speaker of the House of Representatives.
S. BREWER,
Speaker of the Senate.

August 17, 1822.

CHAPTER LXXV.

An Act for the relief of William Gibbs, Reuben Tipton, and others.

Sec. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the Register of the land office of East Tennessee be, and he is hereby authorized and empowered to issue to William Gibbs or to his assignees, Reuben Tipton, Burwell S. Badget, and Samuel Badget a grant for a tract of land containing three hundred and ninety-six acres, nine poles and thirty-five hundredths of a pole, situate at the junction of Holston and Little rivers in Knox county, and within the district of country south of French Broad and Holston rivers.

Register of E. Tennessee may issue grant.

Sec. 2. *Be it enacted*, That the grant for the aforesaid land shall issue to the said Gibbs or to his assignees, Tipton and Badget, agreeably to the plat and certificate of survey made out by Robert Arm-

On the plat & certificate made by Robert Armstrong.

in the name of Joseph Baker, although an assignment on said plat does not appear: *Provided however*, That the issue of the grant as herein before directed shall not affect or prejudice the rights of any other person or persons whatever.

JAMES FENTRESS,
Speaker of the House of Representatives.
S. BREWER,
Speaker of the Senate.

August 20, 1822.

CHAPTER LXXVI.

An Act for the relief of Jesse Kirby.

Whereas it is represented to this General Assembly, that Jesse Kirby made an entry in Greene county in the sixth surveyor's district, for — acres of land, procured the said entry to be surveyed, and a plat and certificate of survey to be returned to said office, which plat and certificate of survey, after remaining in said office for the length of time required by law, was taken out of the office, together with the warrant, for the purpose of obtaining a grant thereon, and was by casualty lost before the issuance of said grant; for remedy whereof:

Be it enacted by the General Assembly of the State of Tennessee, That it shall be the duty of the Register of East Tennessee to issue to Jesse Kirby, a grant for the quantity of land contained in his entry upon production of a certified copy of said plat and certificate of survey.

JAMES FENTRESS,
Speaker of the House of Representatives.
S. BREWER,
Speaker of the Senate.

August 20, 1822.

CHAPTER LXXVII.

An Act to alter the names of the persons therein mentioned.

Sec. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the name of Hickman Lucas shall be changed to that of Hickman Harvey; and the name of Mary Lucas be changed to that of Mary Harvey; and Caroline Lucas to Caroline Harvey; and Thomas Jefferson Lucas to Thomas Jefferson Harvey; and William Baker Lucas to William Baker Harvey; the illegitimate children of Thomas

by distribution or as heirs, in the same manner as if they had been born in lawful wedlock.

Sec. 2. *Be it enacted*, That Judith Wallace and Matilda Wallace, the illegitimate children of Robert Russell, be hereafter known by the name of Judith Russell and Matilda Russell, and by that name are made capable to take by distribution or as heirs, in the same manner as though they had been born in lawful wedlock.

Sec. 3. *Be it enacted*, That the names of Cynthia Patterson, Rosariah Patterson, Nancy Patterson, Samuel Patterson, John Patterson and Marcus Patterson, illegitimate children of John Dutton, of Sumner county, be hereafter changed and known by the names of Cynthia Dutton, Rosariah Dutton, John Dutton, Samuel Dutton and Marcus Dutton, and by that name are made capable to take by distribution or as heirs, in the same manner as though they had been born in lawful wedlock.

Sec. 4. *Be it enacted*, That the names of Cary Ann Alexander and Isaac Alexander, children of Nancy Alexander of Humphreys county, be hereafter changed and known by the names of Cary Ann Davidson, and Isaac Davidson, and hereby made lawful heirs of Samuel H. Davidson, and by that name are made capable to take by distribution or as heirs, in the same manner as though they had been born in lawful wedlock.

Sec. 5. *Be it enacted*, That the names of Sally Stewart, Jeremiah Stewart, John Stewart and Clarissa Stewart, illegitimate children of Jeremiah Belote deceased, of Sumner county, be hereafter changed and known by the names of Sally Belote, Jeremiah Belote, John Belote and Clarissa Ann Belote.

JAMES FENTRESS,

Speaker of the House of Representatives.

S. BREWER,

Speaker of the Senate.

August 20, 1832.

CHAPTER LXXVIII.

An Act to provide for the issuance of a grant to George W. L. Marr.

Whereas certificate No. 2464, issued by the Register of West Tennessee for five and three quarter acres, dated 2d September, 1818, in favor of Michael Shelfor, and by his administrator assigned to

Randal McGavock, and by him to Thomas Hickman, and by said Hickman to said George W. L. Marr, was regularly filed with the commissioners for adjudication who pronounced the same to be valid, but by some mistake the same was not endorsed as is usual by said commissioners; and whereas the same was afterwards placed in the wheel and drew No. 389, and the same having been entered on vacant and unappropriated land in the 12th surveyor's district, by entry No. 11, dated 6th December, 1820; and whereas the Register of West Tennessee has refused to issue a grant on said entry; therefore;

Be it enacted by the General Assembly of the State of Tennessee, That the Register of West Tennessee be, and is hereby authorized and required to issue a grant on said entry to the said Marr or his assignee, agreeably to the plat and certificate of survey returned thereon: *Provided*, The present board commissioners shall first endorse on said certificate, that in their opinion the same is good and valid.

JAMES FENTRESS,

Speaker of the House of Representatives.

S. BREWER,

Speaker of the Senate.

August 20, 1832.

CHAPTER LXXIX.

An Act to correct an error in grant No. 3058, from the State of Tennessee to Nicholas Conrad.

Whereas an error was committed in the calls of grant No. 3058, contrary to the true intent and meaning of the grantee, therefore;

Sec. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the line in grant No. 3058, granted to Nicholas Conrad for 320 acres of land which calls for running south 160 poles to the beginning, shall stand corrected so as to run south 160 poles to a stake, thence west 146 poles to the beginning: *Provided*, That nothing herein contained shall be so construed as to authorize the grantee, Nicholas Conrad, to encroach upon, or interfere with the rights of any adjoining grant or survey.

Sec. 2. *Be it enacted*, That the commissioners for the adjudication of North Carolina land claims shall issue to the said Nicholas Conrad a duplicate warrant for 92 acres and 86 poles on account of the interference of grant No. 12548, granted to John McGowan

An error by
grant No.
3058 corrected.
ed.

A duplicate
warrant to be
made to N. Conrad.

by the State of Tennessee for 427 acres with the said grant, No. 3053.

JAMES FENTRESS,
Speaker of the House of Representatives.
S. BREWER,
Speaker of the Senate.

August 20, 1823.

CHAPTER LXXX.

An Act respecting the companies of the Nashville Guards, and of the Independent Franklin Blues.

Sec. 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the volunteer company in Nashville denominated the Nashville Guards, shall be attached to, and constitute a part of the 19th regiment, T. M. and shall enjoy all the privileges, and be subject to all the duties of the militia of this State as required by law, with this exception, that they shall not be compelled to attend the Battalion or Regimental musters or Courtsmartial of said regiment.

Sec. 2. *Be it enacted,* That if in the division of said 19th regiment, any of the members of said Nashville Guards, should fall within the bounds of another regiment, they shall not be subject to militia duty in such regiment so long as they continue members of said company; and that it shall be lawful for any person residing in Nashville to become a member of said Nashville Guards, notwithstanding they may reside without the bounds of said 19th Regiment.

Sec. 3. *Be it enacted,* That the volunteer company in Franklin, denominated the "Franklin Independent Blues," shall be exempt from attending the regimental and battalion musters and courtsmartial of the regiment and battalion to which they are attached.

Sec. 4. *Be it enacted,* That the officers of the said Nashville Guards and Franklin Independent Blues may assess fines under their own bye-laws and regulations, and such fines when collected shall be for the exclusive benefit of said companies respectively.

Sec. 5. *Be it enacted,* That the company denominated the Murfreesboro' Independent Volunteers, of the county of Rutherford, may be composed of the number of forty privates and not more than one hundred privates, and that said company be exempt from all duty in all other companies, and that all those of

said company who have been fined since they joined the said company be released from said fines.

JAMES FENTRESS,
Speaker of the House of Representatives.
S. BREWER,
Speaker of the Senate.

August 20, 1822.

CHAPTER LXXXI.

An Act to alter the times of holding the county courts of Smith county.

Sec. 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the county court for the county of Smith shall be held on the first Mondays of February, May, August and November.

Sec. 2. *Be it further enacted,* That this act shall take effect and be in force from and after the 10th day of September next.

JAMES FENTRESS,
Speaker of the House of Representatives.
S. BREWER,
Speaker of the Senate.

August 21, 1822.

CHAPTER LXXXII.

An Act explanatory of an act passed at Murfreesborough October 20, 1821, entitled "An act to incorporate the inhabitants of Winchester in the county of Franklin, and for other purposes."

Sec. 1. *Be it enacted by the General Assembly of the State of Tennessee,* That nothing shall be so construed in the second section of the aforesaid act as to authorize the Intendant and Council of the Corporation of Winchester, in ascertaining by their surveyors the original boundary and location of said town in order to make out a plan thereof, to depart from the courses observed by the surveyor at surveyors, who originally surveyed and laid out said town, but in all instances shall observe and conform thereto, and shall be governed by each original concern of lots, streets, lanes, and alleys, as one be established and identified as such.

Sec. 2. *Be it enacted,* That the aforesaid second section enumerating the general powers of the Corporation shall be construed to give to the Intendant and Council aforesaid, full power and authority to pass all laws and ordinances which may be necessary

Corporation of Winchester to be governed by the courses of the original surveyor.

To restrain vice and immorality.

and proper for the restraining of vice and immorality.

Part of 1st section of act of October 27, 1821 repealed.

Sec. 3. *Be it enacted*, That so much of the first section of an act passed at Murfreesborough October 27, 1821, entitled "An act to authorize the county court of Franklin county to keep certain coves of Cumberland Mountain enclosed," as appoints William Strother, David Brakefield and Joseph Champain commissioners to survey and designate the ground upon which a fence or fences should be built from that point of the mountain opposite Carter's Cotton Gin to the lower end of Bowen's Cove, and make report thereof to the court, is hereby repealed.

Court to appoint overseers and hands to build fences &c.

Sec. 4. *Be it enacted*, That hereafter when a report of the ground upon which any such fence should be built shall be made to the aforesaid court signed by two thirds of the citizens residing within two miles of the ground specified in said report on which such fence should be built, it shall be the duty of said court and [it] appoint an overseer and allot hands to the building thereof in the same manner as is pointed out in the second section of the aforesaid act.

JAMES FENTRESS,

Speaker of the House of Representatives.

S. BREWER,

Speaker of the Senate.

August 20, 1822.

CHAPTER LXXXIII.

An Act to authorize the Ranger of Dickson county to advertise strays in some newspaper printed in the town of Nashville.

Sec. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the ranger of the county of Dickson is hereby authorized and required to advertise in some paper printed in the town of Nashville, all strays that he is bound by law to advertise.

Sec. 2. *Be it enacted*, That this act shall take effect from and after the first day of November next, any law, usage, or custom to the contrary, notwithstanding.

JAMES FENTRESS,

Speaker of the House of Representatives.

S. BREWER,

Speaker of the Senate.

August 21, 1822.

CHAPTER LXXXIV.

An Act to provide for the opening of Sequatchee river.

Sec. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the court of pleas and quarter sessions for the county of Bledsoe, (two-thirds of the justices being present, shall be, and the said court is hereby authorized to lay out the Sequatchee river into convenient districts, from the Marion county line as far up the said river as the said court may order and direct, and appoint overseers for such districts, to apportion and allot hands to work thereon, subject to such rules and regulations as are prescribed for overseers and hands on public roads in this State, and liable to the same penalties, debts and forfeitures for omission or neglect of duty: *Provided always*, That overseers and hands allotted as aforesaid shall not be liable to work on any road or roads in said county until the said river shall be opened or until the said court shall otherwise direct; *And provided further*, That the said court shall determine in what manner the said river shall be cleared of its obstructions, to be entered of record in the clerk's office of the county court; *And provided further*, That no mill or mills heretofore erected, or now about to be erected on the said river shall be injured or in any wise disturbed upon the fundamental condition, that the owners or proprietors thereof will, within such time as the said court may prescribe, not less than twelve months, erect in his, her, or their respective dam or dams such lock or slope, as will admit of the safe and easy passage of boats or crafts of the width of twenty feet.

County Court of Bledsoe may lay out Sequatchee river into districts, allot hands to work thereon, &c.

Sec. 2. *Be it enacted*, That the court of pleas and quarter sessions for the county of Marion, (two-thirds of the justices being present) shall be, and the said court is hereby authorized to lay out the Sequatchee river into convenient districts from the Bledsoe county line to the Tennessee river, and appoint overseers for such districts, to apportion and allot hands to work thereon, subject to such rules and regulations as are prescribed for overseers and hands on public roads in this State, and liable to the same penalties, debts and forfeitures for omission or neglect of duty: *Provided always*, That overseers and hands shall not be liable to work on any road or roads in said county until the said river shall be opened, or until the said court shall otherwise direct; *And provided further*, That the said court shall determine in what

Marion county court may lay out Sequatchee river into districts, &c.

in manner the said river shall be cleared of its obstructions to be entered of record in the clerk's office of the county court; *And provided further*, That no inhabitant of the said county residing south-west of a line to be drawn from a point one mile south-west of the town of Jasper to the mouth of said river shall be liable to work thereon; which line the said court from such point shall have run and marked by some good surveyor; *And provided further*, That no mill or mills heretofore erected or now about to be erected on said Sequatchee river shall be injured or in any wise disturbed, upon the fundamental condition, that the owners or proprietors thereof, within such time as the said court may prescribe not less than twelve months, erect in his, her, or their respective dam or dams such lock or slope as will admit of the safe and easy passage of boats and crafts of the width of twenty-five feet.

Sec. 3. *Be it enacted*, That the said county court, two-thirds of the justices being present, shall consider of the propriety of declaring navigable Town creek, from the town of Jasper to the mouth of said creek, and when so declared navigable, may apportion lands to open the same, subject to like regulations, penalties, debts and forfeitures as are provided in this act.

JAMES FENTRESS,
Speaker of the House of Representatives.
S. BREWER,
Speaker of the Senate.

August 16, 1822.

CHAPTER LXXXV.

An Act to sell property without redemption.

The property of Herbert Harwell deceased to be sold at Sheriff's sale without the privilege of redemption.

Sec. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the property belonging to the estate of Herbert Harwell deceased, who lately died in Robertson county shall be sold by the sheriff of Robertson county under executions upon judgments which have been heretofore obtained, and which remain unsatisfied without a privilege of redemption under the existing laws.

His property to be applied to the payment of judgments already obtained.

Sec. 2. *Be it enacted*, That all the property both real and personal of the estate of Herbert Harwell deceased, shall be applied to the satisfaction of the judgments which have been obtained, and are now pending over said estate before any of the property

of the securities of the said Harwell shall be resorted to for the satisfaction of said judgments.

JAMES FENTRESS,
Speaker of the House of Representatives.
S. BREWER,
Speaker of the Senate.

August 16, 1823.

CHAPTER LXXXVI.

An Act for the benefit of Daniel Rawlings and John Locke.

Sec. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Daniel Rawlings, clerk of the court of Pleas and Quarter Sessions for the county of Rhea, be and he is hereby authorized to keep the clerk's office of said county at his own house, where he now lives, adjoining the town of Washington.

Sec. 2. *Be it enacted*, That John Locke, clerk of the Circuit Court for the county of Rhea, be and he is hereby authorized to keep the clerk's office of said court at his own dwelling house, where the said John Locke now lives, adjoining the town of Washington.

JAMES FENTRESS,
Speaker of the House of Representatives.
S. BREWER,
Speaker of the Senate.

August 16, 1823.

CHAPTER LXXXVII.

An Act for the benefit of David Hughes.

Whereas it has been made manifest to this General Assembly, that David Hughes, of Blount county, thought himself secure in his possession for a number of years past, under a grant from this State, but finding when the Hiwassee district came to be sectioned and the old Indian boundary line run, his possession and land so granted fell within the Hiwassee district, and was sectioned out and offered for sale by the treasurer as other Hiwassee lands; for remedy whereof;

Be it enacted by the General Assembly of the State of Tennessee, That David Hughes hereafter be entitled to enjoy the unmolested possession of the land called for in his grant issued by the Register of East Tennessee, No. 5462 containing one hundred and eighty-one acres, two rods and eight chains, under the same regulations and restrictions as other occupants south of French Broad and Holston; and the

(treasurer of East Tennessee is hereby required to observe the same, any law to the contrary notwithstanding.

JAMES FENTRESS,

Speaker of the House of Representatives.

S. BREWER,

Speaker of the Senate.

August 16, 1832.

CHAPTER LXXXVIII.

An Act to amend and explain an act entitled "An act to incorporate the Smoky mountain turnpike company," passed at Murfreesborough on the 16th day of November, 1831.

Duty of commissioners explained.

Sec. 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the said act shall be so construed as to grant no other privilege or power, nor to require any other duties to be performed by James P. H. Porter, Alexander Preston, Simeon Perry, Robert Rogers, Peter Bryan, William Cates and John Underwood, than that of commissioners under said act, neither shall said act be construed to require the company thereby incorporated to open and keep in repair the road by said act contemplated to be made from Sevierville in the county of Sevier, but said company shall open and complete said road agreeably to the regulations of said act from such point or place in the county of Sevier as may be designated by the aforesaid commission between Sevierville aforesaid, and the termination of the public road in said county leading from Sevierville in the direction to the gap that they may fix on for said road to cross the mountain, to such other point as said commissioners shall point out between the foot of the mountain and the mouth of Soco creek in Haywood county, North Carolina.

The road to be of the second class commissioners may receive toll.

Sec. 2. *Be it enacted,* That when the said company makes said road so as to correspond with the second class of public roads, the commissioners of said road in viewing the same may authorize said company by a certificate under their hands to fix a toll gate thereon and to receive toll from all passengers and live stock passing said road, provided said company shall not receive toll for the passage of any carriage that may pass the said road until it is completed.

\$80 a share.

Sec. 3. *Be it enacted,* That the stock of said company shall be divided into shares of twenty dollars, instead of fifty dollars.

Sec. 4. *Be it enacted,* That said company shall have as great a length of time allowed to keep a toll gate and receive toll on said road as is allowed to any other turnpike in this State.

Sec. 5. *Be it enacted,* That so much of the aforesaid act as comes within the purview and meaning of this act, be, and the same is hereby repealed.

JAMES FENTRESS,

Speaker of the House of Representatives.

S. BREWER,

Speaker of the Senate.

August 16, 1832.

CHAPTER LXXXIX.

An Act for the relief of James Lynch of Giles county.

Whereas it is represented that James Lynch, by permission of the corporation of the town of Pulaski, hath erected a sawing factory in said town, upon the commons thereof, and incurred considerable expense in cutting a race for the purpose of conveying water to said factory; and whereas it appears to be the wish of the inhabitants of said town that the said James Lynch should be protected in the enjoyment of said privilege so given by said corporation; therefore:

Corporation of Pulaski may execute a lease to James Lynch.

Sec. 1. *Be it enacted by the General Assembly of the State of Tennessee,* That it shall and may be lawful for the mayor and aldermen of the town of Pulaski to make and execute to James Lynch a lease for years not exceeding fifteen, of the ground on which he has erected his sawing factory on the commons of said town, and also of the race which he has cut for the purpose of conveying water to said factory: Provided, That it shall be expressed in the face of such lease that the same shall be void whenever the said factory shall be abandoned by the said Lynch, his heirs or assigns, for the space of two years.

Sec. 2. *Be it enacted,* That nothing herein contained shall be so construed as to authorize the said Lynch, his heirs or assigns to draw off from the bed of Pleasant Run, through said race so much water as not to leave enough for stock water, nor so much of the water as to deprive any person or persons who may have heretofore established any ten yard opposite to any part of said race from a reasonable portion thereof.

Sec. 3. *Be it enacted,* That it shall be the duty of said said James Lynch, his heirs or assigns to keep bridge Lynch.

over said race, and so much thereof bored and covered as may be required by the mayor and aldermen of said town, under such pains and penalties as said mayor and aldermen shall prescribe.

JAMES FENTRESS,
Speaker of the House of Representatives.
S. BREWER,
Speaker of the Senate.

August 17, 1823.

CHAPTER XC.

An Act for the relief of Willis Cherry.

Be it enacted by the General Assembly of the State of Tennessee, That the commissioners for the adjudication of land claims are hereby authorized to issue to Willis Cherry a certificate for six hundred and forty acres, in lieu of an entry made in the name of Samuel Barton, assignee of Nicholas Bass, which said entry was founded upon a military warrant issued by the State of North Carolina, No. 4574, to said Nicholas Bass for the quantity of acres aforesaid: *Provided* it shall satisfactorily appear to said commissioners that said warrant was good and valid, and that the said Willis Cherry is the rightful assignee of said warrant, and that no grant has issued by North Carolina or Tennessee upon the same, or that it has been adjudicated by any commissioner or board of commissioners: *And, provided further*, That the said Willis Cherry hath the legal title and interest to said warrant.

JAMES FENTRESS,
Speaker of the House of Representatives.
S. BREWER,
Speaker of the Senate.

August 17, 1823.

CHAPTER XCI.

An Act for the relief of the officers of the court of Henry county and for other purposes.

Sec. 1. Be it enacted by the General Assembly of the State of Tennessee, That the clerk of the county court of Henry with the Register and Ranger be, and they are hereby authorized and privileged to keep their books and papers of record severally at any house in said county that may best suit their convenience for the safe keeping until a court-house

may be completed in said county, or until otherwise provided for by law.

Sec. 2. Be it enacted, That it shall be lawful for the Justices of the Peace for Henry county in both the courts of Pleas and Quarter Sessions at the present place of holding the said courts in said county, until a court-house may be completed in and for the said county of Henry.

Sec. 3. Be it enacted, That the commissioners appointed by the county court of Henry county for the purpose of laying off a street therein, may lay off the said town with such streets and alleys as may best suit the convenience of the place without leaving four acres as a public square, any law to the contrary notwithstanding.

JAMES FENTRESS,
Speaker of the House of Representatives.
S. BREWER,
Speaker of the Senate.

August 17, 1823.

CHAPTER XCII.

An Act for the relief of John Davis or his assignee.

Be it enacted by the General Assembly of the State of Tennessee, That John Davis or his assignee shall be permitted to file with the commissioners of land claims certificate No. 1559, for 123 acres, issued by the Register of East Tennessee to William F. Cobb, and by him assigned to John Davis to be drawn for in the lottery, and located and granted as other warrants.

JAMES FENTRESS,
Speaker of the House of Representatives.
S. BREWER,
Speaker of the Senate.

August 17, 1823.

CHAPTER XCIII.

An Act concerning School Lands in Marion county.

Be it enacted by the General Assembly of the State of Tennessee, That the court of Pleas and Quarter Sessions of the county of Marion shall, and the said court is hereby directed to appoint three commissioners residents of said county, whose duty it shall be to rent or lease the school sections of land in said county for any number of years not exceeding five at any one time, and the proceeds of such

lands shall be appropriated by the said court to the support of common schools to be kept in the said school sections of land. And the commissioners appointed under authority of this act shall make semi-annual reports to the said court of the condition of the said lands, and the progress of said schools. *Provided always*, That the commissioners appointed in pursuance of the provisions of this act shall give bond and security to the chairman of said court for the correct and faithful discharge of the duties enjoined on them by this act.

JAMES FENTRESS,

Speaker of the House of Representatives,

S. BREWER,

Speaker of the Senate.

August 17, 1822.

CHAPTER XCIV.

An Act to confirm the official acts of the different officers of the county of Carroll.

Whereas by an act of the General Assembly of this State passed the 7th day of November 1821, establishing new counties west of Tennessee River, it was enacted that the court of Pleas and Quarter Sessions for the county of Carroll should hold their first court on the second Monday of December in said year, at which time no Justice of the Peace attended for the purpose of qualifying the Justices appointed for said county; and whereas on the second Monday of March 1822, the justices appointed as aforesaid, met and were qualified by a Justice of the Peace from the county of Humphreys, whereupon they proceeded to transact the business necessary for organizing said court; and whereas doubts are arisen as to the legality and validity of the appointment of the several officers both civil and military of said county as to the correctness of their official acts; for remedy whereof,

Sec. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That all the official acts of the several officers of the county of Carroll shall be and are hereby declared as good and valid in law as they would have been had the court of Pleas and Quarter Sessions been organized on the second Monday of December 1821, so as not to affect any election of any civil officer or any judicial question which now may be depending touching the election of any such officer.

Acts of several officers in Carroll county declared valid.

Sec. 2. *Be it enacted*, That the several military officers elected in said county by order of the Brigadier General of the sixteenth brigade, be and they are hereby confirmed in their several offices, and the Governor is hereby required to issue commissions on application accordingly to the same manner as he would have done if their election had taken place as directed by the act aforesaid.

JAMES FENTRESS,

Speaker of the House of Representatives.

S. BREWER,

Speaker of the Senate.

August 17, 1822.

CHAPTER XCV.

An Act to authorize a tax to be laid to build a court-house for Rutherford county, and for other purposes.

Sec. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the Court of Pleas and Quarter Sessions for Rutherford county at their first session after the passing of this act be, and they are hereby directed, and required, twelve of the justices being present, to lay a tax on all taxable property in said county and continue the said tax three years in succession sufficient to raise the sum of six thousand dollars at the end of said three years, two thousand dollars to be collected each and every year, besides the expence of collecting, receiving and paying out the same, for the purpose of erecting a court-house in the town of Murfreesborough for the county of Rutherford.

Rutherford county court to lay a tax for three years to build a court-house.

Sec. 2. *Be it enacted*, That the court of said county shall order their clerk to enter of record that the tax levied by virtue of this act is intended to build a court-house for the county of Rutherford, which said tax shall be collected by the same person or persons who may collect the county tax in said county, and be accounted for and paid over as is hereafter provided.

Sec. 3. *Be it enacted*, That David Wendel, John S. Jetton, Samuel P. Black, Benjamin McCulloch and John Hoover, be, and they are hereby appointed commissioners to receive the tax when collected, and superintend the building of said court-house.

Commissioners.

Sec. 4. *Be it enacted*, That the said Court of Pleas and Quarter Sessions for the said county, at their first session after the passage of this act be, and they are hereby authorized and empowered, twelve of the

Commissioners may borrow \$5,000.

justices being present, to order and direct the commissioners appointed by virtue of this act to borrow on the credit of the county of Rutherford from the Branch of the Nashville Bank at Murfreesborough, a sum of money not exceeding six thousand dollars, payable in three annual instalments from and after the first day of January 1823, with interest thereon at the rate of six per centum per annum, payable on the first day of January in each and every year; *Provided always*, That said court shall think it expedient to lay a tax to pay the interest of said loan, which they are hereby fully authorized and empowered to do.

Sec. 5. *Be it enacted*, That it shall be the duty of the commissioners appointed by this act to negotiate a loan of six thousand dollars on the credit of the county of Rutherford and on the faith of the tax directed to be levied by the first section of this act, provided they procure said sum of money at six per cent. interest.

Building the court-house to be let to the lowest bidder.

Sec. 6. *Be it enacted*, [That] it shall be the duty of the commissioners appointed by this act immediately after said tax is laid to proceed to let to the lowest and best bidder the building of the court house upon such plan and of such dimensions as may be agreed upon by said commissioners and as the funds provided will justify, or to contract for the building thereof as they may deem most advisable.

Clerk's duty.

Sec. 7. *Be it enacted*, That it shall be the duty of the clerk of the Rutherford county court in making out his tax list for the sheriff or collector of the taxes to designate the tax levied for the purpose of building a court house, and the tax levied to pay the interest on the money that may be borrowed from the Branch of the Nashville Bank, at Murfreesborough, and said tax when collected shall not be appropriated to any other purpose, but it shall be accounted and paid over to the commissioners under the same rules regulations and restrictions as is the duty of the collector to pay over other county monies into the hands of the trustee of the county, *Provided always*, if the sheriff or collector fail or refuse to pay over such monies when collected, it shall be the duty of said court of pleas and quarter sessions to render judgment against the sheriff or collector and his securities in the name of the chairman of said court by motion for the amount of the money in his hands not accounted for, upon which judgment execution shall issue as in other cases.

On failure of sheriff judgment may be rendered against him.

Sec. 8. *Be it enacted*, That the court of pleas and

quarter sessions for Rutherford county shall hold a special court for the purpose expressed in this act at any house in the town of Murfreesborough, to be opened and held on the second Monday in September next, and to continue from day to day until they shall finish all the business required of them by this act.

A special court to be held for this purpose.

Sec. 9. *Be it enacted*, That should said court fail to hold a special session for the purpose expressed in the 8th section of this act, then it shall be the duty of said court at the regular session in October next, to do and perform the things required of them in this act.

JAMES FENTRESS,
Speaker of the House of Representatives.
S. BREWER,
Speaker of the Senate.

August 20, 1822.

CHAPTER XCVI.

An Act to extend the lines of Hickman, Wayne and Lawrence counties.

Sec. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That all that tract of country lying North of the following described bounds shall be, and remain a part of Hickman county (to wit,) beginning at the south east corner of Hickman county made by the commissioners on the old Natchez road, and running with said road to Grider's old stand on said road, thence eastwardly on the top of said ridge, with its different meanders between the head waters of Swan and Buffalo, and extending on with said ridge between the head waters of Cane creek and Trace creek; and thence with a ridge so as to include Racoon creek in Hickman county, to the east boundary line of Perry county; thence north with Perry county line to the north-west corner of Hickman county.

Part of Hickman county described.

Sec. 2. *Be it enacted*, That all the balance of territory being north of Lawrence county and south of [the] aforesaid described line shall be and remain a part of Lawrence county.

Part of Lawrence.

Sec. 3. *Be it enacted*, That all the remaining part of said territory lying north of Wayne county and south of said before described line of Hickman shall be and remain a part of Wayne county.

Part of Wayne.

Sec. 4. *Be it enacted*, That the county court of Wayne and Lawrence shall appoint one or more commissioners to run and mark the lines as far as respects Lawrence and Wayne counties.

Commissioners to be appointed by county courts.

Rights of persons falling within said counties.

Sec. 5. *Be it enacted*, That all and every person or persons whatsoever, falling into the bounds of either of the aforesaid counties, shall, and they are hereby vested with all the rights and privileges that they would have had in case they had been originally attached or belonged to said counties, and that this act shall be in force from and after the passing thereof, and that all laws or parts of laws coming within the purview and meaning of this act shall be, and the same is hereby repealed.

JAMES FENTRESS,
Speaker of the House of Representatives.
S. BREWER,
Speaker of the Senate.

August 17 1822.

CHAPTER XCVII.

An Act for the relief of Thomas Plumlee and others.

Whereas it has been represented to this General Assembly, that certificate warrant No. 893, for sixty acres of land, was filed in the surveyor's office of the 2d district, on the 23d day of May, 1812, on which three separate entries were made, (to wit:) entry No. 4063, for 20 acres, bearing date the 23d of May, 1812, in the name of William Powell, and afterward transferred to Thomas Plumlee; entry No. 4004, for fifteen acres, dated the 23d day of May, 1812, in the name of Abraham Byler; entry No. 7689, for twenty-five acres, in the name of said Byler, all of which were surveyed and returned to said office agreeable to law; and whereas it has been made appear that said certificate warrant has been lost or mislaid in said office; therefore;

Sec. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the Register of West Tennessee issue to Thomas Plumlee and the said Abraham Byler, grants on the aforesaid entries upon the presentation of the plats and certificates of survey, as though the said warrants had not been lost or mislaid.

Sec. 2. *Be it enacted*, That the above recited certificate warrant be null and void into whosoever hands the same may have fallen.

JAMES FENTRESS,
Speaker of the House of Representatives.
S. BREWER,
Speaker of the Senate.

August 17, 1822.

Grants to issue to Tho. Plumlee and A. Byler.

CHAPTER XCVIII.

An Act for the benefit of Isaac Bateman.

Whereas Isaac Bateman was entitled to warrant No. 3275 for six hundred and forty acres, by purchase from William Chalk; but the said Chalk in making the assignment wrote the name Jesse so imperfectly that the commissioners of 1807 took the name to be Jesse Bateman, which was erroneous;

Sec. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the commissioners of land claims are hereby required to re-examine the said original warrant on production of the duplicate that has issued and hear testimony touching the name of the person to whom said warrant has been assigned, and if it shall appear to them that said warrant was transferred to Isaac and not Jesse Bateman, then it shall be lawful for said commissioners to make out the warrant to Isaac Bateman; and whereas by mistake the commissioners of 1807 adjudicated warrant No. 3275 for six hundred and forty acres to Thomas Houghton, which mistake is evidenced by the depositions of John Pettigrew;

Sec. 2. *Be it enacted*, That said commissioners in like manner shall examine said original warrant, and hear the testimony touching the assignment, and on the duplicate that has issued being produced to said commissioners and cancelled, to issue one to the person who may be proved the assignee of said warrant.

JAMES FENTRESS,
Speaker of the House of Representatives.
S. BREWER,
Speaker of the Senate.

August 17, 1822.

CHAPTER XCIX.

An Act to establish the town of Jackson in the county of Madison, and to authorize the commissioners thereof to pass by-laws and ordinances for the regulation of the same.

Sec. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the town heretofore laid off for the seat of justice in the county of Madison, by the name of Alexandria, shall be known and distinguished by the name of Jackson, and that Stephen D. Hays, William E. Butler, Herndon Harroison, Vincent Harroison, William Goodlet, Daniel Barton,

Commissioners of land to re-examine warrant No. 3275.

To examine the warrant and hear testimony concerning the assignment.

The town of Alexandria changed to Jackson.

William Arnold and Adam Huntsman are hereby appointed commissioners for the town of Jackson, in addition to the commissioners appointed by the county court of Madison, under the authority of an act passed by the General Assembly on the 18th November, 1821, for the purpose of establishing the permanent seat of justice in Madison and other counties, and that the said last mentioned commissioners shall have and possess equal powers in all respects with the commissioners appointed by said county court of Madison.

Commissioners for the town of Jackson incorporated.

Sec. 2. *Be it enacted*, That said commissioners are hereby constituted a body politic and corporate, and shall have succession for twenty years, and shall be known by the style and description of "The Board of Commissioners for the town of Jackson," and as such may sue and be sued, plead and be impleaded, touching and concerning any matter or thing which shall or may relate to their corporate capacity in any court in the State having jurisdiction of the subject matter: and they are furthermore hereby vested with full power and authority to pass such by-laws, rules, regulations, and establish such restrictions from time to time for the benefit and police of said town, as they in their discretion may think proper: Provided, the same shall not be inconsistent with the laws and constitution of this State and of the United States.

They may have a chairman, clerk & treasurer.

Sec. 3. *Be it enacted*, That said commissioners shall appoint a Chairman, Clerk and Treasurer for said Board of their own body, and said chairman shall preside at said board, and sign in the name and on the behalf of said board, all receipts, orders, papers, records and transcripts of what nature or kind soever which may be transacted by said board, and said clerk shall keep a full, fair and perfect record of all laws, ordinances, regulations and proceedings whatsoever of the actings and doings of said commissioners in a well bound book, to be kept by him for that purpose; and said treasurer shall receive all monies which shall be collected by virtue of the sale of the lots in the town of Jackson, also all the monies which may be collected by virtue of fines, forfeitures or taxes collected under their by-laws, &c. and shall receipt for the same to the proper persons, and pay out the same to the order of the board of commissioners aforesaid and in no other way. He shall furthermore keep a fair statement of the monies received, paid out, and on hand, to render said board once in three months, and oftener if they

think it necessary, and before entering upon the duties of said office, he shall enter into bond with two or more good and sufficient securities for the faithful performance of his duty as treasurer, in the sum of forty thousand dollars, payable to the board of commissioners for the benefit of said town; and upon which bond said commissioners may sue from time to time for defaultations in office, and it shall not be void on the first recovery.

Building court-house, prison and stocks to be let out to the lowest bidder.

Sec. 4. *Be it enacted*, That the said commissioners after giving ninety days previous notice in some public newspaper, printed in Nashville, shall proceed to let out to the lowest bidder (in Jackson) the building of the court house, prison, stocks and clerk's offices for said county, and shall take bond and approved security from the undertaker or undertakers for the faithful performance of the same, payable to the board of commissioners; and they shall furthermore devise a plan of said court house, prison, stocks and clerk's offices, and advertise the same to some public place in Jackson, at least sixty days before letting out the same, for the benefit of those who may wish to undertake the said buildings.

Surplus monies how to be appropriated.

Sec. 5. *Be it enacted*, That when said buildings are completed, if there should be any monies remaining in the hands of said commissioners, said monies together with what may be collected by them for fines, forfeitures or taxes, may at their discretion, be appropriated to the improvement of their streets, alleys, or making a causeway to the landing on the river from said town, or in any other way most conducive to the benefit of said place, and a majority of said commissioners, shall from time to time constitute a quorum for the purpose of doing any business under the authority of this act.

Board may fill vacancies in their own body.

Sec. 6. *Be it enacted*, That in case of death, resignation or removal of any of said commissioners, said board may proceed by ballot to elect a successor who, when qualified, as hereafter directed, shall possess all the powers and privileges given to the said commissioners by this act.

May appoint a town constable.

Sec. 7. *Be it enacted*, That said board shall appoint a Town Constable, who, after giving bond and approved security to said commissioners in the sum of _____ dollars for the faithful performance of his duty shall have, possess and exercise full and complete powers with other constables in this State, and further, that said constable shall especially execute all legal orders emanating from said commissioners.

To allow pay
to treasure-
r, clerk and con-
stable.

Sec. 8. *Be it enacted*, That the treasurer and clerk shall receive compensation for their services, to be allowed by said commissioners; the town constable shall be entitled to the fees allowed for similar services to other constables of this State; and said commissioners shall receive such compensation as the county court may allow.

Sec. 9. *Be it enacted*, That said commissioners shall and may have the power to remove any of their officers for a palpable breach of their duties, and appoint others in their stead.

By-laws to be
published.

Sec. 10. *Be it enacted*, That all by-laws, rules, regulations &c. passed by said commissioners shall be published in some newspaper in Jackson (if any there be) or put up in manuscript at the court house door, or some public place at least thirty days before the same goes into operation.

Of and Com-
missioners.

Sec. 11. *Be it enacted*, That before entering upon the duties of their office, said commissioners shall take and subscribe before some justice of the peace, the following oath, (to wit:) I, A. B. do solemnly swear, that I will well and truly discharge the duties incumbent on me as a commissioner of the town of Jackson, and in any rule, regulation, or other act for which I may be called upon as a commissioner aforesaid, I will not vote through favor, preference, or hope of reward, but to the best of my skill and judgment; and that I will well and truly support the constitution of the United States and of the State of Tennessee.

May purchase
ground for a
grave yard &
church.

Sec. 12. *Be it enacted*, That as soon as the public buildings are let out, said commissioners may proceed, so soon as their funds (remaining on hands, or afterwards collected) may justify the same, to purchase a suitable piece of ground, either in or convenient to said town, to erect a church and for a grave yard, and take a deed in fee simple, to them and their successors in office.

Sec. 13. *Be it enacted*, That if said commissioners shall find it more beneficial to the interest of said county to let the building of the court house, prison, stocks, clerks offices, &c. to undertakers by private contract, than to the lowest bidder, they are hereby authorized to do so.

Bonds by
commission-
ers of Madi-
son good.

Sec. 14. *Be it enacted*, That the bonds taken by the commissioners of Madison county from the purchasers of lots in the town of Alexandria shall be as good and sufficient in law as if the county town of

Madison had been named Jackson in the first instance.

JAMES FENTRESS,

Speaker of the House of Representatives.

S. BREWER,

Speaker of the Senate.

August 17, 1832.

CHAPTER C.

An Act for the relief of Perry Cohee and his creditors.

Sec. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Peter B. Hooker, Edmond W. Dale, Jesse W. Egnow, James S. Walker, Allen Brown, William K. Hill, Patrick McGowan, Edward B. Littlefield and Benjamin Reynolds, be and they are hereby appointed Trustees for the purpose of accepting a conveyance of certain real and personal estate of the said Perry Cohee, and for the purpose of conducting and managing a lottery for the benefit of the creditors of the said Cohee.

Trustees to
accept a con-
veyance from
Perry Cohee.

Sec. 2. *Be it enacted*, That it shall be lawful for said Cohee immediately to convey by deed in fee simple with general warranty and bill of sale to said Trustees and to the survivor or survivors of them and his or their heirs forever, any real or personal property belonging to him not exceeding in value fifteen thousand dollars, in trust for the use and benefit of all his creditors; a schedule of their names and the amount of each claim, as near as he can ascertain, shall be rendered to said Trustees by said Perry Cohee, on oath before the deed is executed, and to be therein specially named when the proceeds of said property shall be realized in manner herein-after mentioned.

Cohee to con-
vey real and
personal prop-
erty in trust
&c.

Sec. 3. *Be it enacted*, That it shall be the duty of said Trustees or a majority of them upon the execution and reception of said deed, to divide the property so conveyed into such lots or prizes as to them may seem expedient; and to draft or cause to be drafted such plan or scheme of a lottery, and to fix the price of tickets and their numbers, and to conduct the selling thereof and the drawing of said Lottery, and all other things touching the same in such way as to them may seem proper consistently with the provisions of this act.

Property con-
veyed to be
divided into
lots and prizes
for a lottery.

Sec. 4. *Be it enacted*, That when said Trustees shall have sold such a portion of the tickets as shall in their opinion authorize the commencement of the

Trustees to
draw lottery.
&c.

Drawing of said Lottery, they shall proceed to the same under such rules and regulations as they shall have made known in their scheme, having first given at least twenty days notice in some newspaper printed in Columbia or Nashville of the time and place of drawing.

Persons entitled to the prizes they may draw.

Sec. 5. *Be it enacted*, That when said Trustees shall have sold said tickets and the same shall have been drawn, each person who shall draw a prize shall be entitled in law and equity to such property as shall compose the prize which he shall have drawn, and it shall be the duty of said Trustees or the survivor or survivors of them, his or their heirs to convey by deed or bill of sale to such person drawing such prize, said property, to him, his heirs and assigns forever.

Proceeds to be distributed among his creditors.

Sec. 6. *Be it enacted*, That when the proceeds of said sales of tickets shall be received by said Trustees, they or a majority of them shall equally distribute the amount to all his creditors in proportion to their claims, and if any surplus shall remain after the satisfaction of said debts, the same shall be paid over to the said Cohes; after said Trustees shall have retained a reasonable compensation for their services.

If Lottery is not drawn property to be reconveyed.

Sec. 7. *Be it enacted*, That if for any cause the said Trustees or a majority of them shall find it impossible for them to proceed with the conduct and drawing of said Lottery, it shall be their duty to reconvey to the said Perry Cohes the property conveyed to them, and refund to the purchasers of tickets the amount of money by them received, so that he may hold the same subject to the just claims of his creditors; *Provided nevertheless*, That if the sale of said tickets and drawing of the lottery herein mentioned shall not be completed within two years from the first day of September next, then the property conveyed shall revert to said Cohes and be subject to the claims and executions of all his creditors as if this act had never passed; *And provided also*, That this act shall cease to be in force and effect if said Cohes shall not execute the deeds of conveyance and bills of sale herein mentioned within two months from the passing thereof.

This act not to deprive creditors of their remedy.

Sec. 8. *Be it enacted*, That nothing in this act contained shall be so construed as to prevent the creditors of the said Perry Cohes from proceeding in the same way for the recovery of their debts by suit or otherwise, and having the same satisfied out

of the property so conveyed by him as aforesaid to the said Trustees, and the said conveyance to said Trustees as against these said creditors who have obtained judgment and execution thereon shall be null and void to all intents and purposes as if this act had never passed.

JAMES FENTRESS,
Speaker of the House of Representatives.
S. BREWER,
Speaker of the Senate.

August 19, 1822.

CHAPTER CL

An Act for the relief of James A. Wilson.

Whereas it has been represented to this General Assembly that on the 17th day of December 1794, a grant for one thousand acres of land issued by the State of North Carolina to James Wilson, Jr. beginning on the North Bank of Duck River, running thence south 400 poles; thence East 400 poles; thence North 400 poles; thence West with the meanders of said river to the beginning, including the bed of said river; and whereas it has been further represented to this General Assembly that the whole of said 1000 acre grant has been taken by the interference of other and better titles except the bed of said river; therefore,

Be it enacted by the General Assembly of the State of Tennessee, That the commissioners for the adjudication of North Carolina land claims issue to James A. Wilson the legal representative of the said James Wilson, Jr. a certificate for forty-four acres, the amount of warrant so covering the bed of said river; *Provided*, That satisfactory proof be first made of the aforesaid interference.

JAMES FENTRESS,
Speaker of the House of Representatives.
S. BREWER,
Speaker of the Senate.

August 19, 1822.

CHAPTER CII.

An Act for the benefit of Jeremiah Daniel and John Daniel.

Whereas it is made known to this General Assembly that Pompey Daniel a free man of color has purchased his two children, (viz:) *Jessie* and *Jullie*

of a Mr. James Taylor of the county of Warren, and the said Pompey Daniel being desirous that his said children shall be emancipated after the death of him the said Pompey; therefore,

Be it enacted by the General Assembly of the State of Tennessee, That the aforesaid Jeremiah and Julius shall, at the death of Pompey, enjoy all the liberties of other free people of color in this State and shall be known by the name of *Jemima Daniel* and *Julius Daniel*.

JAMES FENTRESS,

Speaker of the House of Representatives,
S. BREWER,

Speaker of the Senate:

August 20, 1822.

CHAPTER CIII.

An Act to authorize Richard Woods to erect a dam in the South Sluice of French Broad river opposite George's Island.

Be it enacted by the General Assembly of the State of Tennessee, That *Richard Woods* of *Serie* county shall be at liberty to erect a dam in the South Sluice of *French Broad river* opposite to *George's Island* agreeable to the directions of the county court of *Jefferson*, a majority of the Justices being present.

JAMES FENTRESS,

Speaker of the House of Representatives,
S. BREWER,

Speaker of the Senate.

August 20, 1822.

CHAPTER CIV.

An Act to provide for the better regulation of the Town of Washington in the county of Rhea.

Sec. 1. Be it enacted by the General Assembly of the State of Tennessee, That *Benjamin C. Stout*, *James Berry*, *John Day*, *Edmund Beas*, *Carson Caldwell*, *John Parker*, and *David S. Williams*, be and they are hereby appointed commissioners for the town of *Washington*, with full power and authority to enact and pass all laws and ordinances necessary and proper to preserve the health of the town, prevent and remove nuisances, to provide for licensing, and regulating auctions, taxing, regulating and restraining theatrical and other public amusements and shows within the bounds of said town; to restrain

Commissioners for the town of Washington and their powers.

and prohibit gambling within the town; to prohibit shooting and shooting matches within said town, or commons thereof; to pave walks and keep in repair the streets of said town; to impose and appropriate fines, penalties, [and] forfeitures for a breach of their by-laws and ordinances; to appoint a treasurer, clerk and high constable; to lay and collect taxes for carrying the necessary regulations into effect for the benefit of said town; and to pass all laws and ordinances necessary and proper to carry the intent and meaning of this act into effect; *Provided*, they are not incompatible with the constitution of this State; *And provided further*, That no fine, penalty, or forfeiture by and under any by-law or ordinance of said commissioners shall exceed one dollar for one and the same offence.

Sec. 2. Be it enacted, That all fines, penalties, forfeitures, imposed by any by-law or ordinance as prescribed in the first section of this act shall be recovered before any single justice of the peace in the name of the commissioners for the time being and for the use and benefit of said town; and all warrants issued under the provisions of this act, for the recovery of fines, penalties and forfeitures, shall be directed to, executed and returned by, the high constable of said town.

Jurisdiction of Justice of the Peace.

Sec. 3. Be it enacted, That the justices of the peace for the county of *Rhea* shall have jurisdiction and issue warrants when demanded on the order of the chairman of the commissioners of said town for the time being for the said town of *Washington* for the collection of fines, penalties and forfeitures incurred for a violation of the by-laws or ordinances of the said town, and that all laws and parts of laws coming within the purview and meaning of this act, be, and the same are hereby repealed.

When to issue their warrants.

JAMES FENTRESS,

Speaker of the House of Representatives,
S. BREWER,

Speaker of the Senate.

August 20, 1822.

CHAPTER CV.

An Act to declare Tellico river Navigable.

Be it enacted by the General Assembly of the State of Tennessee, That the county court of *Monroe*, a majority of said justices being present, at any time after the passage of this act, shall have power and

they are hereby authorised to declare Tellico river navigable in said county, from the mouth thereof up to the lands of Thomas Henderson at the Tellico plains; and if the county court shall declare said river navigable as aforesaid, it shall be their duty to enter an order to that effect upon their records, and all persons shall thereafter be prohibited from obstructing the navigation of said river, unless specially licensed by the county court of said county.

JAMES FENTRESS,

Speaker of the House of Representatives.

S. BREWER,

Speaker of the Senate.

August 20, 1822.

CHAPTER CVI.

An Act for the relief of Ballard Caldwell.

Be it enacted by the General Assembly of the State of Tennessee, That the commissioners for the adjudication of North Carolina land claims issue to Ballard Caldwell a certificate and warrant for one hundred acres in lieu of part of warrant No. —, issued to Timothy Terrill, for three hundred acres, on which an entry was made in Carter's office, for two hundred acres, on which a patent issued to Nathaniel Lyon: *Provided*, it shall appear to said commissioners that Ballard Caldwell is entitled to said balance of one hundred acres by descent or otherwise.

JAMES FENTRESS,

Speaker of the House of Representatives.

S. BREWER,

Speaker of the Senate.

August 20, 1822.

CHAPTER CVII.

An Act to amend an act entitled "An act to appoint suitable persons to open and keep in repair that part of the road leading from South-West Point to Carhage, which lies on Cumberland mountain, and to keep a turnpike thereon"; passed 15th November, 1815.

Whereas it is represented to this General Assembly, that John Brown and Robert Burk Jr. have purchased from Thomas Bounds, his charter for that part of the road between Kimmer's at the forks of the road, and William Brown's at the foot of Cumberland mountain, and that they have done much

labour on the same, and received but very small profits from the turnpike; for remedy whereof;

Sec. 1. *Be it enacted by the General Assembly of the State of Tennessee,* That John Brown and Robert

Burk Jr. be, and they are hereby authorised to continue said turnpike for ten years, under the same rules, regulations and restrictions that said Bounds was under, and receive the same rates of toll, and that the commissioners on said road have the same power and emoluments as heretofore authorised by law: *Provided*, That the said John Brown and Robert Burk Jr. shall not be permitted to sell and dispose of their interest in the same.

Sec. 2. *Be it enacted,* That Jesse Lincoln of Sparta, be, and he is hereby appointed a commissioner of that part of the Cumberland Turnpike road from where it commences on the east, to where Simpson's or the Sparta turnpike road intersects the same, in addition to the duties assigned him as commissioner by an act of the General Assembly, passed the 15th of November, 1821; and it shall be the duty of the said Jesse Lincoln and William Brown, appointed commissioners by the aforesaid act of 1821, to review said road one [once] in every three months at least, and oftener under circumstances expressed in the act of 1815, which this is intended to amend; and the said Jesse Lincoln shall take the same oath before some justice of the peace for White county, and receive the same pay, and in all respects said commissioner shall be under the same rules, regulations and restrictions as pointed out by the act of 1815, for the commissioners to do and perform, where this act does not define the duties.

JAMES FENTRESS,

Speaker of the House of Representatives.

S. BREWER,

Speaker of the Senate.

August 20, 1822.

CHAPTER CVIII.

An Act for the relief of John Bright.

Be it enacted by the General Assembly of the State of Tennessee, That the treasurer of East Tennessee be, and he is hereby directed to pay John Bright the sum of sixty-seven dollars in addition to the sum agreed to be given said Bright in payment for his labour and expenses in distributing Scott's revival of the laws amongst the several clerks of this State;

The Bound's
turnpike con-
tinued ten
years longer
to John Brown
and R. Burk.

J. Lincoln
commissioner
and Wil-
liam Brown

Their duty.

and the receipt of said Bright shall be a good voucher to the treasurer in the settlement of his accounts.

JAMES FENTRESS,

Speaker of the House of Representatives.
S. BREWER,

Speaker of the Senate.

August 20, 1822.

CHAPTER CIX.

An Act to attach a part of Lincoln county to Bedford county.

Part of Lincoln attached to Bedford.

Sec. 1. *Be it enacted by the General Assembly of the State of Tennessee,* That all that part of the county of Lincoln be, and the same is hereby attached to the county of Bedford, (to wit:) Beginning at the eastern height of the main ridge west of Samuel Mc'Collock's, the present county line; thence running eastwardly along a road on the extreme height of a ridge dividing two small branches of the east fork of Mulberry creek, which line to continue until it will include the plantation of Jonathan Floyd; then running east of north until it will strike the present county line between the plantation of John Adkins and Lewis Martin.

Sec. 2. *Be it enacted,* That the persons who are stricken off from Lincoln county and attached to Bedford county, shall be at an equal expense of running of said lines.

Sec. 3. *Be it enacted,* That the county courts of Bedford and Lincoln shall, at their first courts after the first of January next, or some other term thereafter, appoint some competent person as a commissioner and surveyor to run and mark said line between said counties; and that nothing herein contained shall be so construed as to prevent the sheriff or any officer of Lincoln county from collecting any arrearages of tax or other dues which may be necessary for them to collect, and now in suit.

JAMES FENTRESS,

Speaker of the House of Representatives.
S. BREWER,

Speaker of the Senate.

August 20, 1822.

CHAPTER CX.

An Act for the relief of William Logue.

Whereas William Logue, on the fourth day of November, one thousand eight hundred and eleven, made an entry of fifteen acres, by virtue of part of certificate No. 163, dated the 31st day of October, 1810, in the office of William Mitchell, principal surveyor of the third district of this State, No. of location 1575, which was surveyed by Isham Perkins, deputy of the said Mitchell, who in making out the plat and certificate, through mistake made it out in the name of William Logan, instead of the name of William Logue, which error exists likewise in the grant for said land; for remedy whereof;

Be it enacted by the General Assembly of the State of Tennessee, That the grant No. 5343, heretofore issued to William Logan through mistake instead of William Logue, together with the entry, plat and certificate, and all proceedings relative thereto, shall be and enure to the use of William Logue, in as full and ample a manner as if his name had been correctly inserted therein.

JAMES FENTRESS,

Speaker of the House of Representatives.
S. BREWER,

Speaker of the Senate.

August 20, 1822.

CHAPTER CXI.

An Act to authorize the running and marking the Eastern and Northern boundaries of the county of Shelby.

Sec. 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Col. Jacob Tipton, surveyor or of the Eleventh Surveyor's district or any one of his deputy surveyors duly authorized by him for that purpose, is hereby authorized, directed, and empowered to survey, run and mark the eastern and northern boundaries of the county of Shelby agreeably to the first section of an act entitled "An act to form and establish a new county on the Mississippi river, in the south west corner of this State," passed November 24, 1819.

Jacob Tipton or his Deputy authorized to survey the northern and eastern boundary of Shelby county.

Sec. 2. *Be it enacted,* That the said surveyor or his deputy, when he shall have previously ascertained the western and southern boundaries of said

To run and mark said boundaries.

county shall proceed to run and mark out said eastern and northern boundaries so as to make within the limits of the same six hundred and twenty-five square miles agreeably to said act.

County court
to allow reason-
able pay
for said ser-
vices.

Sec. 3. *Be it enacted*, That the county court of Shelby is hereby directed and authorized to make such reasonable allowance for the above work in establishing the boundaries of their county as they may deem just and reasonable, and to pay the same out of any county monies.

Surveyor to
make out a
fair plat, &c

Sec. 4. *Be it enacted*, That said surveyor or his deputy after having run and marked said boundaries shall make out a complete and fair plat of the boundaries of said county, with a certificate specially describing the lines, marks, corners, islands, watercourses touched or crossed, or any other remarkable places; which plat and certificate duly signed shall be returned, inspected, and received by the county court and recorded by the clerk.

JAMES FENTRESS,
Speaker of the House of Representatives,
S. BREWER,
Speaker of the Senate.

August 21, 1822.

CHAPTER CXII.

An Act for the relief of John Love.

Whereas it appears that the supreme court have since the last session of the General Assembly declared void a grant issued to Stokely Donelson, No. 230 for 60,400 acres, for so much of the land described therein as lies within the military district, by reason of said grant being founded on warrants not chargeable thereon, and that no remedy is provided by law in that case,

Be it enacted by the General Assembly of the State of Tennessee, That it shall and may be lawful for the rightful assignee of the said grantee to exhibit said grant to the commissioners for the adjudication of North Carolina Land Claims, together with the mesne conveyances vesting the title in himself accompanied by a correct plat of said tract made out and certified by some surveyor duly authorized as in other cases, and if it shall appear to the satisfaction of said commissioners that said grant is founded upon good and valid warrants and upon such as no other grant or grants except grants No. 230 and No. 304 to S. Donelson have ever issued and that

the quantity of lands within the bounds of his survey and east of the military boundary is not sufficient to satisfy the valid warrants upon which said grant is founded, and such as no other grant or grants have issued upon except grants No. 230 and no. 304 to Stokely Donelson, that then and in that case it shall be lawful for the commissioners to issue a certificate or certificates as the case may be, equal to the quantity of acres which may be found deficient within the bounds of said part lying east of the line aforesaid, and endorse on the grant as in other cases: *Provided however*, That the said claimant shall file with the commissioners his release under seal to the land within the military district described in said grant, whereupon said grant shall not be available in law to enable the claimant to hold any part of the land west of the military boundary line as aforesaid, or to hold more land than shall be sufficient with the quantity called for in said certificate or certificates and certificates heretofore issued, if any, to complete the quantity originally called for in said grant or so much thereof as is founded upon valid warrants as aforesaid.

JAMES FENTRESS,
Speaker of the House of Representatives,
S. BREWER,
Speaker of the Senate.

August 21, 1822.

CHAPTER CXIII.

An Act for the relief of Alexander Kirkpatrick.

Whereas the State of North Carolina granted to Alexander Kirkpatrick six hundred and forty acres, by grant No. 1054, dated 27th November, 1780, the greater part of which is taken away by a grant of elder and better title to Robert Johnston for 640 acres No. 674, dated the 8th day of December, 1787; that on his said grant he cannot draw more than the quantity of 408 acres 15 poles, because by a mistake of the surveyor in making the original survey, there is wanting the quantity of 69 acres and three quarters of an acre; for remedy whereof:

Be it enacted by the General Assembly of the State of Tennessee, That if it shall appear to the commissioners of land Claims, that said grant for six hundred and forty acres of land to the said Alexander Kirkpatrick is founded on a good and valid warrant and has

not been applied to any other grant or tract of land, and that the conflicting grant is founded on a valid warrant and not otherwise applied, and that the land is taken by the grant to Johnston of better title, then, and in that case, said commissioners shall grant a warrant for so much good and valid warrant as shall remain after deducting the quantity of land not actually taken by grant No. 674 to Johnston.

JAMES FENTRESS,
Speaker of the House of Representatives.
S. BREWER,
Speaker of the Senate.

August 21, 1822.

CHAPTER CXIV.

An Act for the relief of Polly Fletcher, of Wilson county.

Be it enacted by the General Assembly of the State of Tennessee, That from and after the passage of this act it shall not be lawful for any officer of this State, to sell by virtue of an execution, any property that Polly Fletcher of Wilson county, may hereafter acquire by gift from her friends, or her own industry, to satisfy any judgment or execution that may have, or hereafter may issue, against her husband, Edmund Fletcher, but that the said Polly Fletcher hereafter may contract and be contracted with, sue and be sued on her own contracts, as a *feme sole*, and in the same manner as if she had never intermarried with the said Edmund Fletcher.

JAMES FENTRESS,
Speaker of the House of Representatives.
S. BREWER,
Speaker of the Senate.

August 21, 1822.

CHAPTER CXV.

An Act for the relief of the heirs of James Mc'Cartney.
Whereas a warrant issued from the State of North Carolina to James Mc'Cartney for two hundred acres on entry No. 8, which warrant has been lost:

Sec. 1. Be it enacted by the General Assembly of the State of Tennessee, That the commissioners of land claims shall issue to the heirs of James Mc'Cartney, a duplicate warrant for two hundred acres, corresponding with the entry and No. above recited: *Provided*, they shall be satisfied that the said warrant has

James Mc-
Cartney to
have a dupli-
cate warrant.

been issued, that it was valid, that no grant has issued thereon, and that the heirs make oath that they believe the warrant never was assigned, and is lost.

Sec. 2. [2.] Be it enacted, That should said warrant hereafter be found, it shall be utterly void.

JAMES FENTRESS,
Speaker of the House of Representatives.
S. BREWER,
Speaker of the Senate.

August 21, 1822.

CHAPTER CXVI.

An Act for the relief of Lewis Ball and Matthew Wallace.

Whereas Lewis Ball, residing within the bounds of the Hiwassee district on south-east quarter of section four, in township fifth, and range first, which at the sales in 1820 he intended purchasing, but by mistake did bid for and purchase south-east quarter of section three, in the first range, and the first mentioned quarter section remaining unsold;

Sec. 1. Be it enacted by the General Assembly of the State of Tennessee, That whenever the said Lewis Ball shall surrender up to the register of East Tennessee to be cancelled, the certificate of his purchase of south-east quarter of third section in range first, (that then the said register shall give him, the said Lewis Ball, a certificate for the said south-east quarter of section four, in township five, and range first, and that he, said Ball be in all respects placed in account with the State, as if he had purchased said last mentioned quarter section, and receive his certificate therefor.

Lewis Ball.

Sec. 2. Be it enacted, That the treasurer and register of East Tennessee, be, and they are hereby directed to issue to Matthew Wallace a certificate for the north-east quarter section of the fifth section, in the third fractional township, fourth range east, which was allowed the said M. Wallace by an act, passed at Murfreesboro' November 16, 1821.

Matthew Wal-
lace.

JAMES FENTRESS,
Speaker of the House of Representatives.
S. BREWER,
Speaker of the Senate.

August 21, 1822.

CHAPTER CXVII.

An Act for the relief of Henry Burum, and others.

Be it enacted by the General Assembly of the State of Tennessee, That the treasurer of East Tennessee be authorized and required to pay to Henry Burum of Hawkins county, the sum of eighteen dollars; to Henry Brown of Grainger, the sum of fourteen dollars and fifty cents; to Baxter Ivey, the sum of twenty dollars; to John Shelton the sum of eleven dollars; to Conrod Shemery the sum of fourteen dollars; to George Monroe, Captain, who pressed four guns and has been compelled to pay therefor, the sum of sixty-six dollars; to Balsar Shirley the sum of eighteen dollars; to Epaphroditus Hightower, the sum of eighteen dollars; to Joshua Smith of Knox county, the sum of thirteen dollars; to Edom Kendrick twenty-eight dollars; to John Booker twelve dollars; Alvine Sopher sixteen dollars; to William Sharp twenty-two dollars; to Thomas Vidton sixteen dollars; to Alexander Hamilton sixteen dollars; to John Thompson sixteen dollars; to Abner Dale sixteen dollars; to Caswell Jarnagin twenty dollars; to Frederick Wyrick sixteen dollars; to James McCoy eighteen dollars; to John Chambers thirteen dollars; to Gen. William Hall sixteen dollars; to Catharine Daily, widow, the sum of twenty dollars, for a rifle gun pressed as aforesaid; which said several sums of money shall be in full compensation for guns pressed from said persons during the late war, which were lost in the service, and the receipts of said persons shall be good vouchers to the treasurer in the settlement of his accounts: *Provided*, the said applicants have not received any payment for said arms from the United States, or from the State of Tennessee.

JAMES FENTRESS,

Speaker of the House of Representatives.

S. BREWER,

Speaker of the Senate.

August 21, 1822.

CHAPTER CXVIII.

An Act to authorize the Register of East Tennessee to issue a grant to the heirs of James Smith deceased.

Be it enacted by the General Assembly of the State of Tennessee, That it shall be the duty of the register of East Tennessee, to issue a grant to the heirs of

James Smith deceased, on their delivering into the said register's office the plat and certificate of survey from the Surveyor General's office of the Hiwassee district, under the same rules, regulations and restrictions that other grants for occupant claims were obtained south of French Broad and Holston, and between [the] rivers Big Pigeon and Tennessee, under the laws of this State, passed 1809: *Provided* always, That the first instalment shall not become due until the first day of November, 1822, any law to the contrary notwithstanding.

JAMES FENTRESS,

Speaker of the House of Representatives.

S. BREWER,

Speaker of the Senate.

August 21, 1822.

CHAPTER CXIX.

An Act for the relief of Robert Johnson.

Be it enacted by the General Assembly of the State of Tennessee, That it shall be the duty of the surveyor of the seventh district on application of the said Robert Johnson or his agent, to make void an entry made in said office, in the name of William Kilpatrick, assignee of Henry Trott, on warrant No. 1542, for 250 acres, and shall deliver the said warrant to said Robert Johnson or his agent: *Provided*, That nothing in this act contained, shall be so construed as to affect the right of any other person, either legal or equitable to said warrant.

JAMES FENTRESS,

Speaker of the House of Representatives.

S. BREWER,

Speaker of the Senate.

August 21, 1822.

CHAPTER CXX.

An Act for the relief of John Carter.

Whereas it is made appear to this General Assembly, that John Carter, of Greene county purchased from a certain Benjamin Gest, two hundred acres, part of a tract of land containing four hundred acres, granted by the State of North Carolina, by patent grant No. 270, which grant was interfered with, by grant No. 102, and in consequence of which interference the said John Carter lost one hundred and fifty-six

acres, for which he filed his claim with the commissioner for West Tennessee, and by reason of omitting to file the deed of conveyance made to him by the grantee, Benjamin Gest, the commissioners issued the certificate of one hundred and fifty-six acres for the aforesaid interference to the grantee, Benjamin Gest, by reason whereof, and inasmuch as the said Benjamin Gest, after conveying to said John Carter, departed this life intestate, and without heirs, the said John Carter is wholly deprived of the benefit of said certificate; Therefore;

Be it enacted by the General Assembly of the State of Tennessee, That it is hereby made the duty of the commissioners for the adjudication of land claims for West Tennessee, upon production of said certificate (certificate) of one hundred and fifty-six acres issued as aforesaid to Benjamin Gest, (together with the conveyance or a certified copy thereof) made to the said John Carter, to cancel the certificate issued to the said Benjamin Gest, and issue to John Carter a certificate for the like quantity of acres.

JAMES FENTRESS,

Speaker of the House of Representatives.

S. BREWER,

Speaker of the Senate.

August 21, 1822.

CHAPTER CXXI.

An Act to alter the name of Jonah Massey.

Be it enacted by the General Assembly of the State of Tennessee, That Jonah Massey, the reputed son of Joseph Conway of Cocke county, be hereafter called and known by the name of Arthur Davis Conway.

JAMES FENTRESS,

Speaker of the House of Representatives.

S. BREWER,

Speaker of the Senate.

August 21, 1822.

CHAPTER CXXII.

An Act for the benefit of East Tennessee College.

Sec. 1. Be it enacted by the General Assembly of the State of Tennessee, That the trustees of East Tennessee College be, and they are hereby authorized and empowered, to make sale of the Bank Stock which heretofore may have been purchased, with the interest

Trustees of
E. Tennessee
College may
sell their
bank stock.

of monies due the said Institution and vested in any of the Banks of this State, and the money arising from the sale of said stock the said trustees are hereby authorized to use, employ and appropriate in such manner as they may deem most conducive to the interest of said institution.

Sec. 2. And be it enacted, That the interest on College monies belonging to East Tennessee College, and which have been collected and deposited in pursuance of the acts of the General Assembly in such case made and provided, in any Bank or Banks of this State, shall henceforth be under the control of the trustees of East Tennessee College, to be appropriated by the said trustees in such manner only as shall benefit and advance the interests of said institution.

Interest on
College mo-
nies under the
control of the
Trustees of E.
T. College.

Sec. 3. And be it further enacted, That the said trustees, two-thirds concurring therein, shall have power and authority to sell and convey the lots and houses now designated by law as the site for the East Tennessee College, and the monies arising from the sale of said lots and houses shall be appropriated by the said trustees to the purchase of some other more eligible site for the said institution, in the vicinity of the town of Knoxville in the county of Knox, and in the erection of other buildings for said institution.

May sell houses
and lots.

JAMES FENTRESS,

Speaker of the House of Representatives.

S. BREWER,

Speaker of the Senate.

August 21, 1822.

CHAPTER CXXIII.

An Act concerning the Court of Pleas and Quarter Sessions of Franklin county.

Be it enacted by the General Assembly of the State of Tennessee, That from and after the passage of this act the Court of Pleas and Quarter Sessions of Franklin county shall be authorized to hold each term of said court three weeks if the business should require it.

JAMES FENTRESS,

Speaker of the House of Representatives.

S. BREWER,

Speaker of the Senate.

August 21, 1822.

CHAPTER CXXIV.

An Act to amend an act passed at Murfreesborough on the 22d October 1821, authorizing Mary Humphreys to be appointed guardian of Jesse Humphreys.

Mary Humphreys guardian.

Sec. 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the justices of the Court of Pleas, &c. for Carter county shall take the bond specified in the act which this is intended to amend in double the amount of the personal estate of the said Jesse Humphreys, and conditioned as follows, (to wit:) The condition of the above obligation is such, that whereas Mary Humphreys has been appointed guardian to Jesse Humphreys, a lunatic; Now, if the said Mary Humphreys shall in all things execute the trust reposed in her as guardian during all the time she shall act as such, and shall agreeably to the several acts of Assembly touching guardians and the estates of lunatics do all such acts and things as shall lead to the better care and advancement of the estate of the said Jesse, then the above obligation to be void, otherwise to remain in full force and virtue.

Sec. 2. *Be it enacted* That in case of the refusal of the said Mary Humphreys to act, such other person as shall be appointed by said court shall enter into bond with like condition and in a like penalty.

JAMES FENTRESS,
Speaker of the House of Representatives.
S. BREWER,
Speaker of the Senate.

August 21 1822.

CHAPTER CXXV.

An Act for the relief of Henry Ragburn.

Whereas it is made appear to this General Assembly that an entry was made for Henry Ragburn in the ninth surveyor's district, and that there was a mistake made in the call of the second line by the entry taker who transcribed the location to make it in due form; for remedy whereof,

Be it enacted by the General Assembly of the State of Tennessee, That the surveyor of the ninth surveyor's district, he and he is hereby required to allow Henry Ragburn to make said an entry made in his office some time in December 1821, and re-enter the same

on the land intended to be entered if vacant, and if not vacant, on any other vacant land in his district,

JAMES FENTRESS,
Speaker of the House of Representatives,
S. BREWER,
Speaker of the Senate.

August 21, 1822.

CHAPTER CXXVI.

An Act for the relief of Zachariah Wyatt.

Sec. 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Zachariah Wyatt, be and he is hereby authorized to build a mill dam across the main Sandy River at the place where the said Wyatt has commenced the building a mill about one mile below the lower line of the Chickesaw Reservation on the said Sandy River.

Zach. Wyatt may build a mill.

Sec. 2. *Be it enacted,* That so much of an act passed the — day of — 1820 as comes within the purview and meaning of this act, be and the same is hereby repealed.

JAMES FENTRESS,
Speaker of the House of Representatives.
S. BREWER,
Speaker of the Senate.

August 21, 1822.

CHAPTER CXLVII.

An Act to incorporate the town of Kingsport in Sullivan county.

Be it enacted by the General Assembly of the State of Tennessee, That the town of Kingsport in Sullivan county and the inhabitants thereof are hereby constituted a body politic and corporate by the name of the Mayor and Aldermen of the town of Kingsport, to include all the lots from the east end of Ross' Bridge to the fork of the Brody creek road, under the same rules, regulations restrictions, and privileges of the town of Blountsville, and that this act shall be in force from and after the passage thereof.

JAMES FENTRESS,
Speaker of the House of Representatives.
S. BREWER,
Speaker of the Senate.

August 21, 1822.

CHAPTER CXXVIII.

An Act for the benefit of Roger B. Suppington and John G. Blount.

Whereas it is represented to this General Assembly, that Roger B. Suppington did, in the month of September, 1821, make two entries for land in the first district, range 15, section 6; one for three hundred and sixty-nine acres, the other for two hundred and fifty-seven acres, upon which surveys were made and the issuance of grants suspended by the pendency of a caveat for part of said survey, and that the residue of said surveys are interfered with by sundry other claims of older and better title; therefore;

Sec. 1. *Be it enacted by the General Assembly of the State of Tennessee.* That the said Roger B. Suppington exhibit to the Board of Commissioners a certified copy of plat and certificate shewing the interferences other than that in controversy; and if it shall appear to said commissioners, that said surveys are founded upon good and valid warrants or certificates, they may issue certificates under the same rules and regulations as if the same had been refined [ripened] into grants; *Provided however,* That so much of the originals shall first be made void in the office where said plats and certificates lie, or so much thereof as certificates are issue[d] agreeable to the provisions of this act.

Sec. 2. *Be it enacted,* That the register of West Tennessee be, and he is hereby authorised to issue to John Gray Blount a certificate for one hundred acres, founded on certificate No. 142, for four hundred and ninety-one acres to John Overton, and assigned to the said Blount by James Stewart, in the same way that he would or might do, if the said warrant was on file in his office.

JAMES FENTRESS,
Speaker of the House of Representatives.
S. BREWER,
Speaker of the Senate.

August 21, 1822.

CHAPTER CXXIX.

An Act appointing Commissioners to certain Turnpike Roads.

Sec. 1. *Be it enacted by the General Assembly the State of Tennessee,* That Michael Rawlings and Robert Porter, of the county of Blount, be, and they are hereby

appointed commissioners in addition to Heber Brown for the Gistman's Turn: Turnpike road, with all the rights, powers, privileges, emoluments and duties belonging to the commissioners of said road.

Sec. 2. *Be it enacted,* That Abner Brown of Warren county, be, and he is hereby appointed a commissioner in addition to those heretofore appointed on William Raney's and Peter Hoodenpyle's Turnpike road, who shall come under the same rules and perform the same duties, and receive the same compensation as the commissioners heretofore appointed on said road.

Sec. 3. *Be it enacted,* That it shall be the duty of the commissioners of said road to take under their inspection, that part of Hill's road that was received by Raney and Hoodenpyle at the last session of the General Assembly of this State, as a part of their turnpike road.

JAMES FENTRESS,
Speaker of the House of Representatives.
S. BREWER,
Speaker of the Senate.

August 21, 1822.

CHAPTER CXXX.

An Act for the relief of Nathaniel Hunt.

Be it enacted by the General Assembly of the State of Tennessee, That the treasurer of West Tennessee is hereby authorised and required to pay unto Nathaniel Hunt, the sum of eighty-eight dollars and seventy-four cents, the amount of commissions which he by law was entitled to receive for the collection of \$705 68 1-2, the State tax of Franklin county, for the year 1818, and for the collection of \$774 84 3-4, the State tax of the aforesaid county for the year 1820; and the receipt of the said Hunt shall be a good voucher in the hands of said treasurer in the settlement of his accounts.

JAMES FENTRESS,
Speaker of the House of Representatives.
S. BREWER,
Speaker of the Senate.

August 21, 1822.

CHAPTER CXXXI.

An Act for the benefit of Nathan Starr.

Sec. 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the Governor of this State is

hereby authorised and directed to cause the account of Nathan Starr to be liquidated, and by his warrant draw from the treasury so much as may be necessary to compensate the said Nathan for making and delivering two swords, voted to Generals Jackson and Gaines by the legislature of of this State.

Sec. 2. *Be it enacted*, That the said payment shall be made at Washington City, on the receipt of the said Nathan or his authorised agent, or in this State, allowing to said Starr the difference of currency.

JAMES FENTRESS,

Speaker of the House of Representatives.

S. BREWER,

Speaker of the Senate.

August 22, 1822.

CHAPTER CXXXII

An Act for the relief of Thomas Felton and Timothy Conway.

Whereas it is represented to this General Assembly, that a certain William Brown, by his attorney in fact, James Gillespie, did, on the first day of April, 1808, convey to said Thomas Felton and Timothy Conway 640 acres of land, lying in Smith county, which said deed of conveyance was witnessed by William Elliot and Thomas Thompson, who are since dead or removed so that they cannot be heard of, and said deed being irregularly registered, cannot be read as evidence of their said title; for remedy whereof:

Be it enacted by the General Assembly of the State of Tennessee, That the said deed of conveyance from William Brown by his attorney in fact, James Gillespie, to Timothy Conway and Thomas Felton, shall and may be registered in the county of Smith, upon the production of said original deed to the register of said county, and when so done shall be as good and valid to all intents and purposes as if the same had been duly registered, agreeable to the laws of the State, when said deed was executed.

JAMES FENTRESS,

Speaker of the House of Representatives.

S. BREWER,

Speaker of the Senate.

August 22, 1822.

CHAPTER CXXXIII.

An Act for the relief of Hugh Ross.

Whereas it has been represented to this General Assembly, that a certain Hugh Ross, of the county of Humphreys, claims title to military warrant No. 3378 for 640 acres, by regular assignment from James Smith, heir at law of Archibald Smith, deceased; and whereas the said warrant is also claimed by Philip Duke and Patsy Duke, heirs of John Duke deceased; and whereas there is a suit now pending in the Supreme Court of Errors and Appeals for the fifth judicial circuit between the said Hugh Ross, and Philip Duke and Patsy Duke, executor and executrix of the last will and testament of John Duke, deceased, contesting the right of said warrant, and whereas the said Hugh Ross, previous to the commencement of said suit, entered and located the said warrant in the 9th surveyor's district, 6th section of third and fourth ranges, No. of location 553; and whereas it appears just that the said Hugh Ross should have and receive the benefit of said entry and location at an early day; therefore:

Be it enacted by the General Assembly of the State of Tennessee, That the said Hugh Ross be, and he is hereby authorised and permitted to make void the aforesaid location of No. 553, in the 9th surveyor's district, 6th section and 3d and 4th ranges, and re-enter or enter the same on any other good and valid warrant for 640 acres: *Provided*, that the said Hugh Ross shall re-enter the same, on or before the first day of March next.

JAMES FENTRESS,

Speaker of the House of Representatives.

S. BREWER,

Speaker of the Senate.

August 22, 1822.

CHAPTER CXXXIV.

An Act for the relief of Miller Francis.

Be it enacted by the General Assembly of the State of Tennessee, That the commissioners for the adjudication of North Carolina land claims be, and they are hereby authorised and directed to issue to Miller Francis a certificate land warrant for one thousand acres, in consequence of warrant No. 593, dated the 25th of June, 1781, and grant predicated upon the same, of No. 633, dated the 28d day of August, 1786,

which said grant was issued by the State of North Carolina to Abraham Swaggerty; *Provided*, the said Miller Francis shall satisfy said commissioners that he is entitled to the same by a regular chain of conveyance to himself, and that the land included in said grant of [No.] 633, has been taken by the interference of an older and better grant, any thing in any law to the contrary notwithstanding.

JAMES FENTRESS,

Speaker of the House of Representatives.

S. BREWER,

Speaker of the Senate.

August 22, 1822.

CHAPTER CXXXV.

An Act for the relief of Martha Ann Dyer of Rutherford County, and others.

Sec. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That hereafter Martha Ann Dyer of Rutherford county, wife of William H. Dyer, be able to have and hold property by descent or otherwise in her own name, to sue and be sued, and in all respects to act and manage for herself as a *feme sole*, and the property so hereafter to be possessed or acquired to be free from all liability for the payment of the debts of said William H. any law, usage or custom to the contrary notwithstanding; and that Elizabeth Oliver of Roane county, wife of John Oliver, be allowed the same privileges.

Sec. 2. *Be it enacted*, That hereafter, Harriet Gibson of Stewart county, shall have and enjoy all the rights and privileges which are extended to Martha Ann Dyer, as provided in the above section, free and unrestrained by her husband Henry Gibson, and Mary Taylor of Sullivan county, be entitled to the same privileges.

Sec. 3. *Be it enacted*, That Rachel Stalcup of Jackson county, be entitled to the rights and privileges granted to Martha Ann Dyer, under the provisions of the first section of this act.

JAMES FENTRESS,

Speaker of the House of Representatives.

S. BREWER,

Speaker of the Senate.

August 22, 1822.

Martha A. Dyer may sue and be sued, &c.

Eliz. Oliver.

Harriet Gibson.

Mary Taylor.

Rachel Stalcup.

CHAPTER CXXXVI.

An Act for the relief of Richard Bayles.

Be it enacted by the General Assembly of the State of Tennessee, That the judge of the first judicial circuit, when holding the circuit court of Washington county, shall take cognizance of the above case by petition, as in other cases of divorce, and if it shall be made appear to said judge from evidence, that said Richard Bayles was duped and defrauded in said contract, and that said Prudence was guilty of fornication, and was delivered of a child within six months after her intermarriage and not begotten by her said husband, to dissolve the said marriage contract, and restore the said Richard Bayles to his former state of celibacy.

JAMES FENTRESS,

Speaker of the House of Representatives.

S. BREWER,

Speaker of the Senate.

August 22, 1822.

CHAPTER CXXXVII.

An Act for the relief of the person therein named.

Be it enacted by the General Assembly of the State of Tennessee, That the commissioners for the adjudication of North Carolina land claims be, and they are hereby authorised and directed to issue to Charles Mc'Clung a duplicate certificate for eight hundred acres upon grant No. 254, from the State of North Carolina, to Wilham Mc'Cray and David White, dated 12th of July 1794: *Provided however*, That no other grant shall have heretofore issued upon said warrant, and that said grant was founded upon a good and valid warrant: and *provided also*, That said Charles Mc'Clung shall prove himself equitably entitled to said warrant, and that the land for which said grant issued lies within the State of Kentucky.

JAMES FENTRESS,

Speaker of the House of Representatives.

S. BREWER,

Speaker of the Senate.

August 22, 1822.

CHAPTER CXXXVIII.

An Act for the recovery of certain monies.

Sec. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the Trustee of Dickson county is hereby authorized and required to call on the

Trustee of Dickson to call on Trustee

tee of Hick-
mas.

Trustee of Hickman county for that part of the taxes due the county of Dickson collected by the sheriff of Hickman county from the citizens living north of the line dividing those county [counties] agreeably to an act of this General Assembly passed Nov. 8, 1821, and south of a line known by the name of Ross' line.

If money is
not paid Trust-
tee of Dick-
son may re-
cover it by
motion.

Sec. 2. *Be it enacted*, That if the Trustee of Hickman county should fail or refuse to pay over to the Trustee of Dickson county all monies collected as aforesaid, it shall be lawful for the Trustee of Dickson county to recover the same from him by motion in the Court of Pleas and Quarter Sessions in the county last aforesaid, first giving the Trustee of Hickman county ten days notice of the time of making said motion; which recoveries when received shall be accounted for by the Trustee of Dickson county as other county monies.

Duty of the
sheriff of
Hickman.

Sec. 3. *Be it enacted*, That it shall be the duty of the sheriff of Hickman county to furnish to the Trustee of Dickson county on oath, to be administered by said Trustee, a list of all taxes collected from the citizens belonging to the county of Dickson in this act before mentioned, which list when taken in by the Trustee of Hickman county, shall be a sufficient voucher on settlement of his accounts.

Sec. 4. *Be it enacted*, That this act shall be in force from and after the first day of January next.

John Overton
may lay be-
fore commis-
sioners cer-
tain land war-
rants, &c.

Sec. 5. *Be it enacted*, That John Overton have liberty to lay before the commissioners of West Tennessee certain land warrants issued to John Overton by the late William Maclin as Secretary of State, in consequence of losses by prior claims out of grant No. 230 to the amount of two thousand acres, together with such evidence as may have been procured for that purpose conformably to the acts of 1806 and 1807, and if in the opinion of said commissioners the said warrants were firmly [formally] and legally issued they shall proceed to certify the same in the regular form of valid warrants are for the legal fees, and such certificates shall entitle the said John Overton or his heirs or assigns to enter and obtain grants for the quantity of land called for in each respectively, in the same manner as other certificates on warrants of whatever species.

JAMES FENTRESS,

Speaker of the House of Representatives.

S. BREWER, Speaker of the Senate.

August 22, 1822.

CHAPTER CXXXIX.

An Act for the relief of Tennessee Academy in the county of Rhea.

Sec. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the proceeds arising from the rent of the school lands in the county of Rhea, shall and may be appropriated to the support of Tennessee Academy in said county for the term of ten years from the first of January next.

Sec. 2. *Be it enacted*, That the said school lands shall be under the control of the trustees of said academy for the said term, any thing in any law to the contrary notwithstanding.

JAMES FENTRESS,

Speaker of the House of Representatives.

S. BREWER,

Speaker of the Senate.

August 22, 1822.

CHAPTER CXL.

An Act for the relief of Jesse Hall and others.

Whereas it has been represented to this General Assembly that certain surveys with the certificates and warrants on which they were made, mentioned in the following act, has [have] been consumed by fire in the house of the above named Jesse Hall; therefore,

[Sec. 1.] *Be it enacted by the General Assembly of the State of Tennessee*, That the Register of West Tennessee, be and he is hereby required to make out grants on five copies of so many surveys hereinafter specified, in the same manner as he could or might do were the original surveys and appropriate warrants or certificates on file in his office, (to wit :) one for five acres made on entry No. 10,578 in the second district, on part of certificate 2679 for 50 acres issued to Samuel J. Whitworth, the 24th June 1817, surveyed for Jesse Hall by James Walker, n. s.; one for 30 acres made on entry No. 10,443 in the said district, founded on certificate No. 2678, being the balance of the warrant above mentioned, surveyed for Edward Hoard; one for ten acres made on entry No. 8706 founded on certificate No. 3175 for 640 acres issued to the heirs of Jeremiah Litteral by the Secretary of North Carolina on the 19th of December 1785, surveyed by Wm. Gilchrist n. s.; one for twenty-five acres made on entry No. 5031 in

Register of
West Tennes-
see to make
out certain
grants from
copies of sur-
veys.

the second district founded on certificate No. 1103 issued to Patton and Erwin by the Register of West Tennessee on the 15th July 1812, surveyed for James Oliver by Daniel Gilchrist, D. S.; one for ten acres made on entry No. 10,442 in the second district, founded on certificate No. 2679 for fifty acres issued to Samuel J. Whitworth by the Register of West Tennessee, dated 24th June 1817, surveyed for Jesse Hall by H. Grove, D. S.

[Sec. 2.] *Be it enacted*, That so much of said warrants as are consumed by said entries shall be null and void and of no effect whatever.

JAMES FENTRESS,
Speaker of the House of Representatives.
S. BREWER,
Speaker of the Senate.

August 22, 1822.

CHAPTER CXLII.

An Act for the relief of Andrew Donavin.

Be it enacted by the General Assembly of the State of Tennessee, That the commissioners for the adjudication of North Carolina land claims, be, and they are hereby authorized to issue to Andrew Donavin a certificate for six hundred and forty acres upon grant No. 233, upon condition that said Donavin doth make it appear to said commissioners that the right of said grant is now vested in him, and that said grant is taken by other and better title, and that it may also appear to said commissioners that there has not been but one grant issued upon the entry, that said six hundred and forty acres appears to have issued from, agreeably to the names and dates therein mentioned of said entry and grant, any law or usage to the contrary notwithstanding; and though said warrant may not have been numbered at the time it issued, yet a certificate shall issue, provided it appears that the warrant without a number on which said grant issued is good and valid.

JAMES FENTRESS,
Speaker of the House of Representatives.
S. BREWER,
Speaker of the Senate:

August 22, 1822.

CHAPTER CXLIII.

An Act for the relief of Robert Weakley of Dickson county.

Be it enacted by the General Assembly of the State of Tennessee, That the Treasurer of West Tennessee shall pay to Robert Weakley the sum of forty-three dollars eighty-one cents, it being for the ferryage of troops across Cumberland river in the late war, and his receipt shall be a good voucher in behalf of the Treasurer in the settlement of his accounts.

JAMES FENTRESS,
Speaker of the House of Representatives.
S. BREWER,
Speaker of the Senate.

August 22, 1822.

CHAPTER CXLIII.

An Act to confirm certain law proceedings in the county of Hickman, and for other purposes.

Sec. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That all the acts and judicial proceedings of a Court of Pleas and Quarter Sessions, holden at the court house in the town of Vernon in said county, on the said Monday of July, 1822, be taken and held as good and valid as if no law had passed authorising the county court of said county to adjourn to any other place, any law, court or proceedings elsewhere, to the contrary notwithstanding.

Proceedings
of the county
court of Hick-
man at July
1822 in the
town of Ver-
non made good

Sec. 2. *Be it enacted*, That all the acts and judicial proceedings of the Court of Pleas and Quarter Sessions, holden at Centerville in the county of Hickman, on the second Monday in July, 1822, be taken and held as good and valid as if no other court had been sitting in said county, and as good and valid as if every legal, substantial and formal requisite had been complied with in adjourning said court to that place, any law to the contrary notwithstanding; the record and proceedings of which court is hereby directed to be returned by the said clerk to the court which was holden at Vernon, there to be preserved by him as other records of his office: *Provided nevertheless*, That nothing in this act shall be so construed as to confirm the temporary appointments of clerk and sheriff, which were made by the said court which was holden at Centerville.

Proceedings
at Centerville
made good

Sec. 3. *Be it enacted*, That the county and circuit courts of the county of Hickman shall hereafter open

Courts to be held at Vernon.
and hold their respective sessions at the court house in the town of Vernon, until otherwise provided for by law.

Sec. 4. *Be it enacted*, That all laws and parts of laws coming within the purview and meaning of this act, be, and the same are hereby repealed.

JAMES FENTRESS,

Speaker of the House of Representatives.

S. BREWER,

Speaker of the Senate.

August 22, 1822.

CHAPTER CXLIV.

An Act for relief of the Heirs of Nicholas Long.

Be it enacted by the General Assembly of the State of Tennessee, That the commissioners for the adjudication of North Carolina land claims issue to the heirs of Nicholas Long, deceased, a certificate warrant for six hundred and forty acres of land in lieu of grant No. 1895, dated the 20th of May, 1793: *Provided*, it shall satisfactorily appear to the said commissioners that the land so surveyed and granted is included within the bounds of other and adverse and better title; and provided that the said original grant is founded on a good and valid warrant.

JAMES FENTRESS,

Speaker of the House of Representatives.

S. BREWER,

Speaker of the Senate.

August 23, 18.2.

CHAPTER CXLV.

An Act to amend an act entitled "An act to define the limits of Hickman county and fix a permanent seat of justice therein;" passed at Murfreesboro' 8th November 1821.

Sec. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That James Young and William Carothers, Sen. be, and they are hereby appointed commissioners for the county of Hickman, in addition to those already appointed, who shall come under the same rules and penalties as prescribed by the act which this is intended to amend, and the county court may, as prescribed by the aforesaid act, fill any vacancy or vacancies that have heretofore or may hereafter take place.

Additional commissioners appointed.

Sec. 2. *Provided* nothing herein contained shall be so construed as to permit the said commissioners fixing on any other place than the place heretofore agreed to, except they cannot procure a title in fee simple, and if they cannot procure a title they shall not fix on any other place more than three and one half miles from the center, ascertained by the commissioners heretofore.

Sec. 3. *Be it enacted*, That if the commissioners aforesaid shall equally divide in opinion on what place to fix the seat of justice so as not to make a majority for any one place, they shall report the same to the county court of Hickman, a majority of the acting justices of the peace being present, whose duty it shall be to elect one or more commissioner, who shall immediately qualify and proceed to give the casting vote; and when a majority of said commissioners shall have agreed on the place, report to the county court, who may approve or disapprove of the proceedings of the said commissioners, and if a majority of said court shall approve of the place, then the commissioners shall proceed to sell the lots as prescribed by the act which this is intended to amend.

In case of an equal division of commissioners county court to elect a commissioner.

Sec. 4. *Be it enacted*, That at any time after the first sales of lots have taken place, the county court of Hickman may adjourn their court to the new town of Centerville, there being a majority of the acting justices of the peace present, and agreeing thereto, after which all writs, subpoenas and recognizances made returnable to the town of Vernon, and depending in the county and circuit court of Hickman county shall be tried and determined at the new town of Centerville.

When county court may adjourn to Centerville.

JAMES FENTRESS,

Speaker of the House of Representatives.

S. BREWER,

Speaker of the Senate.

August 23, 1822.

CHAPTER CXLVI.

An Act for the relief of Sampson Williams and Aristiceel Stubblefield.

Whereas it is represented to this General Assembly, that a military warrant, No. 5025, issued to the heirs of Thomas Featen for 640 acres, has passed the Board [Board] of Commissioners, and is entered

in the principal surveyor's office, of the 12th district, but long before said [warrant] was filed for adjudication it had been sold and transferred to Sampson Williams and Armstrong Stubblefield, which said transfer was pasted or sealed to the original warrant on a separate piece of paper, but was afterwards purloined and the transfer torn off and left in the commissioner's office; therefore;

Be it enacted by the General Assembly of the State of Tennessee, That it shall be the duty of the Principal Surveyor of the district in whose office said warrant No. 5025, for 640 acres, is entered to annex the transfer made to said Stubblefield and Williams, to said warrant and the register of the land office is hereby authorized and required to issue a grant in their names in the same manner as if the entry had been made in their names: *Provided,* That nothing herein contained shall be so construed as to affect the right or interest of the heirs of the said Thomas Fenton, or any other person or persons claiming by, from or under them or any of them, any law to the contrary notwithstanding.

JAMES FENTRESS,
Speaker of the House of Representatives.
S. BREWER,
Speaker of the Senate.

August 22, [1822.]

CHAPTER CXLVII

An Act to amend an act passed at Murfreesboro' on the 6th November, 18 1, entitled "an act for the relief of Ephraim Hixon, and others."

Be it enacted by the General Assembly of the State of Tennessee, That the warrants directed to be issued in the beforementioned act, may when issued be located south and west of the Congressional Reservation line, and that so much of the before recited act as restricts the location of said warrants to the north and east of the aforesaid line, be, and the same is hereby repealed.

JAMES FENTRESS,
Speaker of the House of Representatives.
S. BREWER,
Speaker of the Senate.

August 22, 1822.

CHAPTER CXLVIII.

An Act for the relief of Sampson Williams.

Whereas it is represented to this General Assembly, that a grant of 1000 acres, issued to Robert Stothart and Sampson Williams, dated 19th day of February, 1811, and that another grant issued to Archibald Lytle for the same land issued 19th day of September 1807, and that after several unsuccessful trials to recover said land in a court of law they have always lost it, but said [said] Stothart is still of opinion that a court of equity will afford him relief, and will not surrender his claim to said land; therefore,

Sec. 1. Be it enacted by the General Assembly of the State of Tennessee, That Sampson Williams is hereby authorized to file with the board of commissioners a copy of grant No. 2913 for 1000 acres issued to Robert Stothart and himself, dated the 19th day of February 1811; and if said board of commissioners shall be satisfied that said grant is taken by the interference of grant No. 5 for 1000 acres, dated 9th September 1807, issued to Archibald [Lytle,] then and [in] that case said board of commissioners are hereby authorized to issue to said Williams a certificate for five hundred acres, being one moiety of said tract, and that his claim to said land shall hereafter be vacated; *Provided however,* That said grant issued on a good and valid warrant, and that no other grant ever issued on said warrant or a duplicate thereof; *And provided also,* That nothing herein contained shall be so construed as to affect the right or interest of said Robert Stothart.

Sec. 2. Be it enacted, That the principal surveyor or his clerk in whose district warrant No. 1701 for 274 acres issued to John Smith, is entered for which a transfer appears to be made to Sampson Williams dated 13th November 1820, shall cause said transfer to be attached to said warrant, also that the surveyor in whose district warrant or certificate No. 2029 for 178 1-2 acres issued to Adam Miller is entered, which also appears to be transferred to said Sampson Williams on a separate piece of paper dated 20th day of November 1820, shall cause said transfer to be annexed to said warrant or certificate; and any of the principal surveyors in the western district shall cause to be attached a transfer made on the — day of August 1822 by Thomas Blair to said Sampson for 480 acres by No. 1699 which is entered

Sampson Williams may file a copy of grant No. 2913 before commission'ry

Duty of surveyor where warrant No. 1701 is entered.

CHAPTER CL.

in the name of said Thomas Blair, and the respective surveyors in whose districts any of said entries are made are hereby authorized and required to make plats and certificates in the name of said Samson Williams in the same manner as if the entries had been originally made in his name for which the Register shall issue grants accordingly; *Provided however,* That nothing herein containing [contained] shall be so construed as to effect the right of any other person having any claim or claims to any or all of said warrants or certificates as the case may be.

JAMES FENTRESS,

Speaker of the House of Representatives.

S. BREWER,

Speaker of the Senate.

August 22, 1822.

CHAPTER CXLIX.

An Act for the relief of the surveyor of the third district.
Whereas William Mitchell, surveyor of the third district has been subjected to considerable expense and trouble in removing his office under different acts of assembly from where it was first established by law, and said surveyor has performed in said office services required by law, for which he has received no compensation; therefore for remedy whereof,

Be it enacted by the General Assembly of the State of Tennessee, That the Treasurer of West Tennessee, be and he is hereby authorized and required to pay to William Mitchell, surveyor of the district aforesaid or his order, the sum of one hundred and sixty-one dollars in full compensation for money by him expended in removing his office under the different acts of assembly, and for certain services by him rendered and performed as required by law in said office, for which he has never received any compensation, and the receipt of the said William Mitchell shall be a good voucher in the hands of the Treasurer in the settlement of his accounts.

JAMES FENTRESS,

Speaker of the House of Representatives.

S. BREWER,

Speaker of the Senate.

August 22, 1822.

An Act to provide for the payment of Witnesses on behalf of the State, and to defray the necessary contingent expenses accruing on the trial of Samuel H. Williams.

Sec. 1. *Be it enacted by the General Assembly of the State of Tennessee,* That each and every witness on behalf of the State who may have attended the court of impeachment on the trial of Samuel H. Williams, surveyor general of the seventh district, shall be allowed the sum of one dollar and fifty cents for each and every day he may have attended said court, and also at the rate of one dollar and fifty cents for every twenty-five miles he may have travelled in coming to and returning from said court; and that the treasurer of West Tennessee pay the same on the production of the certificate of the clerk of said court, which shall be a sufficient voucher for said treasurer in the settlement of his accounts.

Witnesses on the impeachment of S. H. Williams to be allowed \$1 50 per day.

Sec. 2. *Be it enacted,* That the treasurer of West Tennessee pay to Robert L. Cobbs the sum of one hundred dollars, for services rendered in assisting to prepare articles of impeachment against Samuel H. Williams. Robt. L. Cobbs allowed \$100.

Sec. 3. *Be it enacted* That Isham C. Searcy, Sergeant at arms, to the court of impeachment on the trial of S. H. Williams, be allowed the sum of three hundred dollars in full compensation for travelling 608 miles, attending said court thirty-five days, and serving sundry process during the sitting of said court; and the receipt of the said Isham Green Searcy to the treasurer shall be a sufficient voucher in the settlement of his accounts.

Sec. 4. *Be it enacted,* That the treasurer of West Tennessee pay to James K. Polk, clerk of said court, the sum of two hundred dollars in full compensation for his services, whose receipt shall be a good voucher. J. K. Polk \$200.

Sec. 5. *Be it enacted,* That John Garner, Joshua McCornell, and Henry Hagan, witnesses summoned by the defendant on the articles of impeachment, abandoned by the managers, shall be paid by the treasurer in manner pointed out in this act for the payment of witnesses in behalf of the State. Three of defendant's witnesses how to be paid.

JAMES FENTRESS,

Speaker of the House of Representatives.

S. BREWER,

Speaker of the Senate.

August 23, 1822.

CHAPTER CLII.

An Act to explain an act passed at Murfreesborough on the 30th July, 1820, entitled "An act altering part of the Turnpike road in the county of Greene, and for other purposes."

What shall be the condition of a bond for keeping a turnpike road in Greene county.

Sec. 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the bond required to be executed under said act shall be conditioned for the keeping the turnpike road therein mentioned in good repair, for the time of fifteen years, commencing at the expiration of the time granted by the act of 1815, any thing in said act to the contrary notwithstanding.

John Dodd divorced.

Sec. 2. *Be it enacted,* That the bonds of matrimony heretofore and now existing between John Dodd of the county of Greene, and his wife, Sarah, are hereby dissolved.

JAMES FENTRESS,
Speaker of the House of Representatives.
S. BREWER,
Speaker of the Senate.

August 23 1822.

CHAPTER CLIII.

An Act for the relief of Joshua Newman.

Whereas it is represented to this General Assembly that Joshua Newman of Maury county has been committed to jail on the charge of having begotten a child by Polly Bowen, a single woman of said county, and is entirely unable to give bail or security for the maintenance of said child; therefore,

Be it enacted by the General Assembly of the State of Tennessee, That it shall and may be lawful for the judge of the sixth circuit wherein the said [Joshua] is confined to discharge the said Newman from prison by his giving his individual bond for the payment of the money required by law for the maintenance of the child, any law to the contrary notwithstanding.

JAMES FENTRESS,
Speaker of the House of Representatives.
S. BREWER,
Speaker of the Senate

August 23, 1822.

CHAPTER CLIIII.

An Act for the benefit of the Heirs of John Summers.

Be it enacted by the General Assembly of the State of Tennessee, That the commissioners of land claims be, and they are hereby directed to issue to the heirs of John Summers, a duplicate land warrant for 3849 acres, in lieu of warrant No. 349, for 3840 acres, dated the 27th Nov. 1783, which issued by the State of North Carolina to said John Summers, deceased, for military services, and is lost or so mislaid that the said heirs are unable to find it: *Provided* however, That the said heirs, before the issuance of the said warrant, shall satisfactorily shew to the said commissioners that a grant has never issued upon the said warrant, either by the State of North Carolina or Tennessee; and provided also, it shall satisfactorily appear that said warrant has not been adjudicated by any commissioner or board of commissioners of this State, and that it was actually issued by the State of North Carolina, and that warrant No. 349, was not issued to the said John Summers for the same consideration and on the same account that military warrant No. 230, issued to the said John Summers, that being for the like quantity of acres: *Provided,* that nothing herein contained shall extend to affect the claim of any person to whom the same have been sold and transferred, and that it shall also appear that the clear right and title of the same is vested in the said Summers.

JAMES FENTRESS,
Speaker of the House of Representatives.
S. BREWER,
Speaker of the Senate.

August 23, 1822.

CHAPTER CLIV.

An Act for the benefit of Asa Shute's Heirs.

Whereas it does appear to this General Assembly, that there was an execution issued from the county court of Davidson to the sheriff of Humphreys county, and was levied on eight tracts of land, belonging to the heirs of Asa Shute, containing eight hundred and thirty-two and 1-4 acres; the aforesaid lands was [were] sold to satisfy the said execution on the 13th day of January, 1821, in favor of Beal Booley for seventy dollars and seventy-four cents; and on the sheriff's return on

said execution it does not appear who the purchasers are of the aforesaid tracts of land, that renders it impossible for the said heirs of Asa Shute to have the benefit of the act of Assembly, giving them the right of redemption, for remedy whereof.

Be it enacted by the General Assembly of the State of Tennessee, That the aforesaid lands sold by virtue of said execution, may be paid to the clerk of Davidson county court where the execution is returned instead of redeeming it to the purchasers as the law in that case requires, and shall be as good and valid in law as though purchase money had been paid into the hands of the purchasers as the law requires, provided the said heirs shall advertise three weeks in some newspaper printed in the town of Nashville, giving notice to the purchasers of said land that the money with all interest required by said act is so deposited with said clerk; any laws to the contrary notwithstanding.

JAMES FENTRESS,
Speaker of the House of Representatives.
S. BREWER,
Speaker of the Senate.

August 23, 1822.

CHAPTER CLV.

An Act to establish a separate Battalion in the county of Rhea.

Be it enacted by the General Assembly of the State of Tennessee, That all that part of the county of Rhea that lays [lies] on the South of Tennessee river, shall be and compose a separate Battalion, to be known by the name of the third Battalion, and to be commanded by the second major of the regiment.

JAMES FENTRESS,
Speaker of the House of Representatives.
S. BREWER,
Speaker of the Senate.

August 23, 1822.

CHAPTER CLVI.

An Act to confirm the official act [acts] of the persons therein named, and for other purposes.

Whereas through mistake in issuing the commissions for the justices of the peace for the county of Carroll, the names of John Gwin and Edward Gwin were called John Gwin and Edward Gwin, and that

of James A. McLary was called Samuel McLary, and that of John Bawn, that of John Bowing; for remedy whereof:

Be it enacted by the General Assembly of the State of Tennessee, That all the official acts that have been done, or may hereafter be done by the said John Gwin, Edward Gwin, James McLary and John Bawn, are hereby declared to be as good and valid in law as if they had been commissioned in their own proper names, any law, custom or usage to the contrary notwithstanding: *Provided,* That nothing herein shall affect the legality or illegality of any election of any civil officer in said county.

JAMES FENTRESS,
Speaker of the House of Representatives.
S. BREWER,
Speaker of the Senate.

August 23, 1822.

CHAPTER CLVII.

An Act to change the time of holding the Circuit Courts in the counties hereinafter named.

Be it enacted by the General Assembly of the State of Tennessee, That the circuit court for the county of Carroll shall commence and hold its sessions on the fourth Monday in March and September in each year, and the circuit court for the county of Henry shall commence and hold its sessions on the first Monday in April and October, in each year; and all process returnable to the times of holding said courts as heretofore, shall be returned to the times required by this act for the holding of said courts.

JAMES FENTRESS,
Speaker of the House of Representatives.
S. BREWER,
Speaker of the Senate.

August 23, 1822.

CHAPTER CLVIII.

An Act to extend the authority given to the Treasurer of East Tennessee, by the first section of the 161 chap. of the acts of 1821.

Be it enacted by the General Assembly of the State of Tennessee, That the said treasurer of East Tennessee shall loan to Elijah Embree, the principal of the College and academy money in the Branch Bank at Knoxville, or which may from time to time hereafter

be paid in, or refunded by those who have borrowed said monies, upon the terms prescribed in the act above recited; *Provided*, the sum so to be loaned shall not exceed the sum of six thousand dollars, in addition to the sum already loaned.

JAMES FENTRESS,

Speaker of the House of Representatives.

S. BREWER,

Speaker of the Senate.

August 23, 1823.

CHAPTER CLIX.

An Act to authorize a grant to issue to the heirs of Matilda M. Carter and Juliet A. D. Cantrell for six hundred and forty acres of land.

Whereas it is represented to this General Assembly, that John Deaderick, in his life time was the owner of a land warrant for 640 acres, No. 3766, issued to the heirs of James Johnston, and has lost or mislaid the assignment thereof, and caused an entry to be made thereon, on the 16th day of March, 1797, in the name of said heirs; and that said Juliet A. D. Cantrell and the heirs of Matilda M. Carter, are entitled to the same, under the will of John Deaderick, and that a survey has been made of the land so entered on the 13th day of October, 1814, by Sherwood Green; wherefore;

Be it enacted by the General Assembly of the State of Tennessee, That the Register of West Tennessee be directed and is hereby authorised to issue a grant for six hundred and forty acres upon entry No. 6698, dated the 16th March, 1797, founded upon warrant No. 3766, in the name of Juliet A. D. Cantrell and the heirs of Matilda M. Carter, their heirs and assigns upon the survey made by Sherwood Green, deputy surveyor, and filed in the office of the surveyor of the first district. *Provided*, That nothing in this act shall prejudice the claim of persons in whose name said warrant issued, if it shall hereafter appear that they never disposed of their interest in said warrant.

JAMES FENTRESS,

Speaker of the House of Representatives.

S. BREWER,

Speaker of the Senate.

August 23, 1823.

CHAPTER CLX.

An Act for the relief of Jane Mc'Intosh of Mc'Minn.
Be it enacted by the General Assembly of the State of Tennessee, That the said Jane Mc'Intosh, an inhabitant of Mc'Minn county, be, and she is hereby authorised to have and exercise all and singular, the rights and privileges, and immunities of a free white female citizen of the State of Tennessee.

JAMES FENTRESS,

Speaker of the House of Representatives.

S. BREWER,

Speaker of the Senate.

August 23, 1823.

CHAPTER CLXI.

An Act to amend an act entitled "An act authorising the persons therein named to build a fish trap in Clinch river," passed 13th November, 1821.

Sec. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Jonathan Harvey, Bazel Brathern, and others, are hereby authorised to build a fish trap in the south stream of said river, hereby repealing so much of the above recited act as authorises them to build a fish trap in the north sluice of said river. A fish trap may be made in the south stream of Clinch river.

Sec. 2. *Be it enacted*, That John Long of Grainger county, and his associates, be authorised to build a fish trap in Clinch river, *Provided*, they do not injure the navigation thereof. Another fish trap.

Sec. 3. *Be it enacted*, That James P. Taylor of Carter county, be, and he is hereby authorised to erect a fish trap at the tumbling shoals, in Watauga river: *Provided*, that in so doing, he shall not impede boats in descending said river. A fish trap in Watauga.

JAMES FENTRESS,

Speaker of the House of Representatives.

S. BREWER,

Speaker of the Senate.

August 23, 1823.

CHAPTER CLXII.

An Act for the relief of Charles Gamble.
Whereas it is represented to this General Assembly that at the May sessions of the Hamilton county court 1821, Charles Gamble, sheriff and collector of said county, reported to said court sundry tracts

of land as not having been listed for taxation for the year 1820, against which the said court entered judgment, and thereupon an order of sale issued, the lands are advertised on a certain day previous to which time the Legislature convened and postponed the sales for said lands until a certain other day therein mentioned, on which said last mentioned day the said lands were offered to sale by the said sheriff without effecting the same for the want of bidders; and whereas the clerk's and printer's fees amount to a considerable sum for which the sheriff is held liable personally, for remedy whereof,

Be it enacted by the General Assembly of the State of Tennessee, That the Treasurer of East Tennessee shall pay to the said Charles Gamble, sheriff, &c. as aforesaid the amount of the cost that has accrued in consequence of said reported lands, upon the said Charles Gamble producing the bill of cost to said Treasurer, regularly certified by the clerk of Hamilton county court, and that the receipt of the said Charles Gamble shall be a good and sufficient voucher for the said Treasurer in the settlement of his accounts; *Provided,* he may have paid said fees to the clerk and printers at the time he shall apply to the Treasurer.

JAMES FENTRESS,
Speaker of the House of Representatives.
S. PREWER,
Speaker of the Senate.

August 23, 1822.

CHAPTER (LXVII.)

An Act to alter the times of holding Regimental Musters, and for other purposes.

Sec. 1. *Be it enacted by the General Assembly of the State of Tennessee,* That hereafter, the regimental muster of the fourth regiment of the militia of the State of Tennessee shall be held at such places as a majority of the commissioned officers in the regimental court-martial of said regiment shall agree on, which muster shall be on the last Saturday in September, annually, when and where it shall be the duty of all officers, non-commissioned officers, musicians and privates to attend, armed and equipped as the law directs.

Sec. 2. *Be it enacted,* That the regimental court-martial of the fourth Regiment shall be held at such

place as a majority of the commissioned officers of said regiment shall agree on, which court shall be held on Thursday after the first Saturday in December, annually, when and where it shall be the duty of all commissioned officers of said regiment to attend and preside as members of said court-martial, and said court shall have power to adjourn and continue in session from day to day, and time to time, until the business thereof is completed.

Sec. 3. *Be it enacted,* That the regimental muster of the seventy-eighth regiment of the militia of Tennessee shall be hereafter held at such places as a majority of the officers of said regiment shall agree on; which muster shall be held on the Saturday preceding the last Saturday of September, annually, when and where it shall be the duty of all officers, non-commissioned officers, musicians and privates to attend, armed and equipped as the law directs.

Sec. 4. *Be it enacted,* That the regimental court-martial of the seventy-eighth regiment shall be held at such place as a majority of the commissioned officers of said regiment shall agree on, which court-martial shall be on Thursday after the last Saturday in November, annually, when and where it shall be the duty of all commissioned officers of said regiment to attend and preside as members of said court; and said court shall have power to adjourn and continue in session from day to day and time to time, until the business thereof be completed.

Sec. 5. *Be it enacted,* that all laws and parts of laws coming within the purview and meaning of this act, be, and the same are hereby repealed.

Sec. 6. *Be it enacted,* That the battalion musters in the thirty-second and fifty-sixth regiments of militia in Franklin county shall have hereafter be holden in each and every year on the following days (to wit:) the first battalion in the thirty-second regiment on the first Saturday in the month of April, and that of the second battalion on the second Saturday of said month; and the muster of the first battalion of the fifty-sixth regiment shall be holden on the third Saturday in the month aforesaid; and that the second battalion in said regiment shall be holden on the fourth Saturday in the said month, any law to the contrary notwithstanding.

Sec. 7. *Be it enacted,* That from and after the first day of January next the militia of the county of Monroe which compose the sixty-seventh regiment shall hold ~~their~~ their regimental musters on the first

When court-martial to be held.

Regimental muster of 78th regiment.

Regimental court-martial of 78th regiment.

Battalion musters of 32d & 56th regiments.

Regimental muster of 67th regiment.

Majority of the commissioned officers may determine where the regimental muster of the 4th regiment shall be held.

Thursday in October annually, any law to the contrary notwithstanding.

Sec. 8. Be it enacted, That fines and forfeitures which have been imposed by order of any court-martial on persons who were drafted and failed to perform a tour of duty during the last war, and the money has been collected and paid over into the hands of the judge advocate of any regiment, it shall be drawn out of his hands by an order of a regimental court martial, and said money shall be appropriated to the use and benefit of the regiment where said fines were inflicted to be applied as other fines imposed by said court.

Sec. 9. Be it enacted, That judge advocates of regiments shall not be entitled to any fee for issuing an execution or executions for fines or forfeitures unless the amount of said execution or executions shall be collected, any law to the contrary notwithstanding.

Sec. 10. Be it enacted, That it shall and may be lawful for the principal surveyor of the seventh district to receive and record in his office, the returns of plats and certificates which may be offered by the deputies of the former principal under such rules and regulations as may be prescribed by the present incumbent; *Provided,* such surveys shall have been correctly made before the suspension of the former incumbent.

JAMES FENTRESS,

Speaker of the House of Representatives.

S. BREWER,

Speaker of the Senate.

August 23, 1822.

CHAPTER CLXIV.

An Act to authorise George Helms and Adam Helms to open and establish a Turnpike Road.

Sec. 1. Be it enacted by the General Assembly of the State of Tennessee, That George Helms and Adam Helms are hereby authorised to open and establish a turnpike road, commencing at or near the head of Wolf river in Piles' turnpike road; thence the most direct course on Cumberland mountain, towards Jacksonborough, that the situation of the ground will admit of, so as to intersect the road leading from Jacksonborough to Somerset in Kentucky, about ten miles north-west of Jacksonborough at the western

side of the Cheanut ridge, or some other suitable place; which road, where the situation of the ground will permit of it, shall be cut eighteen feet wide, clear of stumps, or other obstructions; and where the road has to be causewayed, where the nature of the ground is such that it cannot be extended, it shall be at least twelve feet wide, clear of stumps, roots, or other obstructions; and if there should be any creek or creeks that from their nature shall require it, there shall be good and sufficient bridges built, and if there are any swamps over which said road may be taken, it shall be the duty of the proprietors of said road to causeway it with either rock or wood, over said swamp, at least twelve feet wide, clear of stumps, logs or other obstructions.

Sec. 2. Be it enacted, That said road shall always be kept in repair and if it should be permitted to be and remain out of repair for three months at any one time after the road is opened and established by the commissioners hereafter to be appointed by this act, said commissioners shall immediately make report thereof to the county court of Overton county, if it should be six months before the session of the legislature; and when said court shall receive said report they shall order it to be recorded; and said commissioners shall also proceed to open said turnpike gate and keep the same open until the same shall be by them adjudged to be in good and sufficient order; they may then grant a license under their hands and seals to said proprietors to shut said gate, for the purpose of exacting toll; and if said proprietors shall, either directly or indirectly, exact, take or receive any toll during the time said commissioners shall set said gate open, said proprietors shall forfeit and pay for every such offense the sum of thirty dollars, to be recovered before any justice of the peace in this State by any person that will sue for the same; and if said road should be permitted to be and remain out of repair at any one time within six months before the session of the legislature, said commissioners, after setting open said gate, shall report the same to the General Assembly, whose duty it shall be to appoint new proprietors, and when so appointed they shall be entitled to receive all the toll rated in this act, and shall be bound to the same duties, regulations, restrictions and penalties as are prescribed by this act for the original proprietors to do and perform.

Sec. 3. Be it enacted, That the proprietors shall

The width of the road and the repair it must be kept in.

When the road is three months out of repair duty of commissioners.

Proprietors to give bond.

give bond with sufficient security in the sum of two thousand dollars to the Governor for the time being and his successors in office, conditioned for the true and faithful performance of all the duties enjoined

on them by this act, which bond shall be lodged in the Secretary's office; and the Legislature may direct the Attorney General for the district wherein said proprietors live, to commence suit against said proprietors on said bond, if satisfactory proof, either by report of the commissioners or otherwise, should be given to them that said road has been three months out of repair at any one time.

Commissioners appointed

Sec. 4. Be it enacted, That Henry Francis and James Royall of Overton county, are hereby appointed commissioners, whose duty it shall be, at any time when called on by said proprietors, to proceed to view, mark, and lay off said road agreeably to the provisions of this act, and when the proprietors shall notify said commissioners that the said road is out of repair and completed for use, it shall be their duty to proceed to examine said road, and if in their opinion it is in order as contemplated by this act, they shall license said proprietors to keep a toll gate, which license shall be under their hands and seals, and said proprietors may proceed to erect a toll gate on the most convenient part of said road, and shall be entitled to receive the following rates of toll (to wit): for each four wheeled carriage of burthen with its load and driver, if drawn by four or more horses, mules, or oxen, one dollar; if by less than four, seventy-five cents; for each two wheeled carriage of burthen, if drawn by two horses, mules or oxen, fifty cents; if drawn by one, thirty seven and one half cents; for each two wheeled carriage of pleasure with its passengers and driver, if drawn by a team of two horses, seventy-five cents; and if drawn by one, fifty cents; for a man and horse, or mule, twelve and one half cents; for each led horse, mule or ass, not in a drove, six and one fourth cents; for each slave, six and one fourth cents; for each head of cattle, two cents; for each head of sheep or hogs, one cent.

To issue license.

Rates of toll.

Sec. 5. Be it enacted, That the commissioners herein appointed by this act shall, before they enter into the duties of their appointments, take and subscribe the following oath, before some justice of the peace, (to wit) I do solemnly swear, that I will well and truly perform the duties enjoined on me by this act, according to the best of my knowledge and abilities, so help me God; and the aforesaid commissioners shall

Oath of commissioners.

be entitled to receive at the rate of one dollar and fifty cents each, per day, for every day they may be necessarily engaged in performing the duties enjoined on them by this act to be paid by the proprietors.

Sec. 6. Be it enacted, That said proprietors shall be entitled to keep up said road for the term of ten years from and after the time said commissioners shall report said road fit for use, and if any part of said road shall be out of repair at any one time after it is repaired by said commissioners, and by reason of which any person or persons shall sustain any damage, either in person or property, he, she, or they may have and sustain an action on the case against said proprietors.

Road to be kept up ten years.

Sec. 7. Be it enacted, That if any person or persons shall pass arbitrarily said gate, or within one mile thereof for the purpose of evading the toll, such person or persons shall forfeit and pay for every such offence, to said proprietors, the sum of twenty-five dollars, to be recovered by action before any justice of the peace in this State.

Penalty for evading the gate.

Sec. 8. Be it enacted, That the mails of the United States shall at all times pass said gate, free from paying any toll. Provided, That the said Hains, his heirs, nor any person that may by any means become a subsequent owner of said road shall not be at liberty to set their toll gate any farther to the eastward than the water course known by the name of New river.

JAMES FENTRESS,
Speaker of the House of Representatives.
S. SHEWEE,
Speaker of the Senate.

August 23, 1832.

CHAPTER. CLXV.

An Act for the benefit of Samuel Mc Connell.

Whereas the creating of Salt Works is of great public utility and importance in every government, and more particularly so in this state as it is situated in the interior of the country, and remotely removed from the seaports, and in a state too where we ought to foster and patronage (patronize) every species of internal improvement; and whereas Samuel Mc Connell of McMinn county has commenced and is now engaged in boring for salt water in said county of McMinn; therefore

Sec. 1. Be it enacted by the General Assembly of the State of Tennessee, That the said Samuel Mc Connell

Preference to S. Mc'Connell to enter 2,000 acres unfit for cultivation.

Twelve honest men to be a jury.

Or his assignee shall have a preference for the term of five years of the quantity of two thousand acres of vacant and unappropriated land in the said county of Mc'Alinn, provided the same shall be unfit for cultivation.

Sec. 2. *Be it enacted*, That the court of Pleas and Quarter Sessions for said county shall upon the application of said Samuel Mc'Connell by petition, appoint twelve discreet and honest men as a jury to view and condemn said quantity of land for the use and benefit of said Samuel Mc'Connell, and it shall be the duty of the jury appointed as aforesaid, after being duly qualified to go upon the land pointed out by said Samuel Mc'Connell, and view the same, and ascertain whether it be unfit for cultivation or not, and if unfit, lay off said land for said Samuel as nearly together as land of the kind contemplated can be procured by setting forth the quarter section, the section, township and range in which the same may be situated, and make a report thereof to the next succeeding county court of what they may here done in the premises.

Report to be recorded.

Sec. 3. *Be it enacted*, That it shall be the duty of said court on receiving the report of the jury aforesaid that the land reserved [retained] and reported by them is unfit for cultivation, to cause the said report to be spread upon the records of said court, a copy of which report properly attested by the clerk shall be transmitted to the surveyor general of the Hiwassee district which shall be a sufficient authority for him to lay down and mark off the same on his general plan in its appropriate station as may have been reported by said jury; and it shall be the duty of said surveyor general to record the plats and certificates, which said lands shall not be liable to be taken or disposed of in any other way or by any other person whatever during said period.

Duty of surveyor general.

Five years free from taxation.

Sec. 4. *Be it enacted*, That the said Samuel Mc'Connell or his assignee complying with the provisions of this act shall have said lands five years free from taxation.

If sufficient salt water not found, said land to revert to the state.

Sec. 5. *Be it enacted*, That if the said Samuel Mc'Connell shall fail in procuring a sufficiency of salt water to work to advantage within the period aforesaid, then the said land shall revert to the State and be subject to be taken under the existing laws by any person whatever; but if he shall succeed in procuring a sufficient quantity of salt water, and shall make twenty bushels of neat salt per day, which

fact shall be proved by the oaths of three credible persons, witnesses, to the surveyor of said district, it shall be the duty of said surveyor general to make out plats and certificates of survey for the said land and transmit the same with the said certified to the Register of East Tennessee, who shall thereupon issue to him a grant or grants as in other cases, which said grant or grants shall be perfected in like manner as other grants are perfected.

Sec. 6. *Be it enacted*, That the fees usual in such cases shall be paid for said services by the said Samuel Mc'Connell to the officers and others entitled to pay for the same.

JAMES FENTRESS,
Speaker of the House of Representatives.
S. BREWER,
Speaker of the Senate.

August 23, 1823.

CHAPTER CLXVI.

An Act to make legitimate the persons therein named.

Sec. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Dolly Parker Wells, the wife of Henry Wells of Williamson county, formerly Dolly Parker Tucker, an illegitimate daughter of Edward Hood, be made a lawful heir to have and receive the estate of the said Edward Hood in as ample a manner as if she had been born in lawful wedlock, any law to the contrary notwithstanding.

Sec. 2. *Be it enacted*, That Stephen Fogey of the town of Murfreesborough be hereafter known by the name of Edward Stephens.

JAMES FENTRESS,
Speaker of the House of Representatives.
S. BREWER,
Speaker of the Senate.

August 23, 1823.

CHAPTER CLXVII.

An Act more effectually prescribing the duties of the Register of the Land Office of West Tennessee.

Sec. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the Register of the Land Office for West Tennessee, he and he is hereby required by the first day of January next to remove all the books, records and documents belonging to his office to the seat of government, where he shall

Register of West Tennessee to remove to seat of government.

keep his office to do and perform all the duties of Register as required by law.

Sec. 2. *Be it enacted*, That the resolution adopted by the General Assembly at Murfreesborough November 16, 1821, permitting the said Register to keep his office at Nashville until the first day of January 1823, be and the same is hereby rescinded and made void.

Sec. 3. *Be it enacted*, That it is hereby made the duty of said Register to provide an office sufficient to preserve from injury said books, records and documents, belonging to said office at his own expense.

Sec. 4. *Be it enacted*, That it shall be the duty of said Register to procure at his own expense, all books which may be necessary for the recording of grants as is now required by law, for which said Register shall receive no allowance from the State therefor.

JAMES FENTRESS,

Speaker of the House of Representatives.

S. BREWER,

Speaker of the Senate.

August 23, 1822.

CHAPTER CLXVIII.

An Act supplemental to an act continuing in force and amendatory of an act appointing commissioners to settle with William Clay and others, commissioners of Grainger county.

Be it enacted by the General Assembly of the State of Tennessee, That Matthew Campbell, James Dyer, and Reuben Dixon; be and they are hereby appointed commissioners with those heretofore appointed, who, or any three, thereof shall carry into effect the provisions of the several acts of assembly touching the final settlement, with William Clay and other commissioners of the town of Rutledge.

JAMES FENTRESS,

Speaker of the House of Representatives.

S. BREWER,

Speaker of the Senate.

August 23 1822.

CHAPTER CLXIX.

An Act for the relief of the heirs of Ephraim Todd.

Whereas it is represented to this General Assembly that a military land warrant for 640 acres dated

The 7th day of December 1787, of No. 3153, issued to the heirs of Ephraim Todd, and that said military land warrant has been so lost or mislaid that the same cannot be produced to the commissioners for the adjudication of North Carolina land claims, whereby said heirs are likely to sustain great loss; for remedy whereof.

Be it enacted by the General Assembly of the State of Tennessee, That the commissioners for the adjudication of North Carolina land claims shall issue a certificate land warrant to the heirs of Ephraim Todd for 640 acres in consequence of military land warrant for 640 acres of No. 3153, dated the 7th day of December 1787 in the same manner they would issue the same if said warrant was produced before them. *Provided*, it shall appear to said commissioners that the said warrant has not been appropriated to any grant whatever, and that no warrant has issued in lieu thereof, any law to the contrary notwithstanding.

JAMES FENTRESS,

Speaker of the House of Representatives.

S. BREWER,

Speaker of the Senate.

August 23, 1822.

CHAPTER CLXX.

An Act for the relief of Elizabeth Cates.

Be it enacted by the General Assembly of the State of Tennessee, That Elizabeth Cates, widow of Josiah Cates deceased, is hereby authorized to file a certificate issued by the Register of West Tennessee No. 2669 for 353 acres with the commissioners for the adjudication of North Carolina land claims, and if it shall appear to said commissioners that said certificate is good and valid, it shall be lawful to list the same and draw for priority of location as in other cases.

JAMES FENTRESS,

Speaker of the House of Representatives.

S. BREWER,

Speaker of the Senate.

August 23, 1822.

CHAPTER CLXXI.

An Act to change the proponent of a Turnpike Road.

Whereas an act of the General Assembly, passed the 10th November 1822, authorizing Joseph Plank

to open and keep in repair a turnpike road, and the said Franks having removed since the passage of said act, therefore, with a view of having said road opened and kept in repair as required by said act,

Be it enacted by the General Assembly of the State of Tennessee, That Thomas Hopkins be, and he is hereby entitled to, and vested with all the privileges and benefits, and with the same powers that the said Joseph Franks was invested with by the above recited act for the term of ten years; and the said Thomas Hopkins shall in all respects be under the same rules, regulations and restrictions that said Franks was under: *Provided always*, That the said Thomas Hopkins or his gate keeper shall not exact, demand or receive any toll from any citizen of White or Warren county, passing from the one county to the other on their ordinary business; *And provided further*, That the passage of this act shall in no wise affect the original proprietor or his legal representative, or rightful assignee.

JAMES FENTRESS,

Speaker of the House of Representatives.

S. BREWER,

Speaker of the Senate.

August 23, 1822.

CHAPTER CLXXII.

An Act to repeal an act entitled "An act to establish a Town at the lower side of the mouth of Red river, in the county of Montgomery, by the name of the town of Cumberland," passed at Murfreesboro', 26th July, 1820.

Be it enacted by the General Assembly of the State of Tennessee, That an act entitled "An act to establish a town at the lower side of the mouth of Red river, in the county of Montgomery, by the name of Cumberland," passed at Murfreesboro' on the 26th July, 1820, be, and the same is hereby repealed: *Provided*, nothing herein contained shall be so construed as to affect the title of any purchaser of lots in said town.

JAMES FENTRESS,

Speaker of the House of Representatives.

S. BREWER,

Speaker of the Senate.

August 23, 1822.

CHAPTER CLXXIII.

An Act to repeal an act appointing commissioners for the county of Greene, passed November 18, 1819, also to repeal an act to amend an act entitled "An act appointing commissioners for the county of Greene," passed July 20, 1819.

Sec. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the above recited acts are hereby repealed and made void.

Sec. 2. *Be it enacted*, That from and after the passage of this act, it shall be the duty of the several collecting officers of Greene county to pay over all county monies to the county trustee, under the same rules, regulations, restrictions and forfeitures as prescribed by the revenue laws of this State; and if any officers shall be in arrears, and for his delinquency a shall have executed to said commissioners his or their obligations therefor, it shall also be the duty of said commissioners to pass over said bonds together with all other papers belonging to the county, to said county trustee: *Provided nevertheless*, That the county court, a majority of the acting justices being [present,] shall have full power to recall the interest on such bonds, if to them it shall seem proper.

Duty of collecting officers in Greene county.

JAMES FENTRESS,

Speaker of the House of Representatives.

S. BREWER,

Speaker of the Senate.

August 23, 1822.

CHAPTER CLXXIV.

An Act to amend an act entitled "An act to provide for establishing a new Court House in the county of Morgan," passed the 28th July, 1820.

Sec. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That John M. Davis, Philip Fryon, Robert McCarty, Benjamin Hogler, Elijah Hines and David Adams, be, and they are hereby appointed commissioners to attend the public buildings, with the same powers and authority as the former commissioners have by law.

Commissioners appointed.

Sec. 2. *Be it enacted*, That the sheriff of Morgan county shall, by himself or deputy, open and hold an election on the first Tuesday and Saturday in January next, at the court house in Morgan county, and such other places as are appointed by law, for holding elections in said county, where all persons entitled to vote for members of the General Assembly, shall be

The seat of justice to his court in session and elected in Morgan county.

permitted to vote for such place as may be put in nomination for the seat of justice in said county, and if upon counting out the votes and properly comparing them, it shall appear that any one place so put in nomination shall have a majority of twenty-five votes over the present office of holding court, the place having said majority shall thereafter be considered as the seat of justice for Morgan county.

Sec. 3. *Be it enacted*, That the act that this is intended to amend, be, and the same is hereby renewed and put in full force and effect, except such parts as are herein proceeded from *[provided for]*

JAMES FENTRESS,

Speaker of the House of Representatives.

S. BREWER,

Speaker of the Senate.

August 23, 1832.

CHAPTER CLXXV.

An Act for the relief of Robert Thompson, and the heirs of David Thompson, deceased.

Duty of surveyor of Hiwassee district.

Sec. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Robert Thompson and the heirs of David Thompson, deceased, apply to the Surveyor General of the Hiwassee district, whose duty it shall be, on application to go on the occupant claim of said Thompsons and ascertain the quantity of acres taken by the reservation of Nicholas Byers, and also the quantity of acres taken by the State, and given to the Union Turnpike company, and also that part of said occupant claim sold by the State at the Hiwassee land sales; and when so ascertained by the Surveyor General, he shall proceed to lay off to said Thompsons, such quantity and like quality as near as may be, in not more than two tracts, out of any land in the Hiwassee district not otherwise appropriated, and make out plat or plats of such quantity of acres running with the section and quarter section lines, and deliver the same to said Thompsons.

Sec. 2. *Be it further enacted*, That if said Thompsons shall, within nine months hereafter, produce to the treasurer of East Tennessee, such plat or plats and certificates of survey and pay into the hands of said treasurer the sum of two dollar per acre, whose duty it shall be to receipt for the same, and said Thompsons producing to the register the plat and certificates, and treasurer's receipt for the money so paid to the treasurer, then the register shall issue

grant or grants on such plat and certificates so returned, to the said Robert Thompson and the heirs of David Thompson, deceased; *Provided*, they pay all the necessary expenses attending thereon, any law to the contrary notwithstanding.

JAMES FENTRESS,

Speaker of the House of Representatives.

S. BREWER,

Speaker of the Senate.

August 23, 1832.

CHAPTER CLXXVI.

An Act for the relief of the heirs of William Leaton.

Whereas it is represented to this General Assembly, that there were two grants, both by the name of William Leaton, which *[was]* were voided to a pre-emption right each, and that one of their claims was granted to Nicholas Perkins Hardeman, by grant No. 28, and that another warrant of six hundred and forty acres was issued by the Secretary of North Carolina, No. 95, to the heirs of William Leaton for the other William Leaton's claim, containing the same words of location of the first, and that the last mentioned warrant No. 95 was declared "void" by the board of commissioners in consequence of having the same words of location of the first which was already granted; for remedy whereof,

Be it enacted by the General Assembly of the State of Tennessee. That it shall and may be lawful for the board of commissioners for West Tennessee, and they are hereby required to issue a certificate to the heirs of William Leaton for six hundred and forty acres in lieu of said warrant for six hundred and forty acres, No. 95; *Provided*, it shall appear to them that no grant ever issued on said warrant or a duplicate warrant thereof; *and provided also*, That it shall appear to them from the books which are made evidence of claims to them, that said warrant did issue from the State of North Carolina.

JAMES FENTRESS,

Speaker of the House of Representatives.

S. BREWER,

Speaker of the Senate.

August 23, 1832.

CHAPTER CLXXVII.

An Act for the relief of David Rogers.

Whereas Abraham Hill and Enoch Parsons made an entry in the office of the Surveyor General of the fifth district, No. 2199, for 105 acres in Jefferson county, and though a survey thereof was made, none has been returned, and the said Abraham Hill has transferred to David Rogers his interest in said entry.

Be it enacted by the General Assembly of the State of Tennessee, That it shall be lawful for the said David Rogers to have the said land surveyed in his own name and in the name of the said Enoch Parsons, which, when returned within six months after the passage of this act, shall authorize the register of East Tennessee to issue a grant to the said David Rogers and Enoch Parsons for the land mentioned in the entry; *Provided*, such survey and grant, when issued, shall not affect the rights of others who may have entered said land.

JAMES FENTRESS,

Speaker of the House of Representatives.

S. BREWER,

Speaker of the Senate.

August 23, 1822.

CHAPTER CLXXVIII.

An Act to appoint additional Commissioners for the town of Newport in the county of Cocke.

Be it enacted by the General Assembly of the State of Tennessee, That Francis J. Carter, William C. Rodman and Tilmán A. Howard, be, and they are hereby appointed additional commissioners for the town of Newport in the county of Cocke.

JAMES FENTRESS,

Speaker of the House of Representatives.

S. BREWER,

Speaker of the Senate.

August 23, 1822.

CHAPTER CLXXIX.

An Act for the relief of the persons appointed by the Courts of McMinn and Monroe Counties, to run the dividing line between the same.

Be it enacted by the General Assembly of the

State of Tennessee, That the court of Pleas and Quarter Sessions for the counties of McMinn and Monroe, a majority of the acting justices being present, may each make any additional allowance to the persons who may have run and marked the line between said counties as to their just mean right, to be paid out of the Treasury of said counties.

JAMES FENTRESS,

Speaker of the House of Representatives.

S. BREWER,

Speaker of the Senate.

August 23, 1822.

CHAPTER CLXX.

An Act authorizing Ezekiel Norris to build a bridge over Elk River at the mouth of North creek, in the county of Lincoln.

Sec. 1. Be it enacted by the General Assembly of the State of Tennessee, That it shall and may be lawful for the said Ezekiel Norris, his heirs, executors, administrators or assigns, to erect and build a good substantial bridge over said river, at the place aforesaid. It shall and may be lawful for the said Ezekiel Norris, his heirs, executors, administrators or assigns to keep a sufficient gate thereon and to collect and receive from all persons that pass over the same such rates of toll as the county court of Lincoln county shall allow him.

Sec. 2. Be it enacted, That it shall be the duty of the county court of Lincoln county at their first session held for said county after the said bridge shall be completed, or at any succeeding session thereof, twelve of the acting justices being present, to establish and fix the rate of toll that may be received by the proprietor thereof.

Sec. 3. Be it enacted, That the said Ezekiel Norris, his heirs, executors, administrators, or assigns shall have the exclusive right and benefit of said bridge. *Provided*, he keep the same in good repair, and shall be answerable for all damages that may be sustained by any person crossing the same if it is made appear that the same was the cause thereof.

Sec. 4. Be it enacted, That no toll shall be collected by the said bridge at any time when the said bridge shall not be in good repair, and shall be liable to be closed by an act of the said court of Lincoln county.

all times, and shall not obstruct the wagon ford.

Sec. 5. *Be it enacted*, That all persons having occasion to attend regimental or private muster or any public election shall not be compelled or required in going to or returning from the same to pay any toll for their passage over said bridge.

JAMES FENTRESS,

Speaker of the House of Representatives.

S. BREWER,

Speaker of the Senate.

August 23, 1823.

CHAPTER CLXXXI.

An Act compelling sheriffs of the respective counties, south and west of the congressional reservation line, to advertise all lands sold for taxes in some newspaper printed in Nashville.

Be it enacted by the General Assembly of the State of Tennessee, That the sheriffs in the counties south and west of the congressional boundary line except the counties of Giles, Maury, Perry, Hardin, and Wayne shall hereafter advertise all lands by them ordered to be sold for taxes in some newspaper printed in Nashville, and in one in said district if one should be hereafter so published which has general circulation; and if any of said lands be sold without such publication the sale thereof shall be null and void.

JAMES FENTRESS,

Speaker of the House of Representatives.

S. BREWER,

Speaker of the Senate.

August 23, 1823.

CHAPTER CLXXXII.

An Act to incorporate the patrons of the Cairo Academy.

Whereas it has been represented to this General Assembly that a number of citizens of Sumner county hath erected a convenient building in the vicinity of the town of Cairo in the county aforesaid for the education of youth; and whereas the patrons of said Academy cannot hold real or personal property to descend to their successors for the benefit of the said institution without the authority of an act of the General Assembly for that purpose; for remedy whereof,

Sec. 1. *Be it enacted by the General Assembly of the*

State of Tennessee, That the patrons of said Academy are hereby constituted into a body politic and corporate by the name and style of the President and Trustees of the Cairo Academy, and shall have succession for forty years, and by their corporate name may sue and be sued, plead and be impleaded, receive, purchase, and hold real and personal property or dispose of the same for the benefit of the said academy.

Sec. 2. *Be it enacted*, That the corporation aforesaid shall have the power to enact and pass such by-laws and ordinances as may be necessary to preserve order and decorum in said academy.

Sec. 3. *Be it enacted*, That it shall be part of the

duty of the sheriff of Sumner county to hold an election in the town of Cairo annually on the last Saturday in December in each and every year for the purpose of electing seven Trustees for the said academy to serve for one year, and until the board of Trustees is organized for the succeeding year; and should said sheriff fail or refuse to hold said election at the time herein prescribed, he may hold said election at any time thereafter by giving ten days notice under the same rules as by this act directed, at which elections all the patrons of the said academy who have in lands, money, materials or labour, contributed to the same, to the amount of five dollars or upwards, shall be entitled to vote, and shall be eligible to the office of trustee; the said sheriff shall make a return of the names of the seven persons duly elected Trustees at the first election to the teacher of said academy, and forever after he shall make returns to the recorder. The Trustees elected as aforesaid, shall on the next succeeding Saturday meet at the academy house and appoint from their own number a President and Recorder, being thus organized may proceed to business and meet on their own adjournments and appointments; all vacancies which may happen in the Board of Trustees shall be filled up by their own body until the next ensuing election.

JAMES FENTRESS,

Speaker of the House of Representatives.

S. BREWER,

Speaker of the Senate.

August 23, 1823.

CHAPTER CLXXXIII

An Act more effectually to provide for opening and as far as practicable, making navigable the stream therein mentioned.

Sec. 1. Be it enacted by the General Assembly of the State of Tennessee, That it shall be the duty of the county court of Greene county, two thirds of the acting justices of the peace being present, to lay out sections of Lick creek into convenient districts; to appoint overseers for such districts, to apportion and allot the hands to work thereon subject to the same laws, rules, and regulations that overseers and hands on public roads are subject to in this state.

Sec. 2. Be it enacted, That the overseers and hands when so allotted and set apart shall not be liable to be called upon to work on any road or roads in the said county of Greene.

Sec. 3. Be it enacted, That the said creek shall be held and deemed to be a stream navigable for boats from the horse fork of said creek to the mouth thereof and shall not be liable to obstruction as such; and if any person shall hereafter obstruct the navigation of said stream by erecting dams, bridges or other buildings thereon so as to obstruct the navigation, such person so offending shall be held and deemed guilty as persons are guilty who obstruct public roads and highways in this State, and may be indicted and proceeded against from time to time for every continuance thereof for the space of thirty days.

Sec. 4. Be it enacted, That it may be lawful, and is hereby made the duty of such overseers to remove from said creek any natural or artificial obstruction either in said stream or on the margin thereof, doing as little injury as possible to the owners of land thereon.

JAMES FENTRESS,
Speaker of the House of Representatives.
S. BREWER,
Speaker of the Senate.

August 23, 1822.

CHAPTER CLXXXIV.

An Act authorizing Alexander Brightwell to keep up his ferry upon Tennessee.

Sec. 1. Be it enacted by the General Assembly of the

Duty of county court of Greene.

Lick creek made navigable for boats.

Obstructions to be removed

State of Tennessee, That Alexander Brightwell, he and he is hereby authorized to keep up his ferry on the Tennessee river where he now has the same, two miles below the mouth of Sandy river, and have and receive the same fees as are established by the county court to be charged and taken by other ferry keepers in said county, and to be under the same rules and regulations, and liabilities and penalties, as other ferry keepers in said county, as both banks of said ferry belong to, and are in the peaceable possession of said Brightwell, any thing in any law to the contrary notwithstanding.

Sec. 2. Be it enacted, That it shall be the duty of the said Alexander Brightwell to appear before the next county court of Stewart county and enter into bond and security as is required by law in such cases.

JAMES FENTRESS,
Speaker of the House of Representatives?
S. BREWER,
Speaker of the Senate?

August 23, 1822.

CHAPTER CLXXXV.

An Act to extend the town of Carthage in the county of Smith.

Be it enacted by the General Assembly of the State of Tennessee, That the lot or parcel of ground upon which Sarah Badger now lives, situated upon the south of the town and bordering on the Cumberland river be, and is hereby declared to be embraced within the boundaries of said town with all the privileges and capacities, and subject to the same rules and regulations precisely as other lots and holders of lots enjoy and are subject to in all respects whatever.

JAMES FENTRESS,
Speaker of the House of Representatives.
S. BREWER,
Speaker of the Senate.

August 23, 1822.

CHAPTER CLXXXVI.

An Act for the relief of James Hardin and others. Whereas it hath been represented to this General Assembly, that James Hardin, on the fifth day of De-

Alex. Brightwell may keep a ferry on Tennessee.

To give bond to Stewart county court

ember, 1820, entered ten occupant claims for one hundred and sixty acres each, in the 7th surveyor's district, two of those entries in his own name, No. of entry 201 and 200; one other in the name of John Shannon of No. 204; one other in the name of Joseph M. Mason of No. 202; one other in the name of James Gooden of No. 198; one other in the name of John White of No. 205; one other in the name of Ninian Steele of No. 200; one other in the name of Willie I. Duckworth of No. 203; and two others jointly in the name of Kenneth Marlison of No. 199, and that those entries were respectively made upon a good and valid warrant of No. 1655, for 1675 acres, and that although the entries were made, it does not appear that any assignment on said warrant hath been made to said Hardin upon said warrant, by reason whereof those claims may be liable to entry by others, to the great prejudice and injury of those now settled on the land; for remedy whereof;

Sec. 1. *Be it enacted by the General Assembly of the State of Tennessee, That it shall not be lawful for the survey [surveyor] of the seventh district to permit any person to make an entry, except as hereinafter mentioned, for either of the claims aforesaid for three months from and after the passage of this act.*

James Hardin to have three months to procure a transfer of a certain warrant.

Sec. 2. *Be it enacted, That if the said James Hardin shall, within three months from and after the passage of this act, procure a regular transfer or assignment of said warrant, or shall within the said time procure and deposit with the said surveyor good and valid warrants to the amount of acres contained in the above entries duly assigned to him, that then and in that case the said ten entries shall be considered as good and valid in law as if said warrants had been duly assigned at the time of such entry.*

Duty of the surveyor of 7th district.

Sec. 3. *Be it enacted, That if the said Hardin shall file with the surveyor other warrants than No. 1655 for 1675 acres, as he is authorised by this act to do, that then and in that case it shall be the duty of said surveyor, and he is hereby authorised to make said entries conform to the number of warrants so filed.*

If he fails, certain occupants to have three months preference.

Sec. 4. *Be it further enacted, That if the aforesaid Hardin shall fail to procure an assignment of said warrant of No. 1655, within the time aforesaid, and shall also fail to file with the surveyor good and valid warrants to the amount called for in said entries; that then the aforesaid occupants shall have a further time*

of three months to procure a title in their own name in preference to all others.

JAMES FENTRESS,
Speaker of the House of Representatives
S. BREWER,
Speaker of the Senate

August 23, 1823.

CHAPTER CLXXXVII.

An Act for the relief of Margaret Cunningham.

Sec. 1. *Be it enacted by the General Assembly of the State of Tennessee, That the treasurer of East Tennessee shall receive of Margaret Cunningham the sum of two hundred dollars, as a full compensation to the State of Tennessee for the north-east quarter of section twenty-four, in township four, in the first range west of the meridian, for which said sum the said treasurer shall pass his receipt to the said Margaret Cunningham: Provided, the said sum is paid within nine months.*

Sec. 2. *Be it enacted, That upon the said Margaret Cunningham producing to the register of East Tennessee, the receipt of the said treasurer, it shall be the duty of the said register to issue a grant to her for the quarter section set forth and described in the first section of this act; and it shall be the duty of the Governor to sign and the Secretary to countersign said grant as in other cases.*

JAMES FENTRESS,
Speaker of the House of Representatives
S. BREWER,
Speaker of the Senate

August 23, 1823.

CHAPTER CLXXXVIII.

An Act for the benefit of General Daniel Newman.

Sec. 1. *Be it enacted by the General Assembly of the State of Tennessee, That the treasurer of East Tennessee loan to General Daniel Newman of the county of Campbell, the sum of three thousand dollars, on interest of six per centum per annum, payable in advance, on his tendering to said treasurer good and sufficient security, either real or personal, or both, to be adjudged by the treasurer.*

Treasurer of E. Tennessee to loan Gen. D. Newman \$3000.

Sec. 2. *Be it enacted, That the money so loan shall be refunded as follows: (to wit) two-thirds of said sum shall be paid on or before the first day of March,*

When so refunded.

one thousand eight hundred and twenty-four; the other third to be refunded on or before the first day of January, one thousand eight hundred and twenty-six.

When note to be renewed.
 Sec. 3. *Be it enacted*, That the note for said sum shall be renewed half-yearly, and the interest paid in advance, the security at all times to be adjudged of by the said treasurer.

To be repaid in specie.
 Sec. 4. *Be it enacted*, That the foregoing payments, except the interest, shall be in specie, or in the notes of specie paying Banks, to be approved of by the treasurer.

JAMES FENTRESS,
 Speaker of the House of Representatives.
 S. BREWER,
 Speaker of the Senate.

August 23, 1822.

CHAPTER CLXXXIX.

An Act for the benefit of William Espy.

Wm. Espy.
 Sec. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the Register of the land office for West Tennessee is hereby requested to examine the assignment of Warrant No. 278 to William Espy, and to hear testimony touching the same, and if it shall appear that the right to said warrant is in the said Espy, it shall be the duty of the said register to issue a grant in the name of William Espy.

Scott Terry.
 Sec. 2. *Be it enacted*, That the register of West Tennessee issue a grant to Scott Terry for twenty-five acres of land on certificate No. 1466, entered in the third surveyor's district.

JAMES FENTRESS,
 Speaker of the House of Representatives.
 S. BREWER,
 Speaker of the Senate.

August 23, 1822.

CHAPTER CXC.

An Act for the relief of David Richardson.

Whereas Robert Delap, charged with the crime of murder, was, in the year 1819, committed to the safe custody of David Richardson, sheriff of Campbell county, and notwithstanding the utmost vigilance of the said sheriff and jailer, the said Robert broke prison and made his escape,

of which fact the governor for the time being, was by said sheriff notified with a view to proclamation and reward for the apprehension of said Roberts, and no such proclamation appearing, the said sheriff Richard Richardson, advertised the said escape and bid a reward of one hundred dollars for the apprehending and delivery of said Robert, by reason of which he was taken in the State of Kentucky, delivered on, has been convicted and executed; and it appearing that said Richardson has paid said sum of one hundred dollars, wherefore;

Be it enacted by the General Assembly of the State of Tennessee, That the treasurer of East Tennessee be, and he is hereby directed to pay to David Richardson the sum of one hundred dollars in full, for the sum by him paid for the apprehending Robert Delap, whose receipt shall be good to said treasurer in his settlement.

JAMES FENTRESS,
 Speaker of the House of Representatives.
 S. BREWER,
 Speaker of the Senate.

August 26, 1822.

CHAPTER CXCI.

An Act to authorize the conveyance of part of the Harmony Church lot in Greene county, to the Trustees of Rhea Academy.

Be it enacted by the General Assembly of the State of Tennessee, That Valentine Bover of the county of Greene, be, and he is hereby authorized and empowered, for and on behalf of the members of Harmony Church, to execute unto the Trustees of Rhea Academy in Greene county, or their successors in office, a deed of conveyance in fee simple for such part of the said lot in Greeneville on which Harmony Church now stands, as shall have been allotted for the benefit of said academy, which conveyance, when made, shall be good and valid both in law and equity to pass said title.

JAMES FENTRESS,
 Speaker of the House of Representatives.
 S. BREWER,
 Speaker of the Senate.

August 23, 1822.

CHAPTER CXCH.

An Act for the relief of Asa Carpenter, of Rutherford county, and others.

Be it enacted by the General Assembly of the State of Tennessee, That Asa Carpenter, a citizen of Rutherford county, and James Grooms of Bedford county, be, and they are hereby restored to all the rights and privileges of other citizens of this State.

JAMES FENTRESS,

Speaker of the House of Representatives.
S. BREWER,

Speaker of the Senate.

August 23, 1822.

CHAPTER CXCHII.

An Act for the relief of Thomas Cannon.

Whereas it appears to this Legislature, that a mistake was made in the issuance of grant No. 16106 for twenty acres of land, and that said grant should have issued to Thomas Cannon instead of Thomas Connot; therefore;

Be it enacted by the General Assembly of the State of Tennessee, That the register of West Tennessee be, and he is hereby required to alter said grant, No. 16106, so as to read Thomas Cannon, instead of Thomas Connot.

JAMES FENTRESS,

Speaker of the House of Representatives.
S. BREWER,

Speaker of the Senate.

August 23, 1822.

CHAPTER CXCV.

An Act for the benefit of the seat of Justice in the county of Mc'Minn.

Whereas the commissioners appointed in pursuance of an act of the General Assembly of this State, passed at the last session, have agreed and pitched upon a site for a seat of justice in Mc'Minn county, as near the center thereof as an eligible site can be procured, and whereas the land upon which said seat of justice is placed is vacant and unappropriated, and quite poor and barren, being valuable only for the water and timber; therefore;

Be it enacted by the General Assembly of the State of Tennessee, That the register of East Tennessee shall

issue a grant for the one half of the following tract of land, viz: for the south-east quarter of section No. 23, and the north-west quarter section of section No. 34, in the fourth township in range first west of the meridian to the commissioners for the establishment of said seat of justice in said county and their successors in office, in trust for the use and benefit of said town forever, upon said commissioners producing to the said register the certificate of the said surveyor general that the said land is vacant and unappropriated, and that the same is poor, and valuable only for the water and timber upon the same; which said grant shall be perfected as other grants are perfected, and that the said town shall be called and known by the name of Athens; which said site is hereby established and made the permanent seat of justice for said county forever.

JAMES FENTRESS,

Speaker of the House of Representatives.
S. BREWER,

Speaker of the Senate.

August 23, 1822.

CHAPTER CXCV.

An Act to alter the names and make legitimate the persons therein mentioned.

Be it enacted by the General Assembly of the State of Tennessee, That the names of James F. Black, John Black and Jesse Black, the illegitimate sons of Jesse Carmack, of the county of Overton, be, and the same is changed to James F. Carmack, John Carmack and Jesse Carmack, and they and each of them are hereby enabled to inherit of the estate of the said Jesse Carmack, in the same manner as if they had been born in lawful wedlock, any law to the contrary notwithstanding.

JAMES FENTRESS,

Speaker of the House of Representatives.
S. BREWER,

Speaker of the Senate.

August 23, 1822.

CHAPTER CXCVI.

An Act for the relief of the heirs of Jacob Cox, deceased.

Be it enacted by the General Assembly of the State of

Tennessee. That the commissioners for the adjudication of land claims be directed to issue to the heirs of Jacob Cox, deceased, a certificate for two hundred and eighty acres of land warrant, *Provided*, it shall be made appear that a grant, issued by North Carolina to said Cox for five hundred and seventy acres, and No. 787, dated 22d February, 1797, is founded on a good and valid warrant.

JAMES FENTRESS,

Speaker of the House of Representatives.

S. BREWER,

Speaker of the Senate.

August 23, 1822.

CHAPTER CXCVII.

An Act for the relief of Polly Jones.

Be it enacted by the General Assembly of the State of Tennessee, That Polly Jones, the wife of — Jones, shall, and she is hereby in that name enabled to sue and be sued, plead and be impleaded, and by that name to contract and be contracted with, and by that name to have, possess and enjoy all the rights that a single woman could, except that of intermarrying with another man, any law, usage or custom to the contrary notwithstanding.

JAMES FENTRESS,

Speaker of the House of Representatives.

S. BREWER,

Speaker of the Senate.

CHAPTER CXCVIII.

An Act for the relief of Robert Johnston, Executor of the last will and testament of David Beatty, deceased.

Whereas by the last will and testament of David Beatty, deceased, certain people of color, slaves of the said David were ordered to be emancipated, and it appearing that the executor, Robert Johnston, who has proved the said will is desirous of carrying into effect the provisions therein by liberating said slaves, which has been prevented by the refusal of the county court of Davidson to hear the petition of the said Robert, as to make any order in favor of said persons of color; for remedy whereof;

Be it enacted by the General Assembly of the State of Tennessee, That it shall be lawful for the said Robert

Johnston, executor of the said last will to present his petition to any county or circuit court of any county adjoining the county of Davidson and such proceedings may be had on such petition before such county or circuit court under the acts of Assembly touching emancipation as shall best comport with the intension of the testator, and all such orders or judgments as shall be made on such petition under said will shall be as good and effectual as if made in the county court of Davidson; *Provided nevertheless*, That should such court by their order emancipate such slaves it shall be upon the express condition that said Robert Johnston within six months from the date of such order, remove and settle the said people of color beyond the limits of this state; *Provided nevertheless*, That Ann Hope shall have five days notice of the filing of said petition, before the court in which such petition shall be exhibited shall proceed to determine the same.

JAMES FENTRESS,

Speaker of the House of Representatives.

S. BREWER,

Speaker of the Senate.

August 23, 1822.

CHAPTER CXCIX.

An Act to extend the jurisdiction of Madison county, and for other purposes.

Sec. 1. Be it enacted by the General Assembly of the State of Tennessee, That the territory laid off on the general plan and established by law for the bounds of a new county which may hereafter be laid off for a new county comprehending the mouth of Obian and the main fork of Forked Deer rivers, shall be, and the same is hereby attached to the county of Madison for all jurisdictional purposes whatever, and all process heretofore, or that may hereafter be issued by the county or circuit court of Carroll county is hereby made returnable to the county or circuit court of Madison as the case may be, *Provided*, said process may have issued against any person living in the bounds so laid off for the county comprehending the mouth of Obian and the forks of Forked Deer rivers as aforesaid.

Sec. 2. Be it enacted, That for all electoral purposes, to wit: for Governor, members to Congress, members to the General Assembly, militia officers, &c. said boundary for a county which may

Certain territory attached to Madison county.

hereafter be laid off shall be attached to the county of Madison.

Sec. 3. *Be it enacted*, That the President and Directors of the Elk river navigation company who were required by the provisions of the second section of an act entitled "an act to incorporate the Elk river navigation company," passed at Murfreesborough Nov. 13, 1821, to convene in Winchester the first Saturday in March 1822, be and they are hereby authorized to convene in the town aforesaid upon any day which they may, or a majority of them sufficient to constitute a quorum, agree upon for the purposes in the aforesaid second section pointed out.

Elk river navigation company may convene when they please.

What boats must pay after the improvement of the channel is completed.

Sec. 4. *Be it enacted*, That when the improvement of the channel of said river may be so far completed as to render its navigation safe for flat bottomed boats, and report made thereof to the county court, the same proceedings shall be had thereon as is pointed out in the fifth section of the aforesaid act; and the said navigation company shall be entitled to receive from the owner, patron, or commander of every flat bottomed boat of fifty tons burthen which may descend said river out of Franklin county, exporting produce from said county, the sum of twelve dollars, and of a boat of greater or less tonnage a proportionable sum, and from the owner, patron, or commander of a flat bottomed boat descending said river, out of Lincoln county, exporting produce from said county of fifty tons burthen, the sum of eight dollars; and of a boat of greater or less tonnage a proportionable [proportionable] sum: *Provided*, the said river should be improved and kept in the order contemplated in the aforesaid act for the navigation of flat bottomed boats.

JAMES FENTRESS,

Speaker of the House of Representatives,

S. BREWER,

Speaker of the Senate.

August 23, 1822.

CHAPTER CC.

An Act for the relief of Valentine and Charles Sevier.

Whereas it appears to this General Assembly that Robert Sevier, the ancestor of Valentine and Charles Sevier was slain at King's Mountain during the Revolutionary War, leaving the said Valentine and Charles, infants, one of the age of four

and the other six years old, and it further being represented that Frederick Hargate and William Randle received the little patrimony of said infants and vested the same in two entries of land in John Armstrong's office, of No. 2811 and 2812 in each of which the said infants had one third part; and whereas it also appears that owing to the said Valentine and Charles being of tender years said lands were holden by adverse claimants, by reason whereof, they are wholly deprived of the land so entered for their benefit, as also their small patrimony invested therein; for remedy whereof,

Be it enacted by the General Assembly of the State of Tennessee, That the commissioners for the adjudication of land claims shall issue to the said Valentine and Charles Sevier three hundred thirty-three and one third acres each of land certificates, in lieu of their one third parts of the entries before mentioned; *Provided*, said entries shall appear to have been originally founded upon good and valid warrants and that no grant or grants have issued thereon.

JAMES FENTRESS,

Speaker of the House of Representatives,

S. BREWER,

Speaker of the Senate.

August 23, 1822.

CHAPTER CCL.

An Act for the relief of the heirs of Jesse Benton deceased.

Whereas it is represented to this General Assembly that the heirs of Jesse Benton are interested in lands in the western district, the deeds for which were proved and recorded many years ago in the State of North Carolina, some of which original deeds have been lost and others are so defaced that they cannot be put on record in the proper offices in this State; for remedy whereof,

Sec. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That it shall and may be lawful for the heirs of said Jesse Benton to procure from the State of North Carolina copies of the several means conveyances which were executed to their ancestor for lands in the western district, and the copies so procured being duly authenticated shall be admitted to record in the office of the county in this State where said lands may be situated.

Copies of Jesse Benton's conveyances to be admitted to record.

When recorded to be as valid as original deeds.

Sec. 2. *Be it enacted*, That the copies of the several messe conveyances thus recorded as directed by the first section of this act shall be as good and sufficient as if the original deeds were procured and recorded, and shall be admitted as evidence in all cases touching said lands; *Provided however*, That nothing in this act contained shall be so construed as to affect the rights of any person or persons who may have purchased from said Jesse Benton, or any other person claiming title to said lands.

JAMES FENTRESS,
Speaker of the House of Representatives.
S. BREWER,
Speaker of the Senate.

August 23, 1822.

CHAPTER CCII.

An Act requiring the office of the Seventh Surveyor's District to be kept in the town of Lawrenceburg.

Sec. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the surveyor of the seventh district shall hereafter keep his office in the town of Lawrenceburg in Lawrence county.

Sec. 2. *Be it enacted*, That this act shall be in force from and after the first day of December next.

JAMES FENTRESS,
Speaker of the House of Representatives.
S. BREWER,
Speaker of the Senate.

August 23, 1822.

CHAPTER CCIII.

An Act to provide for holding separate elections for field officers in the 46th Regiment of the Militia of Tennessee.

Elections in the 46th Regiment how to be held.

Sec. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That all elections hereafter to be held for field officers in the 46th Regiment of the Militia of Tennessee, shall be opened and held by the sheriff of the county of Maury or his deputies, at each of the battalion muster grounds in the said Regiment, and that the polls shall be opened at ten o'clock on the first day of the election and be finally closed at four o'clock on the same day, and that the judges of the separate elections so held shall make out a statement of the number of votes given for each candidate, signed by themselves and

attested by the clerks, which statement with the list of voters certified and signed by the respective clerks shall be returned by the officers holding said separate elections to one or more of the judges from each of the separate elections at the regimental muster ground on the succeeding day at twelve o'clock, which judges shall inspect the list of voters, make out an aggregate of the whole number of votes, on which the sheriff shall make out his return in favor of the candidate or person, that may have the greatest number of votes.

Sec. 2. *Be it enacted*, That any person voting improperly, or voting more than once at said elections shall be subject to a fine of ten dollars to be recovered by any person that shall sue for the same before any tribunal having cognizance thereof.

Penalty for improperly voting.

Sec. 3. *Be it enacted*, That the provisions of the twelfth section of an act entitled "an act to amend the militia laws of this State," passed at Murfreesborough on the 16th day of November 1821, which applies to the cavalry of the seventh brigade of the Militia of this State, apply to the different Regiments of cavalry throughout this State.

Sec. 4. *Be it enacted*, That there shall be but one Regimental Court Martial within the Carter county Regiment of Militia, which court martial shall be holden at Elizabethton at the time now prescribed by law and not elsewhere.

But one Regimental court-martial in Carter county Regiment.

Sec. 5. *Be it enacted*, That the field officers of the Regiment of cavalry attached to the 7th Brigade shall be attached to and command the Regiment of cavalry belonging to the twelfth Brigade, and that it shall be the duty of the Brigadier General commanding the 7th Brigade, to issue a writ of election for the purpose of electing field officers to the Regiment of cavalry attached to the 7th Brigade, at such time, and at such place as to him shall seem right and just.

JAMES FENTRESS,
Speaker of the House of Representatives.
S. BREWER,
Speaker of the Senate.

August 23, 1822.

CHAPTER CCIV.

An Act for the relief of William B. Bortee, and others.

Sec. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Blackman Coleman, Joseph

Trustees appointed to manage a lottery for Wm. B. Bartee and others. Spence, Russell Dance, William Ledbetter, and William C. Emmit be, and they are hereby appointed Trustees for the purpose of accepting a conveyance for certain property, for the purpose of conducting, managing and carrying into execution a Lottery, and conveying said property to those who will be entitled, for the entire benefit of the creditors of William B. Bartee, and the creditors of those persons for whom he has become security.

Wm. B. Bartee to convey in fee simple. Sec. 2. *Be it enacted*, That it shall and may be lawful for said William B. Bartee immediately to convey by deed in fee simple, with general warranty to said trustees, and to the survivor or survivors of them forever, any real property belonging to him not exceeding five thousand dollars, in trust for the use and benefit of his creditors, and the said William B. Bartee shall give bond and sufficient security to the said managers, that a good fee simple title with general warranty, shall be made to the holders of the fortunate ticket or tickets.

Duty of Trustees.

Sec. 3. *Be it enacted*, That it shall be the duty of the said trustees or a majority of them upon the execution or reception of said deed to divide the property so conveyed into such lot or lots as they may think proper, and to draft or cause to be drafted a scheme or plan of a lottery, and fix the price of tickets and their number, and to conduct the selling thereof and the drawing of said lottery, and all other things touching the same in such way as to them may seem proper, consistently with the provisions of this act.

When to commence drawing.

Sec. 4. *Be it enacted*, That when said trustees shall have sold such a portion of the tickets as shall in their opinion authorise the commencement of the drawing of said lottery, they shall proceed to the same, under such rules and regulations as they shall have made known in their scheme, having first given at least twenty days notice in the *Courier* printed in the town of Murfreesboro' of the time and place of drawing.

Persons entitled to the prize they draw.

Sec. 5. *Be it enacted*, That when said trustees shall have sold said tickets and the same shall have been drawn, any person or persons who shall draw a prize, shall be entitled in law and equity to such property as shall compose the prize which he or she shall have drawn, and it shall be the duty of the said trustees or the survivor or survivors of them or the heirs of such survivor to convey by deed to such person drawing such prize, said property to him, his heirs and assigns forever.

Sec. 6. *Be it enacted*, That when the proceeds of said sales of tickets shall be received by said trustees, they or a majority of them shall equally distribute the amount to all his creditors in proportion to their claims, and if any surplus should remain after the satisfaction of said debts, the same shall be paid over to said Bartee after said trustees shall have retained a reasonable remuneration for their services.

Proceeds how to be distributed.

Sec. 7. *Be it enacted*, That if for any cause the said trustees or a majority of them shall find it impossible to proceed with the conducting and drawing of said lottery it shall be their duty to re-convey to said William B. Bartee the property conveyed to them, and refund to the purchasers of tickets the amount of the money by them received, so that he may hold the same subject to the just claims of his creditors: *Provided nevertheless*, That if the sale of said tickets and drawing of the lottery herein mentioned shall not be completed in eighteen months from the twenty-fifth day of December next, then the said property so to be conveyed shall revert to said Bartee, and be subject to the claims and executions of all his creditors, as if this act had never passed: *And provided also*, That this act shall cease to be in force and effect, if said Bartee shall not execute the deed of conveyance herein mentioned within ninety days from the passing thereof: *Provided however*, that nothing in this act contained [shall be so construed as] to affect or impair the rights of any of the creditors of said Bartee, but said creditors shall be at liberty to proceed in the collection of their debts in the same manner as though this act had never been passed.

If they cannot proceed, to re-convey.

JAMES FENTRESS,

Speaker of the House of Representatives.

S. BREWER,

Speaker of the Senate.

August 23, 1822.

CHAPTER CCV.

An Act to divide the 7th and establish the 12th Brigade.

Sec. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the different militia regiments in the counties of Rhea, Bledsoe, Hamilton, Marion and McMinn shall constitute a brigade in the militia of this State, and shall be attached to the first division.

Regiments of Rhea, Bledsoe, Marion, and McMinn attached to first division.

Sec. 2. *Be it enacted*, That the said officers of said brigade shall meet at the court house in the town of

Where officers to meet to elect a Brigadier General.

Washington, on the first Friday in May, 1823, for the purpose of electing a Brigadier General for the said brigade, and the said Brigadier General when elected, shall possess all the powers, rights, privileges and emoluments belonging to other Brigadier Generals by the laws of this State.

JAMES FENTRESS,
Speaker of the House of Representatives.
S. BREWER,
Speaker of the Senate.

August 23, 1822.

CHAPTER CCVI.

An Act for the relief of the heirs of Joel Lewis, William Snoddy, and Benjamin Gooding.

Be it enacted by the General Assembly of the State of Tennessee, That it shall and may be lawful for the heirs of Joel Lewis, William Snoddy and Benjamin Gooding, to file a claim before the commissioners for West Tennessee for an entry of ten thousand acres of land in consequence of an entry on the books of John Armstrong, No. 448, for 2000 acres, made on the 26th October, 1783, upon which entry a warrant appears to have issued on the 25th June, 1784; which warrant is now so lost or mislaid that it cannot be found, and if said commissioners shall be of opinion that the claim is a fair and just one, they shall be, and they are hereby authorised to issue to said parties or to their legal representatives, a duplicate warrant or warrants for the like quantity of land in the same manner as though the said original warrant had been regularly laid before them for adjudication.

JAMES FENTRESS,
Speaker of the House of Representatives.
S. BREWER,
Speaker of the Senate.

August 23, 1822.

CHAPTER CCVII.

An Act to authorise John Brabson of Sevier county to build a mill dam across the south sluice of French Broad river.

Be it enacted by the General Assembly of the State of Tennessee, That John Brabson of Sevier county, be, and he is hereby authorised to build a mill dam across the south sluice of French Broad river at the place where he is now building a set of mills: Provided, it

shall be the opinion of the county court of Jefferson county, a majority of the acting justices being present, that the north sluice is the best boating sluice, and the one most commonly used, &c.

JAMES FENTRESS,
Speaker of the House of Representatives.
S. BREWER,
Speaker of the Senate.

August 23 1822.

CHAPTER CCVIII.

An Act for the relief of Nancy Foster, and others.

Whereas Edward Foster of Smith county, has been absent from his wife Nancy since the 27th day of February, 1821, leaving debts in his neighbourhood without any property or effects whereby said debts could be satisfied, and the creditors of said Foster have, since his elopement seized on the property acquired by the industry of his wife Nancy; for remedy whereof,

Sec. 1. *Be it enacted by the General Assembly of the State of Tennessee,* That from and after the passage of this act, it shall not be lawful for any officer of this State, to sell by virtue of an execution, any property that Nancy Foster of Smith county, may hereafter acquire by her own industry, or by gift from her friends, to satisfy any judgment or execution that has or may hereafter issue against the said Foster, and that the said Nancy Foster shall hereafter have power to contract and be contracted with, sue and be sued in that name as a *feme sole*, and as if she had never intermarried with the said Edward Foster.

Nancy Foster protected from execution for the debts of her absent husband.

Sec. 2. *Be it enacted,* That Lucretia Jordan, formerly Lucretia Pool, and Elizabeth Meness, formerly Elizabeth Burford, be, and they are hereby authorised in their name, to have, possess and hold property in their own name, and in all respects to act and manage for themselves in the same way that Nancy Foster is privileged to do by the first section of this act.

Lucretia Jordan and E. Meness.

Sec. 3. *Be it enacted,* That Sally Cook of Rutherford county, wife of John F. Cook, shall have and enjoy the same rights and privileges, as by this act are secured to the aforesaid Nancy Foster.

Sally Cook.

JAMES FENTRESS,
Speaker of the House of Representatives.
S. BREWER,
Speaker of the Senate.

August 23, 1822.

CHAPTER CCIA

An Act to authorize the transfer of the causes therein mentioned.

Whereas it is represented to this General Assembly, that two suits are now, and for a long time have been pending in the circuit court of law for Franklin, (to wit:) one, Peter Johnston against James Hogue, and the other James and John Hogue, administrators, &c. against James Doran, in which two suits the judges who have presided in the third circuit, wherein said causes are now pending, were both originally employed as counsel, and are incompetent to sit upon the trial of said causes, by reason whereof great delay and injustice has arisen to said parties, to remedy which;

Two causes transferred to Marion circuit court.

Sec. 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the clerk of the circuit court of Franklin county shall immediately transmit full and perfect transcripts of the two before mentioned causes to the office of the clerk of Marion circuit court within the seventh judicial circuit, together with all the original depositions if any, taken in said causes; which records being received by said clerk, shall be docketed in the same manner as other transferred causes: *Provided,* That said James Hogue, one of the parties, shall give written notice of the transfer of said causes, twenty days before the commencement of the term of said court.

Judgments in said suits valid.

Sec. 2. *Be it enacted,* That the proceedings, trial and judgment in said causes in the said circuit court of Marion, shall be as good and valid as if done and rendered in the circuit court of Franklin.

JAMES FENTRESS,
Speaker of the House of Representatives.
S. BREWER,
Speaker of the Senate.

August 23, 1822.

CHAPTER CCX.

An Act for the relief of Molton Dixon.

Molton Dixon authorized to make Hickman county pay him \$3 per day for surveying, &c.

Sec. 1. *Be it enacted by the General Assembly of the State of Tennessee,* That it shall and may be lawful for Molton Dixon to charge the county of Hickman at the rate of three dollars for each day necessarily engaged in running the lines and centering the same, and employed in making out maps for said county,

under the direction of the commissioners appointed by an act of the last General Assembly.

Sec. 2. *Be it enacted,* That the said Molton Dixon may prove his account before any justice of the peace of the county of Hickman, and file the same with the county trustee of said county, whose duty it shall be to discharge the same out of the first money coming into his hands, and the said account shall be a good voucher in his settlement with the county court of Hickman, any law to the contrary notwithstanding.

Act. how to be proved.

Sec. 3. *Be it enacted,* That the county court of Hickman county make an appropriation, and direct the trustee to pay over to the umpires appointed by the Legislature in 1821, to fix on a site for the seat of justice in said county, the sum of four dollars per day for each day they were necessarily employed in going to, and returning from, and fixing on a site in said county.

The umpires who fixed the seat of justice in Hickman allowed.

Sec. 4. *Be it enacted,* That the county court of Henderson county, Madison county, Carroll county and Henry county make a similar appropriation to the commissioners appointed by the Legislature of 1821, to fix on sites for the seats of justice in the counties aforesaid.

Henderson, Madison, Carroll and Henry to make similar appropriations.

JAMES FENTRESS,
Speaker of the House of Representatives.
S. BREWER,
Speaker of the Senate.

August 23, 1822.

CHAPTER CCXI.

An Act for the relief of Benjamin Hardin and others.

Sec. 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the surveyor of the 7th surveyor's district be, and he is hereby required to permit Benjamin Hardin to make void three entries made in his office, lying in Wayne county on the waters of Raine's creek, in section three and range eleven, which were occupant entries, one in the name of Philip Vinard for one hundred acres, No. 840, on warrant No. 1513; the second in the name of David Gola-her, of one hundred acres, No. 842, on warrant No. 1513; the third in the name of John Cook, for fifty acres, No. 941, on warrant No. 1513, and release the same on any vacant land in said district.

Sec. 2. *Be it enacted,* That it shall be lawful for

the commissioners of land claims to issue to Nicholas Tate Perkins, a certificate for fifteen acres, on his producing to said commissioners his grant for fifteen acres, issued by this State, and which is taken away by a grant of twenty thousand acres to Stokely Doaelson and William Tyrrell, situate in the fork, between the rivers Holston and French Broad.

JAMES FENTRESS,

Speaker of the House of Representatives.

S. BREWER,

Speaker of the Senate.

August 23, 1822.

CHAPTER CCXII.

An Act to authorize John Houston and others of Blount county to open a Turnpike Road.

A Turnpike road authorized.

Sec. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That John Houston, sen. Robert Houston, James Houston, jr. and John Houston, jr. be, and they are hereby authorized to cut out and open a turnpike road, commencing at Maryville in the county of Blount, the nearest and best way to the North Carolina line, on the route to the mouth of the Tuckasee river; *Provided*, the State of North Carolina will open said road from their line to the mouth of said river or authorize it to be done, which road where the situation of the country will admit of it shall be cut eighteen feet wide, and cleared of stumps and other obstructions at least twelve feet in the center; and where the road has to be causewayed it shall be at least twelve feet wide, clear of stumps, roots, and other obstructions; and if there should be any creek or creeks, that from their nature shall require it, there shall be good and substantial bridges built across them.

Duty of commissioners in rate said road is 3 months out of repair.

Sec. 2. *Be it enacted*, That said road shall always be kept in repair, and if it should be permitted to be and remain out of repair for three months at any one time after the road is opened and established by the commissioners hereafter appointed by this act, said commissioners shall immediately proceed to open said turnpike gate and keep the same open until said road shall be by them adjudged to be in good and sufficient order, they may then grant license under their hands and seals, to said proprietors to shut said gate for the purpose of exacting toll; and if said proprietors shall, either directly or indirectly, exact, take or receive any toll during the time said

commissioners set said gate open, said proprietors for every such offense shall forfeit and pay the sum of thirty dollars, to be recovered before any justice of the peace by any person that will sue for the same.

Commissioners appointed.

Sec. 3. *Be it enacted*, That William McClung, Abram Wallace, and William Anderson, shall be, and they are hereby appointed commissioners of the aforesaid road, and they or any two of them shall be capable at all times to do and perform all acts and duties required of them by this act, and when the proprietors shall notify said commissioners that the said road is cut out and completed for use, said commissioners shall proceed to examine said road, and if said road, in their opinion, is in the order contemplated in this act, they shall proceed to license said proprietor to keep a toll gate, which license shall be under their hands and seals, and said proprietor may proceed to erect a toll gate on the most convenient part of said road, and shall be entitled to receive the following rates of toll, (to wit:) each wagon and team, one dollar; each cart and driver, fifty cents; each four wheeled pleasure carriage, one dollar and fifty cents; each two wheeled pleasure carriage, seventy-five cents; man and horse, twelve and one half cents; loose horse not in a drove, six and one fourth cents; each horse or mule in a drove, three cents; each head of cattle, two cents; each head of hogs or sheep, one cent.

May license the proprietors.

Rate of toll.

Sec. 4. *Be it enacted*, That the commissioners herein appointed by this act, shall, before they enter upon the duties of their appointment, take and subscribe the following oath, before some justice of the peace for said county, (to wit:) I, A. B. do solemnly swear that I will well and truly perform the duties enjoined on me by this act according to the best of my knowledge and abilities, *So help me God*: And the aforesaid commissioners shall be entitled to receive at the rate of one dollar and fifty cents each, per day, for every day they may be necessarily employed in performing the duties enjoined on them by this act, to be paid by the proprietors of said road.

Oath of commissioners.

Sec. 5. *Be it enacted*, That if any person or persons shall pass said gate arbitrarily, or within one mile thereof for the purpose of evading the toll, such person or persons shall forfeit and pay for every such offense to said proprietor the sum of twenty-five

Penalty for evading said road.

dollars to be recovered by action of debt before

any Justice of the Peace within this State.

JAMES FENTRESS,

Speaker of the House of Representatives.

S. BREWER,

Speaker of the Senate.

August 23, 1823.

CHAPTER CCXIII.

An Act to prescribe certain duties to the Columbia Bridge Commissioners, and to provide for their compensation.

Whereas, on a critical examination of an act contained in chapter one hundred and fifty-three of the acts of the last session of the General Assembly of the State of Tennessee, no express requisition was made of the Mayor of Columbia to transfer the one hundred shares of Bank Stock therein mentioned to the Bridge Commissioners.

Sec. 1. *Be it enacted by the General Assembly of the State of Tennessee,* That on application of the chairman of the board of commissioners for superintending the building of a Bridge over Duck River at Columbia, the mayor of the said town of Columbia, be, and he is hereby required to transfer to the said chairman the said one hundred shares of stock [of] the Bank of the State of Tennessee that was reserved from transfer in the acts of 1819 chapter 103, and that the said chairman and commissioners shall reserve the said one hundred shares of stock with the dividends thereon that may accrue from the time of the transfer until the Bridge is finished by the contractors, and they have taken the first receipt thereof, and consider the same a fund by which they are to complete the last payment on their contract, and the said commissioners are hereby required to ascertain in due time whether or not the contractors will receive the said stock and dividends at par, and if not to proceed in due time to sell the same, provided it can be sold for as much money as has been paid thereon.

Sec. 2. *Be it enacted,* That if the Mayor of Columbia shall neglect or refuse to make the transfer above required the chairman of the Bridge Commissioners shall be, and he is hereby required to institute a suit for the same in any court that he may think proper, having the necessary cognizance.

Sec. 3. *Be it enacted,* That the county court of

100 shares of the stock of the Bank of the State of Tennessee to be transferred to the Columbia Bridge Company.

If not transferred, suit may be bro't.

Maury, one half of the acting Justices thereof being present, be, and they are hereby authorized to allow to the Bridge Commissioners a compensation for their services, not exceeding the compensation to jurors in the said county, at the time or times of performing said services, and that they may allow to the Treasurer of the said board in addition thereto not more than one fourth of one per cent on the amount of all monies by him received and paid out.

JAMES FENTRESS,

Speaker of the House of Representatives.

S. BREWER,

Speaker of the Senate.

August 23, 1823.

CHAPTER CCXIV.

An Act authorizing the creation of a Volunteer Company of Artillery in the town of Shelbyville.

Sec. 1. *Be it enacted by the General Assembly of the State of Tennessee,* That it shall and may be lawful for persons to associate themselves together in the town of Shelbyville for the purpose of organizing a company to be called "The Shelbyville Volunteer Company of Artillery," to consist of not less than forty-five nor more than sixty privates, one captain, one lieutenant, and one ensign, three sergeants, three corporals and two musicians.

Sec. 2. *Be it enacted,* That the election of officers in said company shall be held under the same rules and regulations in the town of Shelbyville as other elections of militia officers, provided that twenty days notice of the same shall be given in the Tennessee Herald.

Sec. 3. *Be it enacted,* That said company shall have power to make their own by-laws for their own government, a majority of said company consenting thereto, and shall have the power to fix their own uniform.

Sec. 4. *Be it enacted,* That the governor in receiving or ordering on the arms allotted by the United States for this State may order and receive such a proportion of cannon as he may think proper.

JAMES FENTRESS,

Speaker of the House of Representatives.

S. BREWER,

Speaker of the Senate.

August 23, 1823.

Bridge commissioners to be allowed by the county court.

May make their own by-laws.

Governor may send as much cannon as he thinks proper.

CHAPTER CCXV.

In Act to provide for the payment of the Members, Clerks and door keepers of this General Assembly, and to defray the necessary contingent expenses thereof.

\$4 per day pay
to members

Sec. 1. *Be it enacted by the General Assembly of the State of Tennessee, That each member shall receive the sum of four dollars for each day he has attended this General Assembly, and a like sum for every twenty-five miles travelling to and from the same.*

Speaker,
\$5 per day.

Sec. 2. *Be it enacted, That the Speaker of the Senate and the Speaker of the House of Representatives shall each receive five dollars per day for each day they may have attended this General Assembly.*

Clerks.

Sec. 3. *Be it enacted, That the Clerks of this General Assembly both Principal and Assistant, shall each receive the sum of six dollars for each day they may have attended the same.*

Doorkeepers.

Sec. 4. *Be it enacted, That the door keepers, both principal and assistant, be allowed the sum of four dollars each per day for each day they may have attended this General Assembly, and to John Bright as hire for a — to bring water, the sum of five dollars.*

David Wendel

Sec. 5. *Be it enacted, That David Wendel be allowed the sum of five hundred and twenty seven dollars and thirty-seven and one half cents for sundries furnished both branches of this General Assembly.*

And. Hynes.

Sec. 6. *Be it enacted, That the Treasurer of West Tennessee pay to Andrew Hynes one hundred and fifty dollars for the storage of public arms until the first day of January 1823, and his receipt to the Treasurer shall be a good voucher in the settlement of his accounts.*

Russell Dance

Sec. 7. *Be it enacted, That the Treasurer of West Tennessee pay to Russell Dance two hundred forty-two dollars and fifty cents, for tables and chairs procured by him for the use of this General Assembly, and his receipt shall be a good voucher to said Treasurer in settlement of his accounts.*

Sablotts.

Sec. 8. *Be it enacted, That the Treasurer of West Tennessee pay to G. A. & A. C. Sablotts forty-two dollars, the amount of their account.*

Governor
need not re-
side at the seat
of government

Sec. 9. *Be it enacted, That so much of the act passed at Knoxville the 23rd day of April 1796 as requires the Governor to reside at the seat of Government, be and the same is hereby repealed.*

Sec. 10. *Be it enacted, That the Treasurer of West*

Tennessee pay to Valentine D. Barry the sum of thirty dollars for sundry engraving done for the House of Representatives. V. D. Barry.

Sec. 11. *Be it enacted, That the Treasurer of West Tennessee pay to Austin Miller fifteen dollars; to John R. Laughlin eight dollars; and to Isham G. Searcy twenty dollars for services rendered [for] engraving during this session; and their receipts shall be good vouchers to the Treasurer in the settlement of his accounts.* Austin Miller and others.

JAMES FENTRESS,

Speaker of the House of Representatives,

S. BREWER,

Speaker of the Senate.

August 24, 1822.

NOTE BY THE PRINTERS.

In several instances we have inserted a word where it was necessary, and which was, no doubt, unintentionally omitted in the original. Wherever we have made this addition, the word or words are in *italics*, and inclosed in brackets; thus: []

RESOLUTIONS

ADOPTED

AT AN EXTRA SESSION, 1822.

NUMBER 1.

A Resolution for the benefit of James Conner.

Resolved by the General Assembly of the State of Tennessee, That the commissioners of Land Claims deliver to Henry W. M. Conner, agent of James Conner, a paper writing which is in their office which purports to be a transfer of warrant No. 394, for five thousand acres of land; and the entry made thereon is from James Hibbits to James Conner, and attested by Charles Conner, deceased. And be it further resolved, That on the delivery of said paper writing or transfer by the said commissioners to said Conner's agent, the said agent shall give to said commissioners bond and security for the safe return of the same to them on or before the first day of July next; And that if, said paper writing or transfer shall be lost or destroyed so that the same shall not be returned to said office, the fact which is sought to be established by a bill filed that there was no transfer of said paper writing shall be taken as established against the said James Conner. The said commissioners shall preserve in their office an exact copy of said paper writing or transfer, and file the said copy with the papers from which the said original shall be taken.

JAMES FENTRESS,

Speaker of the House of Representatives.

S. BREWER,

Speaker of the Senate.

July 23, 1822.

NUMBER 2.

Resolution directing the Surveyor of the 9th district to receive certain entries.

Whereas it is made appear to this General Assembly that Daniel Cherry did file a military land warrant for 640 acres of No. 392, in the office of the

surveyor of the 9th district, and did make entries on said warrant for 320 acres, which covered two occupant claims, and on the succeeding day did present two more occupant entries on said warrant which would have satisfied the same, and that the surveyor refused to let him enter the said balance of 320 acres on the ground that all the entries should have been made at the same time; and said balance not having been since entered, therefore,

Resolved by the General Assembly of the State of Tennessee, That the surveyor general of the 9th surveyor's district be directed to permit Daniel Cherry or his assignee to make an entry on said remainder of 320 acres, at any time from and after the passage of this resolution on any vacant land in said district not otherwise appropriated.

Resolved, That the said surveyor of the 9th district be directed to permit Darling Cherry or his assignee, to make an entry for 40 acres of land, it being the balance of a 1000 acre warrant of No. 389, all of which 1000 acre warrant except 40 acres having been heretofore located on occupant claims in said district.

JAMES FENTRESS,

Speaker of the House of Representatives.

S. BREWER,

Speaker of the Senate.

August 2, 1822.

NUMBER 3.

A Resolution for the benefit of Nathan Jacobs.

Resolved by the General Assembly of the State of Tennessee, That Nathan Jacobs, be and he is hereby authorized to exhibit his show and to sell small articles of merchandize free from any tax.

JAMES FENTRESS,

Speaker of the House of Representatives.

S. BREWER,

Speaker of the Senate.

August 16, 1822.

NUMBER 4.

A Resolution concerning School Lands.

Resolved by the General Assembly of the State of Tennessee, That the Register of West Tennessee or the Secretary of State is hereby required to deliver

to any board of commissioners of school land in any county in this State, or any one of such board, any grant or grants issued for any tract or tracts of school land in any county as aforesaid, which may be in either of their offices upon his or their producing a certificate from the clerk of the county in which such lands shall be, that he or they are commissioners as aforesaid, for the time being, which grant or grants shall be deposited by such commissioners in the office of the clerk of the county in which the land may lie.

JAMES FENTRESS,
Speaker of the House of Representatives.
S. BREWER,
Speaker of the Senate.

August 18, 1833.

NUMBER 5.

A Resolution concerning certain entries made in the 7th Surveyor's District.

Whereas it is represented to the General Assembly of the State of Tennessee that there are sundry entries already made in the seventh surveyor's district of this State which are illegal in consequence of varying from the cardinal points without any legal course, (viz:) a navigable water course or an existing claim of prior date, and such a multiplicity of corners produced thereby that it will be impossible under the existing laws of this State to make a legal survey on the same; wherefore,

Be it resolved by the General Assembly of the State of Tennessee, That the owner or owners, agent or agents, of such entries be permitted to legalize the same by amendment or otherwise, so that surveys and grants may be legally obtained on the same; Provided, That no existing entry shall be affected thereby.

JAMES FENTRESS,
Speaker of the House of Representatives.
S. BREWER,
Speaker of the Senate.

August 26, 1833.

INDEX.

A.

ACTION—of ejectment, to be brought only in the circuit court. 35.

AN APPEAL lies from the judgment of a justice of the peace to the circuit or county court, as the party may direct. 32.

Adam R. Alexander—may build a mill. 51.

ACT—of July 26, 1820, to establish the town of Cumberland, repealed. 140.

Act of Nov. 15, 1819, authorizing the county courts to appoint a committee to examine into the condition of paupers, repealed. 10.

of October 22, 1821, c. 16, repealed. 23.

of Nov. 10, 1821, c. 40, extended. 25.

concerning school lands of Nov. 16, 1821, c. 67, extended to McMinn, Monroe, Bedford and Lincoln counties. 50.

of Nov. 9, 1821, c. 123, repealed. 51.

of 1820, incorporating the town of Kingston repealed. 66.
that part of act of Oct. 27, 1821, c. 124, appointing certain persons commissioners repealed. 72.

ADMINISTRATORS—bonds, how sued on. 20.
settlements. 31.

ASSEMBLY—members of, to receive \$4 per day. 173.
speakers of. \$5 per day. *Ib.*
Clerks, \$6 per day. *Ib.*
Door keepers, \$4 per day. *Ib.*

ATTORNEY GENERAL—to prosecute ex officio, where no one else will. 36.

ACADEMIES—Harpeth academy to receive from the treasurer of West Tennessee its academy money. 52.

Tennessee academy in Rhea county may have the proceeds of the school lands in that county appropriated to its use for ten years. 115.

of Cairo incorporated. 147.

may pass necessary by-laws. *Ib.*

trustees of, to be elected annually. *Ib.*

who may vote at said election. *Ib.*

Rhea academy in Greene county to receive a conveyance for part of Harmony Church lot. 153.

- Wm. B. Barlee*, an act for the relief of, and others, 161, 162, 163.
Benton's (Jesse) conveyances, copies of, to be admitted to record, 159.
Bond's Thomas, heirs relieved, 56.
Brooks John, a pedlar without being subject to a tax, 63.
Brightwell Alexander, may keep a ferry on Tennessee, 149.
Bateman Isaac, relieved, 85.
Brabson John, of Sevier may build a mill dam, 164.
Bright John, allowed \$67 for distributing Scott's Revisal in addition to the sum agreed to be given to him, 95.
Ball Lewis, to have a certificate from the Register of East Tennessee, 101.
Burum Henry, to be paid \$18, 102.
Barry V. D. to be paid \$30, 173.
Brown Henry, 102.
Blount John G. may have a certificate from the Register of West Tennessee, 108.
Boyles Richard, may be divorced, 113.
Brown John, 127.
Beaty's (David) will to be executed, 155 & 157.
Bank of the State of Tennessee.—Salary of the President \$1000 per annum, 11.
 salary of Cashier \$1500 per annum, *ib.*
 of Clerk \$750, *ib.*
 of President of the Branch Bank \$500, *ib.*
 of Cashier \$1000, *ib.*
 not allowed to consolidate, 23.
Bank Agencies—may be discontinued after the first of January 1834, if the directors think proper, 41.
 to keep on loan at the respective agencies a sum proportionate to that loaned in Knox and Davidson, 41.
BASTARDY—an issue in, may be tried on affidavit of reputed father that justice requires it, 29.
 allowances in, not to exceed \$40 for the first, \$30 for the second, and \$20 for the third year, 30.
Newman Joshua, released from imprisonment on account of, 124.
BONDS—of executors or administrators may be sued on without assignment, 20.
 judgments may be rendered on them until the whole penalty is recovered, *ib.*
 profert may be made of an attested copy, *ib.*
 persons suing on such bonds to be liable for costs, *ib.*
 given for lots in Alexandria now the town of Jackson good, 88 & 89.

- BOUNDS**—in Franklin county defined, 49.
BRIDGES—Ezekiel Norris to build over Elk river, 149.
 toll of, to be fixed by Lincoln county court, *ib.*
 not to be paid by persons attending muster, 146.
 not to obstruct the navigation, 145.
 commissioners of Columbia, 100 shares of bank stock to be transferred to, 170.
 if not, chairman of said company to bring suit for it, 170.
 to be allowed by the county court of Maury, 171.

- COUNTIES**—part of Hickman described, 83.
 of Lincoln attached to Bedford, 96.
 of Lawrence, 83.
 of Wayne, 83.
 of Lawrence and Wayne to run and mark the lines as far as respects said counties, 83.
 of Shelby, boundary of to be run and marked by Col. Jac. Tipton or his deputies, 97.
 of McMinn, seat of Justice in, to have a grant for the site of, 155.
 of Greene, acts appointing commissioners for repealed, 141.
 duty of collecting officers of Greene, *ib.*
 of Morgan, site of court house and public buildings, how chosen, 141.
 of Madison enlarged, 167.
CORPORATION—of Kingston repealed, and commission substituted, 65.
 of Kingsport established, 107.
 of Polaski may execute a lease to J. Lynch, 77.
 of Winchester to be governed by the original courses of the survey of said town, 71.
 their power, s. 2, 71.
Conner James, Resolution 1, 174.
Curnack John, Jesse and James F. 155.
Cox Jacob, heirs of, to have a certificate for 280 acres of warrant, 156.
Clay William, additional commissioners appointed to settle with, 138.
Cherry Daniel, may make an entry on 320 acres of warrant No. 292, 175.
Cates Elizabeth, act for relief of, 139.
Carpenter Asa, restored to the right of citizenship, 154.
Cherry Darling, may make an entry of 40 acres, 175.
Cannon Thomas, relieved, 154.
Cook Sally, 165.

- Carriger Michael*, heirs of, relieved. 64.
Conrad Nicholas, grant corrected. 69.
 a warrant to issue to. 69, 70.
Cherry Willie, relieved. 78.
Carter John, for relief of. 103, 104.
Cohen Ferry, his lottery. 89.
 creditors of, not to be deprived of their remedy. 90, 91.
Caldwell Ballard, relieved. 94.
Cunningham Margaret, to pay 100 dollars to the treasurer of East Tennessee for a certain qr. sec. 151.
- CIRCUIT COURT**—jurisdiction of judges. 13.
 jurisdiction of, unaltered. 19.
 in the county of Carroll, when held. 127.
 in the county of Henry, when held. *ib.*
- CAUSES**—*Johnston vs. Hogue & Hogue vs. Doran*, transferred to Marion circuit court. 166.
- SUPREME COURT**—to be held annually where the supreme courts are now held. 15.
 jurisdiction of. 16.
 a fourth judge in, appointed. *ib.*
 no judge in, to sit in a cause which he has decided in a court below sec. 6.
 16.
 judges of, to arrange what courts each judge shall hold. 16.
 to consist of three judges in case of vacancy, sec. 8. 16.
 may set apart certain days for hearing certain causes. 17.
 rules of, to be in force in chancery courts. 18.
 when to be held at Nashville. *ib.*
 when to be held at Columbia. 19.
 at Nashville to give judgment without the concurrence of the other two judges. 19.
- CLERK**—of county court, fee for issuing license to a pedlar, 50 cents. 11.
 penalty on clerk for issuing license to a white person to intermarry with a negro. 22.
 after papers filed, may issue subpoenas in criminal cases. 36.
 of county court of Rhea may keep his office at his own house. 75.
 of Henry county may keep his office at any house in the county. 78.
 of Rutherford, his duty. 82.
 of circuit court of Rhea may keep his office at his own house. 75.

- CLERK**—of Davidson county court may receive redemption money from Asa Shute's heirs. 126.
 clerk of supreme court to be clerk of the chancery courts. 15.
 to hand over original papers where an appeal is taken to the supreme court, &c. 17.
 to pay all taxes on all appeals in their courts. 18.
- CONGRESSIONAL DISTRICTS**—laid off. 5, 6.
 Act of 1822 not to repeal former law so as to prevent an election in the old districts in case of a vacancy. 10.
- CHANCERY COURTS**—to be held annually at the places where the supreme court has been held by one of the judges of the supreme court. 15.
 chancery courts have the same jurisdiction in equity cases as the judges of the supreme court but where an interlocutory decree has been made, supreme court to proceed to a final decree, sec. 2. 17.
 subpoenas in, and process when to be returned. 17.
 causes in chancery may be set down for hearing, after replication has been five months filed. 18.
 to observe the rules of the supreme court. *ib.*
- COVES**—in Cumberland mountain, part of act of October, 1821, repealed. 72.
 court to appoint overseer and allot hands to fence said coves on petition of the citizens. *ib.*
- COUNTY COURT**—of Greene to lay off Lick creek into districts and appoint overseers and hands to work on it. 148.
 county court not to appoint a committee to examine into the condition of paupers. 10.
 may relieve persons liable to double tax. 21.
 may order a jury of view to lay off 3000 acres of barren land to owners of salt works. 26.
 not to allow the mothers of illegitimate children more than a specified sum, nor for a longer term than three years. 20, 30.
 may allow commissioners of school lands for costs which they have been compelled to pay. 30.
 of Shelby to allow surveyor for running northern and eastern boundary of said county. 98.
 of Franklin may sit three weeks. 105.
 of Robertson county, when held. 50.
 when to carry into effect a certain act passed October 30, 1821. 50.
 of Rutherford may lay a tax for 3 years to build a court house. 81.

COUNTY COURT—of Rutherford may hold a special court. 83.
of Smith county, when to be held. 71.
of Bedford and Lincoln to appoint commissioners to run the line between said counties. 96.
of Lincoln may fix the toll of Norris' bridge. 145.
of Hickman to pay for fixing site of seat of justice. 167.
Molton Dixon. 166, 167.
of Franklin county may appoint an overseer to fence certain coves. 72.
of Lawrence and Wayne to appoint one or more commissioners to run and mark lines of said counties. 83.
of Hickman when it may adjourn to Centerville. 119.
of Hickman at Vernon made good. 117.
when they may elect a commissioner. 119.
at Centerville made good. 117.
to be held hereafter at Vernon. 118.
of Bledsoe may appoint overseers and hands to work on Sequatchee river. 73.
Marion county may appoint overseers to work on Sequatchee river. *ib.*
may declare Town creek navigable. 74.
of Marion to appoint commissioners to lease out school lands. 79.
of Henderson, Madison, Carroll and Henry to pay for fixing the site of the seat of justice in said counties. 167.
of Monroe and McMinn may make an additional allowance to those who have run the lines between said counties. 145.
courts in Rutherford county may be held in any house in Murfreesborough. 55.
process returned to said courts good. *ib.*
COMMISSIONERS—appointed to superintend the building of a court house in the town of Murfreesborough. 81.
may borrow \$6000. *ib.*
let the building of it to the lowest bidder. 82.
commissioners to be appointed by the Governor to investigate the title of the President and Trustees of the University, of North Carolina to military warrants. 9.
may enter into an arrangement with any agent of said trustees, and direct how said warrants shall be disposed of. *ib.*
for the county of Hickman additional, appointed. 118.
in case they are equally divided, court to appoint a commissioner. 119.
of the town of Jackson, (see town of Jackson.)
for turnpike roads, (see turnpikes.)
appointed by Robertson county court, under act of Oct. 30, 1821, to proceed to execute their duty 56.

COMMISSIONERS—to open the navigation of the Sulphur fork of Red river appointed 81.
may be ordered by Robertson county court to commence the work 62.
to give bond and security to the chairman of the county court *ib.*
appointed by county court of Marion to lease school lands, to give bond and security 80.
COMMISSIONERS—board of, may meet on their own adjournments 8.
may certify certain warrants of John Overton to be valid 114.
shall deposit all books, documents, &c. in the office of the Secretary of State 8.
may issue a duplicate certificate to Ch. McClung 113.
shall continue to receive claims for adjudication until the first day of October 1822, 6.
may issue a certificate land warrant to Miller Francis, 111.
not to receive any evidence to substantiate any claims filed for adjudication after the first of Oct. 1822, 8.
to issue a duplicate warrant to the heirs of John Summers, 125.
to issue a certificate land warrant to the heirs of Ephraim Todd, 139.
to adjudge warrants on which entries have been made, which have become void for want of being surveyed within a year, and which have been taken by subsequent entries 33.
to issue a certificate to John Carter, 104.
to issue a warrant to the heirs of Tho. Bond, 58.
to issue a certificate warrant to the heirs of Nicholas Long, 118.
to issue a warrant to N. Conrad, 69.
to issue a certificate to Willie Cherry, 78.
to issue a certificate to Andrew Donovan, 116.
to re-examine a warrant for Isaac Bateman, 85.
to hear testimony concerning its assignment, *ib.*
to issue a certificate for 44 acres to James Wilson, 91.
to issue a certificate to Ballard Caldwell, 94.
to issue a certificate to John Love upon certain conditions, 98, 99.
to issue a certificate to the heirs of Wm. Leaton, 143.
to Alexander Kirkpatrick, 99, 100.
a duplicate warrant to James McCartney, 100.
certificates to R. B. Sappington as if his plats and certificates had ripened into grants. 108.
to issue a certificate to the heirs of Jacob Cox, 156.
a certificate to Valentine Sevier, 159.

- COMMISSIONERS**—may issue a certificate to Ch. Sevier, 159.
may issue a duplicate warrant to the heirs of J. Lewis, Wm. Snoddy and Benjamin Gooding, 161.
to issue a certificate for 15 acres to N. T. Perkins, 168.
of school lands may be allowed for costs for which they have become liable, by the county court, 30.
- COMPACT**—between the State of Tennessee and the trustees of the University of North Carolina, 42
- COLLEGES**—Act for benefit of East Tennessee College, 104.
Trustees of, may sell their bank stock, *ib.*
to have under their control the interest on college monies, 105.
may sell houses and lots, *ib.*
- COMPANY**—see militia.
Volunteer company of artillery in Shelbyville, 171.
may make their own laws, 171.
- COPY SHEET**—180 words, 41.
- COURT HOUSE**—and public buildings, site of, how chosen in Morgan county, 141.
Columbia Bridge Company, to have 100 shares of bank stock transferred to them, 170.
if not, chairman to bring suit, 170.
commissioners of, to be allowed pay by the county court of Maury, 171.

D

- DISTRICTS OF CONGRESS**—laid off, 5 & 6.
former law to be acted under in case of vacancy, 10.
- DEEDS**—the private of deeds heretofore made from persons residing without the State or acknowledgement by the grantor in any court of record where the grantor may reside, duly certified to be effectual, 15.
to Joel Dyer on what evidence it may be registered, 59.
from Wm. Brown to Timothy Conway and Tho. Felton admitted to registration, 110.
of trust hereafter to be mortgages, 34.
- DETAINER**, &c. 33 & 34.
writ of restitution when to issue, 33.
- DIVORCES**—of Julia G. Harris from George E. Harris, 49.
Richard Bayles may be divorced by judge of first circuit, on petition, 113.
of John Dodd, 124.
Daniel Jeremiah, or Jemima and Julius, liberated at the death of their father Pompey Daniel, 91 & 92.
Davis John, relieved of his assignee, 79.
Dale Abner, 102.

- Dyer Joel*, a deed to, on what evidence, it may be registry, *ad.*, 59.
Daly Catharine, 102.
Dyer Mary A. 112.
Donaven Andrew, for relief of, 116.
Dodd John, divorced, 124.
Dixon Molton, to receive pay from Hickman county for surveying, 166.
how to prove his account, 167.
Dance Russell, to be paid \$252 50, 172.
- DAM**—in the Sulphur Fork of Red River, 62.
in the south sluice of French Broad, may be erected by Richard Woods, 92.
may be built by Z. Wyott across Sandy river, 107.

E

- ENTRY AND DETAINER, FORCIBLE**—persons complaining of, must give security for costs, 33.
writ of restitution in, not to issue for 30 days, 33.
30 days after judgment given defendant to appeal, 34.
- ENTRIES**—shall not be received by surveyors south and west of the congressional reservation line until the second Monday of December 1832 at 10 o'clock in the forenoon, 7.
on certain warrants void, 21.
in the 7th surveyor's district to be surveyed, 24.
may be made on the balance of a warrant, 25.
second, on the same warrant null and void, 38.
permitted to be made void by Hu Ross, 110.
permitted to be made void by Henry Ragburn, 100.
not made according to the cardinal points may be legalized, 175.
- EXECUTORS**—where judgment has been obtained before justices, proceedings against whose no property to be found, 39.
and administrators' bonds may be prosecuted without assignment, 20.
judgments may be rendered on them, until the whole penalty is recovered, 20.
protest may be made of an attested copy, 20.
persons for whose use any suit may be brought under this act to be liable for costs, 20.
to be allowed reasonable compensation for their services, 31.
settlements by, with the county court to be *prima facie* evidence for executors, 31.
- P2

EJECTMENTS—hereafter to be brought only in the circuit court, 35.

actions of, in county court may be transferred to the circuit court on affidavit, 35.

ESTATE—of Herbert Harwell dec'd. to be sold without redemption, 74.

to be consumed before the effects of his securities are to be taken, 74.

Embree Elijah, may borrow from the Treasurer of East Tennessee not exceeding \$8000, 128.

Emy William, act for relief of, 162.

ELK RIVER—navigation company may meet on their own adjournment, 158.

F

French knives, may hereafter be worn, 34.

Franklin Blue, 70.

FEE—of clerk of county court, for licensing a pedlar 50 cents, 11.

Fletcher Polly, allowed the privileges of a feme sole, 190.

Fogety Stephen, changed to Edward Stephens, 137.

Felton Thomas, and T. Conway relieved, 110.

Francis Miller, a certificate may issue to, 111.

Foster Nancy, protected from her husbands debts, 165.

FEMES COVERT—permitted to act as if unmarried.

Martha Ann Dyer, 112.

Eliz. Oliver, *ib.*

Harriet Gibson, *ib.*

Mary Taylor, *ib.*

Rachel Stalcup, *ib.*

Fletcher Polly, 100.

Jones Polly, 156.

Nancy Foster, 165.

Lucretia Jordan, *ib.*

Elizabeth Menese, *ib.*

Sally Cook, *ib.*

FISH TRAPS—a fish trap may be built in the south stream of Clinch river, 129.

another in Clinch river, 129.

— in Watauga, by Jas. P. Taylor, 129.

FERRY—Alexander Brightwell may keep one on Tennessee river, 149.

he must give bond to Stuart county court, 149.

G

Gibson Harriet, 112.

Guin John & Edward Guin, official acts of, confirmed, 127.

Gamble Charles, to be paid, 130.

Good Benj. heirs of, for relief of, &c. 164.

GUARDIAN—Mary Humphreys guardian of her husband a lunatic, to give bond to the county court of Carter for the performance of her guardianship, 106. if she refuses, another may be appointed by the county court of Carter, 106.

GOVERNOR & SECRETARY—not to issue any grant to the trustees of the University of North Carolina, but in conformity with ch. 3 of acts of 1823, 9.

GOVERNOR—to appoint commissioners to investigate the claim of the University of North Carolina to military warrants, &c. 9.

to commission notaries public, 36.

to have Nathan Starr's account liquidated and paid, 110.

need not reside at the seat of government, 179.

may order on such a proportion of cannon of the arms allotted to this state as he thinks proper, 171.

GRANT—form of, to issue to purchasers of Hiwassee land sales, 37.

to issue to M. W. Mc'Ghee, 68.

to issue to Wm. Gibbs, or his assignees Reuben Tipton, Burwell S. Badget, and Samuel Badget, on the plat and certificate of survey made out by Robert Arms strong, 68.

to issue to Jesse Kirby, 67.

an error in, No. 2058 issued to Nicholas Conrad corrected, 69.

to issue to Tho. Plumlee and A. Byler, 84.

to issue to the heirs of James Smith, dec'd. 102 & 103. to the heirs of Matilda M. Carter and Juliet A. D. Cantrell, 128.

GUNS—certain, pressed during the late war, ordered to be paid for, 102.

H

Harris J. G.—divorced from George E. Harris, 49, 60.

Hupkins John, relieved, 57, 58.

Haley John C. relieved, 58.

Harvelle Herbert, property may be sold without redemption, 74.

his property to be applied to the payment of judgments already recovered, *ib.*

Helm George & Adam, turnpike road, 133, 134, 135.

Hardin James, act for relief of, 150.

to have three months to procure the transfer of another warrant, or to substitute another in its place, *ib.*

Hardin James, if he fails to procure the assignment of warrant No. 1655, certain occupants to have a preference of three months. *ib.*

Hardin Benjamin and others, for relief of, 167.

Hynes Andrew, to be paid \$150, 172.

Hopkins Thomas, may erect a turnpike, 140.

Helm George & Adam, 132.

Hall Wm. Gen. 102.

Hall Jesse and others, for relief of, 115.

Hamilton Alexander, 102.

Huff Ann, entitled to the immunities of a *feme sole*, 61.

Hightower Epaphroditus, 102.

Hulme Susan, allowed all the privileges of a *feme sole*, except that of marrying again, 60.

Hughes James & Richard Sutton, absolved from the consequences of perjury, 62, 63.

Hogue, & Hogue vs. Duran, transferred to Marion, 166.

Hughes David, relieved, 72.

Humphreys Mary, appointed guardian of husband, to give bond, 102.

Hunt Nath'l. for relief of, 109.

Hison Ephraim, restrictions on his locating certain warrants taken off, 120.

HOUSEHOLDERS—may be jurors of view in the western district, 40.

HIWASSEE SALES—purchasers at, allowed a deduction of twenty-five per cent. on a certain condition, 26. on payment, grants may issue to purchasers of Hiwassee lands, 37.

HAWKERS AND PEDLARS—taxed only \$25, c. 6. 10. John Brooks to peddle without license, 63.

I.

IMPEACHMENT—of Samuel H. Williams, persons allowed for their services and attendance, 123.

INDIAN RESERVEES—may have grants, on paying the State price for their land, 28.

INDICTMENT—sheriff may be indicted for a misdemeanor for failing to comply with the act laying off the State into Congressional districts.

owners of dams in the Sulphur fork of Red river, may be indicted for omitting to make slopes, 63.

J.

JUDGE ADVOCATE—allowed no fee where nothing is collected, 182.

Irocy (Baxter), to be paid \$50, 102.

Jartagin Caswell, 102.

Johnston Robert, for relief of, 102.

Jones Polly, 156.

Johnston Robert, permitted to emancipate negroes according to the will of David Beatty, 166, 157.

Jordan Lucretia, 165.

Jacobs Nathan, Resolution, No. 8, 175.

Johnson vs. Hogue, transferred to Marion circuit court, 166.

JUDGES—of the circuit court have the same jurisdiction in other circuits when they interchange as in their own, 13. may interchange one or more counties, 14.

One judge of supreme court to hold a chancery court annually, 15.

judges to hold a supreme court annually, *ib.*

their jurisdiction in supreme court, 16.

no judge to sit on an appeal in a cause decided by him in the court below, *ib.*

to arrange what courts they will attend, s. 7. *ib.*

in case of vacancy, supreme court to consist of three judges, *ib.*

in law causes, upon an equal division judgment of lower court affirmed, *ib.*

may set apart certain days for hearing causes from each county, 17.

to finish the terms at Nashville and Columbia, 18.

not to reside where they have been employed, unless by consent of parties, 40.

JUSTICES—of the peace liable to a penalty of \$500 for marrying a white person to a negro, &c. 22.

an appeal from judgment of, may be taken to circuit or county court, 32.

or judge may issue subpoenas in criminal cases, 36.

where no property found, is returned on process from a justice of peace, papers to be returned to the county court and *sci. fa.* may issue and subject real or personal estate, 33.

removing out of their counties nullifies appointment, 40. of Robertson county to meet at Springfield to elect a sheriff, coroner and trustee, 50.

of Roane county have jurisdiction of all violations of the by-laws of the town of Kingston, 60.

of Rhea county have cognizance of offences against the by-laws of the town of Washington, 83.

of Henry county to hold court at the present place of holding court until a court house is completed, 79.

of Carroll county, official acts of, made valid, 127.

JUDGMENTS—before justices of the peace to be returned to the county court where no property to be found is returned against executors or administrators, or

where the testator has died since judgment and *sci. fa.* may issue &c. 39.
same proceedings where papers, in case of death or resignation have been filed in clerk's office, *ib.*

JURORS—of view in the western district to be paid, 40.

K.

Kirby Jesse, to have a grant, 67.

Kirkpatrick Alexander, may have a warrant, 100.

Kendrick Edom, 102.

LAND CLAIMS—claimants of warrants may commence drawing for priority of location on the first Monday of November 1823, c. 2. sec. 1. 7.

LANDS—south of French Broad and Holston, sale of, postponed until after the first day of November, 1823, 11, 12.

owners of part or parts of any tract or tracts allowed to pay up, 23.

mountainous, advertised for taxes may be purchased by sheriff for the use of the State, if no person will bid the amount of taxes, costs and charges, 12.

such lands not liable to taxation while the title remain in the State, 13.

may be redeemed, *ib.*

of trustees of the University of North Carolina exempt from taxation until 1850, 43.

LANDS SCHOOL—act of chap. 67 of Nov. 16, 1821 extended to Mc'Minn, Monroe, Bedford, & Lincoln counties, 80.

County Court of said counties may appoint three commissioners who are to observe the regulations of said act, 30.
Resolution 4, 175.

in Marion county may be leased for any number of years not exceeding five, 79.

proceeds to be appropriated to the support of common schools, 80.

in Rhea county, proceeds of, appropriated to the support of Tennessee Academy, 151.

LOTTERY—for the relief of Wm B. Bartee and others, 161, 2. & 3.

Trustees appointed, 162.

Wm. B. Bartee to convey to them, *ib.*

proceeds of sales how to be distributed, 163.
duty of trustees, 162.

when to commence drawing, *ib.*

persons drawing prizes entitled to them, 162.

if not drawn, property to be reconveyed, 163.

for the benefit of Arkey Partee, 53.

LOTTERY—trustees appointed to receive from him a conveyance of real property, 53.

Trustees to divide the property into prizes, to draft the plan of the lottery and to conduct the selling and drawing thereof, 54.

to draw the lottery when a sufficient number of tickets are sold, 54.

to convey to persons drawing prizes, 54.

to pay the proceeds to A. Partee, retaining compensation for their trouble, 54.

to reconvey, if lottery not drawn, 54.

if lottery not drawn within two years, property to revert to Arkey Partee, 55.

for the relief of Perry Cohen and his creditors, 89.

trustees to accept a conveyance from him, 89.

to divide the property into prizes, 89.

when to draw said lottery, 89.

to convey to persons drawing prizes, 90.

if not drawn property to be reconveyed, 90.

Locke John, permitted to keep the clerk's office of the circuit court of Rhea county at his dwelling house, adjoining the town of Washington, 75.

Lynch James, to receive a lease from the corporation of Pulaski, 77.

but not permitted to draw off so much water as will deprive or injure any person having a tan-yard already established, 77.

to keep bridges over the race, 77.

Logue William, relieved, 97.

Love John, act for relief of, 98 & 99.

Long's (Nicholas) heirs to have a warrant, 118.

Leon William, heirs of, a certificate to issue to, 143.

Lewis Joel, Wm. Snoddy and B. Gooding, heirs of, relieved, 164.

Laughlin John R. to be paid \$9, 173.

LICK CREEK—to be laid off by Greene county court into convenient districts, to have overseers and hands appointed to work on it, 148.

made navigable by law, c. 183, sec. 3, 148.

M.

MARRYING—a negro or mulatto subjects the person so offending to a penalty of \$500, 22.

MINISTERS—for marrying such, liable to penalty, *ib.*

Marr George W. L. a grant may issue to, 68, 69.

McCoy James, 10.

Miller Austin, to be paid \$15, 173.

McGhee Matthew, to have a grant for reservation by him purchased, 53.

Mitchell William, to be paid \$161, 192.

- MISDEMEANOR**—in sheriff failing to perform his duty in holding elections for members of Congress, &c. 7.
- MORGAN**—county, comm'rs. in, appointed to superintend the public buildings, 141.
site for, how to be chosen, 142.
- MILITIA**—majority of the commissioned officers may determine where the regimental muster of the 4th regiment shall be held, 130.
may determine where the courtmartial of said regiment shall be held, *ib.*
regimental muster of 78th regiment, 131.
—court-martial of *do.* *ib.*
—muster of 67th regiment, *ib.*
battalion muster of 32d & 56th regiments, *ib.*
regimental court-martial may appropriate the fines of drafted men, 132.
judge advocate allowed no fees where nothing is collected, *ib.*
46th regiment, elections in, how to be held, 160.
penalty for voting improperly in said regiment, 161.
But one regimental court-martial to be held in the Carter county regiment, *ib.*
Regiments of Rhea, Bledsoe, Marion, and McMinn, constituted a brigade, attached to the first division, 163.
officers of said brigade to meet at Washington to elect a Brigadier, 163, & 4.
Volunteer Company of Artillery in Shelbyville, 171.
may hold their own elections, giving 20 days notice in the Herald, 171.
may make their own by-laws, 171.
of Roane county may have a battalion muster within their own bounds, 51.
Col. Pungan's Regiment allowed their present uniform, 51.
Capt. Miller's company of Bledsoe county may be exempted from attending regimental and battalion musters, 60.
Murfreesborough Volunteers, 70.
Nashville Guards attached to the 19th regiment, 70.
persons attached to Nashville Guards not subject to militia duty elsewhere, 70.
to assess their own fines, sec. 4, 70.
Franklin Blues exempt from Reg. & Bat. musters, 70.
to assess their own fines, 70.
officers of the 11th brigade confirmed, 81.
a separate battalion in Rhea county, 126.

- MILLS**—Adam R. Alexander may build a mill on meridian creek in Madison county, 61.
Murfreesborough Volunteers, 70.
McConnell Samuel, to have a preference to enter 2,000 acres, 156.
McIntosh Jane, entitled to the privileges of a female citizen, 129.
McCartney James, to have a duplicate warrant, 100.
Monroe George, 193.
McClung Charles, a certificate may issue to, 113.
McLary (James A.) official acts confirmed, 127.
Meness Elizabeth, 165.

N.

- NOTARIES PUBLIC**—how they may be appointed, 35.
to be commissioned by the Governor, *ib.*
- NEWPORT**—additional com'rs. for the town of, appointed, 144.
Newnan Joshua, released from imprisonment upon giving his own bond for the maintenance of Polly Bowen's illegitimate child, 124.
Norris Ezekiel, may build a bridge over Elk river, 145.
Newnan Daniel, treasurer to loan \$3000 to, 151.
Nashville Guards, 70.
- NAVIGATION**—of the Sulphur Fork of Red River, commissioners appointed for the improvement of, 61.
repair and opening of, to be let to the lowest bidder, *ib.*
Tellico river may be declared navigable by the county court of Monroe, 94.
- NAMES CHANGED**—to J. F. John and Jesse Carmack, 155.
Names of persons changed and legitimated, 67 & 68.
Hickman and Mary Lucas to H. & M. Harvey, Caroline, Thomas J. & Wm. B. Lucas to Caroline, T. J. & Wm. Harvey, 67.
Judith and Matilda Wallace to J. & M. Russell, 68.
Cynthia, Rosafiah, Nancy, Samuel, John and Marcus Patterson, to C. R. N. S. John and M. Dutton, 68.
Cary Ann and Isaac Alexander, to Cary Ann Davidson and Isaac Davidson, 68.
Sally, Jeremiah, John and Clarissa Stewart, to S. J. John & Clarissa Belote, 68.
Jonah Massey to Arthur Davis Conway, 104.
Fogety tephen, changed to Edward Stephens, 133.

O

- Owners of Salt Works**—see salt works.
to keep their salt works inclosed, 32.
to pay all damages occasioned by failure, 32.

OWNERS—of dams on the Sulphur Fork of Red River may be indicted for omitting to make slopes, 62.

OFFICES OF CLERKS—of Rhea county where kept, 75
of Henry county may be kept at any house in the county, 78.

OFFICERS—of Carroll county, acts of, confirmed, 80 & 127.

OVERSEERS—of certain coves in Cumberland Mountain to be appointed by county court, 72.
of districts of Sequatchee river may be appointed by the county courts of Bledsoe and Marion, 73.
may be appointed by Greene county court to work on Lick creek and remove obstructions to its navigation, 148.

Oliver Elizabeth, may act as a *feme sole*, 112.

Overton John, may lay before commissioners certain land warrants, &c. 114.

P

PAUPERS—proviso in favor of, 38.

PRISON RULES—in Franklin county defined, 49.

PROCESS—returned to the courts in Rutherford county, wherever they may be held in Murfreesborough good, 55.

PARTEE'S (ARKEY) LOTTERY—to convey his real estate to the amount of \$5,000, 53.
in case of deficit to be made up of personal property, 54.

Phimlee Thomas and Abraham Dyer, relieved, 84.

Purchasers at Horses Land Sales, may have twenty-five per cent. deducted on condition they pay up on the first day of Nov. 1824, 26.

may have a grant, 37.

heirs of, or assignee allowed the same privilege, 37.

PEDLARS & HAWKERS—how taxed, 10.

R

RIVERS—to improve the navigation of the Sulphur Fork of Red River, 61.

commissioners to make quarterly reports to Robertson county court, 61.

repair of, to be let to the lowest bidder, 61.

dams in, must have slopes, 62.

Elk river, a bridge may be built over, 145.

French Broad, a dam may be erected in the south sluice of, by Richard Woods, 92.

Elk river, what boats must pass after the channel is improved, 158.

RIVERS—Elk, company, when they may meet, 159.

Norris Ezekiel may build a bridge over, 145.
south sluice of French Broad, J. Branson may build a mill dam in, 164.

Tellico may be declared navigable, 93.

REGIMENTS—see militia.

REGISTER—to issue a grant in fee simple to owners of salt works for land assigned to them by the county court, 27.
of East Tennessee may issue a grant for the site of the seat of justice in McMinn county, 155.
his duty, 24.

to issue a grant to M. W. McGhee, 53.

to issue a grant to John Measons, 58.

a certificate warrant to John C. Haley, provided he shews himself entitled to it, 26.

to issue a grant to Wm. Gibbs or his assignees, 66.

to David Rogers and Enoch Parsons, 144.

may issue a certificate to Lewis Ball, 104.

a grant to M. Cunningham, 101.

of West Tennessee not to issue a grant on a second entry on the same warrant, 26.

to issue a grant to G. W. L. Marr, 60.

a grant to Thomas Pankle and A. Dyer, 84.

a grant to James Smith, 102.

a certificate to John G. Doan, 103.

to make out certain grants from copies of surveys, 115.

may issue a grant to the heirs of Matilda M. Carter and

Juliet A. D. Cantrell, 138.

to remove his office to the seat of government, 137.

to provide himself an office, 138.

to procure books at his own expense, 15.

to issue grants to Wm. Espy and to Scott Terry, 152.

of Henry county may keep his office any where in the county, 78.

RESERVEES—under Indian treaties may have grants from the State, on paying \$1 25 per acre, &c. 27, 28.

RESOLUTIONS—174, 175, 176.

ROADS—may be classed after the first court in each year, 19.
where not classed, to be regulated by the old law, 15.
see in notes.

RANGERS—of Lincoln and Franklin, where to make publication of strays, 52.

of Sevier county, duty of, and of taking up of estrays, 53 and 57.

of Perry to advertise estrays in some newspaper printed in Columbia, 64.

of Dixon county to advertise in some newspaper printed in Nashville, 72.

RANGER—of Henry county may keep his office at any house in the county, 78.

Rawlins Daniel, may keep his clerk's office at his own house, near the town of Washington, 75.

Ragburn Henry, permitted to make an entry void in the ninth surveyor's district, 106.

Ross Ha., permitted to make void an entry, 111.

Rogers David, released, 144.

Richardson David, to be paid \$100, 153.

SLAVES LIBERATED—*Jemima or Jeremiah and Julius*, 91, 92.

SALE—of lands south of French Broad and Holston postponed until the first of ~~June~~ September, 1823, 11, 12.

SCHOOL LANDS—see lands,

SALARY—of President, Cashier and Clerk of the Bank of the State of Tennessee, 11.

of the President and Cashier of the Branch Bank at Knoxville, 46.

SALT WORKS—owners of may have \$000 acres of land unfit for cultivation assigned to them, 26.

plats and certificates of such survey to be recorded, and originals sent to Register's office, 27.

owners of, to keep saltworks enclosed, 32.

to pay all damages that may arise in consequence of failure, 46.

Samuel Mc'Consel to have a preference to enter 2000 acres of uncultivated land, to be laid off by 12 honest men in Mc'Minn county, to be free from taxation for five years, but to revert to the State, if sufficient salt water is not found, 136.

report of the jury appointed to lay off said land to be recorded by the clerk of the county court of Mc'Minn, 136.

A copy of said report to be transmitted to the Surveyor General of the Hiwassee district, 46.

SECRETARY OF STATE—to make publication that claims will be received by the Board of Commissioners until the first of October, 1822, 8.

SETTLEMENTS—of executors, &c. with the county court, to be *prima facie* evidence in their favor, 31.

SECURITIES—for prosecution of suit may have counter security, 38.

if counter security not given, may have suit dismissed, 46. Proviso in favour of poor suitors, 46.

SHERIFFS—on the day after elections for members of congress, shall make out triplicate certificates of the number of votes received by each candidate and shall transmit two of the certificates by different mails to the governor, s. 2, 7.

SHERIFFS—if the sheriff fails to perform any of the duties required of him in the act laying off the State into congressional districts, he forfeits \$500 and is guilty of a misdemeanor, s. 3, 7.

to purchase mountainous tracts of land in certain cases, 12.

south and west of the congressional reservation line where to advertise, 146.

of Hickman to furnish the trustee of Dickson with a certain list on oath, 114.

of Lincoln and Franklin where to make publication of execution sales, 52.

of Perry county to advertise execution sales in some newspaper printed in Columbia, 64.

of Rutherford, if he fail to pay over monies collected for the purpose of building a court-house, judgment may be rendered against him, 82.

or collecting officers of Greene county, duty of, 141.

of Sumner to hold an election annually for trustees of Cairo Academy, 147.

SUBPOENAS—in criminal cases for witnesses, by whom they may be issued, 36.

Searcy Isham G. to be paid \$20, 173.

Snoddy, Wm. heirs of, relieved, 164.

Sevier Valentine & Charles, act for relief of, 158, & 159.

Smith John, of Sullivan county, relieved, 56.

Smith Joshua, 102.

Sutton Richard, absolved, from the consequences of perjury, 62 & 63.

Shelton John, 102.

Shemery Conrad, 46.

Shirley Balser, 46.

Sopher Abrine, 46.

Sharp William, 46.

Sappington Roger B. may have certificates from the board of commissioners as if he had grants, 106.

Stubblefield and Williams, 120.

Sevier Valentine, to convey part of Harmony church lot to Rhea Academy, in Greene, 153.

Summers John, heirs of, 125.

Shute's (Asa) heirs may redeem certain tracts of land, 125.

Stephens Edward, 137.

Sublett G. A. & B. C. to be paid \$42, 172.

SURVEYORS—may receive entries in the districts south and west of the congressional reservation line, on and after the second Monday of December, 1822, 7.

SURVEYORS—exempted from penalty, for suffering entries to be made on the balance of a warrant which was not consumed by a former entry, 25.
to write in the face of warrants before taken out of their offices "appropriated by entry in my office," &c. 27.
duty of, where warrant No. 5025 is entered, 120.
where warrant 1701 is entered, 121.
of the seventh district, his duty, 24.
may make void a certain entry, 103.
duty of, 132.
to keep his office at Lawrenceburg, 160.
may permit certain entries to be legalised, 176.
of the eleventh district to run and mark the northern and eastern boundary of Shelby county, 97.
to make entries made by Jas. Hardin conform to warrants to be filed by him, 150.
to be paid by the county court of Shelby, 98.
to make out a complete plat of the boundaries of said county, 98.
of the ninth district required to permit Henry Ragburn to make an entry void, 106.
may permit Daniel Cherry to make an entry, 175.
Darling Cherry to make an entry, 175.
of the third district to be paid \$161, 122.
of the Hiwassee district to make out plats and certificates for 2,000 acres for Samuel Mc'Connell, if he finds a certain quantity of salt water, 137.
duty of, in regard to Robert Thompson, and the heirs of David Thompson, deceased, 142.

STATE—not liable to pay a tax for lands purchased by her at sheriff's sale, while the title remains in her, 13.

Seel William, a commissioner, 59.

Starr Nathan, account to be settled and paid, 110.

Stalcup Rachel, 112.

T

TREASURER—of West Tennessee to pay David Wendel, 173

Andrew Hynes, *ib.*

Russell Dance, *ib.*

Messrs. Subletts, *ib.*

Valentine D. Barry, 173.

Austin Miller, *ib.*

John R. Laughlin, *ib.*

Isham G. Searcy, *ib.*

of West Tennessee, to pay trustees of Harpeth Academy their proportion of academy money, 52.

TREASURER—of W. T. to collect without delay such portion of academy money as is due to Williamson county, *ib.*
to pay Nathaniel Hunt, 109.
to pay William Mitchell, 122.
to pay Robert Weakley, 117.

of East Tennessee to observe that David Hughes is permitted to enjoy 181 acres, 2 roods and 8 chains, as an occupant, 75, 76.

to issue to Matthew Wallace a certificate, 101.

to pay certain persons for guns pressed, 102.

authority of, extended, as regards loaning money to Elijah Embree, 127.

to pay Charles Gamble, 130.

to receive \$200 from M. Cunningham, 151.

to loan Daniel Newman \$3000, *ib.*

when to be refunded, and how often the note is to be renewed, 151, 153.

to pay David Richardson, 153.

TOWN—of Carthage, extended, 149.

of Kingston, commissioners appointed for, 65.

powers and duties of said commissioners, *ib.*

offences against by-laws of, to be cognizable before a justice of the peace, *ib.*

commissioners of, to fill their own vacancies, 66.

of Kingsport in Sullivan county incorporated, 167.

of Winchester, the corporation of, to be governed by the original survey of said town, 71.

powers of the corporation of, *ib.*

of Henry, may be laid off by commissioners as may be most convenient, 79.

of Jackson, formerly Alexandria, 85.

commissioners for, appointed, 85, 86.
incorporated, 86.

may have a Chairman, Clerk and Treasurer, *ib.*

court house, prison and stocks to be let to the lowest bidder, 87.

how surplus monies to be appropriated, *ib.*

Board may fill their own vacancies, *ib.*

appoint a town constable, &c. *ib.*

show pay to clerk and constable, 88.

Board of Commissioners of the town of Jackson to publish their by-laws, *ib.*

may remove officers for breach of duty, *ib.*

to take an oath, *ib.*

may purchase ground for a church, and grave yard, *ib.*
of Washington regulated, 82.

commissioners for, appointed, & their powers, 92, 93.
offences against by-laws of, cognizable before a justice of the peace, 93.

TOWN—of Cumberland, act concerning of July 26, 1820, repealed, 140.
of Newport, additional com'rs. for, appointed, 144.

TAXES—lands reported for failing to pay, may be purchased by sheriff, 19.
Double, persons liable to, how they may be relieved, 21.

TRUSTEE—of Dickson county may call on trustee of Hickman for certain monies, 114.
if not paid may recover the money by motion in the county court of Dickson, 114.

TRUSTEES—of Arkey Partee's lottery appointed, 53.
to receive a conveyance of real estate, 53.
if deficient in value to be made up of personal property, 54.
to divide the property into prizes, to draft a scheme, to conduct the selling and drawing of said lottery, 54.
to proceed to drawing when a sufficient number of tickets are sold, 54.
to convey to persons drawing prizes, 54.
to pay the proceeds to A. Partee, after retaining a reasonable remuneration, 54.
to reconvey property, if lottery should not be drawn, 54.

Tipton Reuben, a grant may issue to, or. to Burwell S. & Samuel. Budget, 66.

Thompson John, 102.
Taylor Mary, 112.
Taylor James P. may build a fish trap, 129.
Todd Ephraim, heirs of, relieved, 139.
Thompson Robert & heirs of David Thompson, for relief of, 142.
may have a grant on paying \$1 per acre, 142 & 143.

Terry Scott, 152.

TURNPIKES—commissioners for appointed, 108.
Smoky Mountain Turnpike Company, 76.
duty of commissioners of, explained, *ib.*
commissioners of, may authorize the company to erect a toll-gate, 76.
stock of said company divided into shares of \$20 each, 76.
company may receive toll as great a length of time as any turnpike is now allowed, 77.
of Tho. Bounds continued ten years longer to John Brown and R. Burk, 85.
commissioners to review the same and their duty, 85.
Gistman's trace turnpike, commissioners appointed for in addition to B. Brown, 109.

TURNPIKES—Rainey's and Hoodenpyles turnpike, an additional commissioner appointed to inspect part of Hill's road, 169.
what shall be the condition of a bond for keeping a turnpike in Greene county, 124.
Geor' and Adam Helms authorized to establish a turnpike road, 133.
width of the road, and how to be kept, 163.
when the road is three months out of repair duty of commissioners, 133.
proprietors of, to give bond to the governor, 134.
commissioners appointed to lay off the road and issue license, 134.
the rates of toll, *ib.*
commissioners to take oath and form of it, 134.
road to be kept up ten years, 135.
\$25 forfeited for evading the gate, 135.
United State's mail to pass free, *ib.*
Thomas Hopkins may erect a turnpike road in place of Joseph Franks, 140.
of Houston Robert and others authorized, 168.
duty of commissioners appointed to superintend the same, 168.
commissioners of, appointed, 169.
their oath, 169.
may license proprietors, 169.
rate of toll of, 169.
penalty for evading said turnpike road, 169.

V.

Felice Thomas, 109.

W.

Wallace Matthew, may have a certificate from the Treasurer of East Tennessee, 10.
Wilson James, to have a certificate, 91.
Woods Richard, permitted to erect a dam in the south sluice of French Broad river, 92.
Wells Dolly Parker, legitimated, 137.

WITNESSES—at the impeachment of Samuel H. Williams, allowed to be paid, 123.

WARRANT—where criminal has fled, may issue to any county in the State, 36.
land, may be obtained from commissioners, 21.
but must express in the face of them, to be entered north & east of the congressional reservation line, *ib.*
chiries on, south of said line to be void, *ib.*

WARRANTS—on which entries have become void for want of being surveyed, and which have been taken by subsequent entries, may be adjudged, 83.

a warrant for 640 acres to issue to the heirs of Thomas Bond, 56.

a duplicate may issue to N. Conrad, 69.

may issue to Alexander Kirkpatrick, 100.

is duplicate to James McCartney, *ib.*

where warrant No. 5095, is entered, duty of surveyor, 120.

warrant No. 1701, duty of surveyor where filed, 121.

WRIT OF RESTITUTION—when to issue, 33.

Willford John B. released from fines imposed on him by the county court of Warren, in four causes at July sessions, 1822, 63.

Wyrich Frederick, 102.

Wyot, Zachariah, may build a mill dam across Bandy river, 107.

Weakly Robert, to be paid, 117.

Williams Sampson, and *vs.* Stubblefield, 119, 120.

Williams Sameon, 121.

Wondel David, to be paid \$587 37 1/2 cents, 179.

SECRETARY'S OFFICE, 26TH OCTOBER, 1832.

I have examined the foregoing Acts and Resolutions and do certify that they are true copies of the originals now on file in my office.

DANIEL GRAHAM,

Secretary of State.