

Appellation of trustees. **SEC. 6.** *Be it enacted*, That said trustees shall be known and distinguished by the name of the Board of Trustees for Navigation in the Western District; and by such name may sue and be sued, plead and be impleaded, and have and use a common seal.

JAMES FENTRESS,
Speaker of the House of Representatives,
R. WEAKLEY,
Speaker of the Senate.

October 16, 1824.

CHAPTER CXXIX.

An Act to provide for the payment of certain costs therein mentioned.

Treasurer to pay Wm. L. Brown for arguing cases.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the treasurer of West Tennessee be, and he is hereby, directed to pay to William L. Brown, the sum of one hundred dollars, as a fee for arguing six cases of mandamus on the part of the commissioner of West Tennessee, as well in the circuit court as in the supreme court at Nashville, wherein the trustees of the University of North-Carolina, the trustees of East Tennessee College, Job Gargis, Josiah Nowell, the trustees of Cumberland College, and Andrew Jackson, were plaintiffs, and the said commissioner was defendant.

To take receipt.

SEC. 2. *Be it enacted*, That the receipt of the said William L. Brown, for that amount, shall be a sufficient voucher to the said treasurer in the settlement of his accounts.

To pay Wm. E. Anderson.

SEC. 3. *Be it enacted*, That the treasurer of East Tennessee pay to William E. Anderson, the sum of one hundred dollars, as a fee for defending two motions made against said treasurer to compel him to issue certain certificates to Henry Bradford, and Samuel M'Connell, and the receipt of said Anderson, shall be a good voucher to the treasurer in the settlement of his accounts.

JAMES FENTRESS,
Speaker of the House of Representatives,
R. WEAKLEY,
Speaker of the Senate.

October 16, 1824.

CHAPTER CXXX.

An Act to secure the navigation of Wolf river.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Wolf river, from the mouth of the north fork to the junction of the same with the Mississippi river, shall be, and remain, a public way, free and open for all citizens of this state and others, for navigation with boats, craft, and other means of conveyance by water, without molestation or obstruction. River declared navigable.

SEC. 2. *Be it enacted*, That any person or persons who have heretofore erected, or shall hereafter erect or place any dam, or other obstruction, in said river, between the mouth of the north fork, and the junction of said Wolf river with the Mississippi river, as aforesaid, so as to impede the navigation thereof, shall forfeit and pay the sum of fifty dollars for every ten days such dam or obstruction shall remain, the one half thereof to the use of the state, the other half to the use of any person who shall sue for the same, to be recovered by action of debt before any tribunal having cognizance thereof. Penalty for obstructing.

SEC. 3. *Be it enacted*, That all and every person or persons navigating said river, between the points may be removed. aforesaid, shall be justifiable in removing any obstructions found therein contrary to the foregoing provisions. Obstructions to be removed.

SEC. 4. *Be it enacted*, That this act shall be in force from and after the first day of December next. To take effect.

JAMES FENTRESS,
Speaker of the House of Representatives,
R. WEAKLEY,
Speaker of the Senate.

October 16, 1824.

CHAPTER CXXXI.

An Act respecting Nolichucky river.

Whereas it is represented to this General Assembly, that a great variety of obstructions have been thrown into Obucky river, by the erection of fish traps, dams, &c. which renders the navigation thereof dangerous and hazardous: For remedy whereof,

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Geo. Hanty, Elijah Ambree, Samuel Crawford, Jacob Brown, and Thomas Brown, be, and they are hereby, appointed com- Commissioners appointed to examine river.

missioners to examine the said river in manner and form hereinafter directed.

To direct ob-
structions to
be removed.

SEC. 2. *Be it enacted*, That upon application of any person or persons, being made to the said commissioners, or a majority of them, representing that any person or persons have erected a fish trap or traps, dam or dams, or any other obstructions whatever, in said river, that the said commissioners, or a majority of them, may proceed to examine such obstruction or obstructions, and if they shall think that said obstruction or obstructions renders the navigation of said river hazardous and dangerous, and shall think proper to direct the same to be removed, they shall proceed to have a written notice served on the person or persons having created such obstruction or obstructions, or on such person or persons as may exercise ownership over the same, at the time of such examination, directing him or them to remove the same, allowing him or them reasonable time to effect such removal.

Penalty for
not removing

SEC. 3. *Be it enacted*, That upon such notice as before recited being served, and any person or persons shall refuse to obey and remove such trap or traps, dam or dams, or other obstructions, within the time directed by said commissioners, provided they gave a reasonable time to do the same, that all such persons so offending or refusing shall be liable to an action of damage in the circuit court, and upon conviction, shall be liable to forfeit a sum not exceeding one hundred dollars, nor less than twenty-five dollars, for each and every conviction thereof, one half for the use of the person or persons suing for the same, the other half for the use of the state, any law, usage or custom to the contrary notwithstanding.

JAMES FENTRESS,

Speaker of the House of Representatives.

R. WEAKLEY

Speaker of the Senate.

October 16, 1824.

CHAPTER CXXIII.

In Act extending certain powers to the commissioners of the town of Brownsville.

Commissioners
for some of
the towns of
the State of
Tennessee.

SECTION 1. *Be it enacted by the General Assembly* heretofore appointed by law to fix on a suitable site

for the seat of justice in Haywood county, be, and the same commissioners hereby are, vested with full power and authority to determine on the site of the public square in said town, and the width of the streets of said town, any law heretofore passed to the contrary notwithstanding.

SEC. 2. *Be it enacted*, That the said town, when established, in pursuance of the acts of assembly heretofore passed, shall be called and known by the name of Brownsville, in honor of Major-General Jacob Brown, of the army of the United States.

Town named
Brownsville.

SEC. 3. *Be it enacted*, That the commissioners, when appointed by the county courts of Gibson, Dyer, Hardeman, Tipton, Fayette, Weakley, Obion, and McNairy counties, to lay off and sell the lots in the seats of justice for counties, shall have, exercise and possess, respectively, all the powers extended by this act to the commissioners appointed to fix the seat of justice for Haywood county.

Commissioners
in other c/s.
to have like
powers.

SEC. 4. *Be it enacted*, That the seat of justice for the county of Gibson shall be called by the name of Gilsonport; the seat of justice for the county of Dyer shall be called by the name of Dyersburgh; the seat of justice for the county of Weakley shall be called by the name of Dresden; the seat of justice for the county of Obion shall be called by the name of Troy; the seat of justice for the county of Hardeman shall be called by the name of Hatchee; the seat of justice for the county of McNairy shall be called by the name of Purdy; the seat of justice for the county of Fayette shall be called by the name of Sommerville, in honor and to perpetuate the memory of Robert M. Sommerville, who fell at the battle of the Horseshoe; the seat of justice for the county of Tipton shall be called by the name of Covington.

Names of
towns.

SEC. 5. *Be it enacted*, That if it should so happen, that the commissioners appointed to fix on sites for the permanent seats of justice in the Western district, cannot complete their business within the time prescribed by law, it shall be lawful for the commissioners to have the further time of one month to complete the same.

Commissioners
allowed fur-
ther time.

JAMES FENTRESS,

Speaker of the House of Representatives.

R. WEAKLEY,

Speaker of the Senate.

October 16, 1824.

CHAPTER CXXXIII.

An act supplementary to an act, entitled "An act to authorize the drawing of a Lottery for the erection of a Hospital in the town of Nashville," passed at Murfreesborough, October 15th, 1823.

Whereas it is represented to this General Assembly, that the sum of ten thousand dollars, authorized to be raised by lottery under the provisions of the before-recited act, is too small and insufficient for the purposes therein intended: Therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee, That the managers of said lottery, appointed under the provisions of the act to which this is intended as a supplement, be, and they are hereby, authorized so to draft and extend the scheme of said lottery, as to enable them to raise the sum of twenty thousand dollars, subject to all the rules, regulations and restrictions prescribed by said act.*

JAMES FENTRESS,
Speaker of the House of Representatives.

R. WEAKLEY,
Speaker of the Senate.

October 16, 1824.

CHAPTER CXXXIV.

An Act to amend the Militia Laws of this state.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee, That a third division of the militia of this state shall be established, to be composed of the twelfth, thirteenth and fourteenth brigades; and for the purpose of electing a major-general to command the said division, the field officers of the several regiments shall meet and vote at their respective court-houses, on the first Thursday of July next.*

SEC. 2. *Be it enacted, That the sheriffs of the several counties within the said division shall open and hold the election as herein contemplated, on the said first Thursday of July next, under the rules, regulations and restrictions prescribed in similar cases; and each of them shall forthwith make out a return, and transmit the same by mail, directed to the Governor, who shall, upon receiving complete returns from all the counties, collect the number of votes given to each*

Third division established.

Sheriffs to hold election for major general.

person voted for, and commission the one having the highest number accordingly.

SEC. 3. *Be it enacted, That Captain John Allen's company of light infantry, belonging to the twenty-second regiment of Tennessee militia, shall be known and designated by the name of the Goose-River Guards; their uniforms shall be blue domestic coats, white pantaloons and vests, round black hats, and white plume, and so much of the fines arising from said company, as will purchase colours, may be appropriated by the regimental court-martials and shall remain and be a part of said regiment, and shall do duty as the law directs.*

SEC. 4. *Be it enacted That the militia residing on Crow creek and Paint creek, in Marion county, shall not be compelled to attend regimental and battalion musters in said county, and that a law passed at the last session of the General Assembly, be, and the same is hereby, repealed, so far as respects the militia residing on said Crow and Paint-rock creeks,*

JAMES FENTRESS,
Speaker of the House of Representatives.

R. WEAKLEY,
Speaker of the Senate.

October 16, 1824.

CHAPTER CXXXV.

An Act for the relief of Elizabeth D. Finnie, and Polly Hicklin.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee, That it shall be the duty of the circuit court of Davidson county, on some day of the next term of said court, to empanel a jury to ascertain the facts, whether James Finnie has for more than seven years last past abandoned his wife Elizabeth D. Finnie, without any just cause, and has failed for that time to contribute any thing to the support of his said wife and child; and if the facts aforesaid be found affirmatively, then said court shall pronounce judgment dissolving the marriage contract, and divorcing the parties aforesaid absolutely from each other.*

SEC. 2. *Be it enacted, That it shall be the duty of the circuit court of Maury county, on some day of the next, or any subsequent term of said court, on application, to empanel a jury to ascertain the fact, who*

Capt J. Allen's company of light inf.

Militia in Marion county.

E. D. Finnie may have divorce.

ther Avery M. Hicklin has for more than five years last past, absented himself from, and abandoned his wife Polly Hicklin, without any just cause, and has for that time failed to contribute any thing to the support of his said wife, and her child Henry W. Hicklin; and if the facts aforesaid be found affirmatively, then the said court shall pronounce judgment and make a decree dissolving the bonds of matrimony heretofore solemnized between the said Polly Hicklin and her husband Avery M. Hicklin, and shall divorce the parties aforesaid absolutely from each other, and the said Polly Hicklin shall hereafter be known and called by the name of Polly Hunter, and her child Henry W. Hicklin, shall hereafter be known and called by the name of Henry W. Hunter.

JAMES FENTRESS,

Speaker of the House of Representatives.

R. WEAKLEY,

Speaker of the Senate.

October 16, 1824.

CHAPTER CXXXVI.

An Act to alter the time of holding the County Courts in Bedford county.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the county courts of Bedford county shall be held on the first Monday in February, May, August, and November.

SEC. 2. *Be it enacted,* That this act shall take effect from and after the county court in October, one thousand eight hundred and twenty-four, and said court shall adjourn to the first Monday in February thereafter, any law to the contrary notwithstanding.

SEC. 3. *Be it enacted,* That the sheriff, and other returning officer, shall continue his office until the first Monday in February, as prescribed in the first section of this act, and all his official acts shall be as valid as if no change had been made, and that all writs, or other precepts, made returnable to the January term of said court, shall stand returnable to the February term, as though they had been originally directed.

JAMES FENTRESS,

Speaker of the House of Representatives,

R. WEAKLEY,

Speaker of the Senate.

October 16, 1824.

CHAPTER CXXXVII.

An Act for the relief of Nathan Jobe, and James Robertson.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That it shall be the duty of the principal surveyor of the seventeenth surveyor's district, on application of Nathan Jobe, and James Robertson, to make void their entries of fifty acres each, entered in the name of David Crocket, and re-enter the same, so that they can cover their improvements, which were intended to be entered, and that grants shall issue accordingly.

SEC. 2. *Be it enacted,* That it shall be lawful for the register of East Tennessee to deliver to Peter Beeler or his order, his plat and certificate of survey for fifteen acres of land, founded upon certificate number — for twenty-six acres, and it shall then be lawful for said Beeler to file with the commissioner for West Tennessee said certificate for adjudication, and if valid, to certify the validity thereof, without requiring any other proof of interference, or non-location, than the evidence now filed with said commissioner.

JAMES FENTRESS,

Speaker of the House of Representatives.

R. WEAKLEY,

Speaker of the Senate.

October 16, 1824.

CHAPTER CXXXVIII.

An Act for the benefit of Thomas Bottom, of Roane county.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Thomas Bottom, a citizen of Roane county, he, and he is hereby, authorized to change that part of the road called Emery Road, in the county of Roane, where it crosses the main branch of Poplar creek, so as to cross said creek below the mills now owned by said Bottom, to leave and intersect the old road at the nearest point to said mill, where a good road can be had: *Provided,* that the road contemplated by this act shall not exceed in distance one mile the old road: *And provided,* that cutting out and putting in repair said road shall be at the sole charge of the said Thomas Bottom: *And*

provided further, that said road, the ford and banks, where it shall cross said creek, shall be in as good repair, and as passable, as where the old road now runs.

Persons to view road.

SEC. 2. *Be it enacted*, That when said road shall be completed, as by the first section of this act directed, it shall be the duty of the said Thomas Bottom to report the same to the next county court, holden for Boone county, who shall appoint five disinterested freeholders, whose duty it shall be to view said road, and make report to the next county court of the state of repair of said road, after which time the road hereby directed to be opened shall be deemed the public road, and the old road shall be discontinued.

JAMES FENTRESS,

Speaker of the House of Representatives.

R. WEAKLEY,

Speaker of the Senate.

October 16, 1824.

CHAPTER CXXXIX.

An Act for the benefit of certain persons therein named.

Whereas it has been represented to this General Assembly, that entries, viz. number one thousand four hundred and eighty-nine, in the name of Thomas Crow, and number one thousand four hundred and forty-five, in the name of John S. Baily, and number one thousand five hundred and seventeen, in the name of John Grissam, all in the seventh surveyor's district, and that there has been a mistake in the locating of the same, and that they do not include the land intended to be entered: For remedy whereof,

T. J. Mathews allowed to withdraw warrants.

SECTION 1. *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, to permit Thomas J. Mathews to withdraw the aforesaid entries, to wit: numbers one thousand four hundred and eighty-nine, one thousand four hundred and forty-five, and one thousand five hundred and seventeen, and enter the said entries in the names of the aforesaid persons, upon the land intended to have been entered: *Provided*, said entries, as they now are made, are on good and valid warrants.

T. Hopkins allowed further time to file evidence.

SEC. 2. *Be it enacted*, That Thomas Hopkins be allowed the further time of six months to file with the commissioner of land claims the evidence of his claims, required by an act for the relief of Thomas Hopkins.

passed twenty-fifth November, one thousand eight hundred and twenty-three; and also the evidence of his claims called for in section fifth, of an act for the relief of Rees O. Childress, John Fortier, and William Hill and others, passed twenty-eighth November, one thousand eight hundred and twenty-three; and that the commissioner be authorized to adjudicate the same.

JAMES FENTRESS,

Speaker of the House of Representatives.

R. WEAKLEY,

Speaker of the Senate.

October 16, 1824.

CHAPTER CXL.

An Act to prescribe the duties of the Treasurer of East Tennessee, in certain cases.

Whereas certain persons have obtained grants, under the authority of an act, entitled "An act to authorize the register of East Tennessee to issue grants to certain persons therein named," passed at Murfreesborough, October twenty-third, one thousand eight hundred and twenty-one, and doubts have arisen in what manner they are to make their payments, and where the money arising therefrom should be vested: For remedy whereof,

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the persons therein referred to shall be at liberty to pay to said treasurer on or before the first day of May next, for their several tracts, agreeably to, and in conformity with, law. the second and third sections of an act, entitled "An act for the relief of the citizens south of French Broad and Holston," and to appropriate the moneys due from said citizens for their lands: *Provided always*, that in all cases where sales are to be made of the above-described lands, under the provisions of said act, the land shall be bid off for the state.

Certain persons to pay treasurer for lands agreeably to former law.

SEC. 2. *Be it enacted*, That the aforesaid treasurer shall pay over the money arising from payments made for the said tracts of lands referred to in the first section of this act, into the Bank of the State of Tennessee, any law to the contrary notwithstanding.

Treasurer to pay money into State Bank.

JAMES FENTRESS,

Speaker of the House of Representatives.

R. WEAKLEY,

Speaker of the Senate.

October 16, 1824.

CHAPTER CXXI.

An Act for the relief of the proprietors of Paint-mountain Turnpike Road.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee, That the proprietors of the turnpike road leading across Paint mountain, be, and they hereby are, exempt from the payment of any tax heretofore authorized to be levied and collected by the laws of this state.*

JAMES FENTRESS,
Speaker of the House of Representatives.

R. WEAKLEY,
Speaker of the Senate.

October [18,] 1824.

CHAPTER CXXII.

An Act for the relief of Alexander McClintock.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee, That it shall be lawful for the surveyor of the seventh district, to alter the calls of an entry in the name of Alexander McClintock, for eighteen acres lying in said district, section fourth, range thirteenth, and cause the same to be surveyed, to include the land originally intended to be included, in the same manner that said entry might have been surveyed, had no mistake happened in the location thereof.*

SECTION 2. *Be it enacted, That the register of West Tennessee is hereby authorized to issue to Elkanah Sullivant a certificate for fifteen acres, in lieu of part of certificate one thousand one hundred and eighty-seven: Provided, however, that it shall appear to said register, that the said Sullivant is entitled to the same, and that the entry made thereon was made previous to the twenty-first of November, one thousand eight hundred and twenty-three; and it shall be lawful for the commissioner of West Tennessee to adjudicate such certificate, so issued, as in other cases.*

JAMES FENTRESS,
Speaker of the House of Representatives.

R. WEAKLEY,
Speaker of the Senate.

October 18, 1824.

CHAPTER CXLIII.

An Act amendatory to an act, entitled, "An act to authorize John Tollet, James Orme, George Gordon, and Jesse Lincoln, to open and establish a Turnpike Road."

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee, That George Gordon and Jesse Lincoln be discharged from all obligation as proprietors for opening a road defined in the first section of the two hundred and nineteenth chap. of the acts of one thousand eight hundred and twenty-three, and that the road, instead of commencing near the widow Wilson's, commence at or near Adam Sherell's, at the foot of Walden's ridge, thence crossing said ridge so as to intersect the public road in Rhea county, between Jesse White's former residence in said county, and White's creek, and that John Tollet and James Ormes remain proprietors and receive the use and benefit of said road, for twenty-five years from the enactment of said act.*

SECTION 2. *Be it enacted, That the commissioners appointed in the second section of the above act proceed to view, mark and lay off said road as above defined.*

SECTION 3. *Be it enacted, That John Tollet and James Ormes be discharged from all obligations as proprietors of the road defined in the sixth section of the above act, and that every part of the above act, not herein repealed and amended, be, and hereafter remain, in full force.*

SECTION 4. *Be it enacted, That said road and the rights and privileges hereby secured shall at all times be under the control of the General Assembly.*

JAMES FENTRESS,
Speaker of the House of Representatives.
R. WEAKLEY,
Speaker of the Senate.

[October 18, 1824.]

CHAPTER CXLIV.

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 Southwest Point to Carthage, which lies on Cumberland mountain, and to keep a turnpike road thereon," passed 15th November, 1818.

Whereas it is represented to this General Assembly, that Robert Officer and Thomas H. Kays have

purchased from Thomas Bounds his charter for that part of the road between Kimmer's and the White Plains, and that they have expended a considerable amount in repairing and putting the same in complete order, which leaves them but a very small profit for their services from said road: For remedy whereof.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee.* That Robert Officer and Thomas H. Francher be, and they are hereby, authorized to continue that part of said road which leads from, or near, Kimmer's stand, on Cumberland mountain, to the western foot of the same, near White Plains, to be under the same rules, regulations and restrictions that the said Bounds was in his charter, and receive the same rates of toll; and that the same commissioners on said road have the same power and emoluments as heretofore authorized by law, and to have the said road to them and their heirs for the space of twelve years after the expiration of the present charter: *Provided,* they open and keep in good order a road leading from the head of Sequatchee valley, near Tollett's mill, so as to intersect the aforesaid road at or near Johnston's stand, within twelve months from the passage of this act.

SEC. 2. *Be it enacted,* That Samuel Johnson, of White county, be, and he is hereby, appointed commissioner of that part of the new road leading from the head of Sequatchee valley, to intersect the old road at or near Johnson's stand, in addition to the duties assigned him as commissioner by act of the General Assembly, passed the twenty-fifth day of November, one thousand eight hundred and twenty-three.

SEC. 3. *Be it enacted,* That William Nail, of Bledsoe county, be, and he is hereby, appointed, in addition to the one heretofore appointed, as commissioner to that part of the road leading from Sequatchee valley to Johnson's stand, 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. 4. *Be it enacted,* That said road rights and privileges shall at all times be, and remain, subject to the control of the General Assembly.

JAMES FENTRESS,

Speaker of the House of Representatives.

R. WEAKLEY,

Speaker of the Senate.

October 18, 1824.

CHAPTER CXLV.

An Act for the relief of William L. Petty.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee.* That William L. Petty, late surveyor-general for the ninth surveyor's district, be, and is hereby, entitled to all the fees for entering, surveying, &c. in said district, up to the twenty-seventh day of September, one thousand eight hundred and twenty-four. Entitled to fees as surveyor.

SEC. 2. *Be it enacted,* That the said William L. Petty shall have access to the books of said office, to enable him to collect and secure to himself the fees due as aforesaid on the said twenty-seventh day of September, one thousand eight hundred and twenty-four. To have use of books.

JAMES FENTRESS,

Speaker of the House of Representatives.

R. WEAKLEY,

Speaker of the Senate.

October 18, 1824.

CHAPTER CXLVI.

An Act respecting Cumberland College.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee.* That all elections of officers for said College shall be by ballot. Elections to be by ballot.

SEC. 2. *Be it enacted,* That the Governor of the state of Tennessee, for the time being, shall be, by virtue of his office, one of the trustees of said College, with all the rights and privileges of any other trustee thereof. Governor to be a trustee.

SEC. 3. *Be it enacted,* That for the purpose of fixing upon the number of trustees, and the mode of their appointment, the following clause be made a part of the charter, or fundamental law, of said institution, upon a majority of the present board signifying their acceptance thereof, by entering the same, with their agreement thereto, in the minutes of their proceedings at some future meeting: The number of the trustees of said College shall be twenty-two, and no more; they shall be appointed in the following manner, and not otherwise: the board of trustees shall nominate in case of vacancy, and by virtue of such nomination the persons selected may act until the then next session of the General Assembly, at Additional clause to charter.

which time the said nominations shall be either confirmed by resolution of both houses, or rejected.

JAMES FENTRESS,
Speaker of the House of Representatives.
R. WEAKLEY,
Speaker of the Senate.

October 18, 1824.

CHAPTER CXLVII.

An Act for the relief of John Griggsby, senior.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That John Griggsby, senior, and he is hereby, released from the forfeiture heretofore taken against him, in the circuit court of Roane, upon recognizance entered into by himself and others, as securities for the appearance of Samuel Smith, under a charge of the state against him, except the sum of three hundred and thirty-three dollars, thirty-three and one third cents, together with all cost that may be unpaid, which sum said Griggsby shall be bound to pay the state.

JAMES FENTRESS,
Speaker of the House of Representatives.
R. WEAKLEY,
Speaker of the Senate.

October 18, 1824.

CHAPTER CXLVIII.

An Act to authorize William Marchbanks and others, proprietors of the Turnpike Roads which lead through Morgan county, to change part of said roads.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That William Marchbanks and others, proprietors of the turnpike roads which lead through Morgan county, be, and the same are hereby, authorized to change said roads, so as to pass the seat of justice in Morgan county.

SEC. 2. *Be it enacted,* That the proprietors of the aforesaid roads shall not be compelled to bridge Big Clear creek, which one fork of said road crosses, unless the reviewers of said roads should think it absolutely necessary, any law to the contrary notwithstanding.

Roads may be changed.

Big Clear creek need not be bridged.

SEC. 3. *Be it enacted,* That Charles Gamble, Eli- Persons au- sha Rogers, and Asahel Rawlings, of Hamilton coun- thorized to ty, shall be, and they are hereby, authorized to open cut turnpike and cut out a turnpike road across Wallon's ridge of road across Wallon's ridge. Cumberland mountain, running up the ridge from Tennessee valley in Hamilton county, nearly opposite Hiram Putnam's, and to range across said ridge the most direct and practicable bearing towards Murfreesborough, until it reaches the foot of the ridge; which said road, when cut out in the manner that Spencer E. Gibson was required to open and cut out a turnpike road, by an act of assembly, passed fifth November, one thousand eight hundred and nineteen, shall be known by the name of the Hamilton Turnpike Road; and the said proprietors of said road shall be bound to all rules, regulations and restrictions, as are prescribed for the proprietors in said act to do and perform, and shall be entitled to receive the same amount of toll, and have the same privileges in all respects whatever.

SEC. 4. *Be it enacted,* That James Smith and James Hodge are hereby appointed commissioners of road. to superintend said road, and see that the same is kept in the repair contemplated by the before-recited act, and they shall receive the same compensation for their services, and be under the same rules and restrictions.

SEC. 5. *Be it enacted,* That the said last-mentioned turnpike road shall in all respects be and remain subject to the control of the General Assembly. Legislature to have control.

JAMES FENTRESS,
Speaker of the House of Representatives.
R. WEAKLEY,
Speaker of the Senate.

October 19, 1824.

CHAPTER CXLIX.

An Act for the relief of John Thomas, and Henry Rayburn.

Whereas it is represented to this General Assembly, that a mistake was made by said Thomas in locating and situating an entry for twenty-five acres in the tenth surveyor's district, of number one thousand two hundred and thirty-six, founded on certificate warrant number four thousand nine hundred and seventy-one, in consequence of which mistake he en-

tirely missed the land intended to be entered: Wherefore,

J. Thomas SECTION 1. *Be it enacted by the General Assembly*
may make of the State of Tennessee, That it shall and may be
void entry lawful for the surveyor-general of the tenth district, to
and re-enter permit John Thomas to make void said entry number
 one thousand two hundred and thirty-six, for twenty-
 five acres, founded on certificate warrant number
 four thousand nine hundred and seventy-one, and re-
 enter the said warrant on any vacant and unappropri-
 ated land in said district: *Provided*, it shall be
 done within the time prescribed by law.

H. Rayburn SEC. 2. *Be it enacted*, That Henry Rayburn be
 permitted to make void an entry of one hundred acres
 in the ninth surveyor's district, range eight, and sec-
 tion nine, entered through mistake, and re-enter the
 same on any vacant land within said district.

JAMES FENTRESS,
 Speaker of the House of Representatives.

R. WEAKLEY,
 Speaker of the Senate.

October 19, 1824.

CHAPTER CL.

An Act for the relief of Francis Marshall, a citizen of
the county of Tipton.

SECTION 1. *Be it enacted by the General Assembly*
of the State of Tennessee, That it shall and may be
 lawful for the surveyor-general of the eleventh dis-
 trict, to permit Francis Marshall, a citizen of the
 county of Tipton, to make void an entry made in his
 office, by number eight hundred and forty-nine, for
 one hundred acres, entered or located on an island in
 the Mississippi river, known by the name of Chota,
 (or island number thirty five,) and to re-enter the
 warrant on which said entry is founded, on any vac-
 ant and unappropriated land in said district: *Pro-*
vided, it shall be done within the time prescribed by
 law.

JAMES FENTRESS,
 Speaker of the House of Representatives.

R. WEAKLEY,
 Speaker of the Senate.

October 19, 1824.

CHAPTER CLII.

An Act to establish a Town on the west bank of the
Tennessee river, in Perry county.

SECTION 1. *Be it enacted by the General Assembly* Commission-
of the State of Tennessee, That James Wright, Fre- ers to lay off
 derick C. Holland, and Jackson White, be, and they town.
 are hereby, authorized to lay off a town on the west
 bank of Tennessee river, in the county of Perry, on
 the lands of Robert Shannon, to consist of twenty
 acres, to be laid off in proper lots, streets and alleys,
 as the said commissioners may think proper.

SEC. 2. *Be it enacted*, That the said commissioners May receive
 may receive a deed in fee simple for the said twenty and convey
 acres of land, from the said Shannon, and may convey deeds—lots
 to the respective purchasers of lots in said town; and named Shan-
 when said town shall be so laid off and sold, they shall nonville.
 be liable to tax, as other town lots in this state; and
 said town, when so laid off, shall be known by the
 name of Shannonsville.

JAMES FENTRESS,
 Speaker of the House of Representatives.

R. WEAKLEY,
 Speaker of the Senate.

October 19, 1824.

CHAPTER CLIII.

An Act for the relief of Moses Sallie.

SECTION 1. *Be it enacted by the General Assembly* Entry-taker
of the State of Tennessee, That the entry-taker of of Hiwassee
 the Hiwassee district be, and he is hereby, authorized dist. to recti-
 and directed to rectify a mistake made by Moses fy mistake.
 Sallie, of said district, on the books of his office, from
 the north-west quarter of section eighteen, township
 three, range first west of the meridian, to the south-
 west quarter of said section, township, and range, and
 issue a certificate to the said Moses Sallie for the
 south-west quarter accordingly.

SEC. 2. *Be it enacted*, That when the correction is Former en-
 made as by this act is directed, the entry of said Sal- try to be void
 lie for the south-west quarter shall be null and void
 to all intents and purposes.

JAMES FENTRESS,
 Speaker of the House of Representatives.

R. WEAKLEY,
 Speaker of the Senate.

October 19, 1824.

CHAPTER CLIII.

An Act to extend the term of Anderson circuit court.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee, That hereafter it shall and may be lawful for the circuit court of Anderson county to be held and continued until the second Thursday after the fourth Monday of February, and August, in each year: Provided, the business in said court shall make it necessary so to extend said term.*

JAMES FENTRESS,

Speaker of the House of Representatives.

R. WEAKLEY,

Speaker of the Senate.

October 19, 1824.

CHAPTER CLIV.

An Act to fix the times of holding the courts in Fentress county, and for other purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee, That the county courts for the county of Fentress shall sit the first Mondays in February, May, August, and November.*

SEC. 2. *Be it enacted, That the circuit courts for the county of Fentress shall sit the fourth Mondays in March and September.*

SEC. 3. *Be it enacted, That the militia of the county of Fentress compose the regiment to be numbered by the Governor, and attached to the eighth brigade; and the Governor, after numbering said regiment, is hereby authorized to issue commissions to the officers in said regiment, and said regiment shall hold a regimental muster on the fourth Saturday of September, in each and every year.*

SEC. 4. *Be it enacted, That the proceedings of the county courts of Fentress county, heretofore had, be, and the same are hereby, legalized and confirmed, to all intents and purposes, and shall be deemed and held as valid in law, as if the time for holding said county courts had been fixed on, and expressed, in the law passed on the twenty-eighth day of November, one thousand eight hundred and twenty-three, establishing said county of Fentress.*

SEC. 5. *Be it enacted, That the legal acts of Zi-*

rah Martin, a justice of the peace for said county of Fentress, be, and the same are hereby, confirmed, and made valid in law, to all intents and purposes, in the same manner and to the same extent they would have been had his commission as a justice of the peace issued in his proper name, instead of Isaiah Martin, any law, usage or custom to the contrary notwithstanding.

SEC. 6. *Be it enacted, That the county and circuit courts for the county of Fentress shall hereafter be holden at the house of Courrod Poiles, until otherwise provided for by law, and the said courts shall stand adjourned to the house of the said Poiles, and all writs and other process shall be made returnable to the said place of holding courts in said county.*

JAMES FENTRESS,

Speaker of the House of Representatives.

R. WEAKLEY,

Speaker of the Senate.

October 19, 1824.

CHAPTER CLV.

An Act for the relief of Peggy Thomas, wife of Isaac Thomas.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee, That Peggy Thomas, wife of Isaac Thomas, citizens of Henry county, shall, for the future, possess all the rights and privileges of a feme sole; shall contract and be contracted with, sue and be sued, in her own name, as though she had never intermarried with the said Isaac Thomas, except that of intermarrying with another man.*

SEC. 2. *Be it enacted, That this act shall not be so construed, as to prevent the said Peggy from obtaining a divorce agreeably to law.*

SEC. 3. *Be it enacted, That the county court of Henry county is hereby authorized to appoint aforesaid Peggy Thomas guardian for her children, should they think proper.*

JAMES FENTRESS,

Speaker of the House of Representatives.

R. WEAKLEY,

Speaker of the Senate.

October 19, 1824.

CHAPTER CLVI.

An Act to authorize holding a special term of the Circuit Courts of Washington and other counties, and for other purposes.

Special term
in Washingⁿ
and Warren.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That it shall and may be lawful for the judges presiding in the counties of Warren and Washington, in open court, during the regular terms, to appoint a time most convenient for the parties, when a special term of the courts of Washington and Warren shall be opened and held, for the trial of all causes, both criminal and civil, which may be on the dockets of said courts.

Notice to be
given.

SEC. 2. *Be it enacted,* That when the times of holding said special terms of said courts shall be selected by said presiding judges, they shall give notice thereof in open court, and have an order, designating said time, entered on record, which shall be held and taken as sufficient and legal notice of said special courts.

Process ent'd
at reg. to be
acted on at
special terms

SEC. 3. *Be it enacted,* That all subpoenas, and other process to enforce the attendance of witnesses, and all recognizances entered into at the regular terms of said courts, shall have force and effect, and be acted on at said special terms.

Judges to
have same
powers at sp.
terms.

SEC. 4. *Be it enacted,* That the judges presiding at said special courts, shall have all the power, rights and privileges which appertain to them during the regular terms of said courts: *Provided,* that no mesne or final process, subpoenas excepted, shall be made returnable to said special terms of said courts.

State to pay
costs in trial
of Gillespie

SEC. 5. *Be it enacted,* That the costs on the part of the state, which accrued in the prosecution of Allen Gillespie, a justice of the peace for Greene county, for high crimes and misdemeanors, directed to be prosecuted by this General Assembly at its last session, shall be paid by the state.

Clerk to give
certificate of
costs.

SEC. 6. *Be it enacted,* That a certified transcript from under the hand and seal of the clerk of the court in which the said Gillespie was tried, of the amount of costs which accrued in said prosecution, on the part of the state, shall authorize the treasurer either of East or West Tennessee, to pay said bill of costs, and such certified transcript of said clerk shall be a good voucher in the settlement of his accounts.

Spec^l terms
in Greene &
White

SEC. 7. *Be it enacted,* That special terms of the circuit courts for the counties of Greene and White, shall and may be held in the same manner, and under

the same rules, regulations and restrictions, that are prescribed in this act for holding special terms for the counties of Washington and Warren.

JAMES FENTRESS,

Speaker of the House of Representatives.

H. WEAKLEY,

Speaker of the Senate.

October 20, 1824.

CHAPTER CLVII.

An Act for the benefit of Zachariah Brown, and Elizabeth Vincent.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Zachariah Brown be permitted to enter in the entry-taker's office in the Hiwassee district, a quarter-section of land lying in the twenty-seventh section, second township, range first east of the meridian, north-west quarter, by paying the sum of twenty-five cents per acre, at the time of making said entry, which shall be within four months after the passage of this act.

Z. Brown
may enter of
section land
in Div. Dist.

SEC. 2. *Be it enacted,* That Elizabeth Vincent be permitted to have the same privilege as aforesaid, to bid for the south-east quarter of section six, in township first, and third range east of the meridian, Hiwassee district, to pay twelve and one-half cents per acre, at the same time as is allowed to Zachariah Brown, in the first section of this act.

E. Vincent
may enter.

JAMES FENTRESS,

Speaker of the House of Representatives.

H. WEAKLEY,

Speaker of the Senate.

October 21, 1824.

CHAPTER CLVIII.

An Act to increase the salary of the principal clerk of the Bank of the State of Tennessee.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the president and directors of the Bank of the State of Tennessee, be and they are hereby authorized in case they deem it advisable from an accumulation of the business of said bank, to allow to the principal clerk thereof, in 1824,

Salary of c^k
may be in-
creased.

tion to his present salary, the sum of two hundred and fifty dollars per annum.

Former law repealed.

SEC. 2. *Be it enacted*, That the law heretofore passed, which authorizes the appointment of a second clerk in said bank, be, and the same is hereby, repealed.

JAMES FENTRESS,
Speaker of the House of Representatives.

R. WEAKLEY,
Speaker of the Senate.

October 21, 1824.

CHAPTER CLIX.

An Act to amend an act, entitled "An act for the relief of the persons therein named," passed 25th of November, 1823.

Wm. Neely to have certain lands.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That two claims, one for three hundred acres of land, founded on grant number one hundred and sixty-seven, and one other claim founded on grant number one hundred sixty-eight, for two hundred and fifty acres of land, which were for the benefit of one Philip Walker, therein named, but which, as appears by the aforesaid recited act, had been sold by the said Philip Walker, to one William Neely, therein named, and whereas by the said recited act the said lands were granted to the said Philip Walker, and whereas the said Philip Walker has since departed this life, now the true meaning of this act is, that the said lands shall be vested in the said William Neely, and that warrants for the said two tracts of land shall issue in the name of said William Neely, his heirs and assigns, subject to all the restrictions, provisions and conditions of the act which this is intended to amend.

P. Walker's claims not affected.

SEC. 2. *Be it enacted*, That the claims and title of the heirs of the said Philip Walker, to the said lands, shall not be affected or barred by virtue of any thing in this act contained, to the contrary otherwise expressed notwithstanding.

Bythen Bell to have warrant adjudicated.

SEC. 3. *Be it enacted*, That the heirs of Bythen Bell be also permitted to lay a military land warrant, number four thousand four hundred and thirteen, before the commissioner of West Tennessee; and if it shall appear to him, that the same is a genuine warrant, he shall adjudicate the same accordingly, to be

located on any vacant land within this state, south and west of the congressional reservation.

JAMES FENTRESS,
Speaker of the House of Representatives.
R. WEAKLEY,
Speaker of the Senate.

October 21, 1824.

CHAPTER CLX.

An Act to emancipate certain persons therein named.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the following persons, Phebe, Sam, Ben, July, Christiana, and Maria, being people of colour, slaves to Thomas Burgess, of Warren county, be, and by this act are, freed and emancipated, with all the privileges, rights and advantages conferred by the laws on freed coloured persons, to all intents and purposes, after the decease of the said Thomas Burgess, on the following conditions, (viz.) that said Thomas Burgess go before the circuit court of Warren county, in open court, and give his assent to such emancipation, and moreover enter into bond with sufficient security, in a sum to be approved of by said court not under one thousand dollars, payable to the chairman of said court, conditioned to indemnify not only said county of Warren, but all and every county in this state, for and on account of said persons of colour, or either of them, ever hereafter becoming chargeable in any manner, agreeably to the laws in force in said county of Warren, or any other county in this state.

SEC. 2. *Be it enacted*, That the aforesaid Phebe, Sam, Ben, July, Christiana, and Maria, assume the family name of Eaton.

JAMES FENTRESS,
Speaker of the House of Representatives.
R. WEAKLEY,
Speaker of the Senate.

October 21, 1824.

CHAPTER CLXI.

An Act to make legitimate the persons therein named.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Appollis Cooper,

Lucas H. Cooper, Somersames Cooper, James Shelby Cooper, illegitimate children of Robert Cooper, are hereby made capable to take by distribution as heirs of the said Robert Cooper, in the same manner as if they had been in lawful wedlock: *Provided*, that this act shall not affect the legal claims of the rightful heir or heirs of said Cooper, if he have any.

JAMES FENTRESS,
Speaker of the House of Representatives.
R. WEAKLEY,
Speaker of the Senate.

October 21, 1824.

CHAPTER CLXII.

An Act to incorporate a company for opening a Turnpike Road from Murfreesborough to Nashville.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee, That* William W. Searcy, Robert C. Foster, senior, Alfred Balch, Andrew Hynes, James McLaughlin, Samuel P. Black, E. N. W. Burton, Moses Ridley, and Benjamin McCulloch, and David Wendel, be, and they are hereby, appointed commissioners to open books for the purpose of receiving subscriptions, to the amount of seventy-five thousand dollars, to be applied to making a turnpike road from Murfreesborough, in the county of Rutherford, to Nashville, in the county of Davidson; which sum of seventy-five thousand dollars be divided into shares of fifty dollars each, and the subscription shall be made in person, or by attorney; and as soon as fifteen thousand dollars shall be subscribed, a meeting of the subscribers shall be held at Murfreesborough, of which meeting the managers of the subscription shall give thirty days' notice in some newspaper printed in Nashville and Murfreesborough; and the said subscribers, from and after the first meeting, shall be, and they are hereby, constituted a body politic and corporate, by the name of the Murfreesborough Turnpike Company, and shall so continue until the first day of January, one thousand eight hundred and ninety, and as such, may sue and be sued, plead and be pleaded, answer and be answered, and have a common seal: The subscribers, or a majority of them, who shall be present at the first meeting, shall elect nine directors, being shareholders, who shall elect one of their own body president of the

Commissioners appointed to receive subscriptions.

Capital stock 75,000 dollars, divided into shares of 50.

Subscribers to meet who 15,000 dollars are subscribed.

Company incorporated.

President & directors to be chosen.

board of directors; and the president and directors thus chosen shall continue in office one year, and until another election shall take place: The president and directors thus chosen shall have power to receive subscriptions for the residue of the said sum of seventy-five thousand dollars, until the whole shall be subscribed for; to make contracts with any persons for clearing, opening and making the said road along the route which shall have been marked out by the commissioners hereinafter appointed, and for performing such other work thereon as they may think proper and necessary; to require, from time to time, of the subscribers, such advances on their respective shares as the wants of the company demand, until the whole of the subscription shall be advanced: *Provided*, no call shall be made for more than five dollars on each share at any one time, of which thirty days' notice shall be given in some newspaper printed in Murfreesborough and in Nashville: Said directors shall have power, on all emergencies, to call a general meeting of the subscribers, giving thirty days' notice thereof in some newspaper printed in Murfreesborough or at Nashville; to appoint a treasurer, clerk, and such other officers as may be necessary; to sign and settle all accounts, and to transact all the business of the company during the interval between the general meetings.

SEC. 2. *Be it enacted, That* if any subscriber should fail to pay the sum of five dollars on each share, within thirty days after the same shall have been advertised, as required by the first section, it shall be lawful for the president and directors to sell at public auction, and convey to the purchaser, the share or shares of such subscriber, thus failing or refusing to pay, and after retaining the sum due, with costs of sale, to pay over the surplus to the former owner of such share or shares; and if the said sale shall not produce the sum required to be advanced, with interest and incidental charges, in that case it shall be lawful for the company to recover the balance from the original proprietor, on motion before the court of the county where such delinquent resides, ten days' previous notice thereof being given, or by warrant before any justice of the peace of the county, where the sum does not exceed fifty dollars; and any person purchasing under the sale of the president and directors, shall be subject to the same rules, penalties and regulations as the original proprietor.

SEC. 3. *Be it enacted, That* the president and di-

To continue in office 1 yr. Their powers.

Installments limited at 5 dollars.

Directors to choose treasurer, clerk, &c.

To sell stock of delinquent subscribers.

To transact all ordinary business, and all vacancies, directors, or any of them, shall be sufficient to transact all ordinary business; and all vacancies which may happen in the office of president or director, between the usual meetings of the shareholders, shall be supplied by a meeting of the directors, of no less than two thirds of their whole number: The clerk shall keep a regular journal of all proceedings had, and motions made, at the several meetings, and each director shall be at liberty to call for the eyes and views on any question; and it shall, moreover, be the duty of the president and directors, to furnish printed certificates, stating the number of shares held by each subscriber, which certificate shall be transferable by deed, which shall be recorded in the books of the company, acknowledged by the vendor, or proved by two or more witnesses, which assignment, thus recorded, shall, to all intents and purposes, constitute the assignee a member of the said company, subject to all the rules and regulations thereof.

Clerk to keep record of proceedings.

Directors to furnish printed certificates to subscribers. Certificates transferable.

Commissioners appointed to mark out road.

SEC. 4. *Be it enacted*, That Alfred Balch, Samuel Weakley, John Stardin, F. N. W. Burton, Moses Ridley, Logan Henderson, and Nathan Williams, be, and they are hereby, appointed commissioners, who, or a majority of whom, shall be, and they are hereby, authorized and required to proceed, forthwith, after the first meeting of said company, to mark out the most convenient and fit route for the said road; and each of the said commissioners shall be allowed the sum of two dollars for each day that he shall be necessarily engaged in performing the duty hereby prescribed, to be paid by the president and directors, out of the funds of the company.

Persons over whose land road passes may be indemnified.

SEC. 5. *Be it enacted*, That it shall be lawful for any person over whose land or lands the said road may pass, at any time within two years after the said road may be opened, to apply to the court of the county in which the land lies, to award a writ of *ad quod damnum*, to ascertain the damages which he, she or they may sustain from the said road, which said writ shall be directed to the sheriff of said county, commanding him to summon and empanel a jury of twelve fit and disinterested freeholders, to meet on the premises, who, being sworn for that purpose, shall view the land over which said road passes, and value the same, which inquest, so made and signed by said jurors, shall be, by the sheriff or his deputy, returned to the next county court to be holden for said county, which court shall, upon said inquest, and enter a judgment against said company for the sum so as-

signed by motion: *Provided always*, ten days notice shall be given to the president of the Board of directors, of such intended applications for a writ of *ad quod damnum*.

SEC. 6. *Be it enacted*, That it shall be lawful for the president and directors, to purchase, for the use of the company, any quantity of land, not exceeding five acres, adjacent to each toll gate which shall be established on said road, and take the conveyance in fee simple from the proprietor of said land; and for the purpose of making said road, and keeping it in repair, the president and directors, and their agents, may cut, dig, quarry, or take from the lands of any person adjoining said road, such and so much timber, gravel, stone, or earth, as may be necessary; and if any person or persons, from whose lands such timber, gravel, stone, or earth, shall have been cut, dug, quarried, or taken, shall desire compensation therefor, he, she or they, or his, her or their agent, may apply to any justice of the peace of the county in which the land may lie, notice of the time and place of the said application having been previously given to the said president and directors, or their agent, to appoint three discreet and disinterested freeholders, for the purpose of valuing such timber, gravel, stone, or earth, whose duty it shall be, upon their own view and inspection, upon oath, to ascertain the fair and reasonable value of such timber, stone, gravel, or earth, and to grant a certificate thereof to each party, if required; and it shall be lawful for such person or persons, his, her or their agent, to demand and recover, before any court, or before any justice of the peace, provided the same does not exceed fifty dollars, the sum so assigned, from said company.

SEC. 7. *Be it enacted*, That an annual meeting of the shareholders shall be held at such place in the county of Bathurst, or Davidson, on the first Monday of January of each year, as a majority of the subscribers, assembled as aforesaid, shall direct; to constitute which meeting, the presence of proprietors holding at least three hundred shares shall be necessary; and if a sufficient number do not attend on that day, such proprietors as do attend may adjourn from day to day, until a meeting may be had; in counting votes, each member shall be allowed one vote for each share, as far as ten shares, and one vote for every five shares above ten, by him held at the time in the said company: The directors shall render full and distinct accounts of their proceedings, and of all disburse-

Direct's may purchase five acres of land adjacent to toll gates.

May take timber, stone &c. from any land—Owners may be compensated.

Shareholders to convene annually.

Directors to render full & distinct accounts of their proceedings.

Road, how constructed.

ments of money, to each annual meeting of the subscribers, previous to the election of directors by said meeting, for the ensuing year: The said road shall be opened at least thirty feet wide, with sufficient ditches on each side at all times to carry off the water and drain the same; shall gradually descend from the middle to said ditches; shall be substantially paved, or gravelled; shall have substantial and sufficient bridges, where necessary, and in all respects shall be completed in a faithful and substantial turnpike-road-like manner; and when the said road shall be thus finished and completed, for the distance of at least fifteen miles, the president and directors may apply to the Governor of this state for the time being, whose duty it shall be forthwith to appoint three honest, discreet, disinterested persons, who shall not be stockholders, to view and examine said road; and on the report of said reviewers, or any two of them, that the road has been finished and completed, for the distance aforesaid, according to the true intent of this act, it shall be the duty of the Governor, and he is hereby required, to issue his certificate, or warrant, under the seal of the state, authorizing the president and directors to erect so many gates, and appoint so many toll gatherers, as may be necessary to collect the tolls hereinafter allowed, which tolls are hereby declared to be as follows, to wit: for every twenty head of sheep, ten cents; for every twenty head of hogs, ten cents; for every twenty head of horned or neat cattle, twenty-five cents; for every horse or mule not employed in drawing a carriage, three cents; and so in proportion for any larger or lesser number of the above-mentioned animals; for every four-wheeled carriage, twenty-five cents; for every two-wheeled riding carriage, twelve and one half cents; for every loaded wagon, twenty-five cents; and for every empty wagon, twelve and one half cents; and for a man and horse, six and one fourth cents; for every cart, twelve and one half cents; for every hogshead of tobacco, six and one fourth cents, including the above sum for oxen, mules or horses drawing the said carriage or wagon, cart or tobacco: The tolls, when received as aforesaid, shall be applied by the president and directors to the finishing and completing the residue of the said road; and as soon as said road is completed, a similar application shall be made to the Governor, upon which proceedings shall be had as before directed; and as soon as said road shall be completed and finished, according to the true

When 15 ms. are finished, Governor to appoint persons to view.

Directors to fix gates and appoint toll gatherers.

Rates of toll.

Tolls to be applied to completing road.

When finished, profits to be divided half-yearly.

intent and meaning of this act, from Merfreesborough to Nashville, a majority of the stockholders shall order the neat profits from the tolls hereby granted, to be divided half-yearly amongst the proprietors of said company in proportion to their respective shares; and should any person refuse or neglect to pay the tolls hereby granted, at the time of offering to pass, the toll gatherers may lawfully refuse a passage to such person or thing subject to toll aforesaid; and if any article or thing liable to toll, shall, by any ways, pass without payment thereof on demand made, and refusal to pay, the toll gatherers may, by warrant from any justice of the peace within this state, recover from the owner or occupier, or person in possession, of such article or subject of toll, five dollars for each offence.

In case of passing arbitrarily.

Sec. 6. *Be it enacted*, That if the said company shall fail to keep the said road in repair for the space of twenty days, and information thereof shall be given to any justice of the peace in the neighborhood, he shall issue a warrant to a constable, commanding him to summon three freeholders to meet at a certain time, and at the place complained of, both of which shall be named in said warrant, reasonable previous notice having been given to the person interested with the case and repair of that part of the road, and if any injury by the said freeholders, or any two of them, in the presence of the magistrate, the said road shall be found to be out of repair, according to the intent and meaning of the act, the tolls hereby granted shall cease to be demanded at the nearest gate, until such defective part of the said road shall be put in good repair; and the person intrusted with the repair thereof shall be subject to a fine of ten dollars, to be recovered, with costs, by warrant before a justice of the peace, who is hereby required to take into view all the circumstances of the case; which fine, if assessed, shall be applied one moiety to the use of the county, and the other moiety to the use of the persons prosecuting for the same.

In case road be out of repair.

Sec. 9. *Be it enacted*, That if the said company shall not begin said work within two years after said company shall have been formed, or shall not have completed the said road within the first ten years thereafter, in the manner heretofore directed, then, and in that case, all rights and interests in the road, and tolls aforesaid, hereby vested in said company, shall forever cease, and be forfeited. The tolls herein allowed shall be subject to the control of the legislature at the end of fifteen years next after the comple-

Road to be commenced within 2 yrs and completed in 10.

Legislat's to have control after 15 years

Not to reduce profits below 7 per cent of said road, and ever thereafter: *Provided*, that they shall not be so reduced, as to bring the net profits below a dividend of seven per centum per annum upon the sum bona fide expended in completing said road:

Directors to report capital expended. and the president and directors are hereby required to make a report of the actual capital expended in completing said road, as soon as the same can be done after it shall have been finished on the terms of this act.

Persons exempted from paying toll. **SEC. 10.** *Be it enacted*, That no toll shall be demanded from any mail carrier, for himself or mail stage, or for any horses carrying mail; or from persons going to and from elections; going to and from musters; going to and from mills, or going to and from divine service; going to and from blacksmith shops, or persons attending as jurors.

Comp'y subject to regulations of legislature. **SEC. 11.** *Be it enacted*, That said company shall be at all times subject to such laws and regulations as may be passed, from time to time, by the General Assembly of this state.

5 toll gates, not to be less than 5 miles apart. **SEC. 12.** *Be it enacted*, That there shall not be a greater number than five toll gates established on said road, and said gates shall not be less than five miles from each other, nor shall they be erected nearer Nashville or Murfreesborough than two miles, and that the tolls heretofore given shall be collected at each gate on said road.

Commissioners to determine elevation of road, places for bridges, etc. **SEC. 13.** *Be it enacted*, That the commissioners, when they view and mark out said road, shall determine what elevation shall be allowed in making said road, on different uneven parts thereof, and in no part shall more than five degrees be permitted; they shall also designate the places where bridges are to be erected, and the kind thereof; they shall also decide on the depth and width of the rock pavements on said road and the different parts thereof; they shall make a written statement of all the foregoing matters and things, and shall preserve one copy thereof, and deliver another copy to said company; and the said road shall be made to conform to the requisitions of said commissioners in the foregoing particulars.

Directors not to put notes of corporation into circulation. **SEC. 14.** *Be it enacted*, That the said president and directors shall not, at any time, either directly or indirectly, issue or put into circulation their notes upon the faith and credit of the funds of said corporation, under the penalty of a forfeiture of their charter to them granted by virtue of this act.

JAMES FENTRESS,

Speaker of the House of Representatives.

R. WEAKLEY,

Speaker of the Senate.

October 21, 1824.

CHAPTER CLXIII.

An Act for the relief of Elizabeth Walker and others.

Whereas it doth appear to this General Assembly, that Elizabeth Walker, Jacob Rush, Jesse Creech, and John Robertson, had become securities for the appearance of Jesse Walker to the county court of Hawkins county, at the last April term of said court, in the sum of six hundred dollars, and the said Jesse wholly failed to appear as he was bound to do, and a forfeiture was taken against the securities: Therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the aforesaid Elizabeth Walker, Jacob Rush, Jesse Creech, and John Robertson, be released from the payment of the forfeiture so taken against them, upon paying all costs.

JAMES FENTRESS,

Speaker of the House of Representatives.

R. WEAKLEY,

Speaker of the Senate.

October 21, 1824.

CHAPTER CLIV.

An Act to amend an act, entitled "An act to incorporate the inhabitants of the town of Paris, in the county of Henry, and for other other purposes."

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the mayor and aldermen of said corporation shall have full power and authority to pass such laws and ordinances as may be necessary to preserve the peace and tranquillity of said town, to prevent all disorderly practices, or such as tend to endanger the lives, or corrupt the morals of the citizens thereof.

SEC. 2. *Be it enacted*, That the town constable, appointed by said corporation, shall, before entering on the duties of his appointment, before some justice of the peace for said county, take the same oath which is by law prescribed to be taken by constables in this state, and shall give bond and security to the mayor, and his successors in office, conditioned for the faithful performance of the duties of his appointment.

SEC. 3. *Be it enacted*, That the said constable shall have full power and authority to execute and return all process issued by a justice of the peace in confor-

town constable to take oath and give bond.

To execute process issued by justice.

mity to this, and the act which this is intended to amend, and for the same shall be entitled to the same fees and emoluments as other constables are by the laws of this state for similar services.

SEC. 4. *Be it enacted,* That the mayor and aldermen of said corporation shall appoint an overseer to keep in repair the streets of said town, and shall furnish the said overseer, from time to time, with a list of all such male inhabitants, as would be liable to work on roads under the existing laws of this state, who, in case of failure to work at such times as said overseer may appoint, shall be liable to the same penalties and in the same way as other hands are liable in this state for failing to work on roads, and the overseer, in case of neglect, or refusal to work and keep in repair the said streets, shall be liable in all respects as other overseers are in this state, for neglecting or refusing to work on roads.

SEC. 5. *Be it enacted,* That the mayor and aldermen may purchase a lot, or piece of ground, out of the limits of said corporation, for a burying ground, and shall take a title in fee simple to themselves, and their successors in office, from the owner or owners of said ground for the use aforesaid.

SEC. 6. *Be it enacted,* That the eighth section of the militia laws of one thousand eight hundred and fifteen, relative to camp drills, and the fifty-sixth section of the same law, are hereby revived as to the militia of Williamson county only, any laws to the contrary notwithstanding.

JAMES FENTRESS,

Speaker of the House of Representatives.

R. WEAKLEY,

Speaker of the Senate.

October 21, 1824.

CHAPTER CLXV.

An Act for the relief of Rowland Flowers, Jacob Byler, and others.

SECTION 1. *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 Rowland Flowers a certificate for fifty acres, his interest in warrant number seven hundred and twenty-four, which said fifty acres stands located in his name in the fourth surveyor's district, by entry number two thousand two hundred and sixty-eight: *Provided,* the said

Flowers produce satisfactory evidence to the said register, that the said entry for fifty acres is within the bounds of a tract of thirty-two thousand acres, granted by the state of North-Carolina to John Sevier, by grant number three hundred, and dated the twenty-seventh of November, one thousand seven hundred and ninety-five.

SEC. 2. *Be it enacted,* That should said Flowers obtain a certificate under the provisions of the first section of this act, he shall be, at liberty to lay the same before the commissioners for the adjudication of North-Carolina land claims, and may locate the same as provided for in other cases.

SEC. 3. *Be it enacted,* That it shall and may be lawful for Jacob Byler, or his legal assignee, to lay before the commissioner of this state grant number fifteen thousand seven hundred and eighty-nine, for one hundred and forty-nine acres, lying in range first, section first, in the eighth surveyor's district; and if it shall be made to appear to his satisfaction, that the same, or any part thereof, has been taken by an older or better title, to issue a certificate for the same, which may be located on any vacant and unappropriated land south and west of the Congressional reservation line: *Provided,* said grant be founded on a good and valid warrant, which has not been otherwise satisfied, and that said grant be given to be cancelled.

SEC. 4. *Be it enacted,* That it shall be lawful for the heirs or legal representatives of John McMurry, deceased, to file with the commissioner of land claims certificate warrant number one thousand seven hundred and eleven, for thirty acres, together with such evidence as shall satisfy said commissioner that the entry founded on said warrant number one thousand seven hundred and eleven, is taken by an older and better claim, then, and in that case, it shall be the duty of said commissioner to adjudicate said warrant, which shall be located as other warrants, south and west of the Congressional line.

SEC. 5. *Be it enacted,* That it shall be the duty of the register of West Tennessee, to issue to the heirs of Ambrose Franklin a certificate warrant for thirty acres, it being so much of warrant number one hundred and twenty-nine, for four hundred and twelve acres, in the name of said heirs, that stands located within the bounds of a tract of older and better title, within the second surveyor's district: *Provided,* that satisfactory evidence be produced to the register, that said thirty acres stands located as aforesaid; which

certificate, when issued, shall be adjudicated by the commissioner of land claims, and located south and west of the Congressional reservation line.

Commiss'r of land claims to issue warrant for 640 acres.

SEC. 6. *Be it enacted*, That grant number one thousand and ninety-five, for six hundred and forty acres, may be filed with the commissioner of land claims, together with such evidence as shall satisfy said commissioner, that said grant number one thousand and ninety-five is taken by the interference of another grant of better title, then, and in that case, it shall be the duty of said commissioner to issue a certificate warrant for the quantity so taken, which warrant shall be located as other warrants, south and west of the Congressional line: *Provided*, said grant issued upon a good and valid warrant, and that no other grant has ever issued on the same.

JAMES FENTRESS,
Speaker of the House of Representatives.
R. WEAKLEY,
Speaker of the Senate.

October 21, 1824.

CHAPTER CLXVI.

An Act for the relief of the assignee of Thomas Polk, and others.

Assignee of Thos. Brown may remove warrant.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the legal assignee of Thomas Polk be, and he is hereby, authorized to remove so much of warrant number one thousand three hundred and sixty-seven, for two hundred fifty-seven and a half acres, entered in the ninth surveyor's district, in the name of said Polk, as may not have been taken by the interference of any prior occupant or other claim: *Provided*, the same be appropriated on vacant land within the said ninth surveyor's district.

Commiss'r to issue certificate to Thos. Hopkins.

SEC. 2. *Be it enacted*, That the register of West Tennessee is hereby authorized to issue to Thomas Hopkins a certificate for three hundred and ninety-seven acres, being a remnant or part of commissioner's certificate number seven hundred and eighty-four, for five hundred and twenty acres, issued to John G. Blount, twenty-third December, one thousand eight hundred and fourteen: *Provided, however*, it shall appear to said register, that certificate number seven hundred and eighty-four is good and valid; that the said Thomas Hopkins is the rightful assignee for said

quantity of three hundred and ninety-seven acres, and that the said part of three hundred and ninety-seven acres has never been appropriated to any vacant land, which fact shall be ascertained by the official certificate of the principal surveyor of the district in which any part of certificate number seven hundred and eighty-four has been entered and granted.

SEC. 3. *Be it enacted*, That it shall be lawful for the commissioner of land claims to examine the validity of said certificate, when obtained, and certify the same as in other cases.

To examine validity of said certificate.

SEC. 4. *Be it enacted*, That the register of West Tennessee may, and he is hereby authorized to issue a grant to Nelson Patterson, or his legal representative, on an entry for two hundred and twenty acres, or thereabouts, made in the second district, on a warrant issued to William Hill, number seven hundred and twenty-four, dated the twenty-fourth of October, one thousand eight hundred and eleven, although part thereof may have been satisfied in another district.

Register to issue grant to N. Patterson.

SEC. 5. *Be it enacted*, That Jeremiah Guilford, or his legal assignee, be permitted to lay before the commissioner of land claims, grant number seven thousand five hundred and sixty-seven, for two hundred acres, and if taken by older and better title to issue a certificate for the amount so taken, which may be located south and west of the reservation line.

Commiss'r to issue certificate to Jer'h Guilford.

JAMES FENTRESS,
Speaker of the House of Representatives.
R. WEAKLEY,
Speaker of the Senate.

October 21, 1824.

CHAPTER CLXVII.

An Act to provide for running the lines of the counties of Obion, and other purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Rice Williams is hereby appointed surveyor to run the line, and mark the same, dividing the county of Obion and Weakley, and shall be allowed a reasonable compensation for such services, to be paid equally by said counties of Obion and Weakley.

Surveyor appointed to run line.

SEC. 2. *Be it enacted*, That before the aforesaid surveyor proceeds to run such line, he shall be duly sworn to run the same agreeably to law.

To take oath.

Commissioners to select seat of justice for Shelby co.

SEC. 3. *Be it enacted*, That the commissioners appointed by law to fix the permanent seats of justice in the counties west of Tennessee river, are hereby directed to select a site and fix the seat of justice for Shelby county, in any part of said county that they may think most conducive to the interest and convenience of the inhabitants thereof, any law to the contrary notwithstanding.

JAMES FENTRESS,

Speaker of the House of Representatives.

R. WEAKLEY,

Speaker of the Senate.

October 21, 1824.

CHAPTER CLXVIII.

An Act to provide for the issuance of certificates in lieu of grants derived from North Carolina, for lands north of the state line.

Commissioner of W. Tennessee to adjudicate certain land claims.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That H. C. Armstrong be permitted to file with the commissioner for West Tennessee, grant number four thousand seven hundred and eighty, for five thousand acres; that S. D. Rowan may in like manner file grant number one thousand nine hundred and fifty-nine, for three hundred and sixty-five acres; also the heirs of John Blair, grant number six hundred and fifty-seven, for one thousand acres, and that the rightful assignees of Robert and Thomas King may file with the commissioner aforesaid grant number twelve, for one thousand acres, together with the evidences accompanying said grants, to show that the same, or any part thereof, lies north of the line of the state of Tennessee, and if upon satisfactory proof made to said commissioner, he shall ascertain the fact that the lands called for in said grants, or any part thereof, lies north of said line, that they are founded upon good and valid warrants, and that no other grant was based upon the same, then it shall be lawful for said commissioner to issue to said claimants certificates for the amount called for in said grants, where the whole is lost, or such parts thereof as may be lost, so as with the quantity of acres not interfered with, and no more, shall make the quantity called for, and no more, in said grants respectively.

To require affidavit.

SEC. 2. *Be it enacted*, That it shall be the duty of the said commissioner, to require the affidavit of some

legal surveyor, that the said claims lie north of the north boundary line of the state of Tennessee, and that the same claims are known and identified with certainty, and to prescribe the form of a certificate, which shall be recorded in his office as in other cases.

SEC. 3. *Be it enacted*, That said commissioner shall issue to John Hadley a duplicate warrant for nine hundred and ten acres, number two thousand five hundred and seventy-seven. *Provided*, It shall, from evidence, satisfactorily appear to said commissioner, that said warrant has not been adjudicated by any commissioner, or board of commissioners: *And provided*, no grant has issued on said warrant.

John Hadley to have warrant adjudicated.

JAMES FENTRESS,

Speaker of the House of Representatives.

R. WEAKLEY,

Speaker of the Senate.

October 21, 1824.

CHAPTER CLXIX.

An Act for the benefit of George Gordon.

Whereas George Gordon has erected a forge and furnace on White's creek, on the line of the counties of Boone and Rhea:

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That it shall be lawful for George Gordon to survey three thousand acres of land in Cumberland mountain, adjoining his works, to secure ore and timber for the benefit of his iron works already erected; and such plat of survey being filed with the register of East Tennessee, and producing satisfactory proof to the said register, that the said land so surveyed is mountain land, and unfit for cultivation, it shall be the duty of said register to make out a grant to said Gordon, for the quantity aforesaid: *Provided*, nevertheless, said Gordon pay at the rate that other vacant lands are paid for north and east of the Congressional reservation line, in three equal annual payments, and that said grant shall not issue until the said sum of money be paid.

May enter 3000 acres for benefit of iron works.

SEC. 2. *Be it enacted*, That an act passed one thousand eight hundred and nineteen, chapter thirty-three, be, and the same is hereby, repealed, so far as it relates to Thomas S. Green; a justice of the peace for Wilson county.

Act repealed

JAMES FENTRESS,

Speaker of the House of Representatives.

R. WEAKLEY,

Speaker of the Senate.

October 21, 1824.

CHAPTER CLXX.

An Act to explain an act, passed at the last session of the General Assembly, authorizing the surveyor-general of the twelfth district to extend the lines of entry No. 375, in the name of General Robert Horce.

Surveyor to extend lines of survey.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That it shall and may be lawful for the surveyor of the twelfth surveyor's district, to extend any of the lines of said survey so as to include the deficiency contemplated by the act which this is intended to explain: *Provided,* there be vacant and unappropriated lands adjoining, which will not interfere with the rights of any other person whatsoever: *And provided,* it shall be impossible for said surveyor to extend said lines conformably to the entry without interfering with lands already entered.

In case there be no vacant land adjacent

SEC. 2. *Be it enacted,* That should there be no vacant land found on either side of said survey, the register of West Tennessee is hereby directed to issue a certificate for such amount of deficiency as shall be certified to him by said surveyor; which said surveyor shall also certify to the register, the fact that no vacant lands remain adjoining the survey on said entry.

Whereas it doth appear, that grant number one thousand six hundred and fifty-five, for four hundred and thirty acres, to William Nash, does not contain the quantity called for in said grant, by reason of an error in the surveyor, there being a deficiency of seventy-five acres, as will appear by reference to said grant: Therefore,

Wm. Nash may file grant with comm'r.

SEC. 3. *Be it enacted,* That the said William Nash, or his legal representative, may lay the said grant before the commissioner of land claims, and if it shall appear to him that the calls in said grant does not contain the quantity of four hundred and thirty acres, the said commissioner shall issue a certificate for such deficiency: *Provided,* the grant issued is founded on a good and valid warrant, and that no other grant ever issued on that part of said warrant; which certificate shall be laid south and west of the Congressional line, as other good and valid warrants.

Surveyor of 12th dist. to resurvey entry for 1093 a

SEC. 4. *Be it enacted,* That the principal surveyor of the twelfth district is hereby required to resurvey an entry of one thousand and ninety-three acres, in the name of Thomas Hunt and James P. Peters, situated in Henry county, range third, and section eighth, (at the expense of the owner,) and should the same be

found to be deficient in quantity, the register of West Tennessee is hereby authorized to issue a warrant for the quantity so wanting.

JAMES FENTRESS,
Speaker of the House of Representatives.

R. WEAKLEY,
Speaker of the Senate.

October 22, 1824.

CHAPTER CLXXI.

An Act to provide for the payment of the Members, Clerks, and Doorkeepers, of the present General Assembly, and to defray the necessary contingent expenses thereof.

SECTION 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 they have attended the present session of the General Assembly, and the like sum for every twenty-five miles traveling to and from the same.

SEC. 2. *Be it enacted,* That the speaker of the Senate, and the speaker of the House of Representatives, shall, each, receive the sum of five dollars per day for each day they have attended the present session of the General Assembly.

SEC. 3. *Be it enacted,* That the clerks of the present session of the General Assembly, both the principal and assistant, shall, each, receive six dollars for each day they have attended the same.

SEC. 4. *Be it enacted,* That the doorkeepers of the present session of the General Assembly, both principal and assistant, shall receive four dollars for each day they have attended the same.

SEC. 5. *Be it enacted,* That the sum of one hundred and fifty-five dollars and fifty cents be allowed to David Wendel, for stationary, and sundry articles furnished to the houses of this General Assembly during the present session.

SEC. 6. *Be it enacted,* That G. A. and A. C. Sublets be allowed the sum of one hundred dollars and fifty cents, for printing done by order of the two houses of the General Assembly during the present session, and that the treasurer of West Tennessee pay the same.

SEC. 7. *Be it enacted,* That the treasurer of West Tennessee pay to Daniel Graham one hundred and

ten dollars, the amount of rent for the office of the Secretary of State, from the thirty-first day of December, one thousand eight hundred and twenty-three, to the thirty-first day of December, one thousand eight hundred and twenty-four, whose receipt to the treasurer for that amount shall be a sufficient voucher in the settlement of his accounts.

Armstrong & Seay. Sec. 8. *Be it enacted*, That the sum of eighty-three dollars be paid to Armstrong and Seay, merchants of Nashville, for the expense of drayage and storage of the public arms.

And. Hynes. Sec. 9. *Be it enacted*, That the treasurer of West Tennessee pay to Andrew Hynes the sum of seventy-five dollars, for storage of the public arms from the month of August, one thousand eight hundred and twenty-two, until the month of June, one thousand eight hundred and twenty-four.

John Bright. Sec. 10. *Be it enacted*, That John Bright be allowed the sum of five dollars, for hiring an assistant during the present session.

JAMES FENTRESS,
Speaker of the House of Representatives.

R. WEAKLEY,
Speaker of the Senate.

October 22, 1824.

RESOLUTIONS

ADOPTED

AT THE SESSION OF 1824.

NUMBER 1.

Resolved by the General Assembly of the State of Tennessee, That the Secretary of State be required to lay before the General Assembly, forthwith, the original electoral bill on the files in his office, passed at the last session of the General Assembly, together with a certified copy of said bill as enrolled, and such other and further information on the subject as may be in his possession.

JAMES FENTRESS,
Speaker of the House of Representatives.

R. WEAKLEY,
Speaker of the Senate.

September 27, 1824.

NUMBER 2.

Resolved by the General Assembly of the State of Tennessee, That it shall be the duty of the surveyor-general of the Hiwassee district to report officially to the entry-taker of the Hiwassee district, on or before the twentieth of October next, all the quarter-sections and fractional quarters in his district, that have been appropriated by special acts of the Legislature, and authorized to be laid down on his general plan. Also the particular quarter-sections on which those certificates issued to John Wear and Samuel McConnell, by the treasurer of East Tennessee, are located, that the entry-taker lay them down on his general plan, and file the report of the surveyor-general in his office for the information of the people.

JAMES FENTRESS,
Speaker of the House of Representatives.

R. WEAKLEY,
Speaker of the Senate.

September 30, 1824.

NUMBER 3.

Resolved by the General Assembly of the State of Tennessee, That the register of West Tennessee deliver to the administrator of James Armstrong, deceased, land warrant number five thousand and sixty-six, on file in his office, for six hundred and forty acres, to the heirs of Henry Hancock, he, the said register, retaining a copy of the same, together with the transfers thereon: Provided, the said administrator shall enter into bond with security to be approved of by the said register, in the penal sum of five thousand dollars, conditioned that he, the said administrator, will return the said land warrant to the said register's office, so soon as a suit, which is now pending in the circuit court of the county of Overton, shall be determined, in which said administrator is plaintiff, and John Armstrong is defendant.

JAMES FENTRESS,
Speaker of the House of Representatives.
R. WEAKLEY,
Speaker of the Senate.

October 2, 1824.

NUMBER 4.

Resolved by the General Assembly of the State of Tennessee, That in all cases where a manifest mistake has been made in the issuance of commissions to justices of the peace, in this state, (and the Governor shall be satisfied thereof,) he is hereby authorized and required to alter, or so amend, such commissions, so to make them correspond with the journals of the General Assembly.

JAMES FENTRESS,
Speaker of the House of Representatives.
R. WEAKLEY,
Speaker of the Senate.

October 5, 1824.

NUMBER 5.

Resolved by the General Assembly of the State of Tennessee, That Audley Anderson, or his rightful assignee or representative, be permitted to lay before the commissioner for the adjudication of land claims, certificate warrant number sixteen, which issued to

John Brown, for thirty-five acres, and on its being adjudged valid, to be permitted to locate the same south and west of the Congressional line, as in other cases.

JAMES FENTRESS,
Speaker of the House of Representatives.
R. WEAKLEY,
Speaker of the Senate.

October 13, 1824.

NUMBER 6.

Resolved by the General Assembly of the State of Tennessee, That Reuben Finley and William Gore, be, and they are hereby, appointed trustees for Overton Academy, in the county of White.

JAMES FENTRESS,
Speaker of the House of Representatives.
R. WEAKLEY,
Speaker of the Senate.

October 13, 1824.

NUMBER 7.

Resolved by the General Assembly of the State of Tennessee, That Thomas H. Nelson, George Atkins, and John M. Humes, be, and they are hereby, appointed trustees for East Tennessee College.

JAMES FENTRESS,
Speaker of the House of Representatives.
R. WEAKLEY,
Speaker of the Senate.

October 13, 1824.

NUMBER 8.

The committee to whom was referred sundry bills, petitions, and other papers, on the subject of land claims, beg leave to recommend the adoption of the following resolutions:

- 1st. That military warrant to Josiah Turner, assignee, No. 1106, for 1097 acres;
- 2d. Warrant No. 1108, for 735 acres, to John S. Russworm;
- 3d. Warrant No. 461, for 228 acres, to John Bullock;

4th. Warrant No. 1485, for 225 acres, to Ames Lewis;

5th. Warrant No. 5020, for 1000 acres, to Edward Harris, assignee;

Be referred to the commissioner of West Tennessee for adjudication.

Resolved, That the several bills, petitions, &c. praying for certificates on account of interference, viz.

No.	Acres.	
1. On grant 578, for 1804, to		Jacob Peck;
2.	521, 250,	Arthur L. Campbell;
3.	269, 640,	Samuel Akin;
4.	5781, 1000,	Edward Harris;
5.	14754, 628,	James McKinley;
6.	3365, 640,	
7, 8 & 9.	1091, 640,	John Craddock;
11.	2491, 2057,	Daniel Young;
12.	913, 1000,	Hardy S. Bryan, assec;
13.	11244, 640,	Chas. Bidwell, assec. &c.
14.	20, 228,	Dorcas McClain;
15.	7014, 640,	Thomas Brown & Jno. Parris, assec. &c.
16.	6052, 180,	John Kindell;
17.	3276, 640,	Joshua Hadley;
18.	4937, 640,	Wm. McPaulding, as. &c.
19.	228, 847, 469, 511, 419, 240, 1299,	E. Wallen, John Williams, Jno M' Carmack, Berrym, Wallen, Robert King, James Berry, Elisha Wallen; Nathaniel Hudson; Thomas Talbot;
20.	365, 200, 387,	
21.	921, 640,	

Be, with the evidences accompanying them, referred to the said commissioner for adjudication, agreeably to the act of 1819, and the 8th section of the act of 1821, referred to by a resolution of this General Assembly.

ABRAM MAURY, Chairman.

Your committee have also had under consideration sundry other bills, petitions, &c. and have agreed to report thereupon, as follows:

1. Resolved, That the petition of Hugh Pinkston, praying the issuance of a warrant for services ren-

dered by his ancestors in Evans's battalion, is unreasonable.

3. Resolved, That a bill for the relief of the heirs of Joseph Green, providing for a division of warrant No. 1075, ought not to pass.

6. Resolved, That the petition of Wm. Gay, praying the privilege of entering land in the Hiwassee district, at half price, and upon a credit of two years, is unreasonable.

7. Resolved, That the petition of Benjamin Wheeler, praying that a warrant may issue to him for 640 acres, because the calls of his grant for the same cannot be identified, is unreasonable.

8. Resolved, That resolution No. 1, proposing to prohibit the issuance of grants upon certificates in certain cases, south and west of the reservation, ought not to be adopted.

All of which is respectfully submitted.

Abram Maury, chairman.

JAMES FENTRESS,

Speaker of the House of Representatives.

R. WEAKLEY,

Speaker of the Senate.

October 14, 1824.

NUMBER 9.

The committee on Land Claims, to whom was referred sundry bills, petitions, and other papers, beg leave to recommend the adoption of the following resolutions:

Resolved, That the several bills, &c. praying the issuance of commissioner's by reason of interference, as follows:

No.	Acres.	
1. On grant 158, for 4000,		assec. of F. Miller;
2.	342,	M. Armstrong, &c.;
3.	860,	320, John Long, assec.
4.	3201, 24,	and
	1972, 10,	others;
5.	9345,	120, Brice M. Garner;
6.	409,	200, Samuel Eskridge;
7.	608,	640, Benj. Jones and others;
8.	348,	640, Newton Cannon & other;
9.	1912,	640, } Geo. M'Cracken, assec.
10.	2487,	640, }

	No.	Acres.	
11.	On grant 971, for 560,		William Nash, assec.
12.	2277,	1000,	Francis Yourey;
13.	20448,		
	20449,	30,	W. Eskridge;
	20450,		
14.	3196,	34,	P. Robertson;
15.	2293,	320,	Spilby Trebble;
16.	2294,	320,	"

And military warrant No. 1103, for 122 acres, to Josiah Nowel, and military warrant No. 1109, for 274 acres, to Job Gargis, be referred to the commissioner of West Tennessee for adjudication, pursuant to a resolution of this General Assembly.

Abram Maury, chairman.

Your committee have also had under consideration, sundry bills, petitions, &c. and have agreed to the following report thereupon, viz.

Resolved, That the petition of Sampson Williams, praying the issuance of a certificate on account of interference, though his grant is founded upon a warrant upon which another grant has issued, is unreasonable.

Resolved, That the petition of Joseph Brown and Adam B. Hudson, praying that a certificate may issue to them on account of grant No. —, for land that cannot be identified, is unreasonable.

Resolved, That the petition of Joseph B. Porter and Isaac E. Frierson, praying that certificates may issue in lieu of lands that cannot be identified, is unreasonable.

All of which is respectfully submitted.

Abram Maury, chairman.

JAMES FENTRESS,

Speaker of the House of Representatives,

R. WEAKLEY,

Speaker of the Senate.

October 14, 1824.

NUMBER 10

The committee on Land Claims, to whom was referred sundry bills, petitions, and other papers, purporting to be the evidences of claims, have had the same under consideration, and have agreed to the following report:

Resolved, That

	No.	Acres.	
1	Grant 4008 for 1280,		to John Childress,
2	1036	640	heirs of Jos. Scales,
3	15345	200	B. Coleman and others,
4	818	240	Wm. Nash,
5	1139	1000	Wm. Nash,
6	173	1000	Wm. Bell or his assec.
7	3538	200	ditto or his assec.
8	4219	320	H. M. Rutledge or assec.
9	310	640	" "
10	169		John G. Murphey,
10 and	763		heirs of Arch'd Murphey,
11	265	40	Wm. Robertson,
12	9470	6	Edward Conway,
13	10329	26	John Brevard or his assec.
14	11235	—	Mark Patterson,
15	16248	100	Davis Killcrease's heirs,
16	—	125	A. D. Murphey assec
17	3266	90	Jacob Harder,
18	14993	104	Christian Shivers,
19	19189	84	Hugh Torrence,
20	394		Joseph Cobb,
21	822		Wm. Pain and others,
22	391	80	Joseph Cobb,
23	310	381	Jesse Riggs assec.
24	233	640	Andrew Dunavan,
25	1023	110	Benjamin McCuister,
	5686	40	Benjamin McCuister,
26	5170	20	to rightful claimant,
27	10089	19	"
28	12362	50	grant to John Alexander,
29	9400	140	M. Gilchrist & O. B. Hays,

All of which are said to be interfered with, and praying that certificates may issue by reason of such interference, be referred to the commissioner of land claims for adjudication.

Resolved, That military warrant No. 1110, for 2560 acres, to John Taylor; John Armstrong warrant No. 2206, for 5000 acres, to the heirs of John Rice, and John Armstrong warrant No. 1162, for 1114 acres, to John G. and Thomas Blount, be referred to said commissioner for adjudication.

Abram Maury.

No. 1. *Resolved,* That the petition of Easley Alber-son and eight others, praying a law may pass authorizing the register to issue a certificate for part of

warrant No. 385 for 960 acres, upon proof of the same being lost or destroyed, is reasonable.

4. *Resolved*, That the petition of P. Henderson, praying that a certificate of 3000 acres, may be adjudicated :

No. 7. A bill for the relief of William Kenney :

No. 9. A bill or petition for the benefit of Samuel Hankins, one of the heirs of General Robert Howe, is reasonable.

Resolved, That a bill for the relief of Thomas Polk's heirs, be reported reasonable.

No. 14. *Resolved*, That the petition of H. C. Armstrong, S. D. Rowan, the heirs of John Blair, and of John Wallen, assec. of Robert and Thomas King, praying the issuance of certificates on account of their lands lying north of the line of this state, is reasonable, and that a bill be introduced to embrace the provisions prayed for.

No. 6. *Resolved*, That the petition of Wm. Bladworth, praying the issuance of a duplicate of military warrant No. 991, for 1000 acres, by reason of the original being lost, is unreasonable.

No. 30. *Resolved*, That the petition of Thomas Hopkins, with the certificate of the principal surveyor of the second district, be laid on the table.

Resolved, That a bill to prevent removal of entries and for other purposes, and a bill to continue the adjudication of land certificates, be severally laid on the table.

All of which is respectfully submitted.

Abram Maury, chairman.

JAMES FENTRESS,

Speaker of the House of Representatives.

R. WEAKLEY,

Speaker of the Senate.

October 14, 1824.

NUMBER 11.

Resolved by the General Assembly of the State of Tennessee, That grants No. 2162, 2445, 2219, 2172, and 601, together with such claims of better title as may interfere with them, be referred to the commissioner of West Tennessee, and that certificates issue to the proper claimants for so much as shall be taken from each of the aforesaid grants respectively, as in other cases.

Resolved, That the papers relative to the interference of grants No. 224 with grant No. 232, be filed with the commissioner of West Tennessee for adjudication according to law, and if the same should be taken by older and better title, that he issue a certificate for the amount so taken.

Resolved, That military warrant No. 1078, issued to the heirs at law of William Baker, for two hundred and seventy-three acres, be referred to the commissioner of land claims for adjudication.

Resolved, That military land warrant No. 821, issued to John Moreland, for one hundred acres, be filed with the commissioner for the adjudication of land claims, and that he act upon the same, under the same rules and regulations of other similar cases.

JAMES FENTRESS,

Speaker of the House of Representatives.

R. WEAKLEY,

Speaker of the Senate.

October 16, 1824.

NUMBER 12.

Resolved by the General Assembly of the State of Tennessee, That the following certificates, issued by the register of West Tennessee, be referred to the commissioner of West Tennessee, for adjudication, according to law : No. 6774, to Lewis Brumbelow, for forty acres ; No. 6775, to John Harkreader, for eight acres, No. 6771, to Catharine Love, for eight acres ; No. 6772, to Graves Gunn, for forty acres, and No. 6773, to Olive Hailey, for fifty acres.

JAMES FENTRESS,

Speaker of the House of Representatives.

R. WEAKLEY,

Speaker of the Senate.

October 21, 1824.

NUMBER 13.

Resolved by the General Assembly of the State of Tennessee, That the Secretary of State be, and he is hereby, authorized to deliver to the parties interested, or their representative, such title parties, as may be filed with him, either at the present or any former

session of the legislature, which may not be necessary to return in said office.

JAMES FENTRESS,
Speaker of the House of Representatives.
R. WEAKLEY,
Speaker of the Senate.

October 22, 1824.

NUMBER 14.

Resolved by the General Assembly of the State of Tennessee, That the assent of this state be, and the same is hereby given, that the general government establish, open, and keep in repair, a national road, through any part of the territory of this state.

JAMES FENTRESS,
Speaker of the House of Representatives.
R. WEAKLEY,
Speaker of the Senate.

October 22, 1824.

NUMBER 15.

Resolved by the General Assembly of the State of Tennessee, That the register of West Tennessee issue to Augustus H. White, or the person rightly entitled thereto, a certificate warrant for eighty acres, in lieu of so much of certificate warrant No. 4502, for two hundred and seventy-four acres: Provided, it shall be made appear by satisfactory evidence, that said certificate warrant had been previously entered, and that the same had been located on a good and valid warrant, upon land before granted, and that the title under the certificate warrant No. 4502, had not ripened into a grant: And provided further, that said warrant had not been appropriated on vacant land and located since the passage of an act for the disposal of the vacant lands north and east of the congressional line, passed at the session of the General Assembly of 1823.

JAMES FENTRESS,
Speaker of the House of Representatives.
R. WEAKLEY,
Speaker of the Senate.

October 22, 1824.

NUMBER 16.

Resolved by the General Assembly of the State of Tennessee, That the Secretary of State, forthwith, have published and forwarded, all the laws passed at the present session of the General Assembly, touching the vacant lands north and east of the Congressional reservation line, to the respective entry-takers and surveyors, in the several counties north and east of said line.

JAMES FENTRESS,
Speaker of the House of Representatives.
R. WEAKLEY,
Speaker of the Senate.

October 22, 1824.

ROBERT L. CARUTHERS,
Clerk of the House of Representatives.
RUSSELL DANCE,
Clerk of the Senate.

I have carefully examined the foregoing printed Acts and Resolutions, and find them to be true copies of the originals now on file in my office.

DANIEL GRAHAM,
Secretary of State.

Murfreesborough, 17th November, 1824.

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