

heretofore appointed, any law, usage or custom to the contrary notwithstanding.

WM. BRADY,
Speaker of the House of Representatives.
R. C. FOSTER,
Speaker of the Senate.

December 6, 1826.

CHAPTER CII.

AN ACT, to authorize the laying off a town by the name of Shippingsburg.

J. Irvin may lay off a town.
SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That James Irvin be, and he is, hereby authorized to lay off a town on his land in the county of Hardin, at *Budd's* [Rudd's] Bluff, on Tennessee river, which said town shall be known by the name of *SHIPPINGSBURG*.

WM. BRADY,
Speaker of the House of Representatives.
R. C. FOSTER,
Speaker of the Senate

December 6, 1826.

CHAPTER CIII.

AN ACT, for the relief of John Keenan.

John Keenan.
SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the mayor and aldermen of the town of Pulaski, are hereby authorized to sell and convey to John Keenan, so much of the commons of said town of Pulaski, adjoining his slaughter-house, as they may think proper, and appropriate the proceeds of said sale to the use and benefit of said corporation.

WM. BRADY,
Speaker of the House of Representatives.
R. C. FOSTER,
Speaker of the Senate.

December 6, 1826.

CHAPTER CIV.

AN ACT, for the benefit of Jourden Harris and others.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That it shall and may be lawful for Jourden Harris, to file his petition for a divorce from his wife Rebecca, in the circuit court of Jackson county, first giving to the said Rebecca, his wife, ten days previous notice of his intention to file the same, and if it shall appear to the satisfaction of the court by testimony, that the said Rebecca has, for more than two years since, left his bed and board, without any just cause, it shall, and may be, lawful for said court to decree a dissolution of the bands of matrimony now existing between the said Jourden Harris and his wife, Rebecca, at the first term of said court, any law to the contrary notwithstanding.

J. Harris may petition for a divorce.

SEC. 2. *Be it enacted,* That Dorcas L. Woods, shall be permitted to file her petition in the circuit court of Rutherford county, at the next term of said court, or any succeeding term of said court, and upon sufficient proof being made, that her husband drove her from his home, and would not again receive her, and that her said husband left the State of Tennessee more than six years since, and has never returned; unless said Woods can shew sufficient cause for such absence, then, and in that case, the judge of the circuit court of Rutherford county is hereby directed to decree a divorce—divorcing Dorcas L. Woods, from her husband Archibald Woods, any law, usage or custom to the contrary, notwithstanding.

D. L. Woods

WM. BRADY,
Speaker of the House of Representatives.
R. C. FOSTER,
Speaker of the Senate.

December , 1826.

CHAPTER CV.

AN ACT, for the relief of Nancy W. Corver, of Wilson county.

SECTION 1. *Be it enacted by the General As-*

N. W. Carver
to have the
privilege of a
feme sole.

sembly of the State of Tennessee, That Nancy W. Carver, of Wilson county, wife of Benjamin Carver be, and she is hereby enabled to sue and be sued, contract and be contracted with, in her own name; to have, hold and enjoy, personal and real property, acquired by her own industry, gift, inheritance or otherwise, free from the control or debts of her said husband, and that she be confirmed in all the privileges of a feme sole, in as full and ample a manner as though she had never been married, except that of intermarrying with another man, during the natural life of her said husband.

Not to be pro-
vented from
having a di-
vorce.

SEC. 2. Be it enacted, That nothing in this act contained shall be so construed as to prevent the said Nancy W. from obtaining a divorce agreeably to the existing laws.

WM. BRADY,
Speaker of the House of Representatives.
R. C. FOSTER,
Speaker of the Senate.

December 7, 1826.

CHAPTER CVI.

AN ACT to legalize the official acts of justices of the peace therein named.

Acts of certain
justices legal-
ized.

SECTION 1. Be it enacted by the General Assembly of the State of Tennessee, That all the official acts of Robert Shaw, Lewis Patterson, Samuel M. Johnson, James Montgomery, Erby Boyd, John F. Henderson, James Corbit, Joseph Carter, and Joseph Callaway, acting justices of the peace of Monroe county, who have, by mistake, been acting without being commissioned, all and singular their acts as justices of the peace, shall be good and valid in law, to all intents and purposes, as if they had been commissioned, in due form, from the fifth day of November, eighteen hundred and twenty-three, and that the governor be, and he is, hereby directed to sign the commission, issued to said justices on the fifth day of November, 1822, and when so signed, shall be as good and

effectual as if it had been signed when issued.
WM. BRADY,
Speaker of the House of Representatives.
R. C. FOSTER,
Speaker of the Senate.

December 7, 1826.

CHAPTER CVII.

AN ACT, for the relief of Reuben Smith and James N. Smith, of Maury county.

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 Reuben Smith and James N. Smith, of Maury county the sum of fifty-seven dollars and fifty cents each, as an additional compensation for their services as commissioners, in settling with the clerk, of the county court of Maury county, in conformity with an act passed at the last session of the General Assembly; and the receipts of the said Reuben and James N., shall be good vouchers in the settlement of his accounts.

R. Smith and
J. N. Smith:

WM. BRADY,
Speaker of the House of Representatives.
R. C. FOSTER,
Speaker of the Senate.

December 7, 1826.

CHAPTER CVIII.

AN ACT, to authorize Jesse Lincoln to open a turnpike road.

SECTION 1. Be it enacted by the General Assembly of the State of Tennessee, That Jesse Lincoln of the county of White be, and he is, hereby authorized to open and keep in repair a turnpike road, the nearest and best way from the town of Sparta, in White county, to Liberty, in Smith county, and the toll gate upon said road shall not be within ten miles of either of the above places.

J. Lincoln
may open a
turnpike road
from Sparta to
Liberty:

SEC. 2. Be it enacted, That said road shall be

made under the same rules, regulations and restrictions, that the said Lincoln is governed by, in a law passed 5th December, 1825, authorizing said Lincoln to open a turnpike road from Sparta, to near the Crab-orchard:

Sec. 3. *Be it enacted*, That Adam Dale, of the county of Smith, and Jesse Allen, of Warren county be, and they are, hereby appointed commissioners, whose duty it shall be to examine said road under the same rules, regulations and restrictions, and be entitled to the same pay, that the commissioners are, in the above recited act of 1825.

Sec. 4. *Be it enacted*, That the said Lincoln shall be entitled to the same charter, and the same toll that he is entitled to by the above recited act of 1825, and have the same length of time to complete said road.

WM. BRADY,

Speaker of the House of Representatives.

R. C. FOSTER,

Speaker of the Senate.

December 7, 1826.

CHAPTER CIX.

AN ACT, authorizing a drawing of a Lottery, for the purpose of removing the obstruction in the Caney Fork.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Thomas Eastland, Jesse Lincoln, Turner Lane and Randolph Ross, of White county, and George R. Smart, Isham Perkins, Thomas Durham and John Kane, of the county of Warren be, and they are hereby authorized and empowered to draft the scheme of a lottery, and superintend the drawing of the same, to raise a sum not exceeding nine thousand dollars, for the purpose of improving the navigation of the Caney Fork river.

Sec. 2. *Be it enacted*, That said managers or a majority of them, before they proceed with said lottery, shall enter into bond with approved security, to the chairman of the court of pleas and quarter sessions of the county of White, in a sum

double the amount of capital in the scheme for the faithful discharge and payment of the prizes when drawn, or in case of failure to draw said lottery, for the repayment of such persons as may have purchased tickets in said scheme, of the amount of money by them paid without interest; and which bond, when executed, shall be filed with the clerk of said court, and remain in force for two years after the drawing of said lottery.

Sec. 3. *Be it enacted*, That the said managers or a majority of them, when about to proceed to the drawing of said lottery, shall, in the presence of three justices of the peace for the county of White, put into the box, the numbers and prizes and blanks contemplated by said scheme, and shall appoint two clerks to keep a regular account of numbers drawn and of blanks and prizes, and who shall before they enter on said duty, take an oath, truly, faithfully, and impartially, to keep said account of the drawing.

Sec. 4. *Be it enacted*, That said managers, or a majority of them, shall have power to make sale of tickets, or the scheme, as they may think best, to take bond of such persons as they may sell to, or of such persons as they may deposit tickets with for sale, and in case of a failure with the terms of said bonds or contracts, the said managers, or a majority of them, are hereby authorized to sue for and recover on said contracts, in their names as managers, in any court having cognizance thereof.

Sec. 5. *Be it enacted*, That in case of the death, resignation or refusal to act, of any of the above named managers, the remainder of said managers shall have power, by a majority of their votes, to elect another fit person or persons, to serve in his or their stead, and said managers, so elected, shall enter into bond with security, as prescribed in the second section of this act, and shall be vested with the same power and authority as the managers by this act appointed; and said managers, or a majority of them, shall have entire control, superintending and directing of the improvement of said navigation.

Sec. 6. *Be it enacted*, That the managers of a lottery heretofore authorized to be drawn for the benefit of the Shelbyville female academy, proceed

Lottery, how to be drawn.

Power of managers to sell tickets, &c.

Managers how supplied.

Managers of Shelbyville female academy

may proceed to draw lotte-
ry. to draw the same under the regulations heretofore prescribed; and the sum so raised, be appropriated under the direction of the trustees, to the use of the Dickson academy, in the county of Bedford, for the promotion of learning, any law to the contrary notwithstanding.

WM. BRADY,
Speaker of the House of Representatives.
R. C. FOSTER,
Speaker of the Senate.

December 7, 1826.

CHAPTER CX.

AN ACT, to incorporate the Hiwassee Canal company

Commissioners of the Hiwassee canal company.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That William C. Mynatt, William Lyon, James G. M. Ramsey, Randolph Carter, Alfred M. Carter, James P. Taylor, Benjamin Brewer, John Kennedy, David A. Deaderick, John G. Eason, William Dickson, Valentine Serier, George B. Jones, James O'Brien, William Deery, George Gammon, Thomas Gammon, Samuel Powell, Nicholas Fain, Absalom Kile, John A. McKinney, Hugh Martin, John Fain, Baldwin Harle, Thomas Brown, William C. McKamy, William B. Lenoir, Adam Lamb, John Bridgman, James Davers, William Belcher, Burgess Matthews, James P. H. Porter, Micajah C. Rogers, Benjamin Craighead, William E. Coker, Eberdred Williams, Miller Francis, William Smith, Asahel Rawlings, Thomas Wheeler, Moses H. Swan, David Richardson, Reuben Moss, John S. Hardy, James Patterson, John McGhee, David Caldwell, Thomas J. Campbell, Nathaniel Smith, William Lowry, Return J. Meigs, Thomas McCarty, Charles Y. Oliver, William C. Roadman, William Garrett and James Jennings, or any three of them be, and they are, hereby appointed commissioners to do and perform the several things hereinafter mentioned; that is to say: They shall, on or before the first day of May next, procure a sufficient number of books, one of which shall be opened in each of the counties in East Tennessee, and in each of them enter as follows:

To open books for the subscribers

"We whose names are hereunto subscribed, do promise to pay to the president and managers of the Hiwassee canal company, the sum of fifty dollars for every share of stock set opposite to our respective names, in such manner and proportions, and at such times, as shall be determined by the President and managers of the said company, in pursuance of an act of the General Assembly, of the State of Tennessee, entitled "an act, to incorporate the Hiwassee canal company. Witness our hands this day of _____ in the year of our Lord, one thousand eight hundred and _____ and shall, thereupon, give notice in one or more newspapers printed in East Tennessee, for one month at least, of the times and places when and where the said books shall be kept open to receive subscriptions, for the stock of the said company, at which respective times and places one or more of the commissioners shall attend or an agent appointed by them, and permit all persons of lawful age, who shall offer to subscribe in the said books, in their own name or in the name of any other person, who shall authorize the same, for any number of shares in the said stock; and the said books shall be kept open respectively, for the purposes aforesaid, at least six hours in every day, for the space of twenty days, or until there shall have been two thousand shares subscribed for.

Sec. 2. *Be it enacted,* That the stock-holders of the Hiwassee canal company, is hereby formed into a body politic and corporate, in deed and law, by the name, style and title of "THE PRESIDENT AND MANAGERS OF THE HIWASSEE CANAL COMPANY," and by the same name the subscribers shall have perpetual succession; and all of the privileges and franchises incident to a corporation, and shall be capable of taking and holding, their capital stock and the increase and profits thereof, and of enlarging the same from time to time, by new subscriptions in such manner and form as they shall think proper, if such enlargements shall be found necessary to fulfil the intentions of this act; and of purchasing, taking and holding to them and their successors and assigns in fee simple, or for any lesser estate, all such lands, tenements, hereditaments, and estate, real and personal, as shall

Company incorporated & their powers.

be necessary to them, in the prosecution of their works, and of suing and being sued, and of doing all and every other matter and thing which a corporation or body politic may lawfully do.

Sec. 3. Be it enacted, That the seven first named persons, or a majority of them, shall, as soon as conveniently may be, give at least twenty days notice in the public papers before mentioned, of the time and place appointed by them, for the subscribers to meet, in order to organize the said company, and to choose, by a majority of votes, of the said subscribers, by ballot, to be given in person or by proxy, duly authorized, one president and ten managers, a treasurer, secretary, and such other officers as shall be deemed necessary, which proxy shall have been obtained and bear date within three months previously to the election, at which such proxy shall be presented; that the president and manager aforesaid, shall conduct the business of said company, until the first Monday in January then next, and until like officers shall be chosen, and may make such by-laws, rules, orders and regulations, as do not contravene the constitution and laws of the United States, or of this State, that may be necessary for the well governing of the officers of the company.

Company how organized, to choose president, managers, treasurer, secretary and other officers

Duty and powers of president and managers.

Stock-holders to meet choose their officers. Each share to have one vote.

Sec. 4. Be it enacted, That the stockholders shall meet on the first Monday in January, in each year, at such place as may be fixed upon by the by-laws, of which, notice shall be given at least twenty days by the secretary, in the newspapers before mentioned, and choose, by a majority of votes, their officers for the ensuing year, as mentioned in the third section of this act, who shall continue in office for one year, and until others are chosen, and at such other times as they may be summoned by the managers in such manner and form as shall be prescribed by the by-laws, at which annual or special meeting, they shall have full power and authority, to make, alter or repeal, by a majority of votes in manner aforesaid; and to do and perform any other corporate act; and each person shall be entitled to one vote for each share by him or her held.

Sec. 5. Be it enacted, That the said president and managers, shall meet at such times and places as

shall be found most convenient for the transacting of their business, and when met, five shall be a quorum, who, in the absence of the president, may choose a chairman, and shall keep minutes of their transactions, fairly entered in a book; and a quorum being formed, they shall have full power and authority to appoint all such surveyors, engineers, superintendents, and other artists and officers, as they shall deem necessary to carry on the intended work, and to fix their salaries and wages; to ascertain the times, manner and proportion, in which the said stock-holders shall pay the monies due on their respective shares; to draw orders on the treasurer; *Provided*, that such drafts and orders be signed by the president, or, in his absence, by a majority of the managers present, and generally, to do all such other acts, matters and things, as, by this act, and by the by-laws and regulations of the company, they are authorized to do.

President and managers may meet when they please; and five a quorum, &c.

Sec. 6. Be it enacted, That the president and managers first chosen, shall procure certificates or evidence of stock, for all the shares of the said company, and shall deliver over such certificate, signed by the president and countersigned by the treasurer and sealed with the common seal of the corporation, to each person for every share by him subscribed and held, which certificate or evidence of stock, shall be transferable at his pleasure, in person or by his attorney duly authorized, in the presence of the president or treasurer, each of whom shall keep a book for that purpose, subject, however, to all payments due, or to become due thereon, and the assignee holding any certificate, having first caused the assignment to be entered in a book of the company, to be kept for the transfer of stock, shall be a member of the said corporation; and for every certificate assigned to, as aforesaid, shall be entitled to one share of the capital stock, and of all the estates and emoluments of the company incident to one share, and to vote as aforesaid at the meetings thereof, and subject to all penalties and forfeitures, and of being sued for all the balance and penalty due or to become due on each share, as the original subscriber would have been.

Certificates of stock.

Shares transferable.

Sec. 7. Be it enacted, That if, after thirty days notice in the public papers aforesaid, of the time

Stock holders on failure to

pay their subscriptions to pay 2 percent a month, &c.

and place appointed for the payment of any proportion or instalment, of the said capital stock, in order to carry on the work, any stock-holder shall neglect to pay such proportion or instalment at the place appointed, for the space of thirty days after the time so appointed, every such stock holder, or his assignee, shall, in addition to the instalment so called for, pay at the rate of two per cent per month, for the delay of such payment, and if the sum and additional penalty shall remain unpaid for such space of time, as that the accumulated penalty shall become equal to the sums before paid in part and on account of such shares, the same shall be forfeited to the said company, and may be sold to any person or persons willing to purchase, for such price as can be obtained for the same, or in default of payment of any stock holder, of any such instalment as aforesaid, the said president and manager [managers] may, at their election, cause suit to be brought before some justice of the peace, or in any court having competent jurisdiction, for the recovery of the same, together with the penalty aforesaid: *Provided*, that no stockholder, whether original subscriber or assignee, shall be entitled to a vote at any election, or at any general or special meeting of the said company, on whose share or shares any instalments or arrearages may be due and payable, more than thirty days previously to the said election or meeting.

Company may give vs obstructions in the Tennessee river, &c.

Sec. 8. Be it enacted, That it shall and may be lawful for the said president, managers and company, their superintendents, surveyors, engineers, artists and workmen, to enter upon the Big Tennessee river where the south line of the State crosses the same, to open, enlarge or deepen the same, in any part or place thereof, which shall appear to them most convenient, for opening, changing, making anew or improving, the channel, and also, to cut, break or remove, and take away, all trees, rocks, stones, earth, gravel, sand or other materials, or any obstruction, or impediment, whatsoever, within the said river, or to use all such timber, rocks, stones, gravel, earth or other material, in the construction of the necessary works, and to form, make, erect and set up, any dams, locks or any other device, whatever, which they shall think most fit and convenient to make a complete slack-water navigation, from the south line

of the State to the mouth of Little Tennessee river, thence up the Holston river to Knoxville, and from thence up the said river to Kingsport, in Sullivan county, as far as the same may be practicable, so as to admit a safe and easy passage for loaded boats, arks and other vessels, up as well as down said river, or by means of such collateral sluices and locks, as they may devise for the purpose.

When improved to Knoxville boats may be taxed by the ton, &c.

Sec. 9. Be it enacted, That as soon as the company shall have removed all the obstructions in said river, as high as Knoxville, so as to admit the safe passage of boats, craft and other vessels, up as well as down said river, they shall be authorized to receive two dollars for every ton burthen of each boat, craft or other vessel, passing up or down said river, except light goods, which shall be taxed five dollars per ton; empty boats shall pass down the said river at two dollars each; and when the said company shall have removed all the obstructions in said river up to Kingsport, in Sullivan county, so as to admit of the safe passage of boats, craft or other vessels, up as well as down said river, they shall receive, as above for every ton burthen of each boat, craft or other vessel, passing up as well as down said river.

Sec. 10. Be it enacted, That the said company is hereby authorized to cut said canal, uniting the Hiwassee and Coosa rivers, at such point in the bounds of this State, as they may think most advisable; *Provided*, they do not enter upon, nor attempt to cut the canal until the United States shall have obtained the right of soil by treaty from the Cherokee nation.

Dividend of profits.

Sec. 11. Be it enacted, That an equal dividend shall be made of all the profits arising to said company to the stockholders, in proportion to the number of shares held by them respectively.

Toll may be imposed on the canal.

Sec. 12. Be it enacted, That the president and directors shall be authorized to impose such toll on the canal as they may think just and equal, subject, nevertheless, to be changed or altered by the Legislature of this State.

Sec. 13. Be it enacted, That the books shall be kept open in each of the counties in East Tennessee for the subscription of stocks for the space of twenty days, during which time, none but citizens of this State shall be allowed to subscribe for

Books to be kept open 20 days and who may then subscribe.

stock, after which time any citizen or citizens of any State in the United States, bodies corporate or politic, shall and may have a right to subscribe for the stock of said company, under such rules as may be prescribed by the board of directors of said company, or under the direction of the commissioners appointed by this act.

Privileges of company as to other streams. **Sec. 14. Be it enacted,** That the said company shall have power, and full and complete authority as hereby given to said company when they shall have completed the canal and navigation of the streams in East Tennessee mentioned in this act, to commence, open and complete the navigation of any stream in East Tennessee; which stream, after it is rendered navigable by said company, shall be under the same rules, regulations and restrictions, as the other streams mentioned in this act, and be liable to the same rates of toll.

if 5000 shares not subscribed in 3 years this act null. **Sec. 15. Be it enacted,** That if three thousand shares of the capital stock of said company shall not be subscribed within three years after the passage of this act, then the same shall be null and void, and the authority of said corporation shall cease and be of no effect.

Certain boats exempted from toll, &c. **Sec. 16. Be it enacted,** That no owner or manager of a boat, or other water craft, which may have proceeded from more than five miles above the improved point of navigation of any of the tributary streams of the Tennessee or Holston rivers, shall be subject to pay any toll for navigating the said Tennessee or Holston rivers, nor shall the owner or manager, of any boat or other water craft, laden with the growth, produce or manufacture of this state, descending the Holston river, be subject to pay any toll for navigating the same, or the Tennessee river, before the navigation of the Holston river shall be first completed agreeably to the provisions of this act; nor shall any owner or manager of a boat or other water craft, so laden as aforesaid, that may have proceeded from a point on the Holston river, ten miles above the improved navigation thereof, be subject to the payment of the said toll; *Provided,* nothing in this act be construed as to authorize said corporation to lay a tax upon any boat that may descend Clinch river.

No toll as far as without **Sec. 17. Be it enacted,** That no toll shall be demandable or payable for navigating the Ten-

nessee river or Hiwassee, as far up said last river as the town of Calhoun.

Sec. 18. Be it enacted That if the Indian title to the lands upon which the said canal is intended to be made, shall be extinguished before the said corporation shall have eighty thousand dollars of the stock subscribed, it shall be the duty of said corporation first to open and put in good repair, the said canal before they shall proceed to the improvement of the navigation of said rivers; *Provided, always;* that, if it shall be ascertained by skillful engineers to be employed by said corporation, that it is impracticable to make said canal, then, and in that case, this section shall be void.

WM. BRADY,
Speaker of the House of Representatives.
R. C. FOSTER,
Speaker of the Senate.

December 7, 1826.

CHAPTER CXI.

AN ACT, to authorize Jesse Savage and Benjamin Cannon, to open and keep in repair a turnpike road.

SECTION 1. Be it enacted by the General Assembly of the State of Tennessee, That Jesse Savage and Benjamin Cannon, be, and they are, hereby authorized to open a turnpike road from the foot of the mountain near Benjamin Hill's, in Warren county, to the foot of the mountain, in Bledsoe county, near John Ranes.

J. Savage and B. Cannon to open a turnpike.

Sec. 2. Be it enacted, That said road shall be found at least twenty feet wide, except on steep hill and mountain sides, which shall be sixteen feet wide, free from all roots, stumps, rocks or any large stones, or any thing that will, in anywise, obstruct the passage of carriages, wagons, or horsemen, and that the hills shall be cut down, and the valleys filled up, so that no elevation in said road shall exceed seven and a half degrees; all the large streams to be bridged, with good substantial wooden or stone bridges, at least fifteen feet wide.

Width of road, &c.

Sec. 3. Be it enacted. That Absalom Brown and Isaac Hill, are hereby appointed commis-

Commissioners and their duty.

ers to view said road, at least once in three months or at any time when they receive satisfactory information that said road is out of repair; and if said commissioners shall at any time find said road out of repair, they shall direct the gate to be kept open until said road shall have been put in good repair, and give notice at three public places on said road, that no toll shall be collected at said gate until said road shall have been put in good repair, and the certificate of said commissioners, to that effect obtained, and if said proprietors shall permit said road, at any one time, to remain out of repair for the space of twelve months, then, and in that case, all his right to said road, shall revert to the state.

Comm'n's on notice to review road and give license for part of the road.

Sec. 4. Be it enacted, That the proprietor of said road shall give notice to said commissioners, when he shall have completed said road, up to the top of the mountain on each side, whose duty it shall be to review the same, and should they find it in the order contemplated by this act, they shall give said proprietor a license to erect a gate on said road at some suitable place, and receive from persons passing said road, one half the rates of toll hereinafter allowed to said proprietor by this act.

To give license for the whole road.

Sec. 5. Be it enacted, That when said road shall be completed, it shall be the duty of said commissioners to review the same, and if they find it in the order contemplated by this act, they shall give the proprietor a license to collect the following rates of toll from persons passing said road. For each wagon and team, fifty cents; for each cart twenty five cents; for each four wheeled pleasure carriage, seventy five cents; for each two wheeled pleasure carriage, thirty seven and one half cents; for each carryall, fifty cents; for each man and horse or mule, twelve and one half cents; for each taxable, six and one fourth cents; for each lead horse or mule, if not in a drove, six and one fourth cents; and if in a drove, three cents; for each head of cattle, two cents; for each hog or sheep, one cent; *Provided,* no toll shall be demanded, from any person going to or from mill, blacksmith shop, or preaching; and *Provided, also,* that no toll shall be demanded from any person living in Warren or Bledsoe counties, who may have helped to open what is now called Hill's road, or or said mountain.

Rates of toll.

Sec. 6. Be it enacted, That if any person shall forcibly or secretly pass said gate, or within one mile thereof, to avoid paying such toll, such person shall forfeit and pay twenty five dollars for any such offence to the proprietor of said road, to be recovered before any justice of the peace in said state.

Penalty for avoiding payment of toll.

Sec. 7. Be it enacted, That the person appointed to keep said gate, shall take and subscribe the following oath, before some justice of the peace in the county, where the gate may be kept; to wit; I do solemnly swear that I will not demand more toll than is by law directed to be taken at the gate which I am appointed to keep.

Oath of gate keeper.

Sec. 8. Be it enacted, That Jesse Savage of Warren county, open and keep in repair that part of said road, which may be in said county, beginning at the foot of the mountain near Benjamin Hill's, and extend to the county line, of Bledsoe, and that Benjamin Cannon, open and keep in repair that part of said road, which lies in the county of Bledsoe, each one of said proprietors being responsible for that part of said road over which he is proprietor, and that the profits of said road be equally divided between the two proprietors aforesaid.

What part of road each is to keep in repair.

WM. BRADY,

Speaker of the House of Representatives.

R. C. FOSTER,

Speaker of the Senate.

December 8, 1826.

CHAPTER CXII.

AN ACT, to incorporate Bolivar Academy, in the county of Hardeman.

Section 1. Be it enacted by the General Assembly of the State of Tennessee, That Thomas I. Hardeman, William D. McKee, James Ruffin, Austin Miller, and John C. McKurt, shall be, and they are, hereby constituted a body politic and corporate, by the name and style of the president and trustees of the Bolivar Academy in the town of Bolivar, in the county of Hardeman, and by their corporate name they and he shall be and they

Bolivar Academy incorporated, may hold property, &c.

and be impleaded, touching and concerning their corporate concerns; have a corporate seal; receive, purchase and hold, real and personal estate, and again dispose of the same for the benefit of the academy; make such by-laws, rules and regulations as may be deemed necessary for the good government of the said academy: *Provided*, the same shall not be inconsistent with the constitution and laws of this state; and in their corporate capacity possess such powers and privileges, as corporations usually [do,] and as an academy, enjoy all the benefits and advantages, that other academies, in this state enjoy under the existing laws.

WM. BRADY,

Speaker of the House of Representatives.

R. C. FOSTER,

Speaker of the Senate.

December 8, 1826.

CHAPTER CXIII.

AN ACT, for the relief of Jane Reynolds, of Shelby county.

Jane Reynolds
SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the surveyor of the eleventh surveyor's district be, and he is, hereby required to permit Jane Reynolds, to enter her occupant claim, by virtue of her certificates purchased of the register of the western district, in the same manner as she could have done, had she tendered her warrants and location, previous to the first day of July last, any law to the contrary notwithstanding.

WM. BRADY,

Speaker of the House of Representatives.

R. C. FOSTER,

Speaker of the Senate.

December 8, 1826.

CHAPTER CXIV.

AN ACT, for the relief of Alice S. Wilson.

SECTION 1. *Be it enacted by the General Assembly*

sembly of the State of Tennessee, That Alice S. Wilson, a poor woman, citizen of Weakly county, may have a preference of entry of the piece of land she lives on, if vacant, notwithstanding she may not have resided thereon, on or before the first of May last: *Provided*, her preference shall not extend to more than two hundred acres.

WM. BRADY,

Speaker of the House of Representatives.

R. C. FOSTER,

Speaker of the Senate.

December 8, 1826.

CHAPTER OXV.

AN ACT, to authorize the drawing of a lottery in the county of Henderson.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That John T. Hannam, C. H. Williams, James J. Hill, Reuben Wilcox and James Heaslett be, and they are, hereby appointed and authorized to draft a scheme of a lottery and superintend the drawing of the same, for the purpose of raising a sum of money not exceeding twenty thousand dollars, to be employed in building and endowing an academy in the town of Lexington, and county aforesaid.

A lottery allowed to build an academy in Henderson.

SEC. 2. *Be it enacted*, That said trustees, before they proceed in the discharge of their duties as provided for in this act, shall give bond with approved security to the chairman of the court of said county, and his successors in office in double the amount of capital in said scheme, conditioned for the faithful payment of all prizes when drawn, agreeable to said scheme, or in case of failure in drawing said lottery, for the repayment of all monies which they have received for tickets, to the holders of said tickets, which bond, when executed, shall be filed in the clerk's office of said court, and subject to the use of all persons who may be aggrieved by the neglect or mismanagement of said managers.

Trustees to give bond for payment of prizes.

SEC. 3. *Be it enacted*, That said trustees or a

Lottery, how
to be drawn

majority of them, when about to proceed to the drawing of said lottery, shall, under the inspection of three Justices of the peace of said county, put into the boxes the number of prizes and blanks contemplated by the scheme of said lottery, and shall appoint two clerks to keep a fair record of the numbers drawn and of the blanks and prizes, who shall take an oath faithfully, truly and impartially, to render a fair account of the drawing of said lottery.

Powers
of trustees.

SEC. 4. *Be it enacted*, That said trustees, or a majority of them, may make sale of the tickets, and take bond of such persons as they may deposit tickets with for sale; and are hereby authorized to commence the drawing of said lottery so soon as any amount of tickets are disposed of, not less than one fourth the whole amount, and to progress in that proportion, and in case of failure to comply with the obligation of said bonds they are hereby authorized to sue for and recover on such bonds in the name of the trustees of said lottery, and to do and contract all things necessary and proper to carry the same into effect, and the proceeds of said lottery after defraying the necessary expenditures of the same, shall be applied by the said commissioners to the purposes contemplated by the first section of this act.

Trustees how
supplied

SEC. 5. *Be it enacted*, That in case of the death, resignation or refusal to serve, of any of the trustees, the county court shall, at their first or any subsequent term thereafter, fill such vacancy; and the person or persons so appointed, shall give bond and security as required by the second section of this act, and shall possess the same powers as the commissioners appointed by this act.

Trustees of
Lexington a.
cademy.

SEC. 6. *Be it enacted*, That the trustees appointed by this act shall be known by the name and style of "The trustees of the Lexington Academy," and shall have succession until the year, 1865; and to make and use a common seal, which they may alter at pleasure; to appoint a president and recorder of their own body, and to pass such laws and ordinances as they may think proper, not inconsistent with the constitution and laws of this state, and to receive donations either in land, money or labour, and do all things necessary for the building

and good government of said literary institution.

WM. BRADY,
Speaker of the House of Representatives
R. C. FOSTER,
Speaker of the Senate.

December 8, 1826.

CHAPTER CXVI.

AN ACT, for the encouragement of Moses Fisk.

WHEREAS, it is represented, that Moses Fisk, authorized by several acts, extant, passed by this legislature, has partly opened a turnpike road from Hilham, across Roaring river, in a southerly direction, and another from Hilham, across Oby river, in a northerly direction, which he has not yet been able to finish;

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That said Fisk shall be allowed two years after the passage of this act, to complete said road, according to the provisions of all former acts respecting the same, and shall afterwards enjoy all the emoluments, and be subject to all the liabilities, indicated by the said acts.

Moses Fisk al-
lowed two
years to com-
plete his road.

SEC. 2. *Be it enacted*, That the southerly road as he has now laid it out, or may hereafter amend it in particular places, shall extend from Hilham to the great road leading by Overton court house and the Rock Island ford, to unite with the same near the Dodson old place on which — Boston now lives.

Extent of the
road.

SEC. 3. *Be it enacted*, That William Willard, he, and he is, hereby appointed, commissioner to view said road and shall be subject to the same rules, perform the same services, and receive the same compensation, as the commissioners heretofore appointed by the act this is intended to amend.

Commission-
era.

WM. BRADY,
Speaker of the House of Representatives.
R. C. FOSTER,
Speaker of the Senate.

December 8, 1826.

CHAPTER CXVII.

AN ACT, for the relief of Robert Gullet, of Maury county, in the State of Tennessee.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee, That Robert Gullet be permitted to vend goods, wares and merchandize, in the county of Maury and town of Columbia, without paying license to either the State, county or corporation therefor.*

R. Gullet may
sell goods.

WM. BRADY,
Speaker of the House of Representatives.
R. C. FOSTER,
Speaker of the Senate.

December 8, 1826.

CHAPTER CXVIII.

AN ACT, to authorize James Strut and Alexander Strut to build a mill on Duck river, in Bedford county, near the Maury county line.

[SECTION 1.] *Be it enacted by the General Assembly of the State of Tennessee, That James Strut and Alexander Strut, citizens of Bedford county be, and they are, hereby authorized to build a mill on Duck river, in Bedford county, near the Maury county line. Provided, that the said James Strut and Alexander Strut, in the erecting of said mill, do not obstruct the navigation of said river or violate any act heretofore passed by the legislature of the state to preserve the navigation of said stream.*

WM. BRADY,
Speaker of the House of Representatives.
R. C. FOSTER,
Speaker of the Senate.

December 8, 1826.

CHAPTER CXIX.

AN ACT, to revise an act passed, August 23, 1822, entitled, "an act, for the relief of Valentine and Charles Sevier."

SECTION 1. *Be it enacted by the General As-*

sembly of the State of Tennessee, That the first section of the aforesaid act is hereby revived, and that the certificates issue as therein directed; Provided, it shall appear that no grant ever issued on said entries, No. 2611, and 2612, except those which were lost to said minors as set forth in the preamble of said act of 1822.

A section of
an act revived

WM. BRADY,
Speaker of the House of Representatives.
R. C. FOSTER,
Speaker of the Senate.

December 8, 1826.

CHAPTER CXX.

AN ACT, for the benefit of Francis Moore and Robert C. Davis.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee, That Francis Moore, a citizen of Sumner county, and Robert C. Davis, a citizen of Wilson county, be perpetted [permitted] to hawk and peddle in the counties of Sumner and Wilson without paying license therefor, Provided, they first apply to the clerks of each of the above named counties where they propose to sell goods and make oath that they will not directly or indirectly use the privilege hereby granted them to sell or dispose of the goods of any other persons than themselves.*

F. Moore and
R. C. Davis.

WM. BRADY,
Speaker of the House of Representatives.
R. C. FOSTER,
Speaker of the Senate.

December 8, 1826.

CHAPTER CXXI.

AN ACT, for the benefit of Mark P. Duncan.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee, That Mark P. Duncan, of Robertson county be, and he is, hereby authorized to vend and retail merchandize throughout the coun-*

M. P. Duncan

ty of Robertson, without paying any state or county taxes therefor; *Provided*, the said Duncan shall, before retailing as aforesaid, take and subscribe, before the clerk of the county court of Robertson, an oath that he will not, either directly or indirectly, sell any goods under the authority of this act for the benefit of any other person whatever.

WM. BRADY,

Speaker of the House of Representatives.

R. C. FOSTER,

Speaker of the Senate.

December 8, 1826.

CHAPTER CXXII.

AN ACT, for the benefit of James Bradford, sheriff of Jefferson county.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the treasurer of East Tennessee be, and he is, hereby authorized and required to pay to James Bradford, sheriff of Jefferson county, the sum of fifteen dollars, in full for his service in reporting on two tracts of land sold for taxes by the said James Bradford, sheriff of the said county of Jefferson, one tract as the land of James King, and one other as the land of Alexander Outlaw, which he, the said James Bradford, did agreeably to an act of 1822, sold and bid off the said two tracts of land for the use of the state, and that the receipt of the said James Bradford shall be a good voucher for the treasurer in the settlement of his accounts.

WM. BRADY,

Speaker of the House of Representatives.

R. C. FOSTER,

Speaker of the Senate.

December 8, 1826.

CHAPTER CXXIII.

AN ACT, to authorize Wyly Ledbetter to hawk and peddle without license.

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

J. Bradford to
have \$15.

the State of Tennessee, That Wyly Ledbetter, of the county of Maury be, and he hereby is, authorized and empowered to hawk and peddle and to retail goods, wares and merchandize, either of domestic or foreign manufacture, in the counties of Maury, Hardin, Lawrence, Wayne, McNairy, Madison, Henderson, Perry and Hardeman without license therefor.

Wyly Ledbetter.

Sec. 2. *Be it enacted*, That it shall not be lawful for said Wyly Ledbetter to hawk or peddle goods or merchandize for any person but for himself.

WM. BRADY,

Speaker of the House of Representatives.

R. C. FOSTER,

Speaker of the Senate.

December 8, 1826.

CHAPTER CXXIV.

AN ACT, to enlarge the provisions of an act, entitled "an act, to authorize the drawing of lotteries in the counties of Dickson and Montgomery", passed Nov. 21, 1825.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the persons authorized to draft a scheme of a lottery in the counties of Dickson and Stewart may, and they are, hereby authorized to raise the sum of four thousand dollars each, and to form their scheme so as to effect the purposes aforesaid, and that they are hereby authorized to employ any person or persons to sell their tickets and to conduct and superintend the drawing of the same of whom they may require bond with security and to whom they may allow a reasonable compensation for his or their trouble, out of the proceeds of said lottery.

Provisions of former law enlarged.

Sec. 2. *Be it enacted*, That Thomas Jones, Hardeman, Julian N. C. Robertson, Peter Reeves, Charles Brocke, Andrew Tylor, Nathaniel Steel, and John H. Bills, are hereby appointed managers to draft a scheme for a lottery to raise the sum of four thousand dollars for the purpose of erecting a Female academy in the county of Hardeman, to transact all business appertaining to said lottery in

Managers to raise \$4000 to build a F academy.

the same way and on the same principles, prescribed for the government of the managers of the lottery in the counties of Dickson and Stewart.

WM. BRADY,
Speaker of the House of Representatives.
R. C. FOSTER,
Speaker of the Senate.

December 8, 1826.

CHAPTER CXXV.

AN ACT, for the relief of Charles McCormick, of Anderson county.

SECTION 1. Be it enacted by the General Assembly of the State of Tennessee, That said Charles Mc'Cormick, be, and he is, hereby authorized to vend goods, wares and merchandize in the town of Clinton, county of Anderson, without paying any license therefor.

WM. BRADY,
Speaker of the House of Representatives.
R. C. FOSTER,
Speaker of the Senate.

December 8, 1826.

CHAPTER CXXVI.

AN ACT, to regulate the mode of taxing Lots in Milton, Rutherford county.

SECTION 1. Be it enacted by the General Assembly of the Stat of Tennessee, That lots in the tow of Milton, Rutherford county, shall hereafter be taxed as other lands are taxed in this state and other town lots, any law to the contrary notwithstanding.

WM. BRADY,
Speaker of the House of Representatives.
R. C. FOSTER,
Speaker of the Senate.

December 8, 1826.

CHAPTER CXXVII.

AN ACT, for the benefit of Noah Parker.

SECTION 1. Be it enacted by the General Assembly of the State of Tennessee, That Noah Parker be, and he is, hereby authorized to build a dam across Shoal creek, in the county of Lawrence, adjoining the town of Lawrenceburg, for the purpose of propelling the machinery of a cotton factory; and should said dam back the water upon any part of what is termed Lawrenceburg town tract, or should it raise the water upon the fish trap shoals, the said dam of the said Parker shall not be held or deemed a nuisance, but shall be permitted to remain and exist; Provided, that the assent thereto of the mayor and aldermen be first had.

Sec. 2. Be it enacted, That C. Brock be authorized to build a mill on Little Spring creek, on his own land, in Hardeman county.

WM. BRADY,
Speaker of the House of Representatives.
R. C. FOSTER,
Speaker of the Senate.

December 8, 1826.

CHAPTER CXXVIII.

AN ACT, to change the name and style of the Centerville Domestic Blues.

SECTION 1. Be it enacted by the General Assembly of the State of Tennessee, That the uniform company heretofore known by the name of the Centerville Domestic Blues, be changed to that of Houston Guards, and by that name to pass all laws in future for its regulation, and by that name to be known and designated in the thirty sixth regiment of Tennessee militia, any law to the contrary notwithstanding.

WM. BRADY,
Speaker of the House of Representatives.
R. C. FOSTER,
Speaker of the Senate.

December 8, 1826.

CHAPTER CXXIX.

AN ACT, to legitimate Eliza Gay.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee, That Eliza Gay be, and she is, hereby declared to be the legitimate daughter of William Gay of Bedford county, and vested with all the rights that she would possess if she had been born in lawful wedlock.*

WM. BRADY,

Speaker of the House of Representatives.

R. C. FOSTER,

Speaker of the Senate.

December 8, 1826.

CHAPTER CXXX.

AN ACT, for the relief of Elizabeth Hammond.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee, That Elizabeth Hammond, wife of George Hammond be, and she is, hereby authorized to trade as a feme sole, to sue and be sued, to do all manner of things which a feme sole, is authorized, by law to do, except that she shall not intermarry with any person, and any property which the said Elizabeth Hammond may hereafter acquire, shall not be subject to the payment of the debts of the said George Hammond, but shall be held subject to the control and use of the said Elizabeth.*

WM. BRADY,

Speaker of the House of Representatives.

R. C. FOSTER,

Speaker of the Senate.

December 8, 1826.

CHAPTER CXXXI.

AN ACT, to apply the navigation tax of the counties

of Weakly and Obion, to cutting and bridging roads, and for other purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee, That the county court of the county of Weakly, a majority of the acting justices being present, may apply the navigation tax of said county, which may have been heretofore collected, or which may hereafter be collected, to the purpose of cutting a road from the town of Dresden to Mill's Point.*

SEC. 2. *Be it enacted, That the county court of Obion county; a majority of the acting justices being present, may apply the navigation tax of said county for the purpose of cutting a road from Troy to any town on the Mississippi; also, for the purpose of aiding the county of Weakly in cutting a road from Dresden to Mill's Point, if said court of Obion should think it expedient to aid in the cutting of said road.*

SEC. 3. *Be it enacted, That it shall be the duty of the treasurer of the board of trustees for the navigation of the streams of the western district, to pay to the order of the county courts of Weakly and Obion, any sum or sums of money in his hands which may have been collected in said counties respectively, as navigation tax, and should he fail or refuse so to do, the chairman of the county courts of the respective counties may recover the same from him on motion in the county or circuit court of the county where the money may have been collected on giving him ten days notice.*

SEC. 4. *Be it enacted, That Rice Williams, John Jenkins and John Charlton, shall be commissioners to lay off and mark said roads, and the county courts of the respective counties, shall allow them a reasonable compensation for their trouble and expense in laying out and marking said roads.*

SEC. 5. *Be it enacted, That it shall not be lawful for the county court of Henry to lay any navigation tax, and it shall be the duty of the treasurer of the board of trustees of the navigation of the Western District, to pay to the trustees of Henry county, all sums of money in his hands collected from Henry county as navigation tax, which shall form part of the county fund, and should said treasurer refuse or fail so to do, the trustee of*

Henry county may recover the same from him on motion in the county or circuit court of Henry county on giving him ten days notice.

When to make effect.

Sec. 6. *Be it enacted*, That should the trustees of the navigation tax for the Western District, have appropriated any sum of said money to the purposes for which it has been raised, or should have entered into any contract to appropriate said money; this act shall not go into effect till they have received a sufficient sum of money to answer any such contract made previous to the passage of this act.

WM. BRADY,

Speaker of the House of Representatives.

R. C. FOSTER,

Speaker of the Senate.

December 8, 1826.

CHAPTER CXXXII.

AN ACT, to authorize Elijah Tilford and others, to hawk and peddle without paying for a license.

E. Tilford, J. Rice and John Underhill.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Elijah Tilford, of the county of Davidson, John Rice of Marion county, and John Underhill of Warren county be, and they are, hereby authorized to hawk and peddle, within their respective counties for the term of five years without paying for any license, any law to the contrary notwithstanding.

WM. BRADY,

Speaker of the House of Representatives.

R. C. FOSTER,

Speaker of the Senate.

December 8, 1826.

CHAPTER CXXXIII.

AN ACT, for the benefit of Jacob Sitgraves and the heirs of Neil Hutson.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Jacob Sitgraves, or

his legal representative, be permitted to file their claim to military warrant, No. 1972, with the commissioner for adjudication; also, that the heirs or legal representatives of Neil Hutson, be in like manner permitted to file their claim to warrant No. 255, and if it shall appear that the said warrant [warrants] have never been granted by the State of North Carolina, nor adjudicated or granted by this State, it shall be the duty of the commissioner to issue duplicates of them or either of them respectively; *Provided*, it shall be made appear by the claimants or applicants, that the said warrants has been lost, destroyed, or mislaid, and that the said original, after the issuance of such duplicate, be declared utterly void.

and heirs of N Hutson.

WM. BRADY,

Speaker of the House of Representatives.

R. C. FOSTER,

Speaker of the Senate.

December 8, 1826.

CHAPTER CXXXIV.

AN ACT, for the relief of the Murfreesboro' Sentinels, and other companies therein named.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*. That the volunteer company attached to the 45th regiment, T. M., denominated the "Murfreesboro' Sentinels," shall continue subject to all the duties of the militia in said regiment, and entitled to all the privileges of the militia under the existing laws, with this exception, that they shall not be compelled to attend regimental and battalion musters, or courts martial.

Privileges of Murfreesboro' sentinels.

Sec. 2. *Be it enacted*, That any person subject to militia duty in Rutherford county, shall be authorized to become a member of the "Murfreesboro' Sentinels," and upon the production of a certificate of the captain of the "Murfreesboro' Sentinels," that such militia-man has been admitted a member of said company, he shall thereafter be exempt from militia duty, in the company or regiment in which he may reside, so long as he may remain a member of said company.

Who may join them.

Their powers. **SEC. 3.** *Be it enacted,* That the "Murfreesboro' Sentinels" may assess and collect fines under their own constitution and by laws, and such fines when collected, shall be applied by said company, in any way they may think proper.

Lafayette guards. **SEC. 4.** *Be it enacted,* That the "Lafayette Guards," commanded by captain Samuel B. Marshall, attached to the 79th regiment, Tennessee militia, shall be entitled to all the exemptions and privileges (in Davidson county) that are extended to, and allowed to, the "Murfreesboro' Sentinels," (in Rutherford county,) in the foregoing sections of this act.

79th regiment. **SEC. 5.** *Be it enacted,* That the 79th regiment, Tennessee militia, in Davidson county, shall hereafter hold its regimental muster on the first Saturday in October, annually.

WM. BRADY,
Speaker of the House of Representatives.
R. C. FOSTER,
Speaker of the Senate.

December 9, 1826.

CHAPTER CXXXV.

AN ACT, for the relief of Banks M. Burrow, of Carroll county.

B. M. Burrow. **SECTION 1.** *Be it enacted by the General Assembly of the State of Tennessee,* That the register of West Tennessee issue to Banks M. Burrow, a grant for 230 acres of land, on his producing a certified copy of the plat and certificate of survey founded on entry No. 810, from the surveyor general of the 9th District; *Provided,* certificate warrant No. 31, on which said entry was founded, has not been granted heretofore; and *Provided further,* that said certificate warrant No. 31, for 230 acres, shall be null and void in whosever hands it may be.

WM. BRADY,
Speaker of the House of Representatives.
R. C. FOSTER,
Speaker of the Senate.

December 9, 1826.

CHAPTER CXXXVI.

AN ACT, for the relief of Wilson Cage.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the register of West Tennessee be, and he is, hereby required to issue a grant to Wilson Cage, for 27 $\frac{1}{4}$ acres, entered in the twelfth surveyor's district, the plat and certificate whereof has been returned to this office, upon the said Wilson Cage producing to him grant No. 17111, and his endorsing thereon that 27 $\frac{1}{4}$ is void in consequence of the issuance of the grant, directed to be issued by this act; *Provided,* that no other persons' rights are prejudiced thereby.

WM. BRADY,
Speaker of the House of Representatives.
R. C. FOSTER,
Speaker of the Senate.

December 9, 1826.

CHAPTER CXXXVII.

AN ACT, to encourage Domestic Manufactures.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Isaac Taylor, John Jeti, Alexander Craighead, Charles Manning, Madison Fisk, Randolph Ross and Nathan Haggard be, and they are, hereby appointed commissioners to draft a scheme, and superintend the drawing of a lottery, in one or more classes, to raise a sum of money not exceeding thirty thousand dollars, to be appropriated exclusively in the erection of machinery for the manufactory of cotton goods, on such seat in the county of White, as shall be designated by Theoderick B. Rice and company.

SEC. 2. *Be it enacted,* That said commissioners shall enter into bond and security, to the chairman of the court of pleas and quarter sessions of the county of White, in the sum of thirty thousand dollars, conditioned for the faithful performance of the trust hereby reposed in them, and they are required to see that any money by them delivered over to said Theoderick B. Rice and company, shall be applied exclusively to the object aforesaid; and

Commrs
for a lottery
to encourage
domestic man-
ufactures.

To give bond
and security.

shall, previous to the paying over such money, take bond and security from the said Rice and company, conditioned for the correct application of said money, in such way, as they may think advisable, and to refund the money to purchasers of tickets in case said lottery is not drawn.

Suit on, how brought. **Sec. 3.** *Be it enacted,* That the chairman of the court aforesaid, shall assign the bond aforesaid, to the party injured, who shall be competent to maintain a suit and recover damages, as he may have sustained in any court having jurisdiction thereof.

Managers may sell scheme. **Sec. 4.** *Be it enacted,* That said managers or commissioners, or a majority of them, shall have full power to sell and dispose of the scheme, or sell tickets, as they may think best, and superintend the disposal of tickets, drawing of the lottery, and disposal of the proceeds, agreeable to the provisions of this act.

WM. BRADY,
Speaker of the House of Representatives
R. C. FOSTER,
Speaker of the Senate

December 9, 1826.

CHAPTER CXXXVIII.

AN ACT, for the relief of the person therein named.

John Greer. **SECTION 1.** *Be it enacted by the General Assembly of the State of Tennessee,* That the sum of two hundred and fifty seven dollars and sixty cents, the amount due John Greer from the Fayetteville academy, with interest thereon from the 26th January, 1822, be paid to the said Greer, out of such portion of the academy interest in the new bank, as the county of Lincoln may be entitled to, and the receipt of said Greer to the cashier of said bank for such sum, shall be a good voucher on any settlement hereafter to be made relative to said fund; *Provided,* if the trustees of said academy shall hereafter shew that said sum or any part thereof is not due to said Greer, he shall be bound to refund the same with interest.

WM. BRADY,
Speaker of the House of Representatives.
R. C. FOSTER,
Speaker of the Senate

December 9, 1826.

CHAPTER CXXXIX.

AN ACT, for the relief of Richard Belcher.

R. Belcher. **SECTION 1.** *Be it enacted by the General Assembly of the State of Tennessee,* That Richard Belcher, of Smith county shall, from and after the passage of this act, be exempted from the payment of both State and county taxes.

W. Baker. **Sec. 2.** *Be it enacted,* That William Baker, a blind man, is hereby released from the payment of any State or county taxes for the land he now lives on in the county of White.

WM. BRADY,
Speaker of the House of Representatives.
R. C. FOSTER,
Speaker of the Senate.

December 9, 1826.

CHAPTER CXL.

AN ACT, for the relief of William Phillips, late sheriff of Hickman county, and others.

W. Phillips. **SECTION 1.** *Be it enacted by the General Assembly of the State of Tennessee,* That William Phillips, late sheriff of Hickman county, be allowed the further time of two years, to collect the arrearages of taxes, due him from and after the first day of January next.

R. Batson. **Sec. 2.** *Be it enacted,* That Richard Batson, late sheriff of Dickson county, be, and he is, hereby entitled to the same liberties and benefits as are prescribed to William Phillips, in the first section of this act.

McClanahan. **Sec. 3.** *Be it enacted,* That Matthew McClanahan, late sheriff of Rutherford county, be, and he is, hereby entitled to the same powers, privileges, and benefits, as are allowed to William Phillips, in the first section of this act.

WM. BRADY,
Speaker of the House of Representatives.
R. C. FOSTER,
Speaker of the Senate.

December 9, 1826.

CHAPTER CXLII

AN ACT, for the relief of William Gann, of Perry county.

W. Gann

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee, That William Gann of Perry county be, and he is, hereby authorized to hawk and peddle in the Western district, without being compelled to take a license agreeable to the laws in force and use in this state, as respects peddlars.*

WM. BRADY,

Speaker of the House of Representatives.

R. C. FOSTER,

Speaker of the Senate.

December 9, 1826.

CHAPTER CXLIII

AN ACT, to appoint counsel and an agent, to attend to all suits brought by Indian reserves, or their assignees, against purchasers of land in the Hiwassee district.

H. L. White
counsel for
the state
against Indian
reserves.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee, That Hugh L. White, be, and he is, hereby appointed counsel to attend to, and manage, in behalf of the State, all suits brought by Indian reserves, their agents or assignees, against any purchaser or purchasers, or their heirs, assignees, or devisees, for lands purchased from the state, with power to appoint any agent or agents to attend to the collection of testimony, and to do every other act and thing as agent, under the control and direction of said Hugh L. White, necessary to a preparation of said causes for trial.*

Causes may
be removed.

SEC. 2. *Be it enacted, That all such cause or causes, now pending, or which may hereafter be brought, as aforesaid, shall and may be removed, on the application of said Hugh L. White, in person or by writing, setting forth the county to which said White may wish said causes to be removed, to the county of Knox or any other county, to which he may think said causes ought to be removed.*

SEC. 3. *Be it enacted, That said White shall have full power and authority, to appeal, or take a writ of error from any judgment or decision in any of said causes, to the supreme court of this state, as in other cases, without giving any security therefor.* Appeal may
be taken.

SEC. 4. *Be it enacted, That the compensation to the said Hugh L. White, and to any agent which he may appoint, shall hereafter be ascertained and allowed by law.* Counsel and
agent how
paid.

SEC. 5. *Be it enacted, That an act passed November 30th, 1825, entitled "an act, directing certain papers to be read in evidence, in suits concerning reservations taken under the late treaties with the Cherokee Indians," be, and the same is hereby repealed.* Certain act
repealed.

SEC. 5. [6.] *Be it enacted, That it shall be the duty of the solicitor of the 11th district, to communicate from time to time, to said White, any facts or information in his possession, relative to the claims set up by said reservees, &c. and said solicitor shall have full power to continue any such cause or causes at the next term of any court in which they may be pending.* Duty of sol-
icitor of 11th
district.

SEC. 6. [7.] *Be it enacted, That the said attorney for the state, may and shall, draw upon either of the treasurers of this state, for the sum of five hundred dollars, at any time before the meeting of the next General Assembly, in part of his compensation for the performance of the duties required by this act, whose receipt to said treasurer shall be a good voucher.* Part com-
pensation to
said attorney
\$500.

SEC. 7. [8.] *Be it enacted, That the said attorney shall, and he is, hereby directed to examine and collect all testimony in relation to said reservations, and report the same to the next session of the General Assembly, specifically, and shall examine and report how much each assignee hath paid or agreed to pay for his reservation, and whether the same was purchased for his own benefit or in trust for others.* To report to
next Assembly

SEC. 8. [9.] *Be it enacted, That it shall be the duty of the Governor, to notify the said Hugh L. White, of his appointment aforesaid, and in the event of a non-acceptance, the Governor shall appoint some fit and proper person to perform the duties specified in this act, for the said Hugh L. White to do and perform, and such appointment to*

Governor to
notify H. L.
White of his
appointment.

continue until the next session of the General Assembly; *Provided, however*, that should said White die, the said suits shall be considered as continued until some other person shall be appointed in his stead; and *Provided, also*, that the solicitor of the 11th solicitorial district shall be paid a reasonable compensation for his services.

WM. BRADY,
Speaker of the House of Representatives.
R. C. FOSTER,
Speaker of the Senate.

December 9, 1826.

CHAPTER CXLIII.

AN ACT, for the relief of C. F. M. Gudriam.

WHEREAS, in all well-regulated governments the encouragement of manufacturers and the useful arts, have received protection from the legislative authorities; and *whereas*, it has been represented to this General Assembly, that C. F. M. Gudriam, has been engaged for several years in the cultivation of the vine, in White county, and that he wishes to extend his establishment so as to make it of public utility; and for the encouragement of which;

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the said C. F. M. Gudriam be, and he is, hereby authorized to enter in the county entry taker's office, any quantity of vacant land, in White or Bledsoe counties on Cumberland mountain, not exceeding five thousand acres, in tracts not less than five hundred acres each, without the payment of any thing therefor except the usual office fees.

SEC. 2. *Be it enacted*, That the land entered by said Gudriam, under the provisions of the first section of this act, shall not be subject to entry by any other person, and said Gudriam, shall cause all entries made by him, to be surveyed, within twelve months after such entry, and the plat and certificate of survey shall be good title to said Gudriam, for five years after such entry is made; and if, at the expiration of five years, or within six months thereafter, he shall produce satisfactory

C. F. M. Gudriam.

Plat and certificate of survey shall be good title for five years.

proof to the register of West Tennessee, that his vineyard is of public utility, then said register shall issue grants to said Gudriam, as in other cases; but should he not obtain grants for said land as above provided for, then, and in that case, said land shall revert to the state, and be subject to appropriation as other vacant land in this state.

WM. BRADY,
Speaker of the House of Representatives.
R. C. FOSTER,
Speaker of the Senate.

December 9, 1826.

CHAPTER CXLIV.

AN ACT, authorizing the drawing of a lottery to build a bridge over Cypress creek, in Humphreys county, and for other purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Enes Ury, Robert Jarman, John Thompson, Dorsey P. Hudson, Conrad Stephens, John Parvitt, and Greene B. Flowers be, and they are, hereby appointed managers, and that they be and hereby are, authorized to devise a scheme, and to raise by lottery, in one or more classes, any sum of money not exceeding the sum of five thousand dollars, to be applied to, and for the purpose of, making and causewaying, a road through the Tennessee bottom, on the west side of Tennessee river, opposite Reynoldsburgh, in the county of Humphreys; and also, to build a bridge over Cypress creek, in said Tennessee bottom, on the road leading to Huntington, Jackson and Paris, from said town of Reynoldsburgh.

A road to be made by lottery.

SEC. 2. *Be it enacted*, That said managers, before they enter upon the duties or exercise any of the powers or privileges herein conferred, shall come under the same restrictions, disabilities, and shall proceed under the rules and directions, as is provided, directed and required, by an act passed in 1823, to authorize the drawing of a lottery, for the counties of Dickson and Montgomery, chapter 210.

Managers powers.

SEC. 3. *Be it enacted*, That David A. Bond-

Road from Jonesboro' to N. C. line to be made by lottery.

lick, John G. Eason, Samuel Crawford, David C. Hunter and Thomas D. Greer, or a majority of them, be, and the same are, hereby appointed managers to draft a scheme of a lottery, and superintend the drawing of the same, to raise a sum of money not exceeding two thousand dollars, which sum, when raised, shall be appropriated for the purpose of opening a road from Jonesboro' to the line that divides the state of Tennessee from North Carolina, under the same rules and regulations as specified in this act.

Commissioners.

SEC. 4. *Be it enacted*, That the commissioners heretofore appointed under the act of 1825, to lay out and mark said road, shall be the commissioners to apply the sum so raised as above for the use and benefit of said road, and that the county court of Washington county, shall allow the said commissioners a reasonable compensation, out of said sum for their services.

WM. BRADY,

Speaker of the House of Representatives.

R. C. FOSTER,

Speaker of the Senate.

December 9, 1826.

CHAPTER CXLV.

AN ACT, to incorporate the town of Memphis, in Shelby county.

Memphis incorporated.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*. That the town of Memphis, in the county of Shelby, and the inhabitants thereof, are hereby constituted a body politic and corporate, by the style and name of the mayor and aldermen of the town of Memphis, and shall have perpetual succession; by their corporate name may sue and be sued, plead and be impleaded, grant, receive, purchase and hold, real, mixed, and personal property, or dispose of the same for the benefit of the town, and use a town seal.

Power of corporation.

SEC. 2. *Be it enacted*. That the corporation aforesaid shall have full power and authority to enact and pass all by laws and ordinances necessary and proper to preserve the health of the town,

prevent [and] remove nuisances; and to do all things necessary to be done by corporations; *Provided*, none of the acts or ordinances, shall be inconsistent with the laws and constitution of this State.

SEC. 3. *Be it enacted*. That the sheriff of Shelby county shall hold an election in said town of Memphis, on the first Saturday in March next, and on the same day in each and every year; and all persons residing in said town, who are entitled to vote for members of the General Assembly, shall be qualified to vote for mayor and aldermen, and no person shall be eligible to the appointment of mayor or alderman unless he be a citizen and freeholder of said town of Memphis.

Aldermen how elected and who may vote.

SEC. 4. *Be it enacted*. That the seven persons qualified as aforesaid, having the highest number of votes at any election as aforesaid, shall be taken to be duly elected, and the sheriff of said county of Shelby, shall, within two days thereafter, and a majority being present, shall proceed to elect a mayor from their own body for said corporation for the time the aldermen were elected, and whenever any mayor of said corporation shall die or remove from office, an election shall be held by said aldermen in the manner aforesaid, to elect another person for the time unexpired, until the next general election of aldermen.

Who is elected and how to choose a mayor.

SEC. 5. *Be it enacted*. That all fines, forfeitures and penalties, imposed by the by laws and ordinances of said corporation, if not exceeding fifty dollars, shall be recovered before a single magistrate, and if exceeding that sum, then to be recovered by action of debt in the county or circuit court of Shelby county, in the name of said corporation, and for the use of said town.

Fines how recovered.

WM. BRADY,

Speaker of the House of Representatives.

R. C. FOSTER,

Speaker of the Senate.

December 9, 1826.

CHAPTER CXLVI.

Overton county to lay a tax for certain purposes.

WHEREAS, it has been represented to this General Assembly, that George Gordon made a donation to the commissioners of the town of Monroce of five thousand acres of land, which land is claimed by an adverse title, and that said commissioners have commenced suit for said land; Therefore,

Overton county may be taxed to maintain the right of G. Gordon to a tract of land

SECTION 1. Be it enacted by the General Assembly of the State of Tennessee, That the county court of Overton county be, and they are, hereby authorized to lay a tax for the purpose of defraying the expense of said suit, and employing counsel to manage the same.

WM. BRADY,

Speaker of the House of Representatives.

R. C. FOSTER,

Speaker of the Senate

December 9, 1826.

CHAPTER CXLVII.

AN ACT, for the relief of Andrew Taylor, late sheriff of Carter county.

SECTION 1. Be it enacted by the General Assembly of the State of Tennessee, That Andrew Taylor, late sheriff of Carter county, be allowed the further time of two years from the passing of this act, to finish his collection of taxes, under the same rules, regulations and restrictions, and with equal powers, as acting sheriffs have in such cases.

WM. BRADY,

Speaker of the House of Representatives.

R. C. FOSTER,

Speaker of the Senate.

December 9, 1826.

CHAPTER CXLVIII.

AN ACT, for the relief [of] Robert Craig.

SECTION 1. Be it enacted by the General Assembly of the State of Tennessee, That the register of West Tennessee shall make read

No. 20,749, to Robert Craig, which said grant issued after the entry on which it was founded was made void. Grant to R. Craig made void.

SEC. 2. Be it enacted, That the register of West Tennessee shall issue to said Craig, or his rightful assignee, a grant for two hundred acres, founded on said warrant, No. 96, and entered by entry No. 733, which now stands as the only entry on said warrant, in the office of the seventh surveyor's district; Provided, nothing herein contained shall be so construed as to prejudice the title or claim of any other person or persons.

A grant to issue to said Craig.

WM. BRADY,

Speaker of the House of Representatives.

R. C. FOSTER,

Speaker of the Senate.

December 9, 1826.

CHAPTER CXLIX.

AN ACT, for the benefit of Frederick A. Ross, of Hawkins county.

SECTION 1. Be it enacted by the General Assembly of the State of Tennessee, That all persons crossing the bridge, built by Frederick A. Ross, across the north fork of Holston river, shall enter and pass to the right, either those drawing carriages of any description, or stock of any kind, as well as horse or footman, and it shall not be lawful for any person or persons to carry fire on or about said bridge, and no person crossing shall ride or drive any carriage or stock over said bridge faster than a walk.

F. A. Ross' bridge how to be crossed.

SEC. 2. Be it enacted, That any person offending against any of the provisions of this act, shall forfeit and pay to the owner of said bridge, the sum of five dollars, to be recovered before any justice of the peace of said county [of] Hawkins, or Sullivan county; and further, shall be liable to said owner for all such damage as may be sustained by such offence.

Penalty and how recovered.

SEC. 3. Be it enacted, That it shall be the duty of the owner of said bridge, to keep a printed copy of this law set up at some conspicuous place at each end of the bridge, and the law excepting

A printed copy of this law to be kept in some conspicuous place.

the mail stage from paying toll for crossing said bridge, is hereby repealed.

G. Y. Warner
 SEC. 4. *Be it enacted*, That any two of the judges of this State be, and they are, hereby authorized and empowered, to examine George Y. Warner, at present of Hawkins county, and if he shall be found to possess sufficient legal information, and said judges shall be satisfied of his good moral character, to licence said Warner to practice law as an attorney at law, in any of the courts of this State, without said Warner being compelled to produce a certificate of the county court, as required in other cases.

WM. BRADY,
 Speaker of the House of Representatives.
R. C. FOSTER,
 Speaker of the Senate.

December 9, 1826.

CHAPTER CL.

AN ACT, to alter the time of holding the courts therein mentioned.

Circuit court of Warren when held.
 SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the circuit courts for the county of Warren, shall hereafter be held at the court house in McMinnville, on the fourth Mondays in January and July, and continue in session three weeks if necessary.

Chancery court at Mc Minnville
 SEC. 2. *Be it enacted*, That the chancery court at McMinnville shall hereafter be held on the first Mondays in June and December.

Process when returnable
 SEC. 3. *Be it enacted*, That all process, whether original or mesne, which has been made returnable on the second Monday of February next, be, and the same is, hereby made returnable to the fourth Monday of January next; and all recognizances which have been entered into, whereby the parties' appearance is required at said court on the 2d Monday of February next, shall be held to require the appearance of said party on the 4th Monday of January next.

A special term may be appointed.
 SEC. 4. *Be it enacted*, That any of the Judges of the circuit courts of this State, at any term, may appoint a time between that and the next term,

to hold a special term of the circuit court for said county; and it shall be the duty of the sheriff to summon twenty-five jurors, legally qualified as jurors, to attend said term as jurors, and all judgments rendered at said special term, shall be as good and valid as if rendered at a regular term.

Duty of judge of court special
 SEC. 5. *Be it enacted*, That it shall be the duty of the judge holding said special term, to try civil causes and to hear and determine all matters and things concerning them.

Circuit court of White when held
 SEC. 6. *Be it enacted*, That the circuit court of the county of White, shall hereafter be held in the court house in the town of Sparta, on the third Monday in February and August in each and every year, and continue in session three weeks if necessary.

Process when returnable.
 SEC. 7. *Be it enacted*, That all process, whether original or mesne, which has been made returnable on the fourth Monday in February next, be, and the same is, hereby made returnable to the third Monday in February next; and all recognizances which has [have] been entered into, whereby the parties' appearance is required at said court on the fourth Monday in February next, shall be held to require the appearance of said party on the third Monday in February next.

WM. BRADY,
 Speaker of the House of Representatives.
R. C. FOSTER,
 Speaker of the Senate.

December 9, 1826.

CHAPTER CLI.

AN ACT, for the relief of Robert L. Cobbs and others.

R. L. Cobbs and G. W. L. Marr
 SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That it shall and may be lawful for Robert L. Cobbs and George W. L. Marr to lay before the commissioner of land claims, grants No. 116, from the state of North Carolina, to John Nelson; also, grant No. 3259, for adjudication, and if it shall

appear to said commissioner that said grants, or either of them, is interfered with by older or better titles, or that said grants, or either of them, by reason of being confined by the lines of older or better titles, do not contain the quantity called for by the warrant and grant, it shall be lawful for said commissioner to issue certificates for the deficiency or loss; *Provided*, the warrant on which said grant or grants are founded, are good and valid.

C.A. Hucheson's

SEC. 2. *Be it enacted*, That it shall be lawful for the register of West Tennessee to issue to Charles A. Hucheson, a certificate for seventy five acres, being a remnant of warrant No. 5130; *Provided*, the same is unappropriated, and if entered, it shall appear to said register that the same was entered since the 4th of February, 1820, and lies north of the line run by Steele and others, Kentucky commissioners.

WM. BRADY,

Speaker of the House of Representatives.

R. C. FOSTER,

Speaker of the Senate.

December 9, 1826.

CHAPTER CLIII.

AN ACT, to authorize Reuben Ross to enter certain lands.

R. Ross

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Reuben Ross be, and he is, hereby authorized to enter, in the entry taker's office of Warren county, at one cent per acre, three thousand acres of land which was heretofore laid off by an order of the county court of Warren county, for the use of his salt works in said county.

WM. BRADY,

Speaker of the House of Representatives.

R. C. FOSTER,

Speaker of the Senate.

December 9, 1826.

CHAPTER CLIII.

AN ACT, to establish the lines between the counties of White and Bledsoe.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the county courts of White and Bledsoe, shall, at their first session after the first of January next, or some other term thereafter, appoint some suitable persons as commissioners and surveyors, to run and mark the line between the county of White and Bledsoe, beginning at the ford of Oby's river, on the old Cumberland road, running thence a direct line to George Dawson's, at the cross roads, on the road leading from Sparta to the Crab Orchard, including said Dawson's house in Bledsoe county, thence a direct line to a point two miles north west of Philip Hoodenpile's old place, on the road between Sparta and Pikeville; thence a direct line to the ford of Brush creek, where Madison road crossed the same, so as to include Archibald Board's old place, in Bledsoe county.

County courts of White and Bledsoe to appoint commissioners.

SEC. 2. *Be it enacted*, That the expense [expense] of running and marking said line, shall be paid by the counties of White and Bledsoe equally, and the county courts of White and Bledsoe is [are] hereby authorized to lay a tax for the purpose of defraying said expense.

Expenses, how to be borne.

WM. BRADY,

Speaker of the House of Representatives.

R. C. FOSTER,

Speaker of the Senate.

December 9, 1826.

CHAPTER CLIV.

AN ACT, concerning a Well to be dug in the town of Lawrenceburg, in the county of Lawrence.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the mayor and aldermen [aldermen] of the town of Lawrenceburg, in the county of Lawrence, are hereby authorized to cause to be dug and completed, a well in the public square of said town, and for the pay-

A well in the town of Lawrenceburg.

K

ment of the expenses incurred thereto, the said mayor [mayor] and alderman [aldermen] are hereby authorized to call upon the county commissioners of said county, whose duty it shall be to pay the same out of the fund raised out of the sales of town lots, in said town, and out of any monies in their hands not otherwise appropriated, and the receipt of said mayor and alderman [aldermen] shall be a good voucher in the hands of said commissioners.

WM. BRADY,

Speaker of the House of Representatives.

R. C. FOSTER,

Speaker of the Senate.

December 9, 1826.

CHAPTER CLV.

AN ACT, to authorize Thomas McBath to hawk and peddle without license.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee, That Thomas McBath be, and he is, hereby authorized to hawk and peddle in Overton and Fentress counties, without obtaining a license therefor.*

T. McBath
may peddle.

Sarah Brown
may retail li-
quors.

SEC. 2. *Be it enacted, That Sarah Brown be, and she is, hereby authorized to retail spirituous liquors, in the county of Overton, by less quantity than one quart, without paying license therefor.*

WM. BRADY,

Speaker of the House of Representatives.

R. C. FOSTER,

Speaker of the Senate.

December 9, 1826.

CHAPTER CLVI.

AN ACT, for the benefit of Isaac and Elizabeth Pearce, and others.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee, That it shall and may be lawful for Isaac Pearce, of Sumner county, to file his petition for a divorce from his wife Elizabeth Pearce, before the circuit court of*

Isaac and E.
Pearce.

Sumner county, at the first or any subsequent term thereof, and it shall be the duty of the court to hear and determine the same at the same term upon oral testimony; and if it shall be made appear to the satisfaction of said court, that the said Isaac and Elizabeth his wife, have heretofore separated by mutual consent, it shall be the duty of the court to dissolve the marriage contract heretofore existing and now subsisting between the said Isaac and the said Elizabeth Pearce.

SEC. 2. *Be it enacted, That Isabella Biles, of Hardeman county, may file her petition for a di- I. Biles
vorce at the first or second term of Hardeman circuit court, and if she shall show at either of said terms, any sufficient cause under existing laws, for a divorce, the judge of said court shall order and decree a divorce at either of said terms, without notice or publication, and it shall be the duty of the solicitor of said court to file said petition and to attend to the same.*

SEC. 3. *Be it enacted, That the judge of the first judicial circuit of the State of Tennessee be, and he is, hereby authorized to grant unto Charles Bacon a divorce from his wife Ann Bacon, upon satisfactory proof being made to said court in open court, that the said Ann was pregnant at the time of her marriage, and that the child of which she was pregnant was a child of color; any law, usage or custom to the contrary.*

Ch: Bacon

WM. BRADY,

Speaker of the House of Representatives.

R. C. FOSTER,

Speaker of the Senate.

December 9, 1826.

CHAPTER CLVII.

AN ACT, to authorize George Sharp and others to build a fish-trap in Powell's river.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee, That it shall and may be lawful for George Sharp, Jacob Sharp, G. Sharp and
Martin Redenour and Henry Redenour, to build
others may
a fish-trap on Powell's river, in Campbell county, build a trap
at the same place on said river where they have heretofore had a trap; Provided, that the section*

of said trap does not injure the navigation of said river.

WM. BRADY,
Speaker of the House of Representatives.
B. C. FOSTER,
Speaker of the Senate.

December 9, 1826.

CHAPTER CLVIII.

AN ACT, for the relief of the heirs of John Weems.

SECTION 1. Be it enacted by the General Assembly of the State of Tennessee, That the register of East Tennessee issue a grant to the heirs of John Weems, upon warrant or certificate No. 22, for six hundred and forty acres, dated August 5th, 1807, issued to James Pearce; Provided, said heirs produce to him satisfactory evidence that said warrant of right belongs to said heirs, and on producing an entry and survey in their names, founded upon said warrant.

Sec. 2. Be it enacted, That said grant shall not injure the right of any other person or persons whatsoever, to said warrant.

WM. BRADY,
Speaker of the House of Representatives.
B. C. FOSTER,
Speaker of the Senate.

December 9, 1826.

CHAPTER CLIX.

AN ACT, to authorize the payment of certain expenses.

SECTION 1. Be it enacted by the General Assembly of the State of Tennessee, That the governor of this State be authorized to draw on the treasurer of West Tennessee for the sum of two hundred and two dollars and fifty cents, to pay a balance of expense due for the expense incurred in the reception of General La Fayette on his visit, by invitation, to this State, and which has

Expense of
Lafayette's re-
ception to be
paid

Grant not to
affect the
rights of
others

Heirs of John
Weems

not heretofore been allowed by law, which sum the treasurer is hereby directed to pay on the draft aforesaid.

WM. BRADY,
Speaker of the House of Representatives.
R. C. FOSTER,
Speaker of the Senate.

December 9, 1826.

CHAPTER CLX.

AN ACT, to establish a third battalion in the ninth regiment of Tennessee militia.

SECTION 1. Be it enacted by the General Assembly of the State of Tennessee, That it shall and may be lawful, for a majority of the field officers of the ninth regiment of Tennessee militia, to divide said regiment into three battalions as near equal in size as may be practicable, and when the division shall be so made, it shall be the duty of the field officers, to designate which shall be the first, second and third battalions, so by them divided.

Sec. 2. Be it enacted, That it shall be the duty of the lieutenant colonel of said regiment, to command the first battalion, and of the first major to command the second battalion, at the same times that the first and second battalions of the ninth regiment are required to hold their battalion musters by the laws now in force and use in this State.

Sec. 3. Be it enacted, That it shall be the duty of the second major of the ninth regiment, to command the third battalion and hold a battalion muster on the third Friday in April, and a court martial on the third Thursday in June annually, under the same rules and regulations as provided for by the act of eighteen hundred and twenty-five, any law to the contrary notwithstanding.

Sec. 4. Be it enacted, That it shall be the duty of the field officers of the ninth regiment, when the division as contemplated by the first section of this act shall take place, to designate the place in the bounds of each battalion, at which they shall hold their first battalion musters, and to notify the captains of their respective battalions of the places so by them designated, at least thirty days previous to said musters.

KZ

9th regiment
to be divided
into three bat-
tallions

Who shall
command said
battalions

Second major
to command
3d battalion

To fix places of
muster

Sec. 5. Be it enacted, That the regiment laid off in Humphreys county, by an act of the present General Assembly, west of the Tennessee river, shall hold their regimental muster annually, on the Wednesday before the fourth Friday in October.

WM. BRADY,
Speaker of the House of Representatives.
R. C. FOSTER,
Speaker of the Senate.

December 9, 1826.

CHAPTER CLXI.

AN ACT, to amend an act, entitled "An Act, to incorporate the inhabitants of the town of Nashville."

SECTION 1. Be it enacted by the General Assembly of the State of Tennessee, That the corporation of Nashville shall hereafter be divided into six wards, or divisions, each of which shall be entitled to elect two aldermen, who shall be resident in the ward for which they are elected, which divisions, shall be made by the mayor and aldermen, of the town of Nashville, at any regular meeting of said body, at, or previous to, the first day of July next, and they shall also designate the place at which said elections shall be held, and the time of holding the same shall be as heretofore.

Sec. 2. Be it enacted, That the mayor of the town of Nashville, shall hereafter be elected by the voters of said town, or those entitled to vote for aldermen, the votes to be received in the respective wards, and the highest aggregate vote in favour of any individual duly eligible for that office, shall constitute an election.

Sec. 3. Be it enacted, That the town constable and clerk of the market, shall be elected by vote of the electors of aldermen in the same manner with the mayor, as provided for in the second section of this act.

Sec. 4. Be it enacted, That it shall be the duty of the mayor and aldermen, for the time being, to cause publication to be made ten days previous to such election of mayor, aldermen and town constable, designating the several wards and the bound-

Nashville divided into wards

Mayor how to be elected

Town constable

Notice of the time of election

ries thereof, and also to appoint persons to conduct the elections in said wards respectively.

WM. BRADY,
Speaker of the House of Representatives.
R. C. FOSTER,
Speaker of the Senate.

December 9, 1826.

CHAPTER CLXII.

AN ACT, for the relief of Philip Maury.

SECTION 1. Be it enacted by the General Assembly of the State of Tennessee, That the cashier of the bank of the state of Tennessee be, and he is, hereby directed to pay to Philip Maury of Williamson county, the sum of one hundred and fifty two dollars and sixty two cents, out of the interest which may be due and coming to said county, arising from the interest accruing in said bank on the academy fund.

WM. BRADY,
Speaker of the House of Representatives.
R. C. FOSTER,
Speaker of the Senate.

December 9, 1826.

CHAPTER CLXIII.

AN ACT, to authorize raising a rifle company in the 14th and 95th regiments of Tennessee Militia.

SECTION 1. Be it enacted by the General Assembly of the State of Tennessee, That it shall and may be lawful for a volunteer rifle company to be raised out of the 14th and 95th regiments of Tennessee militia, in the county of Roane, to consist of not less than thirty four privates and not more than sixty eight, and be subject to all the duties of militia of this state, and said company shall be known by the name of the "ROANE MILITIA RIFLE COMPANY."

Sec. 2. Be it enacted, That whenever thirty

Election of the company

Duty of colonel commanding.

four men may have enrolled themselves, it shall be the duty of the Colonel commanding the 14th regiment in Roane county, to issue his writ of election for officers for said company, and the said officers shall be at liberty to assess fines under such by laws and regulations as may be adopted for the government of said company, and said fines, when collected, shall be applied to the sole use and benefit of said company.

To prescribe uniform

Sec. 3. *Be it enacted*, That said company, when organized, shall have power to prescribe their own uniform and shall hold their musters in the town of Kingston at least six times in the year, and said company, for all purposes, shall be considered as belonging to the 14th regiment and first battalion of said regiment in Roane county.

Regiments.

Sec. 4. *Be it enacted*, That the county of Roane shall compose the fourteenth and ninety-fifth regiments of Tennessee militia, and that the lieutenant colonel for the fourteenth regiment, aforesaid, shall take rank as such from the date of his election, any law to the contrary notwithstanding.

Eliza White.

Sec. 5. *Be it enacted*, That Eliza White, wife of William Whitebe, and she is, authorized to file a petition for a divorce in the circuit court of Rhea county, and the judge of said county shall bear and determine upon said petition at the first term, without the service of a copy of said petition or subpoena on her husband.

WM. BRADY,

Speaker of the House of Representatives,
R. C. FOSTER,

Speaker of the Senate.

December 9, 1826.

CHAPTER CLXIV.

AN ACT, concerning the public highways of Tipton county.

Tax to open roads in Tipton county.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the county court of Tipton county, a majority of the justices of said county being present, is hereby authorized, at the first court to be held in said county in each and every year, to lay a tax not exceeding twelve and

half cents on every one hundred acres of land in said county, for the purpose of opening roads, making causeways and bridges in said county, which funds, when raised, shall be under the direction of the said county court.

WM. BRADY,

Speaker of the House of Representatives.

R. C. FOSTER,

Speaker of the Senate.

December 9, 1826.

CHAPTER CLXV.

AN ACT, for the benefit of Jesse Williams.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Jesse Williams, of the county of Lawrence, be allowed to hawk and peddle, on any goods, wares, and merchandise in said county, without paying any license therefor.

Jesse Williams

WM. BRADY,

Speaker of the House of Representatives.

R. C. FOSTER,

Speaker of the Senate.

December 9, 1826.

CHAPTER CLXVI.

AN ACT, for the relief of John Parks.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That John Parks, jun'r, of Anderson county be, and he is, hereby released from the payment of fifty dollars awarded against him by the court of pleas and quarter sessions of the county of Anderson, as the last payment for the support of a bastard child, begotten by the said Parks, upon the body of one Margaret Breeden, he having already paid and satisfied the same; and that said Margaret's receipt for the same shall be taken and received as good in discharge of the execution, should one have to sue; and if not, said receipt may be filed with the clerk

John Parks

of the court where final decision of the suit were had, which shall be sufficient authority for said clerk, and he is hereby required to receive said receipt and apply the same as a credit to the judgment against said Parks on his paying all cost of said prosecution.

WM. BRADY,

Speaker of the House of Representatives.

R. C. FOSTER,

Speaker of the Senate.

December 9, 1826.

CHAPTER CLXVII.

AN ACT, to authorize Matthew W. Wright to build a toll bridge.

SECTION 1. Be it enacted by the General Assembly of the State of Tennessee, That Matthew W. Wright be, and he is, hereby authorized to erect a good substantial bridge over Collins river, below the junction of the Barren Fork with said river, in the county of Warren, and when said bridge is completed, he may erect a gate thereon and demand and receive such rates of toll as the county court of Warren county may direct.

SEC. 2. Be it enacted, That it shall be the duty of the county court of said county, at their first session after the said bridge shall be completed or at any succeeding session thereof, twelve of the acting justices being present, to establish and fix the rates of toll that may be received by the proprietor thereof, a copy of which rates shall be kept posted up at said gate by said proprietor.

SEC. 3. Be it enacted, That the said Matthew W. Wright shall have the exclusive right and benefit of said bridge; Provided, he keeps the same in good repair, and shall be answerable for all damages that may be sustained by any person crossing the same, if it shall be made appear that said bridge being out of repair, was the cause thereof.

WM. BRADY,

Speaker of the House of Representatives.

R. C. FOSTER,

Speaker of the Senate.

December 9, 1826.

CHAPTER CLXVIII.

AN ACT, authorizing a re-survey of Overton county.

SECTION 1. Be it enacted by the General Assembly of the State of Tennessee, That Aron Higginbotham of Warren county and Jonathan O. Davis of White county are hereby authorized to re-survey and cause to be measured the lines of Overton county, so as to accurately ascertain the number of square miles contained therein.

SEC. 2. Be it enacted, That if there is not the constitutional number of square miles in said county, the surveyor is hereby authorized to continue east with the state line so far that by running south parallel with the east boundary line of Jackson county until it intersects the Morgan county line, thence south twenty-three and three fourth degrees west to Johnson's stand, will leave Overton her constitutional limits.

SEC. 3. Be it enacted, That the surveyor shall begin at Johnson's stand, on the old Cumberland road, running west with said road, (the line now existing between Overton and White counties) until it intersects the Jackson county line, thence north with the same to the Kentucky state line, thence east with the state line as directed by the second section of this act.

SEC. 4. Be it enacted, That the surveyor by this act appointed, shall exhibit to the county court of Overton a plat of the survey of said county, shewing therein the distances to all the principal water courses, and other places of notoriety on said line, and shall also ascertain by actual survey, the center of said county and designate the place of the same.

SEC. 5. Be it enacted, That the chain carriers necessary in measuring the lines of said county shall be respectable disinterested persons from the counties of White or Jackson.

SEC. 6. Be it enacted, [That] the survey aforesaid shall be made against the first of June 1827, and shall not be made a county charge, but may be paid for by subscription or otherwise.

SEC. 7. Be it enacted, That Samuel Brown and Jacob Robertson of White county, and Hamson Hughes of Jackson county be, and they are,

Lines of Overton to be surveyed.

Directions to surveyor

Where to begin survey.

Plat of survey

Chain carriers

How to be paid for.

Commissioners.

hereby appointed commissioners, whose duty it will be to proceed to examine said central point in Overton county, if it be a suitable place for a town (having respect to a sufficiency of water) and if it be a suitable place, report the same to the county court of Overton, and if the central point be not a suitable place for a town said commissioners shall examine the nearest eligible site to said central point, and report the same as aforesaid.

Seat of justice
in Overton
to be voted
for.

Sec. 8. *Be it enacted*, That the county court of Overton at their first term after the reception of the reports aforesaid shall direct the sheriff to hold an election, two days in succession at the place designated by the commissioners aforesaid as a suitable place for a town, and shall have the same advertised in each captain's company thirty days previous to the election, and the court shall appoint five respectable persons from different parts of the county for judges of said election, and each person living in the county entitled to vote for members to the legislature of this state shall be permitted to vote for the seat of justice of Overton remaining where it is, or a removal of the same to the place designated by the commissioners appointed by this act, as he or they may think proper.

Report to be
made to the
next General
Assembly.

Sec. 9. *Be it enacted*, That if a majority of the votes at said election be in favor of a removal of the seat of justice from the town of Monroe, the judges of said election shall report the same to the next General Assembly of this state.

Oath of com-
missioners &
surveyors.

Sec. 10. *Be it enacted*, That the surveyor or surveyors, as well as the commissioners appointed by this act shall, previous to their entering upon the duties of their appointment before some justice of the peace for Overton county, take an oath faithfully and impartially to perform the duties imposed on them by this act.

WM. BRADY,

Speaker of the House of Representatives.

R. C. FOSTER,

Speaker of the Senate.

December 2, 1826.

CHAPTER CLXIX.

AN ACT, for the relief of Michael Reed and Franklin Whitaker and John Gee.

SECTION 1. *Be it enacted by the General As-*

sembly of the State of Tennessee, That Michael Reed and Franklin Whitaker be, and they are, hereby authorized to build a mill and cotton gin, on Cub creek in the 10th surveyors district, in range 2, and section 2, in Hardeman county; and whereas the lands on which said Reed and Whitaker wishes to build is vacant and unappropriated;

A mill and
cotton gin:

Sec. 2. *Be it enacted*, That said Reed and Whitaker shall have a preference to enter and obtain a title to, not less than fifty nor more than two hundred acres of said vacant land, to include said mill and gin, which preference title shall be perfected as is or shall be provided for occupants south and west of the congressional reservation line.

Preference
to Reed and
Whitaker

Sec. 3. *Be it enacted*, That John Gee of Carroll county be, and he is, hereby entitled to the preference of entering not less than twenty-five nor more than two hundred acres of land, to include his mill seat in said county, in the same manner as is prescribed by an act for the benefit of occupants, passed at this session of the General Assembly.

Preference to
John Gee.

WM. BRADY,

Speaker of the House of Representatives.

R. C. FOSTER,

Speaker of the Senate.

December 9, 1826.

CHAPTER CLXX.

AN ACT, to extend the limits and incorporate the town of Covington, in the county of Tipton.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the limits of the town of Covington, in the county of Tipton be extended two hundred yards on each square of said town.

Covington
extended.

Sec. 2. *Be it enacted*, That the town aforesaid and the inhabitants thereof, are hereby constituted a body politic and corporate, by the name of the mayor and aldermen of the town of Covington, and shall have perpetual succession, and by their corporate name, may sue and be sued, plead and

Covington
incorporated

be impleaded, grant, receive, purchase and hold, real, personal and mixed property, or dispose of the same for the benefit of said town, and may have and use a town seal.

Sec. 3. *Be it enacted,* That the corporation aforesaid, shall have full power and authority, to enact and pass such laws and ordinances necessary to preserve the health of the town, to prevent and remove nuisances, to establish night watches or patrols, to ascertain, when necessary, the boundary and location of streets, lots and alleys, to establish new streets, lanes and alleys, with the consent of the proprietors of the lots, lands or houses, adjoining such streets, lanes, or alleys, to provide for licensing and regulating auctions, to restrain and prohibit gaming, and to provide for licensing, regulating and restraining theatrical and other public amusements within the town, to keep in repair the streets, public square and springs, to pass all regulations necessary for the same, to establish necessary inspections within the town, to erect and regulate markets, to appoint [a] recorder and constable, to provide for the licensing and regulating a fire company, the sweeping of chimneys, to impose and appropriate fines, penalties and forfeitures for the breach of their by-laws or ordinances, to lay and collect taxes for carrying the necessary measure into operation for the benefit of the said town, to regulate and restrain tippling houses, and pass all laws and ordinances necessary to carry the intent and meaning of this act into effect; *Provided,* they are not incompatible with the laws and constitution of this State.

Sec. 4. *Be it enacted,* That the laws and ordinances of said corporation, shall be in no wise obligatory upon the persons or property of non-residents of said town, being citizens of this State, unless in cases of intentional violation of by-laws, or ordinances previously promulgated.

Sec. 5. *Be it enacted,* That all fines, penalties and forfeitures, imposed by the by-laws and ordinances of said corporation, if not exceeding fifty dollars, shall be recovered before a single magistrate, and if exceeding that sum, then to be recovered by action of debt in the county court of Tipton, in the name of the corporation and for the use of said town.

Powers of the
corporation.

Non-residents
exempt.

Fines, &c.
how to be
recovered

Sec. 6. *Be it enacted,* That the sheriff of Tipton county shall hold an election at the court house, in the town of Covington, on the first Monday in December, in each and every year, for the purpose of electing seven persons to serve as aldermen of the corporation of the said town of Covington, for one year commencing on the first day of January next, and all persons owning a free-hold within said town, and also all persons residing in said town who would be qualified to vote for members of the General Assembly, shall be qualified to vote at said election for aldermen.

Sec. 7. *Be it enacted,* That the seven persons having the highest number of votes, at any election held as aforesaid, shall be taken as duly elected as aldermen for said town, whose duty it shall be to meet at the court house in Covington on the Saturday next succeeding the day of their election, and any number not less than five shall constitute a quorum, and they shall then proceed to elect, by ballot, one of their own number to be mayor, and the person so elected shall be, accordingly, mayor of said corporation for the same time, for which the alderman were elected as aforesaid, and whenever any mayor of said corporation shall die, remove out of the said town or resign, another election shall be made by the aldermen in the manner aforesaid, of another person from their number for the time then unexpired, until the next general election of aldermen, and when any alderman shall die, remove or resign, such vacancy may be filled up by the mayor and aldermen of the town at any regular meeting, and the person or persons by them appointed, shall serve until the next election.

Aldermen

WM. BRADY,

Speaker of the House of Representatives.

R. C. FOSTER,

Speaker of the Senate

December 9, 1826.

CHAPTER CLXXI.

AN ACT, to repeal an act, entitled "An Act, for the relief of certain purchasers of land in the Hiwassee district," and for other purposes.

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

of the State of Tennessee. That an act, entitled "An Act for the relief of certain purchasers of land in the Hiwassee district," passed at Murfreesborough the 16th of November, 1825, chapter 41, be, and the same is, hereby repealed.

Feb. 41, 1825,
repealed

Sec. 2. *Be it enacted*, That the treasurer of East or West Tennessee is hereby directed to pay to William S. Blair, the sum of twenty-two dollars; to Hopkins L. Turney, the sum of thirty-four dollars, and to Thomas J. Campbell, the sum of thirty dollars, for their services as commissioners under the act aforesaid.

Wm. S. Blair
W. L. Turney,
T. J. Campbell

Sec. 3. *Be it enacted*, That the treasurer of East Tennessee be, and he is, hereby directed to pay to John B. Hood, eleven dollars sixty two and a half cents, for printing done for the State in advertising the sale of the school lands and publishing the meeting of the commissioners to compromise Indian reservations.

John B. Hood

WM. BRADY,
Speaker of the House of Representatives.
R. C. FOSTER,
Speaker of the Senate.

December 9, 1826.

CHAPTER CLXXII.

AN ACT, for the benefit of John P. Dix.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That John P. Dix, be allowed to hawk and peddle without paying a license therefor, within the county of Williamson.

John P. Dix.

WM. BRADY,
Speaker of the House of Representatives.
R. C. FOSTER,
Speaker of the Senate.

December 9, 1826.

CHAPTER CLXXIII.

AN ACT, to authorize John Brown and Robert Burke to open and keep in repair a turnpike road.

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

Robert Burke, be proprietors of the Cumberland turnpike road from the foot of Cumberland mountain, at or near William Brown's, to the forks of the Sparta and Walton road, near John Kimmey's, after the expiration of their present charter. *Provided*, the said John Brown and Robert Burke will make said road in the following state of repair, within two years from the first day of January next, and keep the said road in the state of repair as is required by this act.

Turnpike road
authorized

Sec. 2. *Be it enacted*, That it shall be the duty of the said John Brown and Robert Burke, to open said road at least thirty feet wide, except on steep hills and mountain sides, which shall be at least sixteen feet wide, clear of all timber and undergrowth that might shade or injure said road, and to clear sixteen feet in the center of said road clear of all rocks, roots and stumps, and every thing which might impede the passage of horses or carriages, where the ground over which said road may pass will permit it to be done with reasonable labour, and cut down the hills and fill up the valley on all ground over which the road may pass, so that no elevation on said road shall exceed six and one half degrees or two feet and a half in each rod, and bridge all water courses on said road with good substantial materials of rock or timber, at least fifteen feet wide, cause way all streams and wet places with good substantial materials of [at] least fifteen feet wide. The road, where it may be necessary, to be made higher in the middle, and ditches to be cut on each side to drain the water off.

Width of
road, &c.

Sec. 3. *Be it enacted*, That the said John Brown and Robert Burke, their heirs, &c. be authorized to erect and keep a gate on said road, and to demand and receive from each and every person passing said road at the gate, the following tolls, to wit: For each four wheel carriage or burthen with its load and driver, if drawn by four or more horses, mules or oxen, seventy-five cents; if by less than four, sixty-two and one half cents; for each two wheeled carriage or burthen, with its load and driver, if drawn by two or more horses, mules or oxen, thirty-seven and one half cents; if by one only, twenty-five cents; for the United States' mail stage, thirty-seven and one half cents; for each

Toll gate to be
erected and
rate of toll.

four wheeled carriage of pleasure, with its passengers and driver, if drawn by four or more horses or mules, one dollar; if by less than four and not less than two, seventy-five cents; if by one only, fifty cents; for each two wheeled carriage of pleasure, with its passengers and driver, if drawn by two horses or mules, fifty cents, and if by one only, thirty-seven and one half cents; for each man and horse or mule, twelve and one half cents; for each loose or led horse, mule, jack or jennet, not in a drove, six and one fourth cents; if in a drove, three cents; for each slave over twelve years old, six and one fourth cents; for each head of cattle, two cents; for each hog or sheep, one cent; *Provided*, that no family moving with not more than two horses, mules or oxen, or a two wheeled carriage of burthen not drawn by more than two horses, mules or oxen, nor no person travelling with one horse or mule only, shall be delayed at said gate if the head or person having the care of such family or traveller, will make oath that he or she has no money and is unable to pay the toll, which oath the gate keeper is authorized to administer, and that no toll shall be demanded from any person going or returning from mill, blacksmith shop, muster or preaching.

Sec. 4. Be it enacted, That if any person shall forcibly or secretly pass said gate without paying the toll, or go round said gate in order to avoid paying the toll, such person shall forfeit and pay twenty-five dollars for every such offence to the said John Brown and Robert Burke, their heirs, &c. to be recovered in an action of debt before any justice of the peace in this State.

Sec. 5. Be it enacted, That the persons appointed to keep said gate by said John Brown and Robert Burke shall take and subscribe the following oath, before some justice of the peace in this State; to wit: "I do solemnly swear, that I will well and truly collect the toll authorized by law to be collected at the turnpike which I am employed and appointed by the proprietors of the gate to keep, and no more, and that I will truly account for and pay over, to the proprietors of the said turnpike gate, all monies that I may collect at said gate as long as I keep said gate."

Forfeiture and
how recovered.

Gate keepers
oath

Sec. 6. Be it enacted, That the commissioners that now is, or that may hereafter be appointed, by the General Assembly of this State to view said road, shall view the said road at least once in every six months, and oftener if it may be required and deemed necessary by any complaints that the road is not in good repair, and if said road shall at any time be found to be out of repair by said commissioners, it shall be the duty of said commissioners to open said turnpike gate and keep it open until said road shall be put in a good state of repair, and give notice by advertising at four or more public places on said road that the gate is open and that no toll shall be collected until the road is put in good repair, and the proprietors obtain the certificate of the commissioners that the road is in good repair; and the proprietors nor gate keeper shall not receive any toll during the time the gate is opened by the commissioners and during the time the road is out of repair under the penalty of twenty-five dollars for each and every offence, to be recovered before any justice of the peace in this State in an action of debt by any person who will sue for the same, for the use of the person suing for the same.

Commissioners' duty.

Sec. 7. Be it enacted, That it shall be the duty of the commissioners that now is, or hereafter may be appointed to view said road where they may find said road out of repair, to report the same to the circuit court of Roane county, and it shall be the duty of the attorney general to prefer an indictment against said proprietors, and if they shall be found guilty of suffering said road to remain out of repair for the space of three months at any one time, the court shall fine said proprietors in a sum not less than fifty nor more than two hundred dollars; to be assessed by a jury, if over fifty dollars; which fine shall be paid over by the clerk to the State treasury as other fines; and if said proprietors should be convicted a third time of letting the road remain out of repair for the space of three months at any one time, the said circuit court is hereby authorized to declare the charter hereby granted to the said John Brown and Robert Burke, their heirs, null and void; and it shall be the duty of the clerk of said court to cer-

To report to
county court
of Roane if
out of repair,

Attorney general
to prefer
indictment

lify the same to the next General Assembly, who shall or may, appoint some other person or persons to keep said road in repair.

Sec. 8. Be it enacted, That the said John Brown and Robert Burke with the consent of the commissioners, shall have liberty to change the road from the ground over which it now passes; *Provided,* it can be made a better and a nearer way, and on better ground; said commissioners shall be entitled to the sum of two dollars and fifty cents for each day they may be necessarily employed in viewing said road, to be paid by the proprietors on demand, and when the services is performed.

Sec. 9. Be it enacted, That this act shall be in force as soon as the commissioners that now are, or may hereafter be appointed to view said road, shall find that the road is in the state of repair required by this act; said commissioners shall take the following oath before some justice of the peace in this State: "I do solemnly swear that I will well and truly, without favor or affection, to the best of my judgment and according to law, discharge the duty of commissioner to the Cumberland turnpike road, so long as I continue therein;" and if one of said commissioners should die, resign or remove, the surviving commissioner shall have full power to act and discharge all the duties until another is appointed by the Governor, if in the recess of the legislature, or by the Legislature, if in sessions.

Sec. 10. Be it enacted, That as soon as the road is put in the State of repair as required by this act, all former laws, that comes in the purview and meaning of this act, is hereby repealed, and if said John Brown or Robert Burke should die, their heirs, &c. shall be entitled to all the privileges and benefits of this act, and liable to all the responsibilities; and if either John Brown or Robert Burke should refuse or fail to comply with this act, the other may, and be, entitled to all the privileges and emoluments, and be liable to all the responsibilities.

Sec. 11. Be it enacted, That George Gordon be, and he is, hereby authorized to straighten his turnpike road so as to avoid the Grassy cove; *Provided,* he can do so without making said [road] run over worse ground than it now runs.

Road may be changed

When this act shall be in force

Commissioners oath.

Former laws repealed.

G. Gordon may straighten his turnpike.

Sec. 12. Be it enacted, That Thomas Butler, William Marchbanks and Samuel Scott, the proprietors of the turnpike road leading through the counties of Morgan and Fentress be, and they are hereby authorized to turn said road, leaving the old road at Crockett's on Wolf river, and crossing said river [at] that place, passing Conrad File's plantation, then down said river to intersect the old road; *Provided,* the aforesaid proprietors open said new way in the same manner that the charter required the old road to be opened, and they shall be entitled to the same benefits and privileges that they are now entitled to by said charter.

Turnpike through Fentress and Morgan may be turned

WM. BRADY,
Speaker of the House of Representatives.
R. C. FOSTER,
Speaker of the Senate.

December 9, 1826.

CHAPTER CLXXIV.

AN ACT, for the benefit of A. Crockett.

SECTION 1. Be it enacted by the General Assembly of the State of Tennessee, That it shall and may be lawful for the register of East Tennessee to issue a grant to Andrew Crockett for three thousand acres of land for the use of his iron works, in Claiborne county, at any time within twelve months after the passage of this act, upon said Crockett's producing to the register the plat and certificate of survey, subject to the provisions of the third section of an act passed the 23th of November, 1825, entitled an act for the encouragement of Iron works.

A. Crockett.

WM. BRADY,
Speaker of the House of Representatives.
R. C. FOSTER,
Speaker of the Senate.

December 9, 1826.

CHAPTER CLXXV.

AN ACT, for the relief of the sheriff of Car

roll county, and for other purposes therein mentioned.

SECTION 1. Be it enacted by the General Assembly of the State of Tennessee, That it shall be the duty of the sheriff and collector of the public taxes for the county of Gibson, to collect the taxes, cost and charges, which remain due and unpaid for the year, 1821, 1822, and 1823, on the several tracts of land within the bounds of his county, and which taxes the sheriff and collector for the county of Carroll has been unable to collect for said years, during which time the county of Gibson was attached to Carroll county, and that the sheriff of Gibson county account for and pay over the same in the same manner as he accounts for other money so by him collected, and that said amount so due as aforesaid, shall be ascertained by a certified report of the sheriff and collector of the public taxes for the county of Carroll for said years, made on oath in open court in the county court of Carroll.

SEC. 2. Be it enacted, That it shall also be the duty of the sheriff and collector of the public taxes for the county of Dyer, to collect the taxes, costs and charges, which remain due and unpaid for the years 1821 and 1822, on the several tracts of land within the bounds of his county, and which the sheriff and collector of the public taxes for the county of Carroll, for the years aforesaid, has been unable to collect while the county of Dyer was attached to Carroll county, and that the sheriff of Dyer county, account for the same, in the same manner that he does for other money by him collected, and that the amount of said taxes and costs due on the lands aforesaid, shall be ascertained in the same manner as pointed out in the first section of this act.

SEC. 3. Be it enacted, That it shall be the duty of the clerk of the county court of Carroll county to transmit to the respective sheriffs aforesaid, before the first day of April next, a true certified copy of the returns so made by the sheriff of Carroll county as aforesaid, and also at the same time transmit the amount of public taxes, for which each shall be liable to the treasurer at Nashville,

certified as in other cases, who shall look to them for the same, for which services the clerk shall be entitled to the sum of one dollar and fifty cents.

SEC. 4. Be it enacted, That the sheriff and collector of the public taxes, for the county of Carroll, shall be entitled to a credit with the treasurer and the county trustee for all such amounts of public taxes remaining due and unpaid as aforesaid on the lands lying within the bounds of said counties, to be ascertained by the certificate of the clerk of the county court of Carroll county.

WM. BRADY,

Speaker of the House of Representatives.

R. C. FOSTER,

Speaker of the Senate

December 9, 1826.

CHAPTER CLXXVI.

AN ACT, to incorporate the Mount Cumberland Academy, in the county of Fentress.

SECTION 1. Be it enacted by the General Assembly of the State of Tennessee, That John Redgan, William Travis, Erby Alberson, John Crofford, Samuel Odie, Strother Frog, James Finley, John Guinn, John Evans, be, and they are, hereby appointed trustees of Mount Cumberland Academy, of Fentress county.

SEC. 2. Be it enacted, That the trustees of said academy and their successors, by the name aforesaid, shall be capable in law to borrow and loan money, to purchase, receive, and hold themselves and their successors forever, any lands, tenements, rents, goods, or chattels, which shall be given or devised to, or purchased by them, for the use of said academy, and dispose of the same in such manner as to them shall seem most advantageous for said academy. The said trustees, by the name aforesaid, may sue, and be sued, plead and be impleaded, in any court of law or equity in this state; they shall have the same power, from time to time, to establish by-laws, rules and ordinances, not contrary to the laws and constitution of Tennessee for the good government of said academy, to ap-

Credit to sheriff of Carroll.

Trustees of Mt. Cumberland academy

Powers of the trustees.

Clerk of county court of Carroll.

point a president and trustees together with other officers and persons necessary and proper for the purposes of instruction and tuition in said academy; a majority of the trustees shall constitute a board to determine upon any matter relative to the establishment or support of said academy, but no real estate belonging to said academy shall be disposed of unless two thirds of the trustees concur in opinion thereon; upon the death, resignation, or other legal disability of any of said trustees hereby appointed or may hereafter be appointed, the vacancy thereby occasioned shall be supplied at the next, or any succeeding session of the General Assembly, after such vacancy may occur; *Provided, nevertheless,* such vacancy or vacancies shall be supplied by the remaining trustees, until the meeting of the General Assembly or until such vacancy, or vacancies shall be supplied by the General Assembly, either at a longer or shorter period. The said board of trustees shall elect a treasurer, who shall receive all monies accruing to said academy and properly delivered to his care, and pay and deliver the same to the order of said trustees, said treasurer, before he enters upon the duties of his office, shall give bond and security in such sum as the board of trustees shall direct, payable to them and their successors in office, and conditioned for the faithful discharge of the trust reposed in him, and that he will, when required by the said trustees, render to them a true account of all monies, goods and chattels, received by him on account of, and for, the use of said academy, and the treasurer shall receive such compensation as shall be allowed and fixed by the trustees.

Trustees may fix on and purchase a site in Jamestown.

Sec. 3. *Be it enacted,* That the said trustees shall have power to fix on and purchase, a site for said academy in Jamestown or its vicinity, and to take and receive all subscriptions for paying for the same; and also, for the purpose of erecting and building a suitable house or houses, which the trustees may think necessary thereto, and if any person shall fail, neglect, or refuse, to pay the money by him subscribed for that purpose, it shall be the duty, and is hereby made lawful, for said trustees to recover the same by motion in the county or circuit court in the county in which the delinquent

subscriber resides; *Provided,* the delinquent party have previous notice in writing of such motion; and if the treasurer shall fail to render, when thereunto required, a just and true account of all monies, goods and chattels, which have come to his hands by virtue of his office; and also, all expenditures relative to said academy, he shall, on such failure, be subject to a judgment on motion in the county or circuit court of Pentress county, and execution thereupon be awarded for the collection of the amount of judgment recovered, *Provided, however,* ten days notice in writing shall be given to said treasurer of such motion.

Sec. 4. *Be it enacted,* That the board of trustees shall appoint, from their own body, a chairman and secretary. The secretary shall keep a fair, full and regular record, of all the proceedings of said trustees touching the affairs of said academy, and may be allowed a reasonable compensation for his services. Said trustees shall meet on their own adjournments, except upon extraordinary occasions, when the chairman and secretary shall have power to convene them. Until a regular appointment of the chairman of said trustees, John Reagan is hereby appointed chairman thereof, with power to convene the said board, whose appointment shall continue until a regular appointment by said board of trustees, is made.

Trustees may appoint chairman and secretary.

Sec. 5. *Be it enacted,* That the said Mount Cumberland academy be, and the same is, hereby constituted and made the county academy of and for, the county of Pentress, and as such, shall be entitled to and receive, the academy funds in the proportion now is, or may be by law, given to, and vested in, the several academies in this State.

County academy.

Sec. 6. *Be it enacted,* That George Finley, James McDowell, Joseph Bates, James Harrison, James Turner, George Heron, John Wheeler, Isaac Gore, William Nevans, Hugh C. Armstrong and David Jackson be, and they are, hereby appointed trustees of Pleasant Forest Academy, in the county of Overton.

Trustees of Pleasant Forest academy.

Sec. 7. *Be it enacted,* That the trustees of said Pleasant Forest academy, shall be subject to the same rules and regulations, perform the same duties in all respects, relative to the Pleasant Forest academy, as is required by the second and third section of this act, as the trustees of Mount Cum-

Duties of trustees of P. F. academy.

berland academy to perform, relative to said academy in the county of Fentress.

Act repealed. **Sec. 8.** *Be it enacted, That an act, entitled "an act, to establish Overton academy, in the county of Overton," passed be, and the same is, hereby repealed.*

J. McDowell
chairman. **Sec. 9.** *Be it enacted, That James Mc Dowell be, and he is, hereby appointed chairman, with power to convene the board of trustees of Pleasant Forest academy, whose appointment shall continue until a regular appointment by said board.*

Trustees of
Greenville
college. **Sec. 10.** *Be it enacted, That Valentine Sevier, William Dickson, William K. Vance, Mordecai Lincoln, James W. Wylie, Merryman Payne, John McKee and John Balch be, and they are, hereby appointed trustees of Greenville college, in Greene county, and invested with the same power as trustees heretofore appointed for said college, any law to the contrary.*

WM. BRADY,
Speaker of the House of Representatives.
R. C. FOSTER,
Speaker of the Senate.

December 9, 1826.

CHAPTER CLXXVII

AN ACT, for the relief of Abram P. Maury and John Fitzgerald.

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 out of any money in the treasury of the State, the sum of seventy dollars to Abram P. Maury, and likewise the sum of twenty-five dollars to Abram P. Maury and John Fitzgerald for printing done by them for the use of the State, and their receipts for the same shall be good vouchers for the treasurer in the settlement of his accounts with the State.*

A. P. Maury,
J. Fitzgerald.

WM. BRADY,
Speaker of the House of Representatives.
R. C. FOSTER,
Speaker of the Senate.

December 9, 1826.

CHAPTER CLXXVIII.

AN ACT, to repeal an act, entitled "An Act, to extend the town of Gallatin, [Gallatin,] in the county of Sumner," passed at Murfreesborough November 16, 1821.

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

WM. BRADY,
Speaker of the House of Representatives.
R. C. FOSTER,
Speaker of the Senate.

December 9, 1826.

CHAPTER CLXXIX.

AN ACT, to legalize the proceedings of William Tyrrell, who was appointed a justice of the peace for Obion county.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee, That all the official acts done by William Tyrrell, as a justice of the peace for the county of Obion, shall be as valid and legal as if said Tyrrell had lived in said county.* W. Tyrrel.

WM. BRADY,
Speaker of the House of Representatives.
R. C. FOSTER,
Speaker of the Senate.

December 9, 1826.

CHAPTER CLXXX.

AN ACT, to repeal part of an act authorizing Reuben Ross to build a bridge across the Caneby Fork.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee, That so much of the first and fourth sections of an Act of Assembly passed at Murfreesboro' November 2d, 1825, entitled "An Act, to authorize Reuben Ross to build a bridge over main Caneby Fork, in the county* R. Ross may build a bridge.

of White, on the main stage road leading from McMinnville to Sparta," as relates to the rates of toll that the said Reuben Ross and Peter Buram may charge persons crossing their bridges be, and the same is hereby repealed.

Rates of toll how fixed.

Sec. 2. *Be it enacted*, That the county court of White county is hereby authorized and required, at the first court after the first of January next, to fix upon the rates of toll that said Reuben Ross may charge persons crossing his bridge; and the county court of Warren county is also required, at their first court after the first of January next, to fix upon the rates of toll that Peter Buram and Thomas Hopkins may charge persons passing over their bridge.

WM. BRADY,
Speaker of the House of Representatives.
R. C. FOSTER,
Speaker of the Senate.

December 9, 1826.

CHAPTER CLXXXI.

AN ACT, for the relief of the Nashville Bridge Company.

Nashville bridge company relieved

Section 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the president and directors of the Nashville bridge company, or their successors be, and are, hereby authorized to draft a scheme, and superintend the drawing of a lottery, to raise a sum of money, not exceeding ten thousand dollars, to be applied and used in repairing, and improving the Nashville bridge, in Davidson county, and the banks and road adjacent thereto.

WM. BRADY,
Speaker of the House of Representatives.
R. C. FOSTER,
Speaker of the Senate.

December 9, 1826.

CHAPTER CLXXXII.

AN ACT, for the relief of Dempsey Adam

the only heir and legal representative of James Adam, deceased.

the only heir and legal representative of James Adam, deceased, is hereby appointed commissioner, and shall have the same powers, and

the only heir and legal representative of James Adam, deceased, is hereby appointed commissioner, and shall have the same powers, and

Be it enacted, That Joseph Johnson, of Williamson, and John Gordon, of Smith county, be, and they are, hereby appointed commissioners, and shall have the same powers, and

CHAPTER CLXXXIX.

AN ACT, authorizing the creation of a volunteer company of artillery in the town of Paris.

Volunteer company in Paris authorized.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That it shall and may be lawful, for persons to associate themselves together in the town of Paris, for the purpose of organizing a company to be called "The Paris volunteer company of artillery," to consist of not less than forty five, nor more than sixty privates, one captain, two lieutenants, and one ensign three sergeants, three corporals and two musicians.

Elections, how to be held.

SEC. 2. *Be it enacted,* That the election of officers in said company, shall be held under the same rules and regulations, in the town of Paris, as other elections of military officers: *Provided,* that twenty days notice shall be given, of the same in the West Tennesseean.

May make their own by-laws.

SEC. 3. *Be it enacted,* That said company shall have power to make their own by-laws, for their own government, a majority of the company consenting thereto, and shall have power to fix their own uniform.

WM. BRADY,
Speaker of the House of Representatives.

R. C. FOSTER,
Speaker of the Senate.

December 9, 1826.

CHAPTER CXC.

AN ACT, supplemental to an act, entitled "An Act, to authorize Charles Gamble, Crispian E. Shelton and John Witt to open and establish a turnpike road."

Additional commissioners to the road of Gamble and others

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Benjamin Jones and Phillip Abel, of Rhea county, are hereby appointed additional commissioners of said road, with the same powers and privileges secured to the other commissioners of said road, any one or more of whom shall have the power of performing

the duties required in the act to which this is a supplement

SEC. 2. *Be it enacted,* That all persons in the counties of Rhea, Hamilton and Bledsoe, who assisted in the opening of said road originally, or who have in any wise worked upon the same, before the passage of the act to which this is a supplement, and all persons going to or from mill, muster, church or smithshops, and residing in either of said counties, shall be exempted from the payment of toll at said turnpike gate.

Who exempt from toll.

WM. BRADY,
Speaker of the House of Representatives.

R. C. FOSTER,
Speaker of the Senate.

December 9, 1826.

CHAPTER CXCI.

AN ACT, concerning a mill dam which [has] been unlawfully built across Elk river, by Stephen Cole.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That it shall be the duty of the county court of Lincoln, at its first or second term after the first day of January, 1827, to appoint a disinterested jury of view, consisting of twelve persons, to go and examine the mill dam built by Stephen Cole, across Elk river, and if a majority of said jury shall be of opinion that said dam cannot be altered so as not to interrupt or injure the descending navigation of said river, the said jury shall report to the next county court of Lincoln, who, thereupon shall order the said Stephen Cole forthwith, to remove the same so soon as the state of the waters will allow the same to be done, and if the said Cole shall fail or refuse to comply with said order, he shall be liable to presentment or indictment therefor, and on conviction in either the county or circuit court of said county, shall be fined in the sum of fifty dollars, and be imprisoned at the discretion of said court.

S. Cole's dam to be examined by a jury of view.

SEC. 2. *Be it enacted,* That in case said Stephen Cole shall fail or refuse to remove said dam on order made as aforesaid, the sheriff of said county shall be authorized to remove the same or

Sheriff's duty

so much as interrupts the navigation of said river.

Sec. 3. Be it enacted, That if said jury shall be of opinion, that said dam can be altered so as not to interrupt the navigation as aforesaid, they shall give directions to the said Cole, as to such alterations as they may think necessary, which directions said Cole shall, within nine months, comply with, and if he should fail to do so, the county court of Lincoln, on being satisfied that such directions have not been complied with, to order the absolute removal of said dam as aforesaid.

Sec. 4. Be it enacted, That said Cole shall still be liable for all damages and loss sustained by any person in attempting to descend said river in consequence of the building of said dam, until he shall have put said dam in the order and condition which may be directed by said jury.

Sec. 5. Be it enacted, That if said jury shall be of opinion that by straightening or deepening the south sluice of said river, opposite said mill, the navigation of said river can be preserved, without cutting away said dam, they shall direct such improvements in said sluice, as in their opinion are necessary, which said Cole shall, within nine months cause to be made, under the penalty of having his dam removed absolutely, as aforesaid.

Sec. 6. Be it enacted, That said Cole shall keep his said dam, in the order and condition directed by said jury, under the penalty of removal of his dam, whenever the county court of Lincoln shall order the same to be done, for not doing so.

Sec. 7. Be it enacted, That the costs of all the proceedings directed to be had under this act, shall be paid by said Stephen Cole, and the jurors who may be appointed under this act shall be entitled to the same compensation as jurors in other cases, to be paid by said Cole.

WM. BRADY,

Speaker of the House of Representatives.

R. C. FOSTER,

Speaker of the Senate.

December 9, 1836.

CHAPTER OXCII.

AN ACT, to amend an act, entitled "An Act

to incorporate a company for opening a turnpike road from Nashville to Columbia, passed November 15th, 1836.

Section 1. Be it enacted by the General Assembly of the State of Tennessee, That the fourth section of the above entitled act be, and the same is, hereby repealed, and the turnpike company authorized by said act shall forthwith, after their first meeting, proceed to lay out the route upon which said road shall be constituted, from Nashville to Franklin; and in voting upon all questions, where the stockholders shall be required to decide any question, the same rule shall be observed as is prescribed in voting for directors.

Sec. 2. Be it enacted, That the said commissioners appointed by the first section of the act herein mentioned, be any one or more of them, may open books to receive subscriptions according to the terms therein prescribed for the construction of said road from Nashville to Franklin only, and when one hundred thousand dollars shall have been subscribed, said company shall proceed to the construction of said road, and when completed shall be entitled to all the privileges and shall be liable to all the conditions and penalties prescribed by said act, in [a] full and complete [a] manner as if the same had been constructed from Nashville to Columbia; provided, nothing herein construed [construed] shall be so construed as to prevent said commissioners from opening books for subscriptions to continue said road from Franklin to Columbia, or to prohibit said company from constructing said road from Franklin to Columbia, if they choose.

Sec. 3. Be it enacted, That when said company shall have constructed five miles of said road, according to the seventh section of the act this [is] intended, and a shall have been examined and approved according to the sixth section of said act, the same is finished and completed for the said distance of five miles agreeably to the intent and meaning of said act, and said company shall be entitled to the governor's certificate, authorizing them to erect one toll gate, and so in the

4th section of Nashville turnpike act repealed.

Commissioners may open books for subscription &c.

Governor to issue his certificate when five miles are completed.

manner for every five miles which may be finished until the whole is completed.

WM. BRADY,
Speaker of the House of Representatives.

R. C. FOSTER,
Speaker of the Senate.

December 11, 1826.

CHAPTER CXCIII.

AN ACT, to incorporate the town of Trenton in the county of Gibson.

Trenton incorporated.

SECTION 1. Be it enacted by the General Assembly of the State of Tennessee, That the town of Trenton in the county of Gibson be, and the same is, hereby incorporated under the same rules, regulations, restrictions and power in an act incorporating the town of Brownsville, in the county of Haywood, passed the present session of this General Assembly.

Perryville incorporated.

SEC. 2. Be it enacted, That the town of Perryville, in Perry county be, and the same is, hereby incorporated, under the same rules and regulations as the town of Brownsville is, in the above recited act.

WM. BRADY,
Speaker of the House of Representatives.

R. C. FOSTER,
Speaker of the Senate.

December 11, 1826.

CHAPTER CXCIV.

AN ACT, for the benefit of William B. Chaffor.

W. B. Chaffor may retail goods.

SECTION 1. Be it enacted by the General Assembly of the State of Tennessee, That William B. Chaffor be, and he is, hereby authorized to retail merchandize within the county of Rutherford without paying any license for that purpose. Provided, he shall first apply to the clerk of the county court of Rutherford county, and make oath that the goods and merchandize he intends retail-

ing are his own, and that he will not sell or retail goods or merchandize for the benefit of any other person under this act, and thereupon the clerk of said county shall issue to him a license to hawk and peddle and sell merchandize within the county of Rutherford free from any charges.

WM. BRADY,
Speaker of the House of Representatives.

R. C. FOSTER,
Speaker of the Senate.

December 11, 1826.

CHAPTER CXCIV.

AN ACT, for the relief of Philip J. Smith.

SECTION 1. Be it enacted by the General Assembly of the State of Tennessee, That the surveyor of the Hiwassee district, is hereby authorized and directed, to receive from Philip J. Smith, a location for the south west quarter of section five, range third, township third, east of the meridian, Hiwassee district, which quarter section of land he, the said Smith, shall be entitled to without paying any more than the office fee.

P. J. Smith, location to be received.

WM. BRADY,
Speaker of the House of Representatives.

R. C. FOSTER,
Speaker of the Senate.

December 11, 1826.

CHAPTER CXCVI.

AN ACT, to fix permanently the place of holding the circuit and county courts of Shelby county, and for other purposes.

SECTION 1. Be it enacted by the General Assembly of the State of Tennessee, That the second term of the court of pleas and general sessions for the county of Shelby, to be held in 1827, shall adjourn their court, at the close of the term, to the place laid off and designated by the commissioners of said county, to be the seat of justice therein, and the said place so fixed on, shall be called and known by the name of Raleigh.

Raleigh seat of justice.

pay E. K. De-
long \$114.

...of the ...

B. Reynolds
and H. ...
allowed \$40
each.

Sec. 8. Be it enacted, That the Treasurer of West Tennessee ...

C. Slater and
J. McDowell
allowed \$40
each.

Sec. 9. Be it enacted, That the Treasurer of West Tennessee ...

Robertson and
Elliott to be
paid \$450 00.

Sec. 10. Be it enacted, That Robertson and Elliott ...

J. S. Simpson
to receive for
printing \$149
50 cents.

Sec. 11. Be it enacted, That J. S. Simpson be al-
lowed the sum of one hundred and forty nine dol-
lars and twenty five cents for printing done by or-
der of the General Assembly ...

Freemason to
pay J. F. Er-
win \$4 25 for
postage on let-
ter \$50.

Sec. 12. Be it enacted, That the Treasurer of West
Tennessee ...

Miss Terry of
Miss \$20.

Sec. 13. Be it enacted, That the Treasurer of West
Tennessee ...

Freemason to
pay J. Pitt
\$100 and
\$100

Sec. 14. Be it enacted, That the Treasurer of West
Tennessee ...

...for the ...
twenty five dollars for taking care of the public
furniture.

WM. BRADY,
Speaker of the House of Representatives.

R. C. FOSTER,
Speaker of the Senate.

December 11, 1838.

LIST OF PRIVATE ACTS.

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RESOLUTIONS

OF

LAND CLAIMS.

—

ADOPTED IN THE YEAR 1826.

RESOLUTIONS,
ADOPTED AT THE
EXTRA SESSION OF 1826.

NUMBER 1.

Resolved by the General Assembly of the State of Tennessee, That the secretary of State issue to R. E. C. Doherty, four certificates of one hundred acres each; Provided, it shall appear by the oath of said Doherty that he lost, by fire, four certificates of that amount which had been issued by the commissioner of East Tennessee, to I. and I. Greenway, and which, by assignment, was vested in him, and the same when issued, may be located in any of the surveyor's offices south and west of the congressional reservation line.

R. E. C. Doherty.

WM. BRADY,

Speaker of the House of Representatives.

R. C. FOSTER,

Speaker of the Senate.

October 30, 1826.

NUMBER 2.

A RESOLUTION, to provide for the issuance, adjudication and satisfaction of the grants, certificates and land warrants therein mentioned.

Resolved by the General Assembly of the State of Tennessee, That

| | | | |
|---------------|---------------|-----------------------------|--|
| Grant No. 563 | for 320 acres | to Jesse Thompson, | |
| " 6538 | " 185 " | " to G. W. L. Marr, | |
| " 70 | " 100 " | " to G. W. L. Marr, | |
| " 273 | " 300 " | " to Joseph Young, | |
| " 1373 | " — " | " to Williams and Franklin. | |
| " 4326 | " 640 " | " to Arthur Brooks, | |
| " 23751 | " 60 " | " to M. H. Buchanan, | |
| " 23222 | " 100 " | " to M. H. Buckenat, | |
| " 3039 | " 100 " | " to Reuben McClarin | |

Claims to be adjudicated.

to be adjudicated by the commissioner of land claims.

Resolved, That Military warrant No. 1229, issued to the heirs of Benjamin Beyer,

Military warrant No. 1226, issued to the heirs of Woody Tucker,

Military warrant No. 1228, issued to John Thomas, an ensign, Military warrant No. 1230, issued to Joel Brevard, a captain,

Military warrant No. 145, issued to John Breyer, by the State of North Carolina, be adjudicated by the commissioner of land claims.

Resolved, That certificate No. 4835, for ten acres, issued to Lewis Lohel, and No. 4842, issued to Robert Hancock for three acres, be adjudicated by the commissioner of land claims.

Resolved, That David McIntyre be permitted to remove entry No. 1087, for five acres, entered in the 7th surveyor's district.

That Samuel Wells be permitted and authorized to re-survey an entry, No. 1247, made by James Hardin in the 12th surveyor's district, for one hundred acres, beginning at the same place called for in the entry at a white oak; thence east 78 poles; thence south to Ninian Steele's north west corner; then south with his line and passing the same 19 poles, to the south east corner of an entry in the name of James Hardin for one hundred and sixty acres; then west with the line of said entry 78 poles to an entry No. 1247, thence north with the line of said entry to the beginning.

That John B. Strickling be permitted and authorized to enter in the 7th surveyor's district a balance of certificate warrant No. 5589, being seventeen and a half acres.

That the register of West Tennessee issue to Henry T. Fryer a grant for twenty acres of land in Warren county by virtue of location No. 7776, dated

Military warrants to be issued to certain persons.

Entry to be re-surveyed.

the 15th April, 1818, in the name of Joshua Luckey.

That the commissioner of land claims issue to J. H. McKennie a certificate J.H.McKennie warrant for one hundred and fifty six acres in lieu of an original warrant issued to John Carter of No. 2062 assigned to said J. H. McKennie and which has been lost or destroyed and not heretofore entered.

And that the register of West Tennessee issue to Douglas H. Stockton a grant on entry No. 1698 for one acre and forty-nine poles, dated May 7th, 1823, and entered in the 7th surveyor's district.

WM. BRADY,

Speaker of the House of Representatives.

R. C. FOSTER,

Speaker of the Senate.

November 7, 1826.

NUMBER 3.

Resolved by the General Assembly of the State of Tennessee, That military warrant No. 649, for six hundred and forty acres, issued to William Foster, dated 27th October, 1820, be referred to the commissioner of West Tennessee for adjudication, and if found to be a good warrant to issue a duplicate therefor, as in other cases, to the rightful assignee; which may be located on any vacant and unappropriated land south and west of the congressional reservation line.

Wm. Foster.

WM. BRADY,

Speaker of the House of Representatives.

R. C. FOSTER,

Speaker of the Senate.

November 7, 1826.

NUMBER 4.

Resolved by the General Assembly of the State of Tennessee, That the commissioner of West Tennessee proceed to adjudicate grant No. 2940 and grant No. 2763 and grant 47, which were re-

ferred to him by a resolution of the last session of this General Assembly, the documents whereof shewing the amount of interference, not being all prepared until the meeting of the present session.

WM. BRADY,

Speaker of the House of Representatives.

R. C. FOSTER,

Speaker of the Senate.

November 8, 1826.

NUMBER 5.

Resolved by the General Assembly of the State of Tennessee, That military warrants No. 1614 to Isaac Braitcher, No. 1231 to Daniel Twigg, No. 1223 to John Bryan, No. 1232 to the heirs of P. Taylor, No. 1226 to the heirs of Isaiah Parr, No. 1225 to the heirs of Philip Thomas, No. 1034 to William Gregory's assignee, No. 1227 to the heirs of William Parker, be referred to the commissioner for adjudication.

Claims referred to commissioner.

WM. BRADY,

Speaker of the House of Representatives.

R. C. FOSTER,

Speaker of the Senate.

November 13, 1826.

NUMBER 6.

Resolved by the General Assembly of the State of Tennessee, That the proper owner be authorised to file with the commissioner of land claims, military land warrant No. 49, for two hundred and seventy-four acres, for adjudication as in other cases.

WM. BRADY,

Speaker of the House of Representatives.

R. C. FOSTER,

Speaker of the Senate.

November 16, 1826.

NUMBER 7.

Resolved by the General Assembly of the State

of Tennessee, That military warrant No. 67, issued to Willis Johnson for one hundred and eighty-two acres be referred to the commissioner for adjudication.

WM. BRADY,

Speaker of the House of Representatives.

R. C. FOSTER,

Speaker of the Senate.

November 16, 1826.

NUMBER 8.

Resolved by the General Assembly of the State of Tennessee, That grants No. 9154, No. 1613, No. 1664, No. 860, No. 3201, No. 4780, No. 16437, No. 318, No. 16541, No. 16540, No. 21310, No. 1168, be referred to the commissioner for adjudication, and if it shall appear to the satisfaction of said commissioner that they are interfered with by older and better titles, to issue certificates as in other cases, which, when issued, may be located south and west of the congressional reservation line.

Grants referred to commissioner for adjudication.

WM. BRADY,

Speaker of the House of Representatives.

R. C. FOSTER,

Speaker of the Senate.

November 16, 1826.

NUMBER 9.

Resolved by the General Assembly of the State of Tennessee, That the representatives of William Armstrong, deceased, be permitted to file grant No. 4780, with the commissioner for adjudication, to be examined by him, and if upon proof it shall appear that any portion of the land called for in said grant lies north of the Kentucky line, upon proof thereof and of the quantity, then it shall be the duty of said commissioner to issue to, and in the name of, the rightful owners, certificate warrants for such quantity; Provided, it shall appear that No. 4780 is founded on a valid warrant.

Representatives of Wm. Armstrong.

And be it further Resolved, That the representatives of William Armstrong, deceased, be permitted to file grant No. 4780 with the commis-

soner for adjudication, to be examined by him, and if said grant is interfered with by grant No. 300, and if it shall appear to said commissioner that grant No. 4789 is founded on a good and valid warrant, he shall issue a certificate for so much as may be taken by grant No. 300, he being governed by the law now in force in such cases.

Resolved, That military warrant No. 1097 issued to the heirs of Joel Martin, be referred to the commissioner for adjudication; also, military land warrant No. — for six hundred and forty acres, issued to the heirs of Nicholas Bass, be referred to the commissioner for adjudication, and if it shall appear to said commissioner that a warrant issued legally and properly, and that the same is good and valid and has not heretofore been adjudicated, that he be hereby authorized to issue to said heirs of Nicholas Bass or to their assigns, or whosoever is legally entitled thereto, a duplicate for said six hundred and forty; also, that grant No. — for five hundred acres to Willie Cherry in Wilson county, be referred for adjudication; also, grant No. — to Levi Sanderlin for five hundred and forty acres in White county, be referred for adjudication.

Resolved, That it shall be lawful for Rufus Mitchell or his heirs or legal assigns to lay before the commissioner for West Tennessee, warrant No. 528, for two hundred and seventy five acres, issued by the State of North Carolina to said Mitchell, dated 25th day of November 1783, and if it shall appear to the satisfaction of said commissioner that said warrant is a valid one and has not been appropriated, it shall be his duty to issue a certificate warrant for the whole of said warrant, or any part thereof which shall not be appropriated, to the said Mitchell or his legal assignee, and which may be entered on any vacant land south and west of the congressional line and a grant issued thereon as in other cases.

Resolved, That certificate No. 3292 issued by the Register of West Tennessee to Randolph Ross for twenty acres, be referred to the commissioner for adjudication.

Resolved, That the commissioner of land claims adjudicate grant No. 8518 for one hundred acres to Robert Rhea; also, grant No. 439 to the benefit of William Marchbanks; also, No. 8043 — twenty-five acres to John M. Watkins; also, No.

Heirs of Joel
Martin.

Heirs of N.
Bass.

R. Mitchell.

Robert Rhea,
W. Marchb's
and others.

23313 for two hundred and seventy five acres to
Blount Grant

1876, No. 1097

Two

November 25, 1783

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Interstream
entered.

McClintock

state for such interference, which may be laid south and west of the Congressional line.

E. Thompson.

Resolved, That Ephraim Thompson may lay before the commissioner of West Tennessee for adjudication, entry No. 2435, made in the 2nd survey of 1822, and under the 100th day of September, 1822, and if it shall appear to his satisfaction that said entry in any part thereof is taken by an older and better title, to issue to said Ephraim Thompson a certificate for such interference, which may be laid south and west of the Congressional line.

H. Beavers

Resolved, That Michael Beavers be and he is hereby authorized to enter and obtain a grant on certificate warranty No. 2560 for twenty five acres issued by the commissioner of land claims on the 6th day of March, 1823, on any vacant and unappropriated land south and west of the congressional line.

WM. BRADY,

Speaker of the House of Representatives.

R. C. FOSTER,

Speaker of the Senate.

November 20, 1826.

NUMBER 11.

Resolved, by the General Assembly of the State of Tennessee, That grant No. 233, which issued from the State of North Carolina be referred to the commissioner for adjudication.

WM. BRADY,

Speaker of the House of Representatives.

R. C. FOSTER,

Speaker of the Senate.

November 21, 1826.

NUMBER 12.

Resolved by the General Assembly of the State of Tennessee, That William H. Doranick and Henry Rowan be permitted to file with the commissioner for West Tennessee for adjudication grant No. 242, for three hundred sixty five acres, dated the 2d of December, 1822, granted by the

Wm McCormack and H. Rowan

State of North Carolina to the said William Doranick and Rowan, and if it shall appear to the satisfaction of said commissioner that the purchase of said grant by William H. Doranick and Henry Rowan, and in that case for their issue a certificate for seventy acres; Provided, said grant shall appear a good and valid warranty and that no other grant issued upon said warranty and certificate shall be allowed for the purpose of which the said certificate is made to William Fleming a certificate for seventy acres being so much of the said No. 233 for six hundred and forty acres, issued to John McDaniel; Provided, the said William Fleming shall make it appear to the satisfaction of said register that he is entitled to said seventy acres by legal right; and Provided, also, that he shall make it appear that the said seventy acres has been located within the bounds of an older and better claim, which location shall be represented by a plat of some sworn surveyor, who shall certify that he has surveyed the site of said seventy acre entry and so much of the better title as has enabled him to ascertain that the interference made out by him is correct.

W. Fleming.

WM. BRADY,

Speaker of the House of Representatives.

R. C. FOSTER,

Speaker of the Senate.

November 21, 1826.

NUMBER 13.

A RESOLUTION, to renew and continue in force a part of a resolution passed Nov 15, 1826, entitled "a resolution requiring certain claims to be adjudicated."

Resolved by the General Assembly of the State of Tennessee, That so much of the original resolution about the commissioner of Tennessee as a certificate grant 222 for six hundred and forty acres to Cobb, Payne and Smith, entry 231 for eighty acres to James Ringo, entry 210 for one hundred and eighty one and a quarter acres to James Ringo, grant No. 232 for thirty three acres to James Cobb, be, and the same is hereby revived.

Cobb, Payne, Smith, &c.

and confirmed in full here, and the said commis-
 sioner is authorized to issue certificates therefor in
 the following cases: -

Adm'r. of J.
 State,

Member of the House of Representatives.

Speaker of the Senate.

November 23, 1836.

Resolved by the General Assembly of the
 State of Tennessee, That grant No. 336 to Dan-
 iel Ross assignee of Thomas Molog, No. 3125 to
 Thomas Hickman No. 3078, to do. do. No. 4696,
 to John Davis, No. 1376, to do. No. 3276 to Joh-
 nas Hadley, No. 3700, to Thomas Hopkins and
 David Ross, No. 7857, to do. do. No. 7506 to do.
 do. No. 7506 to do. do. No. 16349 to do. do. No.
 3125, - grant - to John Henderson for six hundred
 and forty acres issued by the State of North Car-
 oline and dated and [on] 9th of August 1787;
 grant No. 14698 to Nicholas Haile for seven and
 a half acres, No. 4613, No. 7435, No. 9001, No.
 16243, all of which are said to be interfered with,
 and praying that certificates may issue by reason
 of such interference be referred to the commis-
 sioner of land claims for adjudication.

issued shall be located south and west of the con-
 gressional reservation line; also, grant No. 3067,
 for fifty acres, to Isaac Stalcup be referred to said
 commissioner, and if upon proof it shall appear
 that the land called for in said grant, lies south of
 Walker's line, and one and a quarter miles north
 of Steele's line be shall cancel and make void said
 grant and issue a certificate therefor as in other
 cases.

WM. BRADY,

Speaker of the House of Representatives.

E. C. POSTER,

Speaker of the Senate.

November 23, 1836.

NUMBER 16.

Resolved by the General Assembly of the
 State of Tennessee, That grant No. 336 to Dan-
 iel Ross assignee of Thomas Molog, No. 3125 to
 Thomas Hickman No. 3078, to do. do. No. 4696,
 to John Davis, No. 1376, to do. No. 3276 to Joh-
 nas Hadley, No. 3700, to Thomas Hopkins and
 David Ross, No. 7857, to do. do. No. 7506 to do.
 do. No. 7506 to do. do. No. 16349 to do. do. No.
 3125, - grant - to John Henderson for six hundred
 and forty acres issued by the State of North Car-
 oline and dated and [on] 9th of August 1787;
 grant No. 14698 to Nicholas Haile for seven and
 a half acres, No. 4613, No. 7435, No. 9001, No.
 16243, all of which are said to be interfered with,
 and praying that certificates may issue by reason
 of such interference be referred to the commis-
 sioner of land claims for adjudication.

D. Ross, Th.
 Hickman, sup;
 others.

Resolved, That military land warrant No. 4756,
 issued to John Hawthorn for two hundred and sev-
 enty four acres be referred for adjudication and
 that certificate No. 3369 issued to John Lyons by
 the register of West Tennessee for nineteen and
 a half acres be referred for adjudication.

J. Hawthorn

Resolved, That the resolution of the General
 Assembly of 1825 referring entry No. 3010 to the
 name of Noel Johnson to the commissioner for ad-
 judication be, and the same is, hereby revived.

Noel Johnson

Resolved, That it shall be the duty of the com-
 missioner of land claims to issue to the legal re-

Representatives of Jas. Mead

representative of James Mead, a certificate of military warrant No. 227, if it shall be made appear by the oath of the said representative that the duplicate issued by the board of commissioners for West Tennessee has been lost or destroyed, and that the same does not appear to have been ever granted; and *Provided*, also, that the said duplicate is hereby declared null and void.

Grants supposed to be in Kentucky.

Resolved, That grants No. 161, No. 344, No. 397, and No. 617, which issued from the State of North Carolina be referred to the commissioner for adjudication, and if it shall appear from the certificate of the surveyor of the adjoining county in this State, that the said grants or any part of them lies north of the Kentucky line and beyond the jurisdiction of this state, to issue certificates to the legal claimants as in other cases.

S. G. Bryan

Resolved, That it may be lawful for Stephen G. Bryan to enter certificate No. 3569 for twenty five acres issued on the 8th day of March, 1826, by the commissioner of land claims on any vacant and unappropriated land south and west of the congressional line and obtain a grant thereon as in other cases.

Register of E. Tennessee to issue certificates

Resolved, That the register of East or West Tennessee may and is, hereby authorized to issue certificates for any balance of warrants that may remain in either of said offices unappropriated by grant or entry to the person or persons entitled thereto and such certificates for balances aforesaid the commissioner is authorized to adjudicate, and when adjudicated may be laid south and west of the congressional line.

D. Carter

Resolved, That the commissioner of land claims issue to Daniel Carter a certificate for four hundred acres; *Provided*, it shall be made appear by the affidavit of the said Carter that he made an entry in Carter's office for that amount; that he paid the whole consideration money for the same, and that no warrant or grant ever issued on said entry, and that the consideration money by him paid has in no way been refunded or repaid to the said Carter in any manner whatever.

WM. BRADY,

Speaker of the House of Representatives.

R. C. FOSTER,

Speaker of the Senate.

November 24, 1826.

NUMBER 17.

Resolved by the General Assembly of the State of Tennessee, That grants No. 307, No. 157, 1657, 2198, 2199, 2206, 10998, to D. Gillespie, 3155 to Duncan Stewart, 317 to E. Wallen, 595 to do. do., 18509 to E. C. Harris, 886 to Thomas Hickman all of which are said to be interfered with by older and better titles, and by reason of such interference says that certificates may issue for such interference, and when based may be referred to the commissioner for adjudication.

Interferences of grants referred to commissioner

Resolved, That military land warrant No. 321, No. 759, No. 741, No. 738, and No. 1233, be referred to the commissioner for adjudication.

Resolved, That warrant No. 126, No. 136, issued by James Gaines entry taker of Sullivan county, be referred to the commissioner for adjudication.

Resolved, That the surveyor of the eleventh surveyors district permit John C. McLemore to remove an entry made in his name by virtue of warrant No. 439 and that he may locate the same on any vacant and unappropriated land lying south and west of the congressional line.

J. C. McLemore

Resolved, That the commissioner of land claims issue a certificate to David Smith, for fifty five acres in lieu of so much of warrant or certificate No. 93 issued to Robert Houston for four hundred acres of land dated 17th day of September, 1812, that amount being unappropriated, which certificate may be located on any land not otherwise disposed of, south and west of the congressional reservation line.

D. Smith

Resolved, That military warrant No. 1098, for nine hundred and fourteen acres, dated April 7th, 1823, and issued by the State of North Carolina to Eubaldred Dance be referred to the commissioner of land claims for adjudication, and if it shall appear to said commissioner that said warrant was valid at the time of its issuance he shall issue a duplicate thereof, to James Lester the person now in whom the legal interest of said warrant is vested and rightfully belongs.

E. Dance

WM. BRADY,

Speaker of the House of Representatives.

R. C. FOSTER,

Speaker of the Senate.

November 24, 1826.

NUMBER 18.

Resolved by the General Assembly of the State of Tennessee, That grant No. 844, grant No. 1752 and grant No. 158, founded on Evans' warrant be referred to the commissioner of land claims, and if it shall be found by said commissioner that the land contained in the bounds of said grants are taken by older and better titles, he shall issue certificates for the amount of said grants to the persons owning the same, which certificates so issued shall be located south and west of the congressional reservation line; also grant No. 20977, for fifty acres of land to Isaac Stalcup be referred to said commissioner, and if upon proof it shall appear that the land called for in said grant lies south of Walker's line and one and a fourth miles north of Steele's line, he shall cancel and make void said grant and issue a certificate therefor as in other cases.

WM. BRADY,

Speaker of the House of Representatives.

H. C. FOSTER,

Speaker of the Senate.

November 25, 1826.

NUMBER 19.

Resolved by the General Assembly of the State of Tennessee, That it shall be lawful for John Jenkins or agent to lay before the commissioner of land claims, a grant No. 21517 for six hundred and forty acres, and if it shall appear that any part of the same has been taken by a better title in the name of Shepherd, he shall be lawful for the commissioner to issue to said Jenkins a certificate for the amount interfered with as in other cases; Provided, it does not exceed one hundred and fifty acres.

WM. BRADY,

Speaker of the House of Representatives.

H. C. FOSTER,

Speaker of the Senate.

November 24, 1826.

NUMBER 20.

Resolved by the General Assembly of the State of

Tennessee, That grant No. 122 which issued from the State of North Carolina, be referred to the commissioner of land claims, and if it shall appear to be correct, he shall issue a certificate therefor as in other cases; and if it shall appear to be taken by the congressional reservation or better title.

WM. BRADY,

Speaker of the House of Representatives.

H. C. FOSTER,

Speaker of the Senate.

November 27, 1826.

NUMBER 21.

Resolved by the General Assembly of the State of Tennessee, That grant No. 16620 be referred to the commissioner of land claims, and if it shall appear to be correct, he shall issue a certificate therefor as in other cases; and if it shall appear to be taken by the congressional reservation or better title, he shall issue a certificate therefor as in other cases; and if it shall appear to be taken by the congressional reservation or better title, he shall issue a certificate therefor as in other cases.

WM. BRADY,

Speaker of the House of Representatives.

H. C. FOSTER,

Speaker of the Senate.

November 27, 1826.

NUMBER 22.

Resolved by the General Assembly of the State of Tennessee, That grant No. 39 founded on Evans' warrant be referred to the commissioner of land claims, and if it shall appear that said grant or any part thereof is interfered with by older or better titles, he shall issue certificates as in other cases.

Resolved, That Evans' warrant No. 1213 which issued to William Ophlin, and No. 1215 issued to the heirs of Wm. Ophlin & heirs of W. Ophlin & heirs of W. Ophlin, be referred to the commissioner of land claims.

WM. BRADY,

Speaker of the House of Representatives.

H. C. FOSTER,

Speaker of the Senate.

November 27, 1826.

P

Grants founded on Evans' warrants

Isaac Stalcup

J. Jennings

Grant 16620.

W. Ophlin & heirs of W. Ophlin.

NUMBER 23

Resolved by the General Assembly of the State of Tennessee, That grants, No. 1891, No. 2177, No. 1700, No. 2174 and No. 2175 be referred to the commissioner of land claims for adjudication, and if they are founded on good and valid warrants and no other grant or grants has been issued on said warrants, and the owner of said grants satisfies the commissioner by actual survey of some sworn surveyor that they are interfered with by older or better claims, then he shall issue certificates for such interference as in like cases.

J. T. Harman

Resolved, That John T. Harman may file with the commissioner of land claims for adjudication, grant No. 23420, and if it shall be found to be interfered with by older and better claims, that he shall issue a certificate for such interference as in like cases, if said grant is founded on a good and valid warrant.

Grants referred

Resolved, That grant No. 6555 for one hundred and sixty-six acres, and grant No. 6666 for thirty-six acres, both grants bearing date 19th of April, 1815, be referred to the commissioner of land claims for adjudication, and if they are founded on good and valid warrants, and no other grant or grants has issued on said warrants and the owner of said grants satisfying the commissioner by actual survey that they are interfered with by older or better claims, then he shall issue a certificate for such interference as in like cases.

J. Hinds

Resolved, That John Hinds may file with the commissioner of land claims for adjudication, an entry made in the fourth surveyor's district, and made by virtue of warrant No. 4, and if satisfactory proof is made by said applicant to said commissioner, that the whole of said entry or any part thereof is taken by older or better claims, then he shall issue a certificate for such interference as in like cases.

WM. BRADY,

Speaker of the House of Representatives

R. C. FOSTER,

Speaker of the Senate.

November 29, 1856.

NUMBER 24

Resolved by the General Assembly of the State of Tennessee, That Jonathan Welch may file claim with the secretary of State for an interference between said grants, recorded in his name, founded on certificates issued by the register of the Western District, No. 1120, dated 25 May, 1820, and entry No. 177 for two hundred acres, entered in the name of William Smith, and if the said secretary shall find that there is no interference he shall be authorized to issue a certificate to the said Jonathan Welch for the amount of such interference which may be laid on any vacant land south and west of the congressional reservation.

J. Welch

J. Bengoa

Resolved, That Jesse Bengoa be permitted to file with the secretary of State, grant No. 17844, founded upon warrant No. 1580, and if it shall appear that the warrant is genuine and that the said grant does not include as much land as is called for in said warrant, said secretary shall be authorized to issue a certificate for the amount of such deficiency, which may be located south and west of the congressional reservation.

Resolved, That entry No. 18261, dated December 17th, 1814, on part of register's certificate No. 647 for twenty-five acres, in the name of Joseph Derham, be referred to the commissioner of land claims for adjudication, and if said entry is founded on a good and valid warrant and that it is interfered with by an older and better claim, then he is hereby authorized and requested to issue a certificate to the said Derham for such interference as in like cases made and provided for by law.

J. Derham

Speaker of the House of Representatives.

R. L. FOSTER,

Speaker of the Senate.

November 30, 1856.

NUMBER 25

Resolved by the General Assembly of the State of Tennessee, That John Peyton or his assigns if authorized by the said assembly may file claim for fractional parts of a duplicate military land war

J. Peyton or his assigns

shall be referred to the commissioners for a final opinion, and that he issue certificates for so much of each as may respectively be necessary better title, as in other cases; Provided, that one-third each of them, founded on good and valid warrants, and that no other grants or warrants have issued on the same.

WM BRADY,
Speaker of the House of Representatives.
R. C. FOSTER,
Speaker of the Senate.

November 23, 1836.

NUMBER 25

Resolved by the General Assembly of the State of Tennessee, That the commissioners of West Tennessee be, and is, hereby authorized to issue to William Barrow a certificate for four acres of land: Provided, satisfactory proof be made to him that said four acres is part of warrant No. 171, issued by the board of commissioners for West Tennessee to Benjamin McCulloch for six hundred and forty acres, and is taken by older and better title, of grant No. 40 for two thousand acres by North Carolina, on the 10th day of July, 1783, warrant No. 1117.

Resolved, That grants No. 322, 320, 323, 324, 325, 327, 328, 329, 330, 331, 332, 333, 334, 335 be referred to the commissioners, and that he issue certificates for interference in other cases: Provided, that the said grants are founded on good and valid warrants and that no other grant or grants has been issued thereon.

Resolved, That grant No. 332 for one hundred acres, and grant No. 335, be referred to the commissioners of land claims for adjudication, and if said grants are founded on good and valid warrants, and that they or either of them are interfered with by older and better title, that he is hereby authorized and required to issue certificates to the rightful owner thereof for such interference, as in like cases.

Resolved, That grants No. 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.

Resolved, That grants No. [356, 312] and [369] Grants refer'd be referred to the commissioners for a final opinion, and that he issue certificates for so much of each as may respectively be necessary better title, as in other cases; Provided, that one-third each of them, founded on good and valid warrants, and that no other grants or warrants have issued on the same.

WM BRADY,
Speaker of the House of Representatives.
R. C. FOSTER,
Speaker of the Senate.

December 3, 1836.

NUMBER 27

Resolved by the General Assembly of the State of Tennessee, That grant No. 25087 for seventy-three acres, issued by the register of West Tennessee to James Braxton dated 28 August, 1823, and J. Hopkins grant No. 25081 for seventy-three acres, issued by the register of West Tennessee to David Stone, on the 5th of August, 1826, be laid before the commissi- oner for adjudication, and if it satisfactorily appears to said commissioner that said grants cover the same tract or parcel of land, that he be authorized and required to issue to the youngest owner a certificate for the amount of acres contained in his said grant; also that the commissioner adjudicate grants No. 14729 for thirty acres, No. 8847 for seventy-three acres, and No. 12195 for forty-six and No. 25218 for one hundred and fifty acres, and issue certificates for the whole of such grants or such parts thereof, as are taken by older and better claims.

WM BRADY,
Speaker of the House of Representatives.
R. C. FOSTER,
Speaker of the Senate.

December 4, 1836.

NUMBER 28

Resolved by the General Assembly of the State of Tennessee, That grants Nos. 25087, 25081, 14729, 8847, 12195, 25218, be referred to the commissioners of land claims for adjudication.

1884 and No. 2418 be referred to the commissioner for adjudication.

Speaker of the House of Representatives.
E. C. FOSTER,
Speaker of the Senate.

December 8, 1826.

NUMBER 29.

Resolved by the General Assembly of the State of Tennessee, That the surveyor of the ninth surveyor's district be, and he is, hereby required to permit Joseph Porter to make void entry No. 1185, founded on warrant No. 4644 for sixty-one and three-fourths acres, and re-enter the same on any vacant and unappropriated land in his district; also, the surveyor of the 5th surveyor's district shall permit William Gustin to make void entry No. — for twenty acres, lying on Blue Rock creek, in Hawkins county, and re-enter the same on any vacant land in his district.

of Porter

Resolved, That grants No. 2656, 2664, 2690, 2691, 2692 and 2693, be referred to the commissioner for adjudication, being cases of interference.

WM. BRADY,
Speaker of the House of Representatives.
E. C. FOSTER,
Speaker of the Senate.

December 1, 1826.

NUMBER 30.

Resolved by the General Assembly of the State of Tennessee, That the following grants be referred to the commissioner for adjudication, to wit: No. 29 to Thomas Hutchens for six hundred and forty acres; No. 22 to Thomas Hutchens for six hundred and forty acres; No. — to Stockley Donelson for six hundred and forty acres; No. — to Stockley Donelson for one thousand two hundred acres; and that he issue certificates for interference in other cases. Provided, they be founded

on good and valid warrants and that no other grants ever issued on the same.

Speaker of the House of Representatives.
WM. BRADY,
Speaker of the Senate.

December 6,

NUMBER 31.

Resolved by the General Assembly of the State of Tennessee, That grants No. 418 and No. 3129 be referred to the commissioner of land claims for adjudication.

Resolved, That registers certificates No. 2300 for 12 acres be referred for adjudication, also grant No. 3129 to James Price, and that a certificate issue for interference, if any, as in other cases; Provided, the said grant be founded on a good and valid warrant and that no other grant has ever issued on the same.

WM. BRADY,
Speaker of the House of Representatives.
E. C. FOSTER,
Speaker of the Senate.

December 7, 1826.

NUMBER 32.

Resolved by the General Assembly of the State of Tennessee, That grants Nos. 204, 205, 206, 207, 210, 211, 212, 213, 214, 215 be referred to the commissioner for adjudication, and if the same be filed with by older or better title, then the same be cancelled as in other cases; Provided, said grants are founded on good and valid warrants, and that no other grant or grants ever issued on said warrants.

Speaker of the

Resolved, That Daniel McIntyre be permitted to remove entry No. 1037, made in the 7th surveyor's district on the 27th day of August, 1821, for five acres, and that he be permitted to register said warrant on any vacant and unappropriated land lying south and west of the commissioner's line.

Resolved, That grants No. — be referred

...to the commissioners of land claims for ad-
judication, and that the said warrants
to the right of the said grantees. Provided,
that said grants shall be issued by older and
better titles, and that no other grant or
warrant shall be issued on which
they were founded, until such certificates
have been hereunto.

Th. Hickman Resolved, That the commissioner be authorized
to file with the commissioner grants No. 225 and
228 for adjudication, and the commissioner shall
be authorized said grants to be issued upon genuine
warrants and that the whole or part is unknown by
older and better claims he shall issue a certificate
for the amount of such interference or interference
which may be taken on any vacant lands south
of the congressional reservation.

Resolved, That grants Nos. 246, 247, 249, 250, 251,
252 and 253 be referred to the commissioner of
land claims for adjudication, and if said grants are
interfered with by older titles, he shall issue certificates
for such interference as in
like cases. Provided, said grants are founded on
good and valid warrants, and that no other grant
or grants have issued on said warrants.

Grants referred Resolved, That grants Nos. 3112, 3114, 3115,
3119, 3120, 3121, 3122, 3123, 3126, 3127, 3128, 3129, 3126,
3127, 3201, 3202, 3203, 3204, 3205, 3206, 3207,
3208 and 228, be referred to the commissioner of
land claims for adjudication, and that he issue
certificates for such interference as in other cases;
Provided, that the said grants were founded on good
and valid warrants, and that no other grant or
grants have ever issued thereon.

W. M. BRADY,
Speaker of the House of Representatives.
R. C. FOSTER,
Speaker of the Senate.
December 8, 1835.

NUMBER 33.

Resolved by the General Assembly of the State of
Tennessee, That grants Nos. 583, which issued from
Nathan Cowan to D. Tyson, be referred to the
commissioner of land claims for adjudication, and that he issue

B. Twigg

certificate as to the same. Provided, the inter-
ference does not exceed the amount of said
grant was founded upon, and that no other grant
and that no other grant shall be issued on which
they were founded, until such certificates
have been hereunto.

Speaker of the House of Representatives.
R. C. FOSTER,
Speaker of the Senate.
December 8,

NUMBER 34

Resolved by the General Assembly of the
State of Tennessee, That the commissioner for
the adjudication of land claims be authorized to
issue a certificate warrant for so much of the grant
No. 3050 as the commissioner shall determine as
may be allowed by the State of Alabama, to
the signatory of the original certificate of
the fact.

Cour't to issue
certificates, &c.

W. M. BRADY,
Speaker of the House of Representatives.
R. C. FOSTER,
Speaker of the Senate.
December 8, 1835.

NUMBER 35.

Resolved by the General Assembly of the
State of Tennessee, That the registers of West
Tennessee issue to the general owners, certificates
for the batches of land warrants No. 5, 6, 7, 8, 9, 10,
11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23,
24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36,
37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49,
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861, 862, 863, 864, 865, 866, 867, 868, 869, 870,
871, 872, 873, 874, 875, 876, 877, 878, 879, 880,
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901, 902, 903, 904, 905, 906, 907, 908, 909, 910,
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991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.

Certificate
warrants to
be issued

W. M. BRADY,
Speaker of the House of Representatives.
R. C. FOSTER,
Speaker of the Senate.
December 8, 1835.

A RESOLUTION passed by the general assembly, in relation to the adjudication of certain claims, and the granting of certificates and warrants thereon mentioned.

Resolved by the General Assembly of the State of Tennessee, That

| | | | |
|-----------|-------|---------------|---------------------------|
| Grant No. | 583 | for 320 acres | to Jason Thompson, |
| " | 6538 | " 1854 " | to G. W. L. Marr, |
| " | 70 | " 100 " | to G. W. L. Marr, |
| " | 2730 | " 300 " | to Joseph Young, |
| " | 1874 | " " | to Williams and Franklin. |
| " | 4363 | " 640 " | to Archer Brooks, |
| " | 23751 | " 80 " | to M. H. Buchanan, |
| " | 23752 | " 100 " | to M. H. Buchanan, |
| " | 3000 | " 100 " | to Reuben McClellan |

be adjudicated by the commissioner of land claims.

Resolved, That military warrant No. 1690, issued to the heirs of Benjamin Brown,

Military warrant No. 1224, issued to the heirs of Woody Tucker,

Military warrant No. 1283, issued to John Thomas, an ensign,

Military warrant No. 1230, issued to Joel Brown, a captain;

Military warrant No. 145, issued to John Hensley, by the State of North Carolina, be adjudicated by the commissioner of land claims.

Resolved, That certificate No. 4303, for ten acres, issued to Lewis Lorch, and No. 4304, issued to Robert Hensell for three acres, be adjudicated by the commissioner of land claims.

Resolved, That David McIntyre be permitted to remove entry No. 1067, for five acres, entered in the 7th surveyor's district,

That Samuel Smith be permitted and authorized to re-serve an entry No. 1276, made by James Henson in the 7th surveyor's district, for one hundred

Claims to be adjudicated.

Military warrants to be issued to certain persons.

Entry to be re-surveyed.

acres, in a certain place called "the white oak"; thence east to the line of the entry of Nisban Buchanan, for one acre; thence south with the line of said entry the same 19 poles; thence east to the corner of an entry in the name of James Hardin for one hundred and thirty acres; then west with the line of said entry 78 poles to an entry No. 1249 thence north with the line of said entry to the beginning.

That John B. Campbell be permitted and authorized to enter in the 7th surveyor's district a balance of certificate warrant No. 1523, being seventeen and a half acres.

That the register of West Tennessee issue to Henry T. Fryer a grant for twenty acres of land in Washington county by virtue of location No. 7773, dated the 12th April, 1815, in the name of Joshua Leach.

That the commissioner of land claims issue to J. H. McKennie a certificate warrant for one hundred and fifty acres in lieu of an original warrant issued to John Carter of the 10th assignee to said J. H. McKennie and which has been lost or destroyed and heretofore entered.

And that the register of West Tennessee issue to Douglas H. Stockton a grant on entry No. 1036 for one acre and forty nine poles, dated May 7th, 1825, and entered in the 7th surveyor's district.

WM. BRADY,

Speaker of the House of Representatives.

R. C. FOSTER,

Speaker of the Senate.

November 7, 1826.

NUMBER 37

Resolved by the General Assembly of the State of Tennessee, That the register of West Tennessee issue to the rightful owner, certificate for parts of land warrants No. 1274, No. 1276

and No. 2948. Provided, That if it appear that said
remnants of warrants are located on the
21st day of November, 1826, when issued
shall be adjudicated as in and to the effect
located south and west of the congressional line.

W. BRADY,
Speaker of the House of Representatives.
R. C. FOSTER,
Speaker of the Senate.

December 8, 1826.

NUMBER 39.

Grants refer-
red, &c.

Resolved by the General Assembly of the
State of Tennessee, That grants No. 9542 for
twenty acres, No. 14750 for thirty acres, No.
16714 for forty acres, No. 18762 for fifty acres, No.
19224 for thirty acres, No. 16244 and No. 7810 for
sixty acres, issued to Thomas Brumby, and grants
No. 5458 and 9873 issued to David Ross, be refer-
red to the commissioner for adjudication, and if
said grants are interfered with by other and better
title, to issue certificate for such interference: Pro-
vided, said grants are founded on good and valid
warrants, and that no other grants are issued on
said warrants.

Resolved, That grant No. 1627 be referred to
the commissioner of land claims for adjudication,
and that he pass on the same as in other cases.

W. BRADY,
Speaker of the House of Representatives.

R. C. FOSTER,
Speaker of the Senate.

December 9, 1826.

END OF RESOLUTIONS AND CLAIMS.

DIFFERENT SUBJECTS.

NUMBER 40.

Received by the General Assembly of the
State of Tennessee, that the survey of the
Office of the
M. Eber-

October 31, 1826.

NUMBER 41.

Resolved by the General Assembly of the
State of Tennessee, that the survey of the
Office of the
M. Eber-

October 31, 1826.

Received by the General Assembly of the
State of Tennessee, that the survey of the Office of the

error of 10th
district.

forth district of this State, be permitted to remove his office to the town of Bellair or its vicinity, in the county of Georgetown, he having two weeks previous notice in the Journal Gazette, of the time and place.

WM. BRADY,

Speaker of the House of Representatives.

R. C. FOSTER,

Speaker of the Senate.

November 3, 1836.

NUMBER 41

Resolved by the General Assembly of the State of Tennessee, That the members in congress be authorized and the commissioners be directed to examine these land claims in order to procure from the United States, a relinquishment of their claim to the vacant and unappropriated land lying north and west of the congressional reservation line, especially to the source of the memorial addressed to the Congress of the United States by the General Assembly of this State at its last session.

Resolved, That the Governor furnish each of our senators and representatives in congress, with a copy of the above resolution.

WM. BRADY,

Speaker of the House of Representatives.

R. C. FOSTER,

Speaker of the Senate.

November 17, 1836.

NUMBER 42

Resolved by the General Assembly of the State of Tennessee, That the surveyor of the 13th district, receive an entry in the name of Nathaniel Bird for twenty five acres, as a part of a John Armstrong warrant No. 3577.

Surveyor of
10th district to
affix a plat.

Resolved, That it shall be the duty of the surveyor of the 10th district to make out a new plat and survey, as heretofore made out by him by virtue of entry No. 1023 and warrant No. 1078, in the name of George H. Curtis, as assignee of the heirs of George Purdie, for forty-nine acres,

and that it shall be the duty of the register of the Western District, to have a plat in the name of George M. Purdie, Francis, that the said George H. Curtis, should be the assignee to the surveyor, and that the said survey be lost or missed, as heretofore directed.

WM. BRADY,

Speaker of the House of Representatives.

R. C. FOSTER,

Speaker of the Senate.

November 23, 1836.

NUMBER 44

Resolved by the General Assembly of the State of Tennessee, That the sheriff of Giles county may be sued with the consent of the justice who issued the process, and the person on whose application and instigation the same was issued, separately to the amount of the money paid in his possession, and he and the justice may be a separate party of the suit, but the justice shall possess the right to remove the cause to the county where applied and cause and cause the speedy release of all parties of justice in such case.

WM. BRADY,

Speaker of the House of Representatives.

R. C. FOSTER,

Speaker of the Senate.

November 25, 1836.

NUMBER 45

Resolved by the General Assembly of the State of Tennessee, That the registry of State be authorized to deliver to the persons entitled or their assigns, a copy of the process which he filed with him, either on the return, and the return of the writ, and he may be a party of the suit, and he may be a party of the suit, and he may be a party of the suit.

WM. BRADY,

Speaker of the House of Representatives.

R. C. FOSTER,

Speaker of the Senate.

November 27, 1836.

hundred copies thereof, for the use of the members of this General Assembly.

WM. BRADY, Speaker of the House of Representatives. R. C. FOSTER, Speaker of the Senate.

December 5, 1826.

NUMBER 49.

Resolved by the General Assembly of the State of Tennessee, That the register of East Tennessee, at Knoxville, alter the name of John Spraggins to that of Thomas Spraggins in grant No. 18757; instead of the name of John, as it now is, it should be Thomas; Provided, it shall appear in said register, that an error was committed in inserting the name of John Spraggins instead of the name of Thomas Spraggins, and that said register enter the same of record; Provided, that the error corrected shall not affect the rights of others.

WM. BRADY, Speaker of the House of Representatives. R. C. FOSTER, Speaker of the Senate.

December 5, 1826.

NUMBER 50.

Resolved by the General Assembly of the State of Tennessee, That the proper officer issue to Portland J. Curle, a grant on entry No. 646, in the thirteenth surveyor's district, dated the 23d day of June, 1825, third range and second section, founded on warrant No. 1407 for two hundred acres; also, that the proper officer issue to said Portland J. Curle, a grant on entry 549, in the 12th surveyor's district, dated the 9th day of September, 1825, founded on warrant No. 1406, issued by the commissioner of West Tennessee, on the 29th day of February, 1826.

WM. BRADY, Speaker of the House of Representatives. R. C. FOSTER, Speaker of the Senate.

December 7, 1826.

NUMBER 51.

Whereas, the people of the State of Tennessee are sensible of the many valuable and important services, rendered, as well to this State, as the country generally, by Major General WILLIAM CARROLL; Therefore,

Resolved by the General Assembly of the State of Tennessee, That they are duly impressed with a sense of the fidelity and zeal with which he has, on all occasions, exerted himself to defend the interest and to preserve the honor of his country in its greatest peril.

Resolved, That in the prosecution and termination of the creek war, and the battle of the eighth of January, the able and efficient aid rendered by him to the Commanding General on those ever memorable occasions, there [is] every thing to approve for which his country ever delights to reward him.

Resolved, That the Secretary of State be, and he is, hereby directed at the expense of the State to procure and deliver to Major General William Carroll a sword, with suitable engravings thereon as testimonial of the high respect entertained by the State of Tennessee, for his public services.

WM. BRADY, Speaker of the House of Representatives. R. C. FOSTER, Speaker of the Senate.

December 7, 1826.

NUMBER 52.

Resolved by the General Assembly of the State of Tennessee, That the register of West Tennessee correct grant No. 12238 for ten acres which issued to James Reed instead of James Reed. Provided, it shall appear in the satisfaction of said register, that there is an error in issuing said grant.

WM. BRADY, Speaker of the House of Representatives. R. C. FOSTER, Speaker of the Senate.

December 7, 1826.

NUMBER 53.

Resolved by the General Assembly of the State of Tennessee, That it shall and may be lawful for the surveyor of the thirteenth surveyor's district to survey for William Clark an occupant entry made in his office by the said William Clark, for two hundred acres of land, and upon an actual survey if it be found that there is not land sufficient within the calls of said entry to satisfy the amount of the certificate laid thereon by reason of being confined by the lines of older tracts or surveys, that he permit the said William Clark to enter so much of his certificate as are not satisfied, on any vacant and unappropriated land in his district.

WM. BRADY, Speaker of the House of Representatives. R. C. FOSTER, Speaker of the Senate.

December 9, 1826.

NUMBER 54.

Resolved by the General Assembly of the State of Tennessee, That any person producing a plat and certificate of survey founded on a good and valid warrant, and there should be a deficiency of said warrant, so that a grant cannot issue, the register is hereby required and authorized to issue a certificate for the amount said person is entitled to on said warrant, which may be entered south and west of the congressional line.

WM. BRADY, Speaker of the House of Representatives. R. C. FOSTER, Speaker of the Senate.

December 9, 1826.

NUMBER 55.

Resolved by the General Assembly of the State of Tennessee, That it shall be the duty of the treasurers of East and West Tennessee, and particularly of the treasurer of East Tennessee, to report to the General Assembly, at their next session, during the first week thereof, all information they have or can procure, relating to the monies collected for the academies of this State, to wit: The several sums paid in each year from the debtors south of French Broad and Holston; what portion thereof was paid in each year by said debtors in interest, and what portion in principal; what sum has been loaned by either of said treasurers in each year, and to whom; what sum has been vested in stock or otherwise, the interest that has accrued on said monies since collected by the treasurers in each year; what sum accrued as interest by loans made by the treasurer previous to October, 1819, and what since; also, that they shew what sums have been paid to the several counties, specifying what counties, the amount, and when paid; also, what sum is due to the several counties, under the provisions of the act of 1825, considering that part of said monies, only, as interest that has accrued on loans made of said monies since their collection by the treasurers, bank stock, &c.; and that said treasurers, also, on or before the 15th day of February next, file such statement with the president and directors of the bank of the State of Tennessee, at Nashville and Knoxville.

Resolved, That it shall be the duty of each of said treasurers to collect and deposit all sums of money, whether principal or interest, due the academy fund, and deposit the same in the bank of the State, as directed by the act of 1825, on or before the first day of February next.

Resolved, That the treasurers of East and West Tennessee do deposit in the bank of the State of Tennessee, at Nashville or Knoxville, as the case may be, all monies collected on account of revenue, Hiwassee lands and for academies, as soon as they may collect the same or any part thereof, and that they deposit the same cash to the credits of revenue, academies or Hiwassee lands.

WM. BRADY, Speaker of the House of Representatives. R. C. FOSTER, Speaker of the Senate.

December 11, 1826.

NUMBER 56.

That the General Assembly may know, with as much certainty as is practicable, what number of volumes of the Laws of the State, revised by John Haywood and Robert L. Cobbs, shall be printed consistently with the interest of the State;

1. Resolved by the General Assembly of the State of Tennessee, That the secretary of the State, at any time between this and the next session, when he may, by said persons, be required so to do, shall put out such subscription papers therefor as they may direct, and shall forward one or more of such papers to each clerk and sheriff in the State, whose duty it shall be to obtain subscription thereto, from all persons choosing to subscribe, (justices of the peace and said officers excepted,) and that said officers make a return of said subscription paper to the Secretary of State two months before the first or any of the next session.

2. Resolved, That if any of said justices or said officers should wish to have the full edition of said revised, that then, the said officers take the subscription of such persons in such manner as to shew that, with the initials of their official capacity annexed.

3. Resolved, further, That where said persons in revising the laws, may ultimately not be able to agree as to what head any part of the law shall be placed under, or whether any law or part of a law be obsolete or superceded, expired or repealed, that such deficiencies be decided by Wm. L. Brown, who is hereby required to act in such case or cases, and that said persons revising, make report on their work to this General Assembly at the next session, with such suggestions thereon as they or either of them may deem useful.

WM. BRADY, Speaker of the House of Representatives. R. C. FOSTER, Speaker of the Senate.

December 11, 1826.

An occupant entry to be surveyed, &c.

Academy monies to be deposited in new bank

NUMBER 57.

Resolved, by the General Assembly of the State of Tennessee, That the register of West Tennessee issue to William Hunter, jun. fifteen acres of certificate warrant No. 1768, which the said William Hunter is entitled to by assignment, which certificate, when issued, shall be located south and west of the congressional reservation line, on the production of a copy of this resolution.

WM. BRADY, Speaker of the House of Representatives. R. C. FOSTER, Speaker of the Senate.

December 11, 1826.

MEMORIAL.

The General Assembly of the State of Tennessee to the Congress of the United States represent, that at the present session of this General Assembly they have passed a law to incorporate a company called the Hiwassee Canal Company, the object of which is, to procure the making a canal between the waters of the Hiwassee river and the Conasauga, a stream of the Coosa river. This General Assembly have been addressed also at the present session, by Gideon Morgan, John Walker, Nicholas Byers and George Harlin, who represent that the Cherokee nation of Indians had given a grant to them of six miles square of land, lying in the vicinity of the contemplated canal, and proposing that they will relinquish either to this State or the United States, the said tract of land to be sold, with a reservation to themselves of six hundred and forty acres, for the purpose of erecting iron works, and two thirds of the proceeds of the said sale to be vested in canal stock, and the profits thereof to be divided between the colleges of East and West Tennessee; the other third of the proceeds of said sale to vest in themselves.— This General Assembly being strongly impressed with the belief of the great utility of such a canal, and being informed that the same is practicable,

Memorial of the General Assembly concerning the Hiwassee canal, &c.

beg leave earnestly to recommend to the consideration of the General Government, the affording all the facilities in their power to the completion of the same. This General Assembly would give a preference to common schools, as the object of said donation, over the colleges, and hope that this preference will meet the approbation and consent of the above mentioned memorialists. This General Assembly most earnestly entreat the congress to use all means in their power to procure a treaty with the Cherokee nation of Indians by which the right to navigate the said waters within their boundaries, may be procured; together with the right to so much of the soil as will be necessary to the cutting of said canal, and in which treaty the grant may be made and ratified, which they have made to the said Morgan, Walker and others, upon the conditions which they have proposed, or with the modification which this General Assembly prefer as above, should it meet the consent of the said grantees. This General Assembly need not speak in detail of the great advantage such canal would prove to the community in a commercial point of view, or to the General Government in a political and military point of view—this detail is well understood by our representatives and senators in congress, to whom they are referred for particular information. The General Assembly hope further, that whatever soil may be procured from the Cherokee tribe, except the six miles square as above, may be appropriated wholly to the purpose of cutting said canal.

Resolved by the General Assembly of the State of Tennessee, That the secretary of State, be required to transmit a copy of this memorial to our senators and representatives in Congress.

WM. BRADY, Speaker of the House of Representatives. R. C. FOSTER, Speaker of the Senate.

December 11, 1826.

END OF THE RESOLUTIONS.

Secretary of State to put out subscription papers for the revival

Wm. L. Brown to decide in cases of doubt between the two revisers

NUMBER 58.

INDEX.

Note.—In the following Index, the references to the public acts, are designated by the initials g. l. (general law.) The "INDEX TO THE RESOLUTIONS ON LAND CLAIMS," will be found at the end of the general Index.

Table with 2 columns: ACT, RESOLUTION, etc. and Page. Includes entries for ACT of December 1, 1825, To revive an act for the benefit of certain reserves, of November 22, 1817, concerning slaves, &c., of 1825, ch. 73, concerning nuisances, of 30th November, 1825, Nov 15, 1825, concerning names, concerning lots in Alexandria, first section of, in favor of V. and C. Sevier, of 18th Nov. 1825, ch. 41, establishing Overton county academy, to extend the town of Gallatin, Sumner county, to provide for running the line between Jackson and White, passed Dec. 3, 1825, revived of 19th Nov. 1825 to incorporate the Nashville company, fourth session, ACADEMY MONEY to be collected by the treasurer and deposited in bank, g. l., of how to be considered, sec. 3, g. l., to be deposited in the new bank, ACADEMIES to look to the bank where its directors have taken bond and security and certified the same, &c. g. l., ACADEMY of Marion to be called Samuel Houston, Trustees of, may borrow and loan money, &c. 18 & 19, may purchase a site, may receive subscriptions to pay for it, if not paid may sue subscribers, may appoint a chairman and secretary.

| | |
|---|------|
| ACADEMY of Bledsoe established | 20 |
| to be called Kremer academy | ib |
| to be located in Pikeville | 21 |
| trustees of, how to be regulated | ib |
| John Bridgman to be chairman of trustees | ib |
| Shelbyville, Dickson, may have a lottery | 37 |
| trustees for drawing | 38 |
| how to be governed s. 2 | ib |
| Carrick, commissioners appointed to settle with the trustees of | 71 |
| Shelbyville Female, managers of, may proceed to draw lottery according to regulations heretofore prescribed | 94 |
| Bolivar, incorporated | 103 |
| Lexington | 106 |
| lottery allowed to | 105 |
| Fayetteville to pay John Greer and his receipt good to cashier of new bank | 120 |
| funds of Williamson county, to be liable to Philip Maury for \$152 62 | 139 |
| Mount Cumberland, trustees of, appointed | 155 |
| powers of trustees | ib |
| to be the county academy | 157 |
| trustees of, may fix on a site in Jamestown and purchase it | 156 |
| may appoint chairman and secretary | 157 |
| Pleasant Forest, in Overton county, trustees of appointed | ib |
| duty of trustees of, s. 7 | ib |
| Covington, trustees of, appointed | 163 |
| powers of trustees | ib |
| trustees may sue and be sued, make by-laws, appoint a President, secretary and treasurer, &c | 164 |
| vacancies among trustees of, how supplied | ib |
| APPORTIONMENT of representation, g. l. pages 4, 5, | 6, 7 |
| ATTORNEYS GENERAL may prosecute brokers, g. l. | 58 |
| may include in one action as many taxes as may be due, g. l. | 59 |
| Administratrix of Elisha Purdom may sell the Bell tavern lots in Winchester | 29 |
| Agent of Madison county to take sufficient security from Joel H. Dyer, executor, &c | 42 |
| Alexander, Richard | 16 |
| Adam, Dempsey, or Odam | 161 |

| | |
|---|-----------|
| Armstrong's (Wm.) heirs | 183 |
| Alexandria, act concerning, repealed | 84 |
| ALDERMEN, for the town of Brownsville, who may vote for | 12 |
| to elect a mayor | 13 |
| to elect a town constable | ib |
| oath of | ib |
| Appeal allowed from judgment of justices of the peace in Stewart county | 39 |
| ASSEMBLY, members of, pay, | 173 |
| speakers of, pay, | ib |
| clerks of, pay, | ib |
| door keepers of, pay, | ib |
| BANK of the State of Tennessee (new) may take bond with approved security from those who have become indebted for academy money and become responsible to the academies for the amount, g. l. | 14 |
| may collect academy monies according to its necessities, g. l. | ib |
| to pass to the credit of the common school fund all money from entry of lands in the Hiwassee district and in the country south of French Broad and Holston, at twelve and a half cents per acre, g. l. | 51 |
| to receive Nashville notes at par from purchasers of Hiwassee land and academy and college land, if the trustees will agree to it, g. l. | 53 |
| to receive Nashville notes for half of all calls, g. l. | ib |
| to receive Nashville notes for half of all debts, g. l. | ib |
| to remit them to the principal bank and the directors to convert them into par funds, g. l. | ib |
| to supply the amount withdrawn in par funds, g. l. | 54 |
| cashier of, to pay P. Maury \$152 62 | 139 |
| Branch of United States bank may be established in Tennessee, g. l. | 18 |
| Bills in chancery may be sworn to before any judge or justice of the peace, or clerk and master, g. l. | 29 |
| Books to be opened to subscribe for shares of the Nashville insurance company, g. l. | 36 |
| Brokers to be prosecuted, g. l. | 58 |
| Brown's line, grants below made good, g. l. | 43 and 44 |
| BROWNSVILLE, in the county of Haywood, incorporated | 11 |
| powers of the corporation | ib |
| ordinances of, not binding on non-residents | 12 |
| finer of the corporation of, how collected | ib |

| | |
|--|-----|
| BROWNSVILLE, aldermen of, how to be elected | 12 |
| mayor of, how to be chosen | 13 |
| oath of mayor and aldermen of | ib |
| real property in, how to be sold for taxes | ib |
| property of, to be vested in mayor and aldermen | 14 |
| commissioners of, to convey town property to mayor and aldermen | 15 |
| Blountsville, elections for aldermen, how to be held | 162 |
| BOLIVAR, court house in | 17 |
| academy incorporated | 103 |
| Bridge company of Nashville allowed a lottery | 160 |
| BRIDGE over Collin's river authorized | 142 |
| rates of toll to be fixed by county court | ib |
| exclusive right to, vested in M. W. Wright | ib |
| over Caney Fork, by R. Ross, rates of toll how fixed | 160 |
| over Cypress creek may be built by tax to be laid by Humphreys county court | 87 |
| over Cypress creek in Humphreys county | 125 |
| of F. A. Ross to be passed on the right, fire not to be carried about it and stock to be driven over in a walk | 129 |
| penalties for violation of this law how to be recovered | 129 |
| copy of the law concerning, to be put up in some conspicuous place | ib |
| Brown, Wm. L. | 214 |
| Bull, Alexander changed to Richard Alexander | 16 |
| Bauchman, Jonathan | 29 |
| Biles, Isabella | 135 |
| Burns, John to have an M in his name in future, for Morgan | 47 |
| Brown, Sarah may retail spirituous liquors | 134 |
| Beard, William F. | 50 |
| Bacon, Charles | 135 |
| Beard, James H. | 50 |
| Benson, Early and G. Powers may keep up their mill-dam | 51 |
| Ball, Thomas, act for relief of, repealed | 52 |
| Buchanon, Samuel and John Sutton | 57 |
| Bills, John H. | 67 |
| Batson, Richard | 121 |
| Brown, William deed to | 82 |
| Baker, William | 121 |
| Bricker, (John) acts of legalized | 86 |
| Bradford, James to have \$15 paid to him | 170 |

| | |
|--|----------|
| Frock, C. may build a mill | 113 |
| Burrow, Banks M. | 118 |
| Belcher, Richard | 121 |
| Blair, Wm. S. | 148 |
| Bryan, Stephen G. | 190 |
| Brooks, Arthur | 179 |
| Buchanan, M. H. | ib |
| Bratcher, Isaac | 182 |
| Bryan, John | ib |
| Bass, N. heirs of | 184 |
| Brooks, James and James Woods | 185 |
| Beavers, Michael | 186 |
| Blair John, administrator of | 188 |
| Benton, Jesse | 195 |
| Bills of sale to John Parat may be proved effect of probate | 27 ib |
| Claibourn county, sheriff of to summon 26 jurors to attend the next county court | 43 |
| Carroll circuit court, when held, g. l. | 56 |
| COMPANY, INSURANCE, Nashville | 35 to 41 |
| president and directors of, may take a power of attorney to confess judgment, g. l. | 38 |
| process on president, or if there is none, on secretary sufficient, g. l. | 41 |
| to make an expose of their situation to the General Assembly when called, g. l. | ib. |
| charter of, to be forfeited on breach of the privileges hereby granted | ib |
| Commissioner of Newport. | 79 |
| COMMISSIONERS to settle with county and circuit court clerks to settle with clerk of supreme court g. l. | 21 |
| appointed to report lands south and west of the congressional line for taxes in name of real owners. g. l. | 49 |
| to be appointed by county court to settle with entry takers g. l. | 30 |
| compensation g. l. | 31 |
| to examine location files | ib |
| appointed to value academy lands according to ch. 73, 1825. g. l. | 46 |
| to be paid according to said act g. l. | ib |
| COMMISSIONER OF LAND CLAIMS to issue four certificates to R. E. C. Doherty | 179 |
| to issue a duplicate certificate to representatives of John Carter, | 179 |

| | |
|--|-------------|
| COMMISSIONERS OF LAND CLAIMS. | |
| to issue a certificate to A. Donovan | 16 |
| to issue a duplicate warrant to Joshua Hatley | 28 |
| to examine claims of Samuel Buchanon and John Sutton | 57 |
| may issue certificate of warrant No. 365 | 58 |
| to permit Jacob Sitgraves to file his claim | 117 |
| to permit Neil Hutson's heirs to file his claim | ib |
| to receive grants from Robert L. Cobbs and G. W. L. Marr for the purpose of adjudication | 131 and 132 |
| Commissioner's office continued open to the 1st of April, 1827, g. l. | 15 |
| COMMISSIONERS of the town of Dover appointed | 39 |
| fines imposed by, how recovered | ib |
| vacancies of how filled | 40 |
| of a lottery to improve the navigation of Forked Deer river | 44 |
| to give bond &c. | ib |
| to draft a scheme | ib |
| to settle with trustees of Carrickscadeny | 71 |
| Garroll Maj. Gen. Wm. to be presented with a sword | 211 |
| Carson John | 174 |
| Carter Daniel | 130 |
| Carters (John) representatives relieved | 15 |
| Clator Wm. B. may retail goods without license | 170 |
| Crawford (Capt.) released from liability to pay for a rifle | 18 |
| Camp Alex. may peddle without license | 22 |
| Cleveland, Coffelt and Cannon to have certificates | 26 |
| Collins William may make an entry | 36 |
| Caperton Polly B. to be as a feme sole | 51 |
| Cotton, Charles | 60 |
| Cobbs Robert L. | 67 |
| Cobbs Robert L. and G. W. L. Marr | 131 |
| Callaway Joseph | 68 |
| Carver Nancy W. to have the privilege of a <i>feme sole</i> | 90 |
| not to be thereby prevented from a divorce | ib |
| Cannon, Benj. and J. Savage to have a turnpike | 101 |
| Cobb Payne and Smith | 187 |
| Cage Wilson | 119 |
| Cobb Joseph | 187 |
| Craig Robert | 128 and 129 |
| Curle P. J. a grant to issue to. | 210 |

| | |
|---|-------------|
| Campbell Thos. J. | 148 |
| Crockett Andrew | 153 |
| Cole (Stephen) mill dam examined &c. | 167 and 168 |
| to pay the cost of having his dam cut down or removed or viewed by a jury | 168 |
| CHANCERY COURT at Franklin may be held by Judge Haywood on the first Dec. 1826 | 72 |
| in Greenville, when to be held | 81 |
| at McMinnville when to be held | 130 |
| process to, when returnable | ib |
| CIRCUIT COURT of Greene County empowered to divorce Thomas C. Watkins and on what terms | 40 and 41 |
| of Maury county may hear the petition of Susan Farney for a divorce | 62 |
| Clerk and Master on affidavit of complainant in chancery may issue commission to take deposition before the answer is filed | 79 |
| CLERK of Carroll county court to transmit returns of public taxes to treasurer at Nashville and on what therefor to be fifty cents | 124 |
| of Morgan county court may keep his office at his own house | 30 |
| of Morgan circuit court allowed to keep his office at his own house | ib |
| of McMinn county to draw upon treasurer of East Tennessee | 10 |
| of Morgan county court to attend Dec. term, 1826 in Western district where receiving redemption money to pay it over | 6 |
| of circuit court of Campbell may build a clerk's office | 47 |
| when the office may be disposed of | 47 and 48 |
| of circuit court of Hardeman may keep his office at his own house | 67 |
| CLERKS prohibited from going security in suits, determinable in the courts of which they are clerks, g. l. | 19 |
| returns of revenue to be received by the treasurers until first of May, 1827, g. l. | 20 |
| to issue commissions to take depositions, g. l. | 34 |
| of supreme courts allowed for copy of record the same fees as clerk of circuit court, g. l. | 10 |
| of the circuit court to pay to the treasurer drill fines, g. l. | 28 |
| to examine docket of judge advocate, and on failure | |

| | |
|--|-----|
| of judge advocate to pay, clerk to take judgment on motion before a justice or county court, g. l. | 26 |
| to retain five per cent. on monies so collected, g. l. | 27 |
| returns to the secretary legalized, g. l. | 3 |
| of the county court to make out a copy of the election return filed by the sheriff in his office and transmit it to the Speaker of the House of Representatives, g. l. | 34 |
| County courts allowed to build poor houses | 54 |
| COUNTY COURT of Monroe county at December term may hold two weeks | 5 |
| clerk of, to give twenty days notice of the meeting of the court | ib |
| jurors of, bound to attend | ib |
| any three justices of said county may hold said court | 7 |
| Of Lincoln when to be held | 9 |
| process to, when returnable | ib |
| may appoint a jury to examine Stephen Coles' dam | 167 |
| may on their report order it to be removed | 168 |
| Of McNairy when to be held | 9 |
| process to, when returnable | 10 |
| of Hardeman may lay a tax to complete the building of a court house in Bolivar of Dyer, acts of, at January session, 1826, made valid | 18 |
| officers elected legalized | 49 |
| of Anderson may lay a tax to build a poor house | ib |
| to appoint commissioners, who shall select a site, &c | 53 |
| to designate treasurer | 53 |
| powers of, s. 5 | ib |
| when to appoint a new treasurer or commissioner | ib |
| Of Maury may elect three justices to hold court for a year | 73 |
| Of White and Bledsoe may appoint commissioners and surveyors to run the line between the counties of White and Bledsoe | 133 |
| Of White to fix rates of toll on bridge across Caney Fork | 160 |
| of Lawrence, Sumner Madison, McMinn, Rhea, Franklin, Bedford, Hardeman, | |

| | |
|--|-----------|
| COUNTY COURT of McNairy, White, Overton, Wayne, Hardin, Robertson and Davidson counties, may chase three justices to hold county court | 73 |
| Of Montgomery may lay a tax to build a court house | 76 |
| may appoint commissioners to superintend the building, &c | 76 and 77 |
| Of Gibson county may lay a tax to build a jail | 79 |
| Of Henderson, when to be held | 81 |
| Of Humphreys may lay a tax to build a court house and bridge | 87 |
| Of Tipton county may lay a tax to improve the road | 140 |
| Of Weakly county may apply the navigation tax to cutting a road | 115 |
| order of to be paid by navigation trustees | ib |
| Of Obion to appropriate navigation tax to cutting a road | ib |
| may draw on treasurer of navigation trustees | ib |
| County court to appoint commissioners to settle with entry takers, g. l. | 30 |
| Of Henderson, when held, g. l. | 56 |
| Campbell county, trustee of to pay Antony N Montgomery | 165 |
| Centerville Domestic Blues to be called Houston Guards | 113 |
| CANAL COMPANY of Hiwassee | 94 |
| commissioners of, appointed | ib |
| books of, to be opened for subscription of stock | ib |
| to be kept open 20 days and who may subscribe | 90 |
| powers, privileges and franchises of the corporation, s. 2 | 95 |
| how to be organized, duty and powers | 96 |
| stockholders to meet annually on the first Monday of January, to choose their officers, and each person holding one share entitled to a vote | ib |
| president and managers of, when to meet | 97 |
| to procure certificates of stock | ib |
| shares of, transferable | ib |
| 3000 to be subscribed for in three years | 100 |
| stockholders on failure, to forfeit 2 per cent. | 98 |
| may remove obstructions in Big Tennessee and Holston up as far as Knoxville | 98 & 99 |

| | |
|---|-----------|
| CANAL COMPANY of Hiwassee, when a toll of two dollars may be laid on boats | 149 |
| to unite Hiwassee and Coosa rivers by canal | 99 |
| to divide the profits | ib |
| to impose toll on the canal | ib |
| privileges of, as to other streams | 109 |
| toll of | 99 |
| what boats exempt from | 161 |
| to open the canal first | 159 |
| CIRCUIT COURT of Warren, when to be held | 130 & 131 |
| special term of, may be appointed | ib |
| duty of judge of | ib |
| Of White, when to be held | ib |
| process to, when returnable | ib |
| Of Rutherford county to commence, on the third Monday of February and the fourth Monday of August next | 172 |
| Judges, how to interchange ridings, g. l. | 4 |
| of Marion at April term may be continued until Thursday of 2d week, g. l. | 31 |
| of Hamilton county, when it may be commenced, g. l. | 51 |
| of Carroll when held, g. l. | 56 |
| of Henderson, g. l. | ib |
| of Gibson, g. l. | ib |
| of Dyer, g. l. | ib |
| of Obion, g. l. | ib |
| of Weakly, g. l. | ib |
| of Henry, g. l. | ib |
| Caney Fork falls, entries within five miles at a cent an acre, g. l. | 9 |
| Costs of suits commenced on bonds given to the Governor, chairman of the county court or county trustee, to be paid by the person at whose instance the suit is instituted, g. l. | 42 |
| Diminished by permitting plaintiffs to dismiss their suits out of court, g. l. | ib |
| Cotton Gins, all laws concerning, repealed, except that they must be enclosed, g. l. | 9 |
| Chancery practice amended, bills may be sworn to before a justice of the peace, judge or clerk and master, g. l. | 29 |
| CORPORATION of Winchester | 4 and 5 |
| of Brownsville and their powers | 11 |
| ordinances of, not binding on non-residents | 12 |
| lines of, how to be recovered, s. 4 | ib |
| election of, when and by whom to be held | ib |
| who may vote at election of aldermen of | ib |

| | |
|---|-----|
| CORPORATION officers of Nashville, how elected | 138 |
| mayor to be chosen by the voters for | ib |
| aldermen | ib |
| town constable and clerk of market | 145 |
| of Covington | 145 |
| powers of | 146 |
| who to be exempt from the by-laws of | ib |
| fines, forfeitures and penalties how recovered, s. 5 | ib |
| sheriff of Tipton to hold the election for | 147 |
| who shall be considered elected and their powers | ib |
| of Blountville, aldermen of, how to be elected | 162 |
| of Kingsport, officers of, how to be elected | ib |
| of Trenton, to be under the rules of the act incorporating Brownsville | 170 |
| of Perryville to be under the same regulations as Brownsville | ib |
| Court house in Bolivar, tax may be laid to complete | 17 |
| of Jones river, a bridge may be built over | 142 |
| COLLEGE of Greenville, additional trustees of, appointed | 158 |
| East Tennessee, trustees of, additional appointed | 87 |
| COMMONS , a lottery allowed for the benefit of | 34 |
| trustees of, to appoint managers | ib |
| may regulate the mode of drawing, &c | 35 |
| to give bond | ib |
| to be known by the name of the University of Nashville | 46 |
| COVINGTON extended, s. 1 | 145 |
| incorporated | ib |
| powers of the corporation | 146 |
| non-residents not bound by the by-laws | ib |
| fines how to be recovered | ib |
| sheriff of Tipton to hold the election for aldermen on the first Monday of December | 147 |
| who shall be considered aldermen and their duty, s. 7 | ib |
| academy, trustees of appointed | 163 |
| powers of trustees | ib |
| trustees may sue and be sued, appoint a president, secretary and treasurer, &c. | 164 |

| | |
|--|---------|
| Covington academy, vacancies among trustees how supplied | 164 |
| Counsel employed on behalf of the State respecting the school lands may take an appeal to the supreme court, g. l. | 46 |
| Clark, Joseph, a commissioner for Sevier county, g. l. | 46 |
| Dyer circuit court, when to be held, g. l. | 56 |
| DISTRICTS, SENATORIAL, g. l. | 4 and 5 |
| Warren and Franklin, g. l. | 4 |
| White, Overton, Jackson and Fentres, g. l. | 4 |
| Smith and Sumner, g. l. | 5 |
| Wilson, g. l. | ib |
| Davidson, g. l. | ib |
| Maury, g. l. | ib |
| Rutherford and Williamson, g. l. | ib |
| Bedford, g. l. | ib |
| Robertson, Montgomery and Dickson, g. l. | ib |
| Lincoln and Giles, g. l. | ib |
| Stewart, Humphreys, Perry and Henderson, g. l. | ib |
| Henry, Weakly, Obion, Carroll, Gibson and Dyer, g. l. | ib |
| Hickman, Lawrence, Wayne, Hardin and McNairy, g. l. | ib |
| Haywood, Madison, Tipton, Hardeman, Fayette and Shelby, g. l. | ib |
| Carter, Sullivan and Hawkins, g. l. | ib |
| Washington, Greene, Cocke and Sevier, g. l. | ib |
| Jefferson, Grainger, Claibourn and Campbell, g. l. | ib |
| Knox and Anderson, g. l. | ib |
| Blount, Monroe and McMinn, g. l. | ib |
| Roane, Morgan, Rhea, Hamilton, Bledsoe and Marion, g. l. | ib |
| REPRESENTATIVE, g. l. | 6 and 7 |
| Warren, Franklin, Bedford, Lincoln, Giles, Maury, Davidson, Wilson, Robertson and Montgomery, each one representative, g. l. | 6 |
| Rutherford and Sumner, in 1827 each two representatives, g. l. | ib |
| In 1829 each one representative, g. l. | ib |
| In 1831 two, and 1833 1 represent'v'e each, g. l. | ib |

| | |
|--|-----------|
| DISTRICTS, REPRESENTATIVE, | 6 and 7 |
| Williamson and Smith in 1827 each one representative, g. l. | } 6 |
| 1829 each two, g. l. | |
| 1831 each one, g. l. | |
| 1833 each two, g. l. | |
| Overton and Jackson one representative jointly, g. l. | ib |
| White and Ferriss one representative jointly, g. l. | ib |
| Dickson and Hickman one representative jointly, g. l. | ib |
| Henry and Weakly one representative jointly, g. l. | ib |
| Lawrence, Wayne and Hardin 1 representative jointly, g. l. | ib |
| Stewart, Humphreys and Perry 1 jointly, g. l. | ib |
| Carroll, Gibson, Dyer and Obion one jointly, g. l. | ib |
| Henderson, Madison and Haywood one jointly, g. l. | ib |
| McNairy, Hardeman, Fayette, Shelby and Tipton one representative jointly, g. l. | ib |
| Hawkins, Washington, Greene, Jefferson, Grainger, Blount, Monroe and McMinn each one representative, g. l. | ib |
| Sullivan and Carter 1 jointly, g. l. | ib |
| Cocke and Sevier one jointly, g. l. | 7 |
| Claibourn and Campbell one jointly, g. l. | ib |
| Knox and Anderson 1 jointly, g. l. | ib |
| Roane and Morgan 1 jointly, g. l. | 7 |
| Rhea and Hamilton 1 jointly, g. l. | ib |
| Bledsoe and Marion 1 jointly, g. l. | ib |
| Depositions may be taken on commission issued by the clerk, g. l. | 34 and 35 |
| Directors of Nashville insurance company, how to be qualified, g. l. | 39 |
| DAM , may be built by Noah Parker mill, of Stephen Cole to be examined by a jury of view | 113 |
| sheriff may remove, in conformity with the order of the jury | 167 |
| how to be kept | 168 |
| §2 | ib |

DAM, mill, Cole to be liable for any damages occasioned by 168
 Derhart, Joseph 194
 Donovan, Andrew, to have a certificate for 640 acres 17
 Douglas, A. H. 38
 Dyer, Joel H. executor, &c. may enter into bond 41
 Duarmond, Benj. administrator, &c. to pay Wm. Scott 48
 Duke, Joseph T. M. 60
 Davis, Robert C. may hawk and peddle 109
 Duncan, Mark P. ib 148
 Dix, John P. 179
 Boherty, R. E. C. 189
 Davis, John 173
 Dulaney, E. R. 191
 Dance, Etheldred 82
DEED to Matthew Johnson may be proved effect of probate ib
 to Wm. Brown may be proved and registered ib
DEEDS of land lying in Sevier county, described as in Knox or Jefferson made good, g. l. 18
DIVORCE, David Nowlen may petition for 35
 Thomas G. Watkins may petition for 40
 may be petitioned for by J. Harris 89
 may be petitioned for by Dorcas L. Woods ib
 Isaac Pearce may petition for 134
 Isabella Biles may petition for 135
 Charles Bacon ib
 Elisha White 140
 Door-keepers of General Assembly 173
DOVER, town of, commissioners appointed for fines imposed, how recovered 39
DOMESTIC MANUFACTURES encouraged by lottery 119
 Commissioners appointed to draft scheme and superintend drawing for benefit of ib
 to give bond and security for faithful performance ib
 how may be sued 120
 may sell scheme ib
BLK RIVER, Stephen Cole's dam on, may be examined by jury of view 167
 south sluice of, may be deepened 168
EJECTMENT, securities for plaintiff m, may give notice and be released, g. l. 52
 but plaintiff may revive the suit at next term on payment of costs and giving new security, g. l. 4b

Enumeration, returns of, legalized, g. l. 3
 Entry and detainer given to occupants against intruders upon them, g. l. 12
ENTRY TAKER, is not to be with certificate of survey granted by the court, g. l. 12
 may be introduced if he is a surveyor, g. l. 30
 of Warren county to permit E. Ben Ross to enter 2000 acres of land in Warren county at a cost an acre 132
 of Blount county to issue certificates to Eli Cleveland, Jacob Coffelt and Bartlett Combs 26
 of Bedford county to permit Th. Powers to make an entry 36
 of Franklin county to permit William Collins to make an entry ib
ENTRIES within five miles of the Stone Rock at a cost so acre, g. l. 9
 of Caneys Fork falls, g. l. ib
 where made void may procure certificate and enter for one, g. l. 45
 void if made an an occupant piece of land by any one but the occupant, g. l. 11
 to be made by occupant not to exceed two hundred acres, g. l. 7b
 to cover improvement where the land warrant is less than twenty-five acres, g. l. 12
 of land in Sevier county made good, g. l. 17
 Nos. 832, 2512 to be adjudicated 185
ENTRY on warrant No. 4 194
 No. 1343 193
 No. 4435 186
 No. 15972 188
 No. 2010 189
 of Barwell Lotties to be surveyed 83
 may be made by S. G. Bryan 190
 may be made by P. Wisdom 82
 may be made by Wm. Rice 83
 may be made void by John Peachett 65
 may be made void by A. Kilain 1b
 may be nullified by A. Cross and Th. Butcher 86
 may be made by James Reynolds 104
 may be made by Absa S. Wilson 105
 of David McIntyre in Th. surveyor's district may be removed 160
 of Daniel Wells to be re-surveyed 1b
 may be made by John B. Stoddard 1b

| | |
|---|-----|
| Episcopal methodist meeting-house tract exempt from taxation | 64 |
| Erwin, John P. to be paid for postage \$4 18 | 173 |
| Embree's (Hajah) man to be emancipated, and on what terms | 14 |
| Executor of Robert H. Dyer may enter into bond with the agent of Madison county for payment of \$3000 | 41 |
| EXECUTORS , where one or more have removed from the state those remaining may be sued, g. l. | 50 |
| same remedy against, as when all are sued in regard to waste of assets, g. l. | 50 |
| not liable for costs on plea of <i>fully administered</i> found in their favor, g. l. | 51 |
| Executions against Hiwassee purchasers issued before first of July, 1826, may be satisfied, g. l. | 30 |
| Evidence, an act making certain papers, repealed, g. l. | 37 |
| Forcible entry and detainer allowed to remove a settler upon the claims of an occupant, g. l. | 12 |
| Fine, Abram, a commissioner, g. l. | 46 |
| French Broad and Holston, debtors south of, who claim by deed of conveyance allowed to pay for the tract purchased, g. l. | 16 |
| Not to be liable until the residue of the original tract will not produce the sum yet unpaid, g. l. | ib |
| Farney, Susan may be divorced | 82 |
| may be changed to Susan Moore | ib |
| Forbean, William | 78 |
| Fisk, Moses | 107 |
| Fitzgerald, John and A. P. Maury | 158 |
| Fitzgerald, John to be paid | 114 |
| Fleming, W. | 187 |
| FISH TRAPS , owners of, in Knox and Grainger counties may petition county court for relief | 31 |
| a jury to be allowed and paid | ib |
| order of commissioners concerning, suspended | 32 |
| FEME SOLE , Polly B. Caperton to have the privileges of | 50 |
| Siss Grubbs to have the privileges of | 62 |
| B. Houston to be as a | 69 |
| A. Williams to be as a | ib |
| Agnes Jennings | ib |
| Barbary Poe | ib |
| Judith E. Long | ib |
| Nancy W. Carver to have the privileges of | 90 |
| R. Hamilton to have the privileges of | 114 |

| | |
|--|-----------|
| Fayetteville Academy, funds of, to pay John Greer | 120 |
| FINES imposed by commissioners of Dover how recovered | 39 |
| not to be higher than ten dollars | 40 |
| Free persons of color not to be sold, g. l. | 33 |
| Greeneville college, additional trustees of, appointed | 158 |
| Gins, cotton, must be inclosed and all other laws on this subject repealed | 9 and 10 |
| Garnishees to be paid as witnesses | 21 and 22 |
| Gibson circuit court, when to be held | 53 |
| Governor to notify H. L. White of his being appointed counsel in behalf of the state against the Indian reserves | 123 |
| may draw for balance of expense of Lafayette's reception | 136 |
| may issue a certificate authorizing Nashville turnpike company to erect a gate when they have constructed five miles | 169 |
| Gott, Wm. a commissioner for Blount county g. l. | 46 |
| Graham, Daniel, to be paid for removing public property to Nashville \$103 53 | 77 |
| Gentry, James | 191 |
| Galloway, Jesse may build a mill | 37 |
| Galloway, Wm. to be called Wm. Eblen | 47 |
| Gillespie, D. | 191 |
| Grabbs, Sine | 62 |
| Gallet, Robert may sell goods | 108 |
| Gay, Eliza legitimated. | 114 |
| Greer, John to be paid \$267 60 | 120 |
| Gann, William may peddle | 122 |
| Gudriam, C. F. M. may enter land on Cumberland mountain for a vineyard | 124 |
| Plat, and certificate a good title to, for five years | ib |
| Geer, John | 143 |
| Gregory William, assignee | 182 |
| GRANTS , errors in, may be corrected by Register g. l. | 35 |
| below Brown's line made good g. l. | 43 |
| within five miles of Caney Fork made good g. l. | 44 |
| hereafter to issue shall be good g. l. | 45 |
| GRANT , to issue to Jason Thompson | 67 |
| not to prejudice the rights of others | 68 |
| to Charles Miles | 68 |
| may issue to John McGhee | 79 |
| to D. H. Stockton | 83 |
| to Samuel McAlmy made good | 84 |
| certain corrections of, nullified | ib |
| to Robert Craig made void | 128 |
| to issue to Robert Craig | 129 |
| to issue to John Weems heirs | 136 |
| not to affect the rights of others | 136 |

| | |
|---|-----|
| Episcopal methodist meeting-house tract exempt from taxation | 64 |
| Erwin, John P. to be paid for postage \$4 18 | 178 |
| Embree (English) been to the commons, and on what terms, g. l. | 14 |
| Executor of Robert H. Dees may enter into bond with the agent of Madison county for payment of \$3000 | 41 |
| EXECUTORS , where one or more have removed from the state those remaining may be sued, g. l. | 50 |
| same remedy against, as when all are sued in regard to waste of assets, g. l. | 50 |
| not liable for costs on plea of fully administered found in their favor, g. l. | 51 |
| Executions against Hiwassee purchasers issued before first of July, 1826, may be satisfied, g. l. | 30 |
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| Forceible entry and detainer allowed to remove a settler upon the claims of an occupant, g. l. | 12 |
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| Not to be liable until the residue of the original tract will not produce the sum yet unpaid, g. l. | ib |
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| may be changed to Susan Moore | ib |
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| Fisk, Moses | 107 |
| Fitzgerald, John and A. P. Maury | 158 |
| Fitzgerald, John to be paid | 174 |
| Fleming, W. | 167 |
| FISH TRAPS , owners of, in Knox and Grainger counties may petition county court for relief | 31 |
| a jury to be allowed and paid | ib |
| order of commissioners concerning, suspended | 32 |
| FEME SOLE , Polly B. Caprioto to have the privileges of | 50 |
| Sis. Grubbs to have the privileges of | 62 |
| B. Huston to be as a | 65 |
| A. Williams to be as a | ib |
| Agnes Jennings | ib |
| Barbary Poe | ib |
| Judith B. Long | ib |
| Nancy W. Carror to have the privileges of | 90 |
| R. Hammon to have the privileges of | 114 |

| | |
|--|-----------|
| Fayetteville Academy, funds of, to pay John Greer | 120 |
| FINES imposed by commissioners of Dover how recovered | 39 |
| not to be higher than ten dollars | 40 |
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| Gibson circuit court, when to be held | 53 |
| Governor to notify H. L. White of his being appointed counsel in behalf of the state against the Indian reserves | 123 |
| may draw for balance of expense of Lafayette's reception | 136 |
| may issue a certificate authorizing Nashville turnpike company to erect a gate when they have constructed five miles | 169 |
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| Grubbs, Sine | 62 |
| Gullet, Robert may sell goods | 108 |
| Gay, Eliza legitimated. | 114 |
| Greer, John to be paid \$267 60 | 120 |
| Gann, William may peddle | 122 |
| Gudriam, C. F. M. may enter land on Cumberland mountain for a vineyard | 124 |
| Plat, and certificate a good title to, for five years | ib |
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| Gregory William, assignee | 182 |
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| not to prejudice the rights of others | 68 |
| to Charles Miles | 68 |
| may issue to John McGhee | 79 |
| to D. H. Stockton | 83 |
| to Samuel McAlmy made good | 84 |
| certain corrections of, nullified | ib |
| to Robert Craig made void | 129 |
| to issue to Robert Craig | 129 |
| to issue to John Weems heirs | 136 |
| not to affect the rights of others | 136 |

| | |
|--|-----|
| GRANT, to issue to P. J. Curle | 210 |
| No. 23223 to be corrected | 211 |
| HIWASSEE PURCHASERS of land when sold by Indian Reserves to be defended by Hugh L. White, counsel appointed by the state | 122 |
| suits against may be removed on the appli- cation of Hugh L. White to any county at his option | ib |
| an appeal in these suits may be taken | 123 |
| not to have interest collected of them until 1828, g. l. | 120 |
| to have a deduction of twenty-five per cent on paying up the whole g. l. | ib |
| sued by Indian reserves not bound pay prin- cipal or interest g. l. | 45 |
| HIWASSEE DISTRICT, land in, may be entered at one cent per acre g. l. | 19 |
| Preference in, to occupants of three months g. l. | ib |
| entrytaker, of to issue certificate to E. Cleve- land, and J. Coffelt and B. Cannon | 26 |
| to receive Philip J. Smith's location | 171 |
| canal, memorial concerning | 215 |
| HIWASSEE CANAL COMPANY incorporated 94 to | 101 |
| President and managers, of when to meet | 97 |
| to procure certificates of stock | ib |
| shares of transferable | ib |
| \$5000 must be subscribed in three years | 100 |
| stockholders in, on failure to pay to forfeit two per cent a month | 98 |
| not to vote when arrearages are due | ib |
| may remove obstructions in Big Tennes- see, and up Holston to Knoxville 98 and 99 | 99 |
| when obstructions removed to Knoxville, boats may be taxed two dollars per ton | 99 |
| may cut a canal between Hiwassee and Coosa s. 10 | ib |
| to divide their profits | ib |
| may impose toll on the canal | ib |
| may keep books open 20 days & who to subscribe | ib |
| Privileges as to other streams | 100 |
| to open the Hiwassee canal first | 101 |
| commissioners of, appointed | 94 |
| to open books | ib |
| their name and powers | 95 |
| to chuse a president, managers, secretary trea- surer and other officers | 96 |
| stockholders in, to meet and chuse their officers the first monday in January annually s. 4 | ib |
| toll of, not to extend to certain boats, s. 16 | 100 |
| not to be taken as far up as Calhoun | 101 |

| | |
|---|---------------|
| HUMPHREYS COUNTY COURT may lay a tax to build a court house and bridge | 87 |
| may continue tax three years | ib |
| Henderson circuit court, when to be held g. l. | 56 |
| Henry circuit court, when held g. l. | ib |
| Hardin county, seat of justice in, act concerning commissioners to fix, to be paid | 70 |
| Hawkins county relieved | 8 |
| certain act extended to | 77 |
| Hardeman county circuit court to receive J. Biles' peti- tion for a divorce | 135 |
| solicitor to file said petition | ib |
| Henry county, no navigation tax | 115 |
| Houston, Samuel Academy established | 18 |
| trustees of, may borrow and loan money | ib |
| may purchase a site | 19 |
| may receive subscriptions to pay for it | ib |
| may sue subscribers if they fail to pay | 20 |
| may appoint a chairman and secretary | ib |
| the county, Academy of Marion | ib |
| Houston Guards | 113 |
| Hill, Wm. a commissioner g. l. | 46 |
| Houder, William | 215 |
| Hill William | 199 |
| Hogg, (Samuel) may have a lottery | 23, 24 and 25 |
| to convey his property to trustees | 23 and 24 |
| creditors of, not to be stopped | 25 |
| Hood, John B. | 148 |
| Harman, John T. | 194 |
| Hinds, John | ib |
| Hadley, Joshua to have a duplicate warrant | 28 |
| Hunt, Wm. F. changed to Wm. F. Beard | 50 |
| Hunt, James H. changed to James H. Beard | ib |
| Hughes, John L. to have a preference | 58 |
| Huston Rachel | 63 |
| Harris, Richard C. | 64 |
| Haywood, John | 67 |
| to hold chancery court at Franklin on the first of December 1826. | 72 |
| Harris, Jourdan may petition for divorce | 89 |
| Hammond, E. to have the privileges of a <i>feme sole</i> | 114 |
| Hutson, Neil, heirs of, to file their claim | 117 |
| Hutchison, Charles A. | 132 |
| Haggard, Nathan and James McKinley may open a turnpike | 161 |
| Hannel, Robert | 180 |
| Hickman Thomas | 189 |
| Hadley Joshua | ib |

| | |
|--|-----|
| Hopkins, Thomas and D. Ross | 189 |
| Henderson John | ib |
| Haile, Nicholas | ib |
| Hawthorne, John | ib |
| Harris, O. | 191 |
| Hickman, Thomas | ib |
| Indictments may be preferred against a person for throwing a dead body into any stream or well of water g. l. | 50 |
| Insurances by the Nashville insurance, company on what subjects to be made g. l. | 37 |
| Inspectors of jail to examine it every week and report to the county court g. l. | 58 |
| Interferences between occupants, how provided for g. l. | 12 |
| Iron works, reserves for, where not entered, may be entered by any person g. l. | 20 |
| Iron works, the building of, encouraged | 173 |
| Irvin, James may lay off a town | 88 |
| JAILORS to furnish their prisoners with clean straw beds, sufficient blankets, two meals a day of sound bread and meat well cooked and vegetables, to wash two pieces of clothing weekly for them, furnish shaving tools once a week, &c. g. l. | 57 |
| To be present at all interviews between prisoners and others except their counsel g. l. | ib |
| Not to board wife of prisoners g. l. | 58 |
| To allow prisoners not more than a half pint of spirits every twenty-four hours g. l. | ib |
| JAIL , in Lincoln county to be built by lottery in Montgomery, tax may be laid to build commissioners to contract for the building | 76 |
| in Gibson county, tax may be laid to build | 79 |
| JUDGES of circuit court, how to interchange ridings g. l. | 4 |
| Of seventh circuit may at April term continue Motion court until Thursday of second week, and then commence Hamilton court on Friday g. l. | 51 |
| Of supreme courts to certify bills of costs g. l. | 10 |
| of this state may license George Y. Warner without having the certificate of the county court as to his character | 130 |
| JUDGE of first circuit, may grant a divorce to O. Bacon | 135 |
| Rhea circuit court to hear E. Whites petition for a divorce | 140 |
| JURORS summoned to appear at April term of Hamilton circuit court to attend on Friday g. l. | 51 |
| of Monroe county court bound to attend bystanders may be summoned to supply deficiency of | 5 |

| | |
|---|-----------|
| Jennings J. | 192 |
| Johnson, Noel | 189 |
| Johnson Willis | 183 |
| Johnson, (Thomas) act concerning land | 7 and 8 |
| Johnson, John to be known by the name of John Stafford | 36 and 47 |
| Jennings, Agnes | 63 |
| Jones, Richard, lottery for the benefit of | 74 |
| Jones, Isaac, may sell goods in Lovesville without tax | 80 |
| Johnson, Mathew | 88 |
| Jeffry, Maj. to be paid | 74 |
| JUSTICES of peace may bind over any person bringing a slave for sale or a convict for use or sale into this State, for his appearance, and the forthcoming of the slave, and if such person refuses to enter into recognizance, the slave may be delivered to the sheriff, g. l. | 32 |
| of peace of Monroe county, acts of, made legal of Stewart county to issue warrants and have jurisdiction of offences against the by-laws of the town of Dover | 39 |
| appeal allowed | ib |
| Killian, A. may make void an entry | 85 |
| Kernan, John relieved | 88 |
| KINGSTON RIFLE COMPANY authorized when thirty-four men have enrolled themselves the colonel commanding 14th regiment to issue his writ of election may prescribe their own uniform | 140 |
| ib | ib |
| Kingsport, officers of corporation, how elected | 163 |
| KREMER ACADEMY , trustees of, appointed J. Bridgman chairman to be located in Pikeville | |
| Line between White and Bledsoe to be run by commissioners appointed by the county court | 133 |
| expenses of, how to be borne | ib |
| LINES of Overton county to be run directions how to be run so as to include the constitutional number of square miles | 143 |
| chain carriers to be respectable, disinterested persons | ib |
| Expense to be paid by subscription or otherwise | ib |
| Between Jackson and White, act concerning revised | 163 |
| Lafayette's reception, balance of expense to be paid. | 136 |

| | |
|---|-----------|
| Lotteries, all to pay one half of one per cent to the State | 81 |
| LOTTERY , Samuel Hogg may have | 23 |
| trustees of, to receive a conveyance | 23 and 24 |
| trustees duty | ib |
| when to be drawn, s. 4 | ib |
| trustees of, to convey to those who draw prizes | ib |
| when the trustees may re-convey | 25 |
| to build a mill in Lincoln county | 26 |
| trustees of, to give bond and how regulated | 26 |
| sums raised by, to be paid to county trustee | ib |
| allowed to Cumberland college | 34 |
| managers of, may be appointed by the trustees | 34 |
| to give bond to the chairman of Davidson county court | 35 |
| allowed to Shelbyville Dickson academy | 37 |
| trustees to manage it appointed | 38 |
| how to be governed | ib |
| to improve Forked Deer river | 44 |
| commissioners to give bond, &c | ib |
| to draft a scheme | ib |
| treasurer of, to be appointed | ib |
| to improve the navigation of Red river | 55 |
| how to be drawn | 56 |
| managers to sell tickets, &c | ib |
| to be compensated | 57 |
| if not drawn, purchasers of tickets to be repaid | ib |
| for Nashville library, commissioners, s. 8 | ib |
| for the benefit of Richard Jones, jr. | 74 |
| managers of, appointed and how to be drawn | ib |
| to advertise in four public places in Robertson county | 75 |
| for masonic hall in Knoxville | ib |
| trustees of, appointed | ib |
| to give bond | ib |
| how to be drawn | ib |
| to raise a sufficient sum to make salt in Bedford county | 80 |
| trustees of, appointed | ib |
| how to be governed | ib |
| to remove the obstructions in Caney Fork | 92 |
| managers of, appointed | ib |
| to give bond | ib |
| how to be supplied on death, &c | 83 |
| may sell tickets, &c | ib |
| how to be drawn | ib |

| | |
|---|-----------|
| LOTTERY , for benefit of Shelbyville female academy may be drawn according to regulations heretofore made | 94 |
| to build an academy in Henderson county | 105 |
| how to be drawn | 106 |
| trustees of, to give bond for payment of prizes | 108 |
| how supplied on resignation, &c | 106 |
| powers of | ib |
| of Lexington academy | ib |
| in counties of Dickson and Montgomery, provisions of, enlarged | 111 |
| managers of, to draft a scheme to raise \$4000 for a female academy in Hartman | 111 |
| to encourage domestic manufactures | 119 |
| commissioners of, to draft a scheme and superintend the drawing, s. 1 | ib |
| to enter into bond and security to the chairman of White county court | ib |
| may sell the scheme | 120 |
| how may be sued on bond, s. | ib |
| authorized, to build a bridge over Cypress creek in Humphreys county, and to cause way a road through Tennessee bottom | 125 |
| powers of managers | ib |
| to open a road from Jonesboro' to the North Carolina line | 126 |
| commissioners to apply the money raised by | ib |
| allowed to Nashville bridge company | 160 |
| Lafayette guards | 118 |
| LAND , owners of, sold for taxes in the Western District, may tender payment to the county court clerk | 9 |
| warrants not to be divided, g. l. | 12 |
| Lands south and west of the congressional reservation line to be reported in name of real owners, g. l. | 49 |
| Lawrenceburg, a well in, to be dug | 133 |
| expense of, how to be paid | 134 |
| Lead Works, lands condemned in Hiwassee district for, not to be entered at a less price than when the land was condemned, g. l. | 44 |
| Lincoln county court, when to be held | 9 |
| process to, when returnable | 10 |
| Law office of L. B. Williams | 65 |
| LINCOLN , Jesse to have a turnpike road from Sparta to Liberty | 91 and 92 |
| commissioners appointed and duty | 92 |

| | |
|---|-----------|
| Lincoln, Jesse, turnpike road, toll and charter allowed to, same as in law of 1825, allowing turnpike from Sparta to Crab orchard | 82 |
| Lanier, Lewis | 180 |
| Littleton, James relieved | 42 |
| Long, Judith R. | 63 |
| Ledbetter, Wyl | 110 |
| Lowry, James P. | 174 |
| Masonic hall in Knoxville, lottery allowed to build | 75 |
| Members of General Assembly, pay | 173 |
| Memorial, approving the conduct of our representatives and senators in congress, relative to the judiciary | 208 |
| Mount Pleasant meeting-house tract exempt from taxation | 64 |
| Memorial concerning Hiwassee canal | 215 |
| Milk sick knobs | 60 and 61 |
| Maurly, Philip to be paid \$122 62 | 139 |
| Abram P. and John Fitzgerald | 159 |
| Martin, Henry C. | 174 |
| McDowel, James to be paid \$40 | 174 |
| James | 175 |
| McBath, Thomas may peddle without license | 134 |
| McCConnell, Samuel may borrow \$500 | 86 |
| McClanahan, Matthew | 121 |
| Mayfield, Jesse to be allowed a credit and legal interest on the credit by treasurer of East Tennessee | 45 |
| Moore, Rodsham changed to R. Yoe | 50 |
| McDonald, John | 58 |
| McMullan, John | 59 |
| Miles, Charles | 69 |
| McFall, George may show his wax figures | 78 |
| McGee, John | 78 |
| McAimy, Samuel to have one hundred and fifty acres, rest- ed in him by grant | 84 |
| Moore, Francis may hawk and peddle | 109 |
| McCormack, Charles may sell goods without license | 112 |
| McKinley, James and N. Haggard | 161 |
| Montgomery, Anthony N. | 165 |
| Moore, Wm. allowed eighty dollars for viewing the mus- cle shoals | 174 |
| Marr, G. W. L. | 179 |
| McClarin Reuben | 175 |
| McIntire David permitted to removed his entry | 180 |
| McKennie J. H. | 181 |
| Martin Joel, heirs of | 184 |
| Mitchell Rufus | ib |
| Marchbanks William | ib |
| Mattock Elizabeth | 185 |
| McClarin Daniel | ib |

| | |
|--|-----------|
| McCormack Wm. and H. Rowan | 186 |
| McLemore J. C. | 191 |
| MILITARY WARRANT, Nos. 1229, 1226, 1223, 1230, | |
| 145 | 180 |
| No. 649 referred to comm'r | 181 |
| No. 57, referred | 183 |
| No. 1220 | 184 |
| No. 4756 | 189 |
| Nos. 1222, 1228 | 193 |
| MONEY, ACADEMY, to be collected, unless the debt is secured by note with security satisfactory to the ass. Bank, renewable every six months, g. l. | 13 |
| Marriages in Sevier county on license from Knox or Jefferson declared valid | 17 |
| Motion, in suits commenced on, plaintiffs to give security for costs | 43 |
| MILTON, lots in how to be taxed | 112 |
| MARION COUNTY, part of the 11th solicitorial district sheriff of, to receive certain taxes from the sheriff of Franklin | 3 |
| Morgan county clerks allowed to keep their offices at their own houses | 32 |
| MONROE COUNTY COURTS, acts of justices of, made legal | 30 |
| may hold two weeks in Decem- ber, 1826 | 90 |
| power of | 5 |
| clerk of, to give notice | 6 |
| jurors and suitors bound to attend grand jury of, duty | ib |
| sheriff and clerk of, duty | 6 |
| to appoint a jury to view the milk sick knobs | 60 and 61 |
| on report of jury, may order knobs to be enclosed | 61 |
| not to obstruct a great road | ib |
| may appoint overseers to work on fence | ib |
| McNAIRY COUNTY court when to be held process to, when returnable | 9 |
| MEMPHIS incorporated | 10 |
| powers of the corporation | 106 |
| aldermen of, how elected | 127 |
| mayor how elected | ib |
| finances, how recovered | ib |
| vacancies how supplied | ib |

| | |
|--|-----|
| MILL authorized to be built by James and Alex. Strut | 108 |
| grist and saw, may be erected by Jacob Rich | 21 |
| may be built by Jesse Galloway | 37 |
| dam of E. Benson and G. Powers may be kept up | 51 |
| building of, encouraged in Western District 59 and | 60 |
| dams in Hawkins and Sullivan county | 77 |
| of William Forbean to be continued | 78 |
| may be built by C. Brook | 113 |
| and cotton gin may be built on Cub creek | 145 |
| dam of Stephen Cole to be examined | 167 |
| sheriff's duty respecting | 167 |
| may be altered so as not to interrupt navigation | 168 |

MILITIA.

| | |
|--|-----|
| Militia laws amended, g. l. | 23 |
| An act, part of repealed | 4 |
| BATTALION first of ninth regiment to be commanded | 137 |
| by lieutenant colonel | ib |
| second of ninth regiment by first major | ib |
| third of ninth regiment by second major | ib |
| second of fifth regiment where to muster | 3 |
| officers of, where to attend drills | 4 |
| BRIGADE seventh, county drills of, when to be held g. l. | 26 |
| cavalry of, when to muster, g. l. | ib |
| ninth, time of drills, g. l. | 27 |
| BRIGADIER GENERAL'S duty of 5th and 9th brigades, | |
| when notified that four companies are willing to become members of the volunteer regiment, g. l. | 24 |
| CAVALRY belonging to tenth brigade, when to muster, g. l. | 23 |
| of seventh brigade, to muster on second Monday of October, annually, g. l. | ib |
| of sixth brigade divided into two squadrons, g. l. | 28 |
| of Montgomery and Robertson, when to muster, s. 31, g. l. | 28 |
| of Stewart, Dickson and Hickman, when to muster, s. 31, g. l. | ib |
| fourth brigade where to muster | 66 |
| to muster once in three years at some central point | 66 |
| of 9th brigade when to meet and muster, and how to be drilled | ib |
| to meet and muster once in three years | ib |
| subalterns of, to have a copy of militia laws | ib |

| | |
|---|-----------|
| COMPANY VOLUNTEER authorized at Paris | 166 |
| elections of, how to be held | ib |
| may make their own by-laws | ib |
| COMPANY OF INFANTRY, (Big Valley) in 33rd regiment exempted from regimental courts martial and musters, g. l. | ib |
| COMPANIES, Volunteer, formed in 5th and 9th brigades may be formed in regiments, g. l. | 24 |
| must consist of at least forty and be equipped, s. 10, g. l. | ib |
| not to exceed one hundred, s. 15, g. l. | 25 |
| officers of, how elected and commissioned, s. 10, g. l. | 24 |
| how to be raised, s. 11, g. l. | ib |
| COMPANY MUSTERS, two in each year, g. l. | 23 |
| in 53d regiment may elect officers and assume a name, g. l. | 26 |
| COMMANDANTS of regiments to issue writs of election for second lieutenants in volunteer companies, g. l. | 23 and 24 |
| of volunteer regiments to call a court martial, g. l. | 25 |
| of 53d regiment to issue a writ to elect officers for a volunteer company lately enrolled, g. l. | 26 |
| COURT MARTIAL of volunteer regiments to divide the regiment into two battalions and fix time and place of muster, s. 15, g. l. | 25 |
| of cavalry, their powers, s. 5, g. l. | 23 |
| DRILLS in the county of Lincoln to be held on the 3d Friday and succeeding day in September annually, g. l. | ib |
| delinquent at, how fined, s. 22, g. l. | ib |
| in Monroe county, when to be held, s. 33, g. l. | 28 |
| in Jackson county, when to be held | ib |
| Drill files, how to be appropriated | 26 |
| Elections for field officers in Dickson, Campbell, Claiborne, Stewart, Marion, Humphreys and Hardin, to be held at places designated by the county courts | 37 |
| Execution against a volunteer officer, musician or private not to issue until 30 days after the rise of the court martial, g. l. | 25 |
| Houston guards | 113 |
| JUDGE ADVOCATES of the regiments of militia to keep a separate docket for fines entered for delinquencies at drills | 26 |
| g. l. | |

| | |
|--|-----|
| JUDGE ADVOCATES to collect the fines and pay them to the clerk of the circuit court, g. l. | 26 |
| In volunteer regiments to be appointed by commandants of them, g. l. | 25 |
| Keepers of jails exempt from muster, g. l. | 23 |
| Lieutenants, second, allowed in volunteer companies, g. l. | 23 |
| Light infantry, Winchester company, exempt from muster elsewhere | 71 |
| Lafayette guards to have the same privileges as the Murrefreesborough Sentinels | 118 |
| Musters in the 96th regiment where to be held of cavalry of fourth brigade | 66 |
| at a central point once in three years | 66 |
| of ninth brigade where to be | 66 |
| to meet once in three years | ib |
| drill of Maury, Lawrence and Giles | ib |
| MURFREESBORO SENTINELS to be exempt from regimental and battalion musters | 117 |
| may be joined by any person subject to militia duty | ib |
| may assess and collect fees, &c. | 118 |
| OFFICERS, RETURNING , of ninth brigade to meet at Nolensville, g. l. | 25 |
| 5th brigade at A. Johnson's, g. l. | ib |
| of volunteer regiments may hold courts martial, g. l. | ib |
| senior, highest in rank to drill, if brigade major fails to attend, g. l. | 27 |
| REGIMENTS, VOLUNTEER , commandants of, may appoint a judge advocate, adjutant and other staff officers, g. l. | 85 |
| new companies in, how formed, g. l. | ib |
| company musters in, when held, g. l. | ib |
| REGIMENT , thirty-ninth divided, g. l. | 27 |
| commissioned officers to retain their rank after division, g. l. | ib |
| elections in, to be held to fill vacancies, g. l. | ib |
| 96th to muster on first Saturday in October annually, g. l. | 28 |

| | |
|--|---------|
| REGIMENT , in Humphreys county to hold regimental musters on the Wednesday before the 4th Friday in October, | 138 |
| 14th and 95th in Roane county | 140 |
| 70th to hold regimental muster on the first Saturday in October | 113 |
| 9th may be divided into three battalions | 137 |
| field officers of, to fix a place of muster | 137 |
| Rifle company of Kingston | 139 |
| Roane county to compose the 14th and 95th regiments | 140 |
| Volunteer company at Paris | 166 |
| Mount Cumberland academy, trustees of | 155 |
| their powers | 155 |
| a site may be fixed on and purchased in Jamestown | 156 |
| trustees of, may appoint a chairman and secretary | 157 |
| NASHVILLE BANK , notes to be received at the new bank at par, for debts due from purchasers of Hiwassee lands, for academy and college lands if the trustees consent, for half of all calls all debts due the new bank, &c. g. l. | 53 |
| INSURANCE COMPANY incorporated, g. l. | 35 |
| to have a capital of \$500,000, to be divided into 5,000 shares, g. l. | 36 |
| name and style, powers and liabilities, s. 3 g. l. | ib |
| directors to commence operation as soon as 1000 shares have been subscribed, to elect a president, to appoint a secretary and other officers, g. l. | 37 |
| stockholders of, to elect directors on the second Monday in January annually, but if an election should not then take place, corporation not for that reason to be dissolved, s. 4, g. l. | ib |
| dividends in, to be made half yearly, g. l. | 38 |
| may hold so much real estate as may be necessary for the convenient transaction of business, but must sell such as is conveyed to them for debts, within five years, g. l. | 39 & 40 |

| | |
|---|-----|
| JUDGE ADVOCATES to collect the fines and pay them to the clerk of the circuit court, g. l. | 26 |
| In volunteer regiments to be appointed by commandants of them, g. l. | 25 |
| Keepers of jails exempt from muster, g. l. | 23 |
| Lieutenants, second, allowed in volunteer companies, g. l. | 23 |
| Light infantry, Winchester company, exempt from muster elsewhere | 71 |
| Lafayette guards to have the same privileges as the Murrensborough Sentinels | 118 |
| Musters in the 96th regiment where to be held of cavalry of fourth brigade | 4 |
| at a central point once in three years | 65 |
| of sixth brigade where to be to meet once in three years | 66 |
| drill of Maury, Lawrence and Giles | ib |
| MURRENSBORO SENTINELS to be exempt from regimental and battalion musters | 117 |
| may be joined by any person subject to militia duty | ib |
| may assess and collect fees, &c. | ib |
| OFFICERS, RETURNING , of ninth brigade to meet at Nolensville, g. l. | 25 |
| 5th brigade at A. Johnson's, g. l. | ib |
| of volunteer regiments may hold courts martial g. l. | ib |
| senior, highest in rank to drill, if brigade major fails to attend, g. l. | 27 |
| REGIMENTS, VOLUNTEER , commandants of, may appoint a judge, advocate, adjutant and other staff officers, g. l. | 25 |
| new companies in, how formed, g. l. | ib |
| company musters in, when held, g. l. | ib |
| REGIMENT , thirty-ninth divided, g. l. | 27 |
| commissioned officers to retain their rank after division, g. l. | ib |
| elections in, to be held to fill vacancies, g. l. | ib |
| 98th to muster on first Saturday in October annually, g. l. | 28 |

| | |
|--|---------|
| REGIMENT , in Humphreys county to hold regimental musters on the Wednesday before the 4th Friday in October, | 138 |
| 14th and 95th in Roane county | 140 |
| 70th to hold regimental muster on the first Saturday in October | 118 |
| 3th may be divided into three battalions | 137 |
| field officers of, to fix a place of muster | 137 |
| Rifle company of Kingston | 139 |
| Roane county to compose the 14th and 95th regiments | 140 |
| Volunteer company at Paris | 166 |
| Mount Cumberland academy, trustees of | 155 |
| their powers | 155 |
| a site may be fixed on and purchased in Jamestown | 156 |
| trustees of, may appoint a chairman and secretary | 157 |
| NASHVILLE BANK , notes to be received at the new bank at par, for debts due from purchasers of Hiwassee lands, for academy and college lands if the trustees consent, for half of all calls all debts due the new bank, &c. g. l. | 53 |
| INSURANCE COMPANY incorporated, g. l. | 35 |
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| dividends in, to be made half yearly, g. l. | 39 |
| may hold so much real estate as may be necessary for the convenient transaction of business, but must sell such as is conveyed to them for debts, within five years, g. l. | 39 & 40 |

| | |
|---|-----|
| NASHVILLE INSURANCE COMPANY, not to issue bank notes, art. xi. g. l. | 40 |
| president and secretary of, to give bond and take an oath, art. xii. g. l. | ib |
| directors of, to fix salaries of president and secretary, art. xiii. g. l. | ib |
| not to insure more than four times the amount of stock subscribed, and if violated, the stockholders to be personally liable, g. l. | 41 |
| charter of, to be forfeited on breach of privileges hereby granted, g. l. | ib |
| to make an expose of their situation to the General Assembly when called on, g. l. | ib |
| notice to be given when instalments are called for, g. l. | 39 |
| NASHVILLE, LIBRARY LOTTERY, commissioners of University of | 57 |
| Bridge company allowed a lottery to be divided into wards, each of which is entitled to elect two aldermen | 46 |
| mayor of, to be elected by the voters of the town | 160 |
| town constable and clerk of the market how to be chosen | 188 |
| notice of the time of holding elections for mayor, aldermen, &c. to be given | ib |
| Turnpike company, 4th section of act of 1825, concerning, repealed | ib |
| commissioners of, may open books to receive subscriptions, and when \$15,000 are subscribed may proceed to construct the road | 160 |
| when five miles are constructed the governor may issue his certificate authorizing them to erect a toll gate, s. 3 | ib |
| Nowlan, David may petition for a divorce, &c | 35 |
| NAVIGATION of Red river, act concerning repealed of Forked Deer river, lottery allowed, to improve | 55 |
| tax in Weakly and Obion counties, how to be applied | 44 |
| Nuisances, g. l. | 115 |
| | 50 |

| | |
|--|-------|
| Newport, commissioner of | 79 |
| New State Bank, cashier of, to pay Philip Maury academy monies to be deposited in | 189 |
| OCCUPANTS, south and west of the congressional reservation line, settled on or before 1st May, 1825, may enter two hundred acres of land g. l. | 218 |
| claim not to be settled on, g. l. | 11 |
| where they wish to have their lands laid down on the general plan to file their location in legal form, g. l. | 12 |
| in Hiwassee district to have a preference for three months, g. l. | 13 |
| to have grants on certain entries | 19 |
| claim of P. Wisdom may be entered | 54 |
| of W. Reed may be entered | 82 |
| OWNERS, of land in the Western district sold for taxes, may tender payment to clerk of county court | 83 |
| Of Fish-traps in Knox and Grainger counties, how to be relieved in Jefferson county | 9 |
| Oury, Marius act for relief of | 31 |
| Odum, Dempsey | 32 |
| Ophio, William | 85 |
| OBION circuit court, when held, g. l. | 161 |
| county, navigation tax in, how to be applied | 103 |
| OVERTON COUNTY may be taxed to defray the expense of a suit | 58 |
| commissioners appointed to run the lines of | 115 |
| to be run so as to include the constitutional number of sq. miles | 128 |
| to be paid for by subscription | 143 |
| commissioners to ascertain the central point of, appointed, and to report to the next county court, s. 7 | 143 & |
| seat of justice in, to be voted for if a majority shall be in favor of a removal, it is to be reported to the next General Assembly | 144 |
| oath of commissioners and surveyors | ib |
| Overton academy, act establishing repealed | ib |
| Plats and certificates in districts south and west of congressional reservation line, eighteen months further time allowed for making and returning, g. l. | 158 |
| | 59 |

| | |
|---|-----|
| Plaintiffs may, by order in writing, dismiss their suits out of term time, g. 1. | 42 |
| Probates of certain deeds for land in Sevier county made good, g. 1. | 18 |
| Process served on president or if there is none, on the secretary, shall be sufficient in any suit against the Nashville insurance company, g. 1. | 41 |
| Penalty for selling free persons of color knowing them to be free, and sold for the commission of a crime, g. 1. | 33 |
| President and directors of the Nashville insurance company may take power of attorney to confess judgment, g. 1. | 38 |
| to give thirty days notice when instalments are required, g. 1. | 39 |
| to prescribe a form for the transfer of stock, g. 1. | 40 |
| Policies of insurance to be authenticated by the signature of the president or two directors countersigned by the secretary, g. 1. | 39 |
| Perryville incorporated | 170 |
| PLEASANT FOREST ACADEMY, trustees of appointed duties of trustees | 157 |
| J. McDowell chairman of trustees | ib |
| Privileges of citizenship restored to M. Oury | 158 |
| POOR HOUSE may be built by the county court of Anderson commissioners of, to select a site on which to build | 52 |
| may be built by any county court | 52 |
| Powells river, a trap may be built in | 53 |
| PAY of Speakers, s. 1 | 135 |
| of members, s. 2 | 173 |
| of clerks, s. 3 | ib |
| of doorkeepers, s. 4 | ib |
| of E. R. Dulaney | 174 |
| PEDLARS, Alexander Camp may peddle without license | 22 |
| Francis Moore | 109 |
| Robert C. Davis | ib |
| Mark P. Duncan | ib |
| Wyly Ledbetter | 110 |
| Elijah Telford | 116 |
| John Rico | ib |
| John Underhill | ib |
| Wm. Gann | 122 |
| Thomas McBeth | 134 |
| Jesse Williams | 141 |
| John P. Dix | 148 |
| Wm. B. Claitor | 170 |

| | |
|---|-----|
| Peyton, John or his assignee | 120 |
| Parker, William's heirs | 122 |
| Parr, Isaiah, heirs of | ib |
| Powers, Thomas may make an entry | 36 |
| Powers and Benson may keep up their mill-dam | 51 |
| Poe, Barbary | 62 |
| Preachett, John may make void an entry | 85 |
| Parker, Noah may build a dam across Shoal creek | 113 |
| Philips, William | 121 |
| Pearce, Isaac and his wife Elizabeth may be divorced | 134 |
| Parks, John released from paying fifty dollars for getting an illegitimate child | 141 |
| Payne, Smith and Cobb | 187 |
| Pavat, John may prove certain bills of sale | 27 |
| Purdom, (Nancy) may sell the Bell-tavern lots in Winchester | 28 |
| PREFERENCE to J. L. Hughes | 58 |
| Rogers, Vincent and others | 59 |
| Geo. E. Kandle | ib |
| J. W. Rogers | ib |
| John McCallan | ib |
| Robert Wright | ib |
| C. Cotton | 60 |
| E. Walker of McNairy | ib |
| Joe. T. Mc Duke | ib |
| Alas S. Wilson | 105 |
| Michael Eeod and Franklin Whitaker | 145 |
| John Geo | ib |
| PULASKI, certain lots may be consolidated in major and minors of, may convey part of the commons to John Keenan | 84 |
| Gaimby, Eleazar | 88 |
| Removal of public records to Nashville, expense of, to be paid | 185 |
| Hidings of circuit judges, interchange of, partially repealed how to be interchanged, g. 1. | 77 |
| Record, a copy of, from supreme court, what fee allowed, g. 1. | 4 |
| Registers may correct errors in grants, g. 1. | 10 |
| REGISTER of Washington county may issue certificate for fractions of warrants, g. 1. | 35 |
| Of East Tennessee may issue his certificates on certificate of register of Washington county, g. 1. | 85 |
| Of West Tennessee to issue a grant to Hopkins and Williams for 274 acres, g. 1. | ib |

| | |
|--|-----|
| REGISTER OF EAST TENNESSEE to issue a grant to Jonathan Bauchman | 29 |
| to issue a grant to the heirs of John Weems | 136 |
| to issue a grant to Andrew Crockett | 153 |
| to issue certificates for any balance of warrants to alter the name of John Spraggins in a grant to Thomas Spraggins | 190 |
| 210 | |
| Of WEST TENNESSEE to issue a grant to H. T. Fryar | 180 |
| to issue a grant to D. H. Stockton | 181 |
| to issue a certificate to W. Fleming | 187 |
| to correct grant No. 23223 | 211 |
| to issue grants to R. O. Harris | 64 |
| to make void a grant to R. Craig | 199 |
| to issue a grant to Hopkins and Williams, g. l. | 55 |
| to issue a grant to Jason Thompson | 67 |
| to issue a certificate warrant to Wm. Hunter | 215 |
| to issue a grant to Oh: Miles | 69 |
| to issue a certificate to C. A. Hotcheson | 132 |
| to issue a grant to J. McGhee | 78 |
| to issue a grant to Robert Craig | 129 |
| to issue a grant to D. H. Stockton | 83 |
| to issue a grant to Banks M. Burrow | 118 |
| to issue a grant to Wilson Coge | 149 |
| may issue grants to C. F. M. Gudriam | 125 |
| Of Western District to issue grants on certain occupant entries | 54 |
| ROADS —see turnpike roads | |
| of Terry, Hoodenpile and Boney | 43 |
| duty of proprietors and commissioners from Dresden to Mill's point, to be cut by navigation tax | 116 |
| through Tennessee bottom, to be opened by lottery | 125 |

| | |
|---|-------------|
| Road from Jonesborough to North Carolina line | 126 |
| Resolution relative to obtaining a relinquishment of the United States claim to vacant and unappropriated land | 200 |
| REVISAL, subscription papers to be issued for in matters of doubt, Wm. L. Brown to decide | 914 |
| RUSSELLVILLE in Jefferson county established | 164 |
| commissioners of, appointed | 165 |
| how supplied | ib |
| Raleigh, seat of justices in Shelby county | 171 |
| Rutherford circuit courts to commence on the third Monday of February next and the fourth Monday of August next | 172 |
| Rifle gun not to be paid for by capt. Crawford | 18 |
| Rud, James | 211 |
| Rowan, H. and W. McCormack | 166 |
| Riggs, Jesse | 187 |
| ROSS, (Frederic A.) bridge, how to be crossed | 129 |
| penalty for violating directions concerning this bridge, how to be recovered | ib |
| to keep a copy of this law posted up in some conspicuous place | ib |
| Ross, D. | 130 |
| Rich, Jacob may build a grist and saw mill | 21 |
| Ross, Reuben may open a turnpike road | 23 |
| may enter 3000 acres in Warren, at a cent an acre | 182 |
| certain sections of an act allowing him to build a bridge over Casey Fork, repealed | 159 |
| Rogers, James may open a turnpike road | 33 |
| Richardson, David may build a clerk's office | 47 |
| Rogers, Vincent and others | 59 |
| Randle, Geo. P. | ib |
| Rogers, John W. | ib |
| Rud, William may make an entry | 83 |
| Reynolds, Jane | 104 |
| Rice, John | 116 |
| Reed, Michael and F. Whitaker | 145 |
| Reynolds, Benj. allowed eighty dollars as commissioner to view the muscle shoals | 174 |
| Robertson and Elliot to be paid \$452 93 | ib |
| Ross, Randolph | 184 |
| Rhea, Robert | 184 and 185 |
| Reed, James' Representatives | 190 |
| Rhea, Matthew may copy maps in secretary's office | 120 |
| River, Forked Bear, a lottery to improve the navigation of | 44 |
| Red River, commissioners appointed to view (to make report to Robertson county court | 55 |
| | ib |

| | |
|--|-----|
| STOCKHOLDERS in Nashville Insurance Company to vote in proportion to their shares, g. l. | 39 |
| To forfeit stock on failure to secure their subscription, g. l. | 39 |
| Individual property liable to amount of shares, g. l. | ib |
| meetings of, how called, g. l. | 40 |
| to vote by ballot in person or by proxy, act. 27, g. l. | ib |
| to be personally liable where more than four times the amount subscribed is at one time at risk, g. l. | 41 |
| Shares to the Nashville insurance company when subscribed to be secured, g. l. | 36 |
| SURVEYORS to forfeit \$20,000 for permitting entries to be made by which occupants lose their occupant claim, g. l. | 12 |
| To make separate plats where the shares are joint, g. l. | 18 |
| Offices north and west of congressional reservation line to be open until 10th July, 1827, g. l. | 18 |
| Allowed eighteen months to make surveys, &c. g. l. | 59 |
| SURVEYOR of seventh district may permit H. Cross and Thomas Butcher to make void an entry | 86 |
| Of tenth district may remove his office to Bolivar | 200 |
| to make a new plat, &c. | ib |
| Of eleventh district to permit Jane Reynolds to enter her occupant claims | 104 |
| Of twelfth district to survey an entry for B. Lashles | 83 |
| Of thirteenth district to survey William Clark's occupant entry | 212 |
| Of the Hiwassee district to report to General Assembly the number of reservations | 199 |
| Sevier county, marriages, &c. made good, g. l. | 17 |
| SLAVES not to be imported into the state for sale, g. l. who have been consigned not to be brought in, g. l. | 31 |
| Stone Fort, entries may be made at a cent an acre, g. l. | 9 |
| SUITS on motion not to be commenced without giving security, g. l. | 43 |
| For school lands not to abate, g. l. | 48 |

| | |
|--|-------------|
| Spraggins, Thomas S. | 210 |
| Stalcup, Isaac | 192 |
| Stafford, John | 46 and 47 |
| legitimated | 47 |
| Smith, D. | 191 |
| Scott, William relieved | 48 |
| Sutton, John & S. Buchanan | 37 |
| Smith, Alexander E. commissioner of Newport | 79 |
| Stockton, D. H. a grant may issue to | 83 |
| Sims, Walter's devisees, act concerning revived | ib |
| Smith, Reuben and James N. to be paid | 91 |
| Savage, Jesse and B. Cannon to open a turnpike road | 101 |
| Strut, James and Alexander | 108 |
| Sevier, Valentine and Charles | 108 and 109 |
| Sitgraves, Jacob may file his claim | 117 |
| Smith's (Philip J.) location to be entered in the Hiwassee district | 171 |
| Slater, Cornelius to be paid \$40 | 174 |
| Simpson, J. S. to be paid \$149 25 | ib |
| Stribling, John B. may enter balance of certificate | 180 |
| Smith T, John | 185 |
| Smith, Cobb and Payne | 187 |
| Stalcup, Isaac | 189 |
| Stuart, Duncan | 191 |
| Somerville, town of, incorporated | 61 and 62 |
| Shippingsburg | 88 |
| Seat of Justice in Hardin county, commissioners appointed to fix | 70 |
| Salt, lottery allowed to make it | 80 |
| SECRETARY OF STATE to put out subscription for the new revision | 214 |
| to procure and deliver a sword to Major General William Carroll | 211 |
| may deliver title papers to those entitled to them | 207 |
| to furnish public printers with captions, &c. | 209 |
| to issue a duplicate certificate to the representatives of John Carter | 15 |
| to issue a certificate to A. Donovan | 16 |
| to issue a duplicate warrant to Joshua Hadley | 28 |
| to examine claims of Samuel Buchanan and John Sutton | 57 |

| | |
|--|-----------|
| SECRETARY OF STATE to settle with George Wilson | 152 |
| may issue certificate of warrant No. 385 | 152 |
| to permit Jacob Sitgraves to file his claim | 117 |
| to permit Neil Henson's heirs to file their claim | ib |
| to receive grants from B. H. Cobbs and G. W. L. Marr for the purpose of adjudication | 131 & 132 |
| Secretary of State's office as commissioner, to continue open until the first of April, 1827, g. l. | 15 |
| to adjudicate no claim except such as are referred to him by act or resolution at this session, g. l. | ib |
| to adjudicate certain certificates of register of East Tennessee, g. l. | 55 |
| Speakers of the General Assembly, pay of | 173 |
| SECURITY , clerks prohibited from being, in certain cases, g. l. | 19 |
| to be given in all suits commenced by motion, g. l. | 43 |
| in action of ejectment for plaintiff may give notice and be released, g. l. | 52 |
| Salt works, reserves for, may be entered by any person, g. l. | 20 |
| SCHOOL LANDS , sale of suspended, g. l. | 47 |
| actions to be brought by treasurer for trespasses, g. l. | ib |
| persons holding adverse possession of, to pay rent ten dollars per acre, g. l. | 46 |
| rents and profits of, to be kept separate by the treasurer, g. l. | ib |
| monies to be passed to the credit of the common school fund, g. l. | 51 |
| SHERIFFS , where to meet to compare votes, g. l. | 7 and 8 |
| not to levy executions issued against the Hiwassee purchasers since the first of July, 1826, g. l. | 29 |
| may return that purchaser is sued by a reservee and collection shall be suspended, g. l. | 30 |
| to transmit to secretary of state the number of votes given for representatives and for or against a convention, g. l. | 34 |
| to read before opening the polls the resolution concerning a convention adopted at this session, g. l. | ib |

| | |
|---|-----|
| SHERIFF , of Carroll to collect certain taxes | 154 |
| to have a credit | 155 |
| of Dyer to collect certain taxes | 154 |
| of Franklin county to hold election to chuse the council of the corporation of Winchester | 4 |
| of Giles may deliver up certain negroes of Marion county to attend December term | 207 |
| of Hawkins county, duty | 5 |
| of Haywood county to hold election for aldermen of Brownsville | 12 |
| to notify persons elected | ib |
| of Hardeman to pay over court house tax | 17 |
| of Franklin to collect certain taxes and pay them to sheriff of Marion | 22 |
| of Claiborne county to summon jurors to attend the next county court | 43 |
| late of Carter county allowed two years to finish collecting his taxes | 123 |
| of Gibson county to account for mill tax | 79 |
| of Tipton to hold an election for alderman for the town of Corington | 147 |
| of Washington county, acts of deputy legalized | 80 |
| late of Hickman county allowed two years to collect arrearages of taxes | 121 |
| late of Dickson county allowed two years to collect arrearages of taxes | ib |
| late of Rutherford allowed two years to collect arrearages | ib |
| SOLICITOR of the eighth solicitorial district may receive his salary without making affidavit of the 11th district to communicate to Hugh L. White any information in his possession relative to the reservation cases | 123 |
| in Hardeman county to file the petition of J. Bites for a divorce | 135 |
| Solicitorial district, eleventh to include Marion county | 3 |
| Solicitor may prefer an indictment against entry taker failing to settle, g. l. | 30 |
| Sullivan county, certain act extended to | 77 |
| Sumner county circuit court, I. Peafce may file his petition for divorce | 135 |
| Tax on lotteries one half of one per cent. | 80 |
| navigation how to be applied | 115 |
| may be laid in Overton county | 125 |
| Thompson Jason | 87 |
| Tilford Elijah | 87 |

| | |
|--|-----------|
| Taylor Andrew | 123 |
| TOWN OF MELTON, lots in, how to be taxed | 112 |
| of Memphis incorporated | 126 |
| ib | ib |
| powers of the corporation | 127 |
| aldermen how elected | ib |
| mayor how elected | ib |
| vacancy how supplied | ib |
| who may vote for aldermen | ib |
| finer in, how recovered | ib |
| TOLL, on bridge over Caney Fork built by Reuben Ross | 159 |
| how to be fixed | |
| on turnpike from Sparta to Lebanon, same as on J. Lincoln's | 162 |
| TOWN OF RALEIGH, Tennessee | 171 |
| circuit court to be held in | 172 |
| of Somerville incorporated | 61 and 62 |
| of Shippingsburgh may be laid off | 88 |
| of Covington incorporated | 145 |
| powers of corporation | 146 |
| aldermen of, how elected | 147 |
| of Russellville established | 164 |
| commissioners appointed | 165 |
| vacancies how supplied | ib |
| of Trenton incorporated | 170 |
| TOWN CONSTABLE, of Dover | 40 |
| of Nashville | 138 |
| of Kingsport, how elected | 162 |
| of Blountville | ib |
| Trap, G. Sharp and others authorised to build, in Pöwels river | 135 |
| TREASURER to suspend collection where a Hiwassee purchaser is sued by a reservee, g. l. | 30 |
| of East Tennessee to refund to Thomas Taylor the amount of a fine, | 10 |
| to pay James Littleton forty dollars, | 42 |
| to give a credit to Jesse Mayfield | 45 |
| to allow Jesse Mayfield legal interest | ib |
| of East Tennessee to continue the loan to Elijah Embree and how to collect it, g. l. | 14 |
| to receive from the citizens south of French Broad and Holston and east of Hiwassee the sums they owe, g. l. | 16 |
| to record a certified copy of deed vesting in such citizen the right to his land and fee therefor, g. l. | ib |
| not to collect interest on debts due from certain Hiwassee purchasers until 1828, g. l. | 20 |

| | |
|---|-----|
| TREASURER of E. T. to pay William Young one hundred and fifty dollars | 48 |
| to pay Joseph Smith | 68 |
| to convey to him a certain tract of land upon payment of the notes due | 74 |
| to loan Sarah's Council year | 86 |
| to pay James Head five hundred dollars | 110 |
| to pay John Bushrod | 148 |
| of West Tennessee to allow A. H. Douglas a credit of \$22 64 | 38 |
| To pay Reuben and J. N. Smith | 91 |
| To pay governor's draft for balance of expense of the reception of Legislature | 136 |
| To receive the amount of taxes for which the sheriffs of Carroll and Dyer are liable for certain years, duly certified from the clerk | 153 |
| To credit the sheriff of Carroll | 155 |
| To pay A. P. Henry and John Fitzgerald | 183 |
| To pay Benjamin Reynolds \$20 | 174 |
| To pay Wm. Moore \$20 | ib |
| To pay Cornelius Slater \$40 | ib |
| To pay James McDowell \$40 | ib |
| To pay J. S. Simpson | ib |
| To pay R. Johnson and Elliot \$492 98 | ib |
| To pay John P. Erwin | ib |
| To pay Maj. Jeffry | ib |
| To pay John Fitzgerald \$47 | ib |
| To pay James P. Lotery | ib |
| To pay Henry O. Martin | ib |
| To pay John Carson | ib |
| To pay James McDowell | 175 |
| TREASURER to pay Wm. B. Blair | 148 |
| to pay Hepzibah L. Tarnay | ib |
| to pay Tho. J. Campbell | ib |
| to pay E. B. Deane \$116 00 | 173 |
| to report to General Assembly any information he may have relative to Academy monies | 213 |
| TREASURERS of this State to collect academy money and deposit it in the bank, but neither may give their notes therefor, g. l. | 13 |
| To receive clerks returns for 1826, until 1st of May, 1827, g. l. | 20 |

| | |
|---|-----|
| TREASURERS to receive returns for 1822, '23, '24, '25 and '26, and to pay commissioners the fees allowed, g. l. | 21 |
| To pay brigade majors for county drills, g. l. | 22 |
| To furnish commissioners with an abstract of grantees names, g. l. | 46 |
| To appoint agents to collect rents and prevent waste of school lands, g. l. | 47 |
| To take bond of agent, g. l. | 48 |
| To bring suits for trespasses on school land, g. l. | 47 |
| To employ counsel to defend in behalf of the State, g. l. | 48 |
| Allowed two per cent for sales on school lands, g. l. | ib |
| When to receive Nashville notes from Sheriffs, clerks, &c. g. l. | 54 |
| Tipton county court authorized to lay a tax to improve the highways | 140 |
| Thompson, Ephraim | 186 |
| Tison, Wm. | 185 |
| Thomas, Philip, heirs of | 182 |
| Taylor, P. heirs of | ib |
| Twigg, Daniel No. 5 | ib |
| Taylor, Thomas to be refunded the amount of a fine | 10 |
| Turpey, H. L. | 148 |
| Tyrrel, (Wm.) acts as justice of peace confirmed | 159 |
| Thompson, Samuel | 173 |
| Thompson, Jason | 179 |
| Titus J. Turner | 175 |
| Trustees of Greenville college, additional appointed | 158 |
| TURNPIKE ROAD , Reuben Ross may open | 22 |
| how to be opened | 23 |
| commissioners to review | ib |
| two toll gates on, may be erected | ib |
| proprietor to have, twenty five years | ib |
| James Rogers may open, commencing near Crain's old place, south of Caney Fork, thence to intersect Gordon's road near the Grassy Cove | 32 |
| width of | ib |
| commissioners to review it | 33 |
| <small>PAY BY</small> | 34 |
| proprietor to give notice to commissioners, who are to examine and give license | 33 |

| | |
|---|-----|
| TURNPIKE ROAD , James Rogers' toll of, s. 4 | 33 |
| forfeiture for passing without paying | 34 |
| Of Terry, Hootenpile and Rainey, certain part need not be kept in repair | 43 |
| duty of proprietors & commissioners | ib |
| Granted to J. Lincoln, from Sparta to Liberty | 91 |
| how to be made | ib |
| commissioners appointed and their duty | 92 |
| charter, toll, &c | ib |
| To J. Savage and B. Cannon | 101 |
| width of | ib |
| commissioners of, appointed | 102 |
| to give license | ib |
| rates of toll on | ib |
| penalty for avoiding | 103 |
| oath of gate keeper of | ib |
| what part each is to keep in repair | ib |
| Moses Fisk allowed two years to complete | 107 |
| commissioners of, appointed | ib |
| extent of, s. 2 | ib |
| Authorized to John Brown and Robert Burke after the expiration of their present charter | 149 |
| width of, s. 2 | ib |
| toll gate and rates of toll, s. 3 | ib |
| forfeiture for passing without paying | 150 |
| toll and how recovered | 150 |
| oath of gate keepers of | ib |
| commissioners of | 152 |
| duty of commissioners of | 151 |
| to report to county court of Roane | ib |
| proprietors of, may be indicted | ib |
| may be changed with consent of commissioners | 152 |
| Of Geo. Gordon, may be straightened | 152 |
| through Pentress and Morgan may be turned, s. 12 | 153 |
| Authorized to be opened by Nathan Haggard and James McKinley, from Sparta to Lebanon | 161 |
| commissioners of, appointed, s. 2 | ib |
| to give license to proprietors | 162 |
| rates of toll | ib |

| | |
|---|-----|
| TURNPIKE ROAD to O. Gamble, C. E. Shelton and John Witt, additional com- missioners of, appointed | 166 |
| who to be exempt from toll | 167 |
| Trustee of Campbell county to pay A. N. Montgomery of Lincoln county to receive money raised by lot- tery to build a jail | 165 |
| | 26 |
| Trustees of East Tennessee college | 87 |
| University of Nashville | 46 |
| Underhill, John | 116 |
| Vandevanter, Rebecca | 193 |
| Venters, Malachi, heirs of | 163 |
| Vine, cultivation of, encouraged | 124 |
| VOLUNTEER COMPANY at Paris authorized elections, how to be held | 166 |
| may make its own by- laws | ib |
| WARRANTS not to be divided, g. l. | 12 |
| fractions of, to be certified by the register of Washington, g. l. | 55 |
| Witnesses entitled to one day's attendance where suits have been dismissed out of term time, g. l. | 42 |
| WHITE, HUGH L. appointed counsel for the State in all suits instituted by Indian reserves against purchasers at the Hiwassee land sales | 192 |
| may appoint an agent to collect testimony | ib |
| to be paid as part compensation \$500 | 123 |
| to report to the next General Assembly | ib |
| to be notified by the governor of his ap- pointment | ib |
| may take an appeal | ib |
| Watkins, John M. | 184 |
| Wallin, E. | 181 |
| Welch, J. claim to be adjudicated | 195 |
| Williams, Jesse | 14 |
| White, Eliza may petition for a divorce | 140 |
| Watkins, Thomas G. may petition Green circuit court for a divorce, to give fifteen days notice, &c | 40 |
| Warner, George Y. | 130 |
| Woody, Elizabeth, changed to E. Huff | 50 |
| Wright, R. | 59 |
| Walker, E. | 60 |
| Williams, Ann | 63 |
| Williams, Laban B. | 165 |
| Wisdom, Pollard may enter his occupant claim | 82 |
| Weems, John | 136 |
| Woods, Dorcas L. | 89 |

| | |
|---|-----|
| Wilson, Alice S. | 105 |
| Wright Matthew W. may build a toll bridge over Col- lins' river | 142 |
| rates of toll to be fixed by Warren county court | ib |
| to have the exclusive right | ib |
| Whitaker and Reed may build a mill and cotton-gin on cub creek | 145 |
| to have a preference to enter not more than 200 acres of land | ib |
| Williams and Franklin | 175 |
| Wells, Samuel | 190 |
| Woods, James and James Brooks | 135 |
| Wilson, George | 209 |
| WINCHESTER , officers of corporation of, how to be elected | 4 |
| powers of | ib |
| charter of, not expired or forfeited | 5 |
| Light infantry exempt from muster else- where | 71 |
| Wax figures, Geo. McFall may show | 78 |
| Williamson county, academy funds of, to pay Philip Mau- ry \$152 62 and interest | 139 |
| Young, William to be paid | 48 |
| Yoe, Rodeham | 50 |
| Young, Ann may redeem a tract of land | 73 |
| Young, Joseph | 179 |

*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.

NASHVILLE, January 23, 1827.

