

of this state, shall hereafter hold a chancery court at Knoxville on the third Monday in April and October in each year for the counties of Campbell, Anderson, Knox, and Sevier; provided the people of Anderson county may file their bills at Kingston or Knoxville chancery court as they see proper. Said chancellor shall appoint a clerk for said court, and it shall be the duty of the sheriff of Knox county to attend said court and discharge the duties of sheriff therein, for which he shall have the same fees as are allowed for similar services in the other chancery courts in this state.

Chancery court
at Knoxville.

Sec. 2. *Be it enacted*, That it shall be the duty of the clerk and master of the chancery court at Kingston to transmit to Knoxville, to be heard and determined, all suits pending in the said chancery courts where the parties or either of them live in either of the counties mentioned in the first section of this act, which causes shall be directed to the clerk and master of the supreme court at Knoxville, whose duty it shall be to receive and preserve said records until a chancery court is organized at Knoxville as directed in this act, but in no case shall the remitting or receiving clerk be charged with any costs for such remitting or receiving.

Cause transferred from Circuit Courts.

Sec. 3. *Be it enacted*, That the circuit judges holding courts in either of the above named counties, shall, upon request of both parties, their agents or attorneys, at any time order the clerk of his court to transmit all the papers belonging to any chancery cause pending in said court to the clerk and master of the supreme court at Knoxville as directed in the second section of this act, and it shall be and is hereby made the duty of the chancellor of the eastern division of this state to hear, examine and determine all causes thus transmitted, or which may be filed in said chancery court hereby established at Knoxville, according to the best of their skill and judgment.

Chancery Court
at Madisonville.

Sec. 4. *Be it enacted*, That the chancellor of the eastern division of this state shall hereafter hold a chancery court at Madisonville, in the county of Monroe on the first Mondays of April and October in each year, and continue the terms thereof for two weeks, should business of said court require, for the counties of M'Ninn, Monroe, and Blount, which shall hereafter compose the said chancery district; and it shall be the duty of the sheriff of Monroe county to attend said court, and he shall be entitled to the same fees for his services that are allowed for similar services in other chancery courts in this state.

Clerk to be
appointed.

Sec. 5. *Be it enacted*, That it shall be the duty of the chancellor who may preside at the first term of said court, to appoint a clerk thereof, who shall be entitled to all the

rights, privileges and emoluments that the clerks of other district chancery courts in this state have, possess and enjoy.

Sec. 6. *Be it enacted*, That it shall be the duty of the clerk and master of the district chancery court at Kingston, to transmit under his hand and seal, to be heard and determined at the district chancery court hereby established at Madisonville, a complete transcript of the record of each suit pending in said court at Kingston, wherein the party or parties defendants or either of them reside in either of the aforesaid counties of M'Ninn, Monroe or Blount, which records shall be directed to the clerk of the circuit court of Monroe county, who shall preserve the same and file them in the office of said chancery court at Madisonville as soon as the same shall be organized: provided the transmitting clerk shall not be charged with the expense accruing on such transmission.

Records to be
transmitted.

Sec. 7. *Be it enacted*, That the Kingston chancery district shall hereafter be composed of the counties of Rhea, Hamilton, Roane and Morgan, and said chancellor shall hold the chancery courts for said district as heretofore.

Kingston Chan-
cery Court.

Sec. 8. *Be it enacted*, That all appeals from the circuit to the supreme court within the ninth judicial circuit of this state, shall be set for trial at the first term of said supreme court after such appeal may be taken, whether such appeal or appeals be taken thirty days before the commencement of said supreme court or not.

Appeals to Su-
preme court from
this Circuit.

F. W. HULING,

Speaker of the House of Representatives.

BURCHET DOUGLASS,

December 19, 1831.

Speaker of the Senate.

CHAPTER CCXVIII.

AN ACT to amend an act entitled "An act to authorize Thomas Wheeler of Campbell county to open a turnpike road, passed Dec. 13, 1827.

Sec. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That so much of the third section of said act as appoints Joseph Hart and Daniel Queener commissioners on said road, be and the same is hereby repealed.

Repealing clause.

Sec. 2. *Be it enacted*, That Joseph Barrow and Sampson Province be, and the same are hereby appointed commissioners in the room and stead of Hart and Queener with the same powers and privileges which they possessed in the third section of the act which this is intended to amend.

Commissioners
appointed.

rity of them, to reduce the number of shares subscribed, among the subscriber in fair and equal proportions to the amount of stock subscribed for by each respectively, until the whole amount of shares shall be reduced to six thousand; but if at the expiration of the aforesaid sixty days, six thousand shares shall not have been subscribed, the before named commissioners or a majority of them, may at their discretion close the books or keep them open till the residue of the six thousand shares shall be taken.

Sec. 2. *Be it enacted,* That when three thousand shares shall be subscribed in manner aforesaid, the subscribers, their executors, administrators and assigns, shall be and they are hereby declared to be incorporated into a company by the name and style of "the Memphis Rail Road Company," and in that name, may sue and be sued, plead and be impleaded, in any court of law or equity in this State, having cognizance of the subject matter; shall have a common seal which they may alter at pleasure; and shall possess and enjoy all the rights, privileges and immunities of a corporation or body politic in law; and may make all such by-laws, rules and regulations not inconsistent with the constitution and laws of this State, or of the United States, as shall from time to time be necessary for the proper management of the affairs of the company.

Sec. 3. *Be it enacted,* That upon every share subscribed, there shall be paid at the time of subscribing to said commissioners or a majority of them, or to the agent or agents by them appointed to receive such subscriptions, the sum of two dollars and fifty cents, and the residue thereof, to be paid in such instalments and at such times as the president and directors of said company, to be appointed as hereinafter prescribed, shall order and require.

Sec. 4. *Be it enacted,* That at the expiration of the aforesaid sixty days, or as soon thereafter as three thousand shares shall have been subscribed, it shall be the duty of said commissioners, or a majority of them, by advertisement in some newspaper published in the town of Memphis, to give notice of such event, and at the same time call a meeting of the stockholders to be held in the town of Memphis at such time as shall be designated in said notice. And to constitute said meeting it shall be necessary for the owners of a majority of the stock subscribed, or their proxies to be present; and if such number shall not attend at said time, those who do, may adjourn from time to time until such number shall attend.

Sec. 5. *Be it enacted,* That when the stockholders shall meet as aforesaid, they shall elect by ballot a president and seven directors, in which election and all

Subscriptions to be appraised.

Declared a corporate body when 3000 shares are subscribed.

A payment to be made at time of subscribing.

When meeting of stockholders shall be held.

Election of officers.

other elections and votes in general meetings of the company, each stockholder to be entitled to one vote for each share, he, she or they may own in the number of fifty, and one vote for every five shares more which he, she or they may own; and the proxy to enjoy the same right which would belong to his principal were he, she or they personally present.

Sec. 6. *Be it enacted,* That the president and directors aforesaid, shall hold their office for one year and until their successors shall be elected, unless they or either of them shall be sooner removed, which may at any time be done, by the vote of a majority of the stockholders, and such vacancy occasioned as aforesaid supplied in like manner. The president and four directors, or five directors who shall appoint one of their own body president *pro tempore*, shall constitute a board for the transaction of business. Should a vacancy occur in the office of president or in the directory, from death, removal, resignation, refusal or disability, the same may be supplied either by the board or stockholders in general meeting. The president and directors of said company shall have power to appoint a Treasurer, Clerk and such other officers as they may deem necessary, fix and determine the salaries or compensation for the same, and to do and transact all the business of said company between the general meetings of the stockholders.

Sec. 7. *Be it enacted,* That as soon as the president and directors aforesaid shall be elected, it shall be the duty of the before named commissioners to pay to them all moneys which they or their agents may have received for the use of said company; and should they fail so to do, after deducting all necessary expenses, they shall be jointly and severally held liable to the said president and directors, in the aforesaid corporate name to a judgment for the amount in motion in either the county or circuit court of Shelby county, on giving them ten days previous notice of such intended motion.

Sec. 8. *Be it enacted,* That the said president and directors shall be, and they are hereby invested with all the rights, privileges and powers proper and necessary to the opening, construction, repair and maintenance of the aforesaid rail road to be by them located, not to exceed sixty four feet wide, with as many sets of tracks as they may deem necessary and cause to be made, and also to make and construct, or cause to be made and constructed all such buildings, works, engines and machines of what kind soever which they may deem necessary and expedient to open, construct, repair and maintain said rail road. They shall be authorized to borrow and purchase with the funds of the said company all

Traffic of office.

Commissioners to pay over to President and directors.

Power of President and Directors.

such work, labour, implements and materials necessary to open, construct, repair and maintain said rail road. They shall have the power to call on the owners of stock in said company for an advance upon each share of such amount, and at such time as in their opinion the exigency of the affairs of the company may require, by giving forty days notice of such call and the amount thereof, in some newspaper published in the town of Memphis and such other place or places as they may deem proper. And should any owner or owners of stock fail to pay the advance required according to said notice, it shall be lawful for the president and directors to declare the stock upon which said advance shall not have been paid as aforesaid, forfeited to the use of the company, and expose the same to sale at public auction in the town of Memphis to the highest bidder, after giving thirty days notice of such sale, and after retaining the amount due thereon, together with the expenses attending said sale, it shall be their duty to pay the surplus, if any, to the person or persons owning the same at the time of such forfeiture or to his, her or their legal representatives; and the purchaser or purchasers of such forfeited stock, shall enjoy the same rights and be subject to the same rules and regulations as though he, she or they had been original subscribers.

Of delinquent subscribers.

Sec. 9. *Be it enacted*, That whenever it shall become necessary to determine upon the route of said rail road, the said president and directors shall be, and hereby are authorized to enter in and upon any lands or tenements through which they may determine to open said rail road, so that neither the dwelling house, yard nor garden of any individual shall be invaded without his or her consent; and to open and construct the same after the route shall have been determined on as aforesaid. It shall be lawful for said president and directors, their officers, agents, superintendants, labourers and servants to enter in and upon any lands or tenements through which said rail road shall have been determined to pass as aforesaid, and if the said president and directors cannot agree with the owner of the land on the terms upon which said rail road shall be opened through it, it shall be lawful for said president and directors to apply to the county court of the county in which the said land may be situate; and upon such application, it shall be the duty of said court to appoint five impartial freeholders, whose duty it shall be, any three or more of them, to go upon the land at such time as shall be designated in the order of their appointment, after being sworn or affirmed by some person authorized to administer an oath, faithfully and impartially to ascertain and assess the damage which the pro-

Of damage to owners of land.

prietor of said land will sustain by reason of the opening of said rail road through the same; and in the performance of said duty it shall be lawful for said freeholders to have a due regard to the advantages which may result to said land in consequence of the opening of said rail road through it. And when said freeholders shall have performed the duty herein required of them, it shall be their duty to make report thereof, to the next succeeding term of said court under their hands and seals, and if no exceptions shall be taken to said report by the owner or his or her agent, the same shall be recorded and vest in said company the right of opening said rail road through the same as soon as the said president and directors of said company shall have paid or tendered the amount of such assessment to the owner or his or her lawful agent. And if exceptions shall be taken by said owner or his or her agent to said report it shall be the duty of said court to hear and determine the same during the term to which said report shall be returned, unless in the opinion of said court injustice would likely be done said owner, and in that case said court may continue the same from term to term at their discretion. But in the mean time, it shall be lawful for said president and directors to proceed on to open and construct said rail road through said lands notwithstanding the pendency of said exceptions; and when the damages aforesaid shall be ascertained, the said president and directors shall pay the same to the owner or his or her agent; and should they fail or refuse to do so, the same may be recovered by motion before either the county or circuit court of the county in which the land aforesaid may be situate, by giving to said president and directors ten days' previous notice of such intended motion.

Sec. 10. *Be it enacted*, That should it become necessary to open and construct said rail road through lands or tenements belonging to infants, *non compos mentis*, corporations or bodies politic, non residents or whose residence shall not be known to said president and directors, it shall be lawful to condemn to the use of said company for said rail road, a space through the same, not exceeding sixty four feet wide, on the application of said president and directors to the county court of the county in which said land may be situate, for the appointment of a jury *ad quod damnum*, on their giving two months previous notice of such application in some newspaper published in the town of Memphis; and on such application, with proof of such previous notice, it shall be the duty of said court to appoint said jury, which shall consist of seven impartial and discreet freeholders; and it shall be the duty of said jury or any five or more of them, to go upon the land

Of lands held by infants, corporations &c.

at the time which shall be prescribed in the order of their appointment, after being duly sworn or affirmed by some justice of the peace, faithfully and impartially to ascertain and assess the damages which in their opinion may result to said land by means of the opening and construction of said rail road through it, having due regard to the advantages which may result to it by the means aforesaid; and when they shall have performed said duty, they shall report the same to the next succeeding term of said court under their hands and seals, which report shall be recorded, and vest in said company, the right to use the said sixty four feet wide, condemned as aforesaid for the purposes aforesaid, on said president and directors paying into court such assessment for the use of the person or persons legally authorized to receive the same. And if said president and directors shall deem it necessary they are hereby authorized and fully empowered to cut or cause to be cut and felled all such trees on either and both sides of said rail road, to such distance from the same throughout its whole extent as they may deem necessary to protect it from the injury or obstruction which might happen from falling timber.

SEC. 11. *Be it enacted*, That the said president and directors, for the purpose of making the said rail road or repairing it after it shall have been made, shall be at liberty, by themselves, their officers, agents, superintendants, labourers and servants, at any time to enter upon any adjacent lands, and to cut, quarry, dig, take and carry away therefrom any wood, stone, gravel or earth which they may deem necessary, and for all of which the said president and directors shall make to the owner a reasonable compensation, to be ascertained, if the parties cannot agree, by any three impartial freeholders, who being appointed for that purpose by any justice of the peace thereto required by the owner, and after being duly sworn or affirmed, they shall ascertain the compensation, upon their own view, for the wood, stone, gravel or earth taken, which assessment shall be paid to the owner by said president and directors.

SEC. 12. *Be it enacted*, That whenever, in the construction of said rail road, it shall become necessary to cross or intersect any established road or way, it shall be the duty of the president and directors of said company, so to construct said rail road across such established road or way as not to impede the passage or transportation of persons or property along the same.

SEC. 13. *Be it enacted*, That when it shall be necessary to pass through the land of any individual, it shall also be the duty of said president and directors to provide for such individual a proper and suitable waggon way a-

Adjacent materials may be used.

Roads not to be obstructed.

Private cross-ways provided for

cross the said rail road from one part of his or her land to the other, if the same shall be required by said owner at the time the route of said rail road shall be determined on; but the owner of such land may, at any time after said rail road shall be opened and completed, construct and make such waggon way across the same at his or her own expense, under the supervision and direction of said president and directors.

SEC. 14. *Be it enacted*, That the president and directors of said company shall have the right and power to procure and purchase with the funds of said company, and place on said rail road, to be constructed under the authority of this act, all engines, teams, machines, cars, vehicles or carriages of any kind or description which they may deem necessary and proper for the purposes of transportation on said rail road, and it shall be lawful for them to charge and collect for the transportation on said rail road, of persons, produce both mineral and agricultural, goods, wares, merchandize and all kinds of property whatsoever, transported by them along said rail road, any sum not exceeding the following rates; namely for every person, including customary travelling baggage, six cent per mile, for every bale or bag of cotton one cent per mile for all bread stuffs and all other productions both mineral and agricultural, which may be found or grown in this state or any of the states or territories of the United States, four cents per mile for every thousand pounds, and for all other goods, wares and merchandise of what kind and description soever, six cents per mile for every thousand pounds. And the said rail road, with all the works, improvements and profits, and all the machinery, cars, vehicles and carriages used for transportation on said rail road, shall vest in said Memphis rail road company and their successors for, and during the full period of ninety nine years, to be computed from and after the entire completion of said rail road; which may be renewed by the general assembly of this state on such terms and conditions as they in their wisdom may require. And the shares of the capital stock of said company shall be deemed and considered personal estate and all the property of said company, except the road and the vehicles used for transportation thereon, shall be subject to taxation in the same manner as property of the like kind held by citizens of this state.

SEC. 15. *Be it enacted*, That when the states of Alabama and Mississippi shall incorporate companies for the purpose of continuing the rail road, by this act authorized to be constructed from its termination on the dividing line between this state and Mississippi to the head of the Muscle Shoals on the Tennessee river, it shall be lawful for

Rates of toll &c.

May unite with companies in Alabama and Mississippi.

the company by this act incorporated, to unite and cooperate with said companies in such manner as may be agreed upon by said companies to promote and expedite the objects of said several charters of incorporation.

Of meetings.

Sec. 16. *Be it enacted*, That when the subscribers shall have been convened in general meeting, according to the mode prescribed in section four of this act, it shall be their duty to determine the time for each succeeding general, annual, semi-annual or biennial meeting of said company. It shall also be their duty to determine the compensation or salaries to be allowed to the president and directors and adopt such rules for their observance as they may think necessary and proper, not inconsistent with any of the provisions of this act.

Of salaries.

President and directors may call general meetings and shall make expose to the Co.

Sec. 17. *Be it enacted*, That should any emergency occur, sufficient in the opinion of said president and directors to justify and require it, they may, by giving forty days' notice in some newspaper published in the town of Memphis, call a general meeting of the company, and it shall be their duty, at every general meeting of the company, whether regular or called as aforesaid, to exhibit an accurate and faithful expose of the situation of the affairs of the company.

Of dividends

Sec. 18. *Be it enacted*, That when the said rail road shall be completed and to use it shall be the duty of said president and directors, either annually or semi-annually to declare such dividend of the net profits of said rail road as they may deem necessary and proper, after deducting the current and probable contingent expenses, and shall divide the same among the several stockholders in proportion to their respective shares; and they shall cause a notice of such dividends to be published in such newspaper or papers as they may think fit so as most effectually to notify those interested.

Of certificates of stock.

Sec. 19. *Be it enacted*, That it shall also be the duty of the said president and directors to cause to be written or printed, certificates of shares for the stock of said company, and furnish to each subscriber one for each share, signed by the president and countersigned by the clerk, which certificates may be transferred by assignment; and as soon as the president and directors shall be notified of such transfer, the assignee shall succeed to the same rights and be subject to the same rules and regulations of an original subscriber.

Of damages to the road.

Sec. 20. *Be it enacted*, That if any person shall wilfully, in any manner whatsoever, injure, impair or destroy said rail road, or any of the necessary works, buildings, cars, carriages, vehicles or engines belonging to said company, such person or persons so offending shall each of them for such offence forfeit and pay to said company,

a sum not exceeding one thousand dollars, which may be recovered by action of debt in the circuit or county court of the county in which said injury shall be committed, or in the county where such person or persons may be found, and also be liable to fine and imprisonment by presentment or indictment.

Sec. 21. *Be it enacted*, That if the rail road in this act authorized to be made shall not be commenced within six years from the first day of January eighteen hundred and thirty two, and completed within nine years thereafter, then this act and all the rights and privileges which it confers on said company shall cease, and be void. This act shall be in force from and after its passage.

Commencement and completion of road.

F. W. HULING,

Speaker of the House of Representatives.

BURCHET DOUGLASS,

Speaker of the Senate.

December 17, 1831.

CHAPTER CCXXII.

AN ACT for the benefit of William Gibson.

Be it enacted by the General Assembly of the State of Tennessee, That William Gibson a citizen of Marion county, be and he is hereby attached to the county of Franklin; and that the said William Gibson be subject to perform all the duties enjoined by law upon the citizens of Franklin county, and to enjoy the same privileges, &c.

F. W. HULING,

Speaker of the House of Representatives.

BURCHET DOUGLASS,

Speaker of the Senate.

December 15, 1831.

CHAPTER CCXXIII.

AN ACT for the encouragement of Salt Works.

Whereas, it is represented to this General Assembly, that Thomas Butler, Sen'r. William Butler, James Gilbreath and Meriman Rector, are now boring for salt water in the east part of Morgan county—and whereas, it is further represented that the land in the neighborhood of said salt well is chiefly mountainous.—Therefore,

Be it enacted by the General Assembly of the State of Tennessee, That Thomas Butler, William Butler, James

Gilbreath and Meriman Rector, are authorized to enter any quantity of land, in the neighborhood of the said salt well in any of the three counties or in all of them, of Morgan, Roane and Anderson, so as not to exceed five thousand acres—and such land when entered shall not be liable to taxation for fifteen years.

F. W. HULING,

Speaker of the House of Representatives.

BURCHET DOUGLASS,

Speaker of the Senate.

December 16, 1831.

CHAPTER CCXXIV.

AN ACT to authorize Hasting Poe and Asahel Rawlings to open a turnpike road.

Authorized to open road. SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Hasting Poe and Asahel Rawlings, are hereby authorized to open and establish a turnpike road commencing at or near the residence of said Poe in Hamilton county, and extending across Walden's ridge to intersect the road leading down Sequachee Valley at or near Alexander Kelly's old place, at present owned by John and William Henson, which road shall be opened in the same manner, and kept in the same repair, as the turnpike road granted to James Dorin and William Gibson by an act passed 5th November 1829, chapter 36, is required to be made and kept; and said road shall in all respects be under the same rules, regulations and restrictions, and the proprietor thereof entitled to the same toll, privileges and emoluments, and liable to the same penalties as are prescribed by the above recited act for said turnpike road granted to said Dorin and Gibson, for twenty years.

Toll established SEC. 2. *Be it enacted,* That William Henson of Marion county, and James Varner of the county of Hamilton, are hereby appointed commissioners of the aforesaid road, who shall take the same oath, have the same compensation, powers and privileges, and be under the same rules regulations and restrictions, as are, by the above recited act prescribed for the commissioners of said Dorin and Gibson's turnpike road.

Commissioners appointed. SEC. 3. *Be it enacted,* That the charter of said road is hereby granted to the proprietors thereof, for the term of twenty five years from the passage of this act.

F. W. HULING,

Speaker of the House of Representatives.

BURCHET DOUGLASS,

Speaker of the Senate.

December 15, 1831.

CHAPTER CCXXV.

AN ACT to incorporate a Female Academy in the county of Rhea.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Gideon B. Thompson, John Hennigar and John Hoyal, be and they are hereby constituted a body politic and corporate by the name and style of the trustees of the Washington Female Academy, and by that name shall have succession for fifty years and a common seal; and the said trustees and their successors, by the name and style aforesaid, shall be capable in law to purchase, receive and hold to themselves and their successors for the use of said academy, lands, tenements, goods or chattels, given, granted or devised to them or purchased by them, and to use and dispose of the same in such manner as to them shall seem most advantageous for said academy. And said trustees and their successors in office, by the name aforesaid, may sue and be sued, plead and be impleaded, in any tribunal having cognizance of the matters in controversy in this State or elsewhere.

Trustees incorporated.

SEC. 2. *Be it enacted,* That the trustees aforesaid and their successors shall have power to hold such meetings at said academy at such times as may be agreed upon from time to time by a majority of the board present, to appoint a president, secretary and treasurer—but not less than three members shall constitute a quorum to transact any business relating to the management, interest or government of said institution; Provided, that the death, resignation or refusal to act, of any or all the trustees named in the first section of this act, the county court for Rhea county shall proceed to fill such vacancies by the appointment of fit and proper persons to represent the interest of the county in said board whose number may be extended and kept up in the manner aforesaid.

Powers of trustees.

Vacancies—how filled.

SEC. 3. *Be it enacted,* That said board of trustees shall have power to make such by-laws, rules and regulations, relating to said academy and the government thereof, and their own proceedings, as a majority of said board may deem right and proper; Provided, they are not inconsistent with the constitution and laws of the United States, and of the State of Tennessee; Provided, said academy shall not have a capital of more than thirty thousand dollars.

May make by-laws &c.

F. W. HULING,

Speaker of the House of Representatives.

BURCHET DOUGLASS,

Speaker of the Senate.

December 15, 1831.

CHAPTER CCXXVI.

AN ACT to amend an act entitled an act to authorize Moses Fisk to open a turnpike road passed November 24, 1817, and for other purposes.

SEC. 1. Be it enacted by the General Assembly of the State of Tennessee, That said Fisk may so far change the course of said road that instead of its running from Hillham to the north bank of Oby river, it may run from Hillham to Cumberland river, striking the same at or above the mouth of Mill creek.

SEC. 2. Be it enacted, That said Fisk shall be allowed the term of one year from the passage of this act, to complete said road; and that he shall be allowed two years to complete a turnpike road running from Hillham in a southwardly direction according to an act passed Oct. 19, 1812, entitled an act authorizing said Fisk to open a turnpike road, and an act to amend the same passed Oct. 30, 1815, and the said Fisk, his heirs or assigns shall afterwards be entitled to all the benefits and subject to all the liabilities indicated by said acts during the term of time therein mentioned; Provided that the citizens residing in that part of Overton or Jackson where said road runs or within five miles thereof, shall pass the gate toll free.

F. W. HULING,
Speaker of the House of Representatives.
BURCHET DOUGLASS,
Speaker of the Senate

December 15, 1831.

CHAPTER CCXXVII.

AN ACT to alter the times of holding the county courts in the county of Washington.

SEC. 1. Be it enacted by the General Assembly of the State of Tennessee, That from and after the first day of May 1832, the county courts in the county of Washington, shall be begun and holden on the third Mondays in the months of January, April, July and October.

SEC. 2. Be it enacted, That all process returnable to said court after its next April term shall be returnable at the time the same is required by the first section of this act to be holden, and that parties bound in recognizances, witnesses and others required to give their attendance at said court, shall make their appearance in conformity to the provisions of this act.

SEC. 3. Be it enacted, That so much of an act, entitled "an act to change the time of holding the supreme court at Jackson" passed at the present session of the General Assembly as provides for the changing of the time of holding the supreme court at Sparta, be and the same is hereby repealed.

SEC. 4. Be it enacted, That hereafter the supreme court shall be holden at Sparta on the first Monday in June in each and every year, and that so much of the before recited act as changes the time of holding the supreme court at Reynoldsburg, be and the same is hereby repealed, and that the said supreme court at Reynoldsburg, be held on the fourth Monday in May in each and every year.

F. W. HULING,
Speaker of the House of Representatives.
BURCHET DOUGLASS,
Speaker of the Senate

December 19, 1831.

CHAPTER CCXXVIII.

AN ACT for the benefit of Richard Rushing Jun'r. and Anderson Smith.

SEC. 1. Be it enacted by the General Assembly of the State of Tennessee, That Richard Rushing Jun'r. and Anderson Smith, shall be entitled to a preference of entry or right of occupancy to any quantity of vacant and unappropriate land, not exceeding one hundred and sixty acres, lying in Perry county, so as to include John Shepherds' fish trap upon Beech river for the purpose of building a mill; Provided, the same shall in no wise interfere with any prior occupant; and provided, also, that if the said Rushing and Smith should not put a mill in operation upon the same within two years, from and after the passage of this act, the privilege hereby granted shall be null and void.

SEC. 2. Be it enacted, That an act passed at Nashville on the 30th of December 1830, entitled an act for the benefit of Eliza Nightingale, be and the same is hereby revived.

F. W. HULING,
Speaker of the House of Representatives.
BURCHET DOUGLASS,
Speaker of the Senate.

December 19, 1831.

CHAPTER CCXXIX.

AN ACT for the relief of Samuel Hunt late Sheriff of Washington county, and James P. M'Carty.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Samuel Hunt late sheriff of Washington county, shall be allowed the further time of two years to collect the taxes and public dues that accrued during his continuance in office, and for that purpose shall have and may exercise the same powers in the collection of said public dues as if he were the acting sheriff.

Samuel Hunt.

SEC. 2. *Be it enacted,* That James P. M'Carty former sheriff of Hawkins county, shall be allowed the further time of two years to collect the taxes and public dues that accrued during his continuance in office, and for that purpose shall, either by himself or former deputy, and may exercise the same powers in the collection of said public dues as if he were the acting sheriff of said county.

James P. M'Carty.

F. W. HULING,

Speaker of the House of Representatives.

BURCHET DOUGLASS,

Speaker of the Senate.

December 19, 1831.

CHAPTER CCXXX.

AN ACT for the benefit of Isaac Low and D. C. Chamberlin.

Be it enacted by the General Assembly of the State of Tennessee, That the Treasurer of East Tennessee, be authorized and required to pay to Isaac Low the sum of nine dollars eighty two cents, being the amount paid to the Treasurer by mistake; also, to D. C. Chamberlin of Cocke county, the sum of eleven dollars and twenty cents, which sum said Chamberlin has paid the Treasurer through a mistake made in settling with the commissioners appointed to settle with the clerks of the circuit and county courts; and that said sums of money be paid out of any money in the treasury not otherwise appropriated; Provided, they shall show to the Treasurer that they are entitled to the same.

F. W. HULING,

Speaker of the House of Representatives.

BURCHET DOUGLASS,

Speaker of the Senate.

December 15, 1831.

CHAPTER CCXXXI.

AN ACT for the relief of the citizens of Morgan and Anderson.

Be it enacted by the General Assembly of the State of Tennessee, That the sheriffs or collectors of the state tax in the counties of Carter, Fentress, Morgan and Anderson, be required to pay over the state tax for two years to the commissioners appointed by the county courts of their several counties, for the purpose of enabling the citizens of said counties to build a jail in each county.

F. W. HULING,

Speaker of the House of Representatives.

BURCHET DOUGLASS,

Speaker of the Senate.

December 17, 1831.

CHAPTER CCXXXII.

AN ACT for the benefit of Leonard Cardin of Monroe county and Absalom Looney of Knox County.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the treasurer of East Tennessee pay Leonard Cardin the sum of twelve dollars twelve and a half cents, out of any moneys in the treasury not otherwise appropriated, and his receipt shall be a good voucher in the hands of said treasurer on the settlement of his account.

L. Cardin.

SEC. 2. *Be it enacted,* That the treasurer of East Tennessee pay to Leonard Cardin, the amount of costs awarded against him in a suit determined in the circuit court of Monroe county, Den, lessee of Joseph Donohoo against said Cardin, if said Cardin will produce to the treasurer the bill of costs which have been paid by Cardin, duly certified by the clerk and the receipt of the said Cardin shall be a good voucher for said treasurer in the settlement of his accounts.

Costs of a suit to be repaid to L. Cardin.

SEC. 3. *Be it enacted,* That the treasurer of East Tennessee be, and he is hereby authorized and required to pay to Absalom Looney of Knox county, one hundred and ninety dollars for surveying, done for the state, and the further sum of thirty dollars for chain carriers, the said sums of money to be paid out of any money in the treasury not otherwise appropriated.

Compensation to A. Looney.

F. W. HULING,

Speaker of the House of Representatives.

BURCHET DOUGLASS,

Speaker of the Senate.

December 19, 1831.

CHAPTER CCXXXIII.

AN ACT concerning the troop of cavalry at Pulaski.

Be it enacted by the General Assembly of the State of Tennessee, That the troop of cavalry at Pulaski may be increased to any number not exceeding one hundred, out of any of the militia regiments of Giles county, so that no company shall be reduced thereby below its lawful number.

F. W. HULING,

Speaker of the House of Representatives.

BURCHET DOUGLASS,

Speaker of the Senate.

December 21, 1831.

CHAPTER CCXXXIV.

AN ACT to make lawful grants and entries within five miles of the narrows of Harpeth.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee,* That all grants issued by the state of Tennessee for any lands lying within the reservation from entry within five miles of the Narrows of Harpeth, in the county of Davidson, since the act of 1823 and made under the provision of said act, shall be good and valid in law, to pass the title to said lands to the grantee from the passage of this act, notwithstanding the land on which said entries were made, were not subject to appropriation at the date of said entries or grants.

Grants made valid.

SEC. 2. *Be it enacted,* That any person or persons or their assignees, who had entered under the law of 1823 aforesaid, within said reservation, but who have not obtained their grants, it shall be lawful for the register to issue grants thereon, which shall be good and valid, and shall pass the title to said grantees.

Grant to issue on certain entries.

SEC. 3. *Be it enacted,* That where any person or persons may have settled him or herself or made any improvements, on any unappropriated lands within said reservation, they shall have a preference for the space of three months after the passage of this act, to make his, her, or their entries, so as to include his, her or their improvements, and shall be allowed to enter any quantity not exceeding one hundred and sixty acres.

Certain preference granted.

F. W. HULING,

Speaker of the House of Representatives.

BURCHET DOUGLASS,

Speaker of the Senate.

December 19, 1831.

CHAPTER CCXXXV.

AN ACT to compensate Charles F. Keith, commissioner appointed under an act of the last general assembly, for his services in adjudicating Hiwassee improvements.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the treasurer of East Tennessee pay Charles F. Keith, the sum of three hundred dollars for his services as commissioner in adjudicating certain claims to him referred under an act entitled an act for the relief of certain improvers of land in the Hiwassee District.

To C. F. Keith.

SEC. 2. *Be it enacted,* That the treasurer of East Tennessee pay Samuel M. Gantt, clerk of the commissioner, under the above recited act, the sum of twenty five dollars for his services, and the receipt of the said Gantt shall be to said treasurer a good voucher on the settlement of his accounts.

To S. M. Gantt.

F. W. HULING,

Speaker of the House of Representatives.

BURCHET DOUGLASS,

Speaker of the Senate.

December 19, 1831.

CHAPTER CCXXXVI.

AN ACT for the benefit of the regiment of cavalry attached to the twelfth brigade of Tennessee militia.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the regiment of cavalry attached to the twelfth brigade, be and is hereby divided into two battalions to be denominated the first and second battalions of the twelfth regiment of cavalry.

Regiment divided.

SEC. 2. *Be it enacted,* That the companies of cavalry on the north side of the Tennessee river, belonging to the said regiment of cavalry, shall compose the first battalion, and shall hold a battalion muster in Washington, Rhea county, on the first Thursday in October annually; and the companies of cavalry on the south side of said river belonging to said regiment, shall compose the second battalion, and shall hold a battalion muster in Athens, McMinn county, on the second Thursday in October annually, provided nevertheless, that after one parade of each battalion of the places aforesaid, a majority of the commissioned officers of said regiment, shall and may have the power of altering the places of holding the same.

Time and places of mustering.

SEC. 3. *Be it enacted,* That it shall be the duty of the field and staff officers belonging to said regiment to

Officers of reg't. to attend both battalion musters.

attend and muster, equipped according to law, both of said battalion musters, under the same penalties, and subject to the same liabilities as said officers are now subject to for any deficiency whatever.

Court martial. SEC. 4. *Be it enacted,* That the commissioned officers of said regiment of cavalry, shall hold a regimental court martial on the Friday immediately succeeding the parade of the aforesaid second battalion, under the same rules regulations and restrictions, and possessing the same powers as now belong to infantry court martials of the same grade.

Repealing clause. SEC. 5. *Be it enacted,* That all laws heretofore passed requiring a regimental muster of the cavalry in said regiment be, and the same are hereby repealed.

F. W. HULING,

Speaker of the House of Representatives.

BURCHET DOUGLASS,

December 19, 1831.

Speaker of the Senate.

CHAPTER CCXXXVII.

AN ACT for the relief of the persons therein named.

Be it enacted by the General Assembly of the State of Tennessee, That Thomas Adams and Bazzle Rodgers, be and they are hereby authorized and entitled to enter the balance of their occupant claim on the general plan of the surveyor's district within whose bounds their claim lies, on any good and valid warrant or part of warrant or certificate; and it shall be the duty of said principal surveyor to receive the same and make the whole out in one survey which shall be as good and valid as if there had been no deficit in the first entry.

F. W. HULING,

Speaker of the House of Representatives.

BURCHET DOUGLASS,

December 21, 1831.

Speaker of the Senate.

CHAPTER CCXXXVIII.

AN ACT to incorporate the town of Williamsport in the county of Maury and to extend its limits.

Town incorporated. SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the town of Williamsport, in the county of Maury and the inhabitants thereof, are hereby con-

stituted a body politic and corporate, by the name of the mayor and aldermen of the town of Williamsport, under the same rules, regulations and restrictions, with the same powers, duties and privileges as are given and granted to the town of Columbia and the inhabitants thereof by an act entitled "an act to incorporate the inhabitants of the town of Columbia, in the county of Maury," passed November 17, 1817, chapter 143; and every article clause and section of the act aforesaid shall govern the mayor and aldermen and other persons concerned in the corporation of the town of Williamsport, as if herein again specially enacted; and it shall be the duty of the sheriff of Maury county or any other officer to hold an election in the town of Williamsport aforesaid on the first Saturday in January in each and every year, for the purpose of electing seven persons to serve as aldermen of the corporation of the said town of Williamsport for one year after their election, who, when elected, shall choose by ballot one of their own body to serve as mayor for the same time for which the said aldermen are chosen, and they shall also choose a recorder and town constable to execute all such duties and process as may be necessary for the convenience and good government of the town.

SEC. 2. *Be it enacted,* That the bounds of the corporation of the town of Williamsport be, and the same are hereby extended so as to include the following limits, viz: beginning at a stake on the bank of Duck river, two hundred and eight feet 6½ inches west of a line extended with the front of the row of houses on the west side of the principal street, thence south 40½ chains to a stake, about 8½ feet north east of a large poplar, thence six chains 81½ links to a stake, about seven feet north east of a white oak, thence north 33½ chains to the bank of Duck river and from thence down the river to the beginning, all of which territory so included shall be a part of the said corporation of Williamsport, together with the inhabitants thereof, subject to the same laws, regulations and provisions in every respect which apply to other parts of said corporation.

Limits of extension.

F. W. HULING,

Speaker of the House of Representatives.

BURCHET DOUGLASS,

December 19, 1831.

Speaker of the Senate.

CHAPTER CCXXXIX.

AN ACT establishing a company to be called the Nashville Greys.

SEC. 1. Be it enacted by the General Assembly of the State of Tennessee, That the Volunteer company in Nashville, denominated the Nashville Greys shall be attached to and constitute a part of the 115th regiment T. M. and shall enjoy all privileges and be subject to all the duties of the militia of this state as required by law, with this exception, they shall not be compelled to attend the battalion or regimental muster or court martials of said regiment.

Attached to 115th
regiment.

SEC. 2. Be it enacted, That if in the division of said 115th regiment any of the members of said Nashville Greys, should fall within the bounds of another regiment they shall not be subject to militia duty in such regiment so long as they continue members of said company; and that it shall be lawful for any person residing in Nashville or Davidson county to become a member of said Nashville Greys notwithstanding they may reside without the bounds of said 115th regiment.

Privileges of 115th

SEC. 3. Be it enacted, That the officers of the said Nashville Greys may assess fines under their own by-laws and regulations, and such fines when collected shall be for the exclusive benefit of said company.

Assessment of
fines.

F. W. HULING,

Speaker of the House of Representatives.

BURCHET DOUGLASS,

Speaker of the Senate.

December 17, 1831.

CHAPTER CCXL.

AN ACT to incorporate the Sommerville Female Academy.

SEC. 1. Be it enacted by the General Assembly of the State of Tennessee, That all and every person or persons or the legal representatives of such persons who are or shall become stockholders or subscribers to the association or company formed at Sommerville in the county of Fayette, for the purpose of establishing a Female Academy, and are or shall be proprietors of the real or personal property belonging to said company, shall be and they and their successors and assigns are hereby declared to be a body politic and corporate by the name and style of the president, trustees, &co. of the Sommerville Female Academy, and by that name shall have succession for twenty years and shall be liable to sue and be sued, plead and be impleaded in

Stockholders in-
corporated.

all courts of record and elsewhere, and to purchase and hold real and personal estate not to exceed thirty thousand dollars in value, and the same to alien and dispose of, and to have a common seal; and also to ordain, establish and put in execution such by-laws and regulations as shall appear necessary and proper for transacting the business of the association or company, and conducting and governing a seminary for the education of females; Provided, the same shall not be inconsistent with the laws and constitution of the State.

SEC. 2. Be it enacted, That the following shall constitute the rules for the government of said company:

Rules for the
government of the
association.

Art. 1. Each individual who shall have subscribed the articles of association, and shall have paid the amount of their subscription or shall hereafter pay the same to the Treasurer or to such person as may have been authorized by the building committee to receive the same or shall hereafter sign the articles with the approbation of the president and trustees, and shall pay to the Treasurer twenty dollars, shall be considered a joint proprietor with all the members in the stock or property of the company so long as he shall conform to laws and rules for the government of the same.

Art. 2. The affairs of said company shall be managed by thirteen trustees who shall elect one of their own body to be president; said trustees shall be elected by the proprietors of the stock in said company on the first Monday in November every two years. The trustees shall be proprietors of stock, and shall be citizens of the county of Fayette; and in electing trustees each stockholder shall be entitled to one vote only, and those having the highest vote or number of votes, shall be considered as elected; and if at any time an election should not take place, the president and trustees for the time being shall continue to manage the affairs of said institution until an election takes place, and if any of the trustees shall refuse to act or die or remove out of the county, or cease to be a member of the company, the remaining said trustees shall fill said vacancy from amongst the members of the company, until the next election shall take place.

Of the Trustees.

Art. 3. There shall be a treasurer and secretary elected for said company who shall hold his or their office for two years, whose duty it shall be to take charge of the funds of the company, and to collect, distribute and to pay over the same, pursuant to the orders of the president and trustees of the company. The Treasurer before entering on the duties of his office, shall enter into bond with good security payable to the president and trustees for the use of the company in such sums as they may direct, with condition that he will well and truly ac-

Secretary and
Treasurer.

count for all moneys by him received, and pay over whatever sum shall be in his hands to the president and trustees or to their order whenever he shall be thereto required; and the said Treasurer shall keep a regular book in which he shall enter all the receipts and expenditures of the money of the institution, shall keep the same open at all times for their inspection, and shall pay over the same together with all papers and documents to the president when he shall go out of office.

Art. 4. The president and trustees of whom a majority shall be a quorum, shall have power to make, alter and amend all by-laws, rules and regulations for the government of the officers of the company, and that of their officers and persons employed by them, and for the tuition and instruction of females, as to them from time to time may seem proper—not inconsistent with this act of incorporation—and shall have power to employ such and so many teachers as to them may appear necessary.

Art. 5. All contracts and engagements made by said company with their teachers and others shall be signed by the president and shall be obligatory in said company.

SEC. 3. *Be it enacted*, That until the first Monday in November 1823, and until an election shall take place for trustees of said academy, the affairs of said company shall be conducted by Wm. S. Gray, Benjamin F. Gray, A. G. Hunter, Bennett H. Henderson, Washington L. Hannum, Michael Cody, John C. Cooper, Robert A. Parker, Thomas C. Hudson, J. Higgason, J. B. McClellan, John Brown and James Hamilton, of whom Bennett H. Henderson is president, and Michael Cody secretary.

SEC. 4. *Be it enacted*, That the election for trustees shall be conducted under the superintendance of any Justice of the Peace for Fayette county at the time herein appointed; and said election shall be held at the academy house, and that ten days public notice shall be given of said election by the acting secretary.

SEC. 5. *Be it enacted*, That said corporation shall be subject to all laws which may be passed by the General Assembly from time to time, to regulate its concerns as though this act had not been passed.

F. W. HULING,

Speaker of the House of Representatives.

BURCHET DOUGLASS,

Speaker of the Senate.

December 15, 1831.

CHAPTER CCXLI.

AN ACT to authorize the county court of Greene to grant to Robert C. Gordon the privilege of erecting a toll bridge across Lick creek in the county of Greene.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the county court of Greene, a majority of the acting Justices of the Peace being present, shall have power to grant to Robert C. Gordon, the privilege of building a bridge across Lick creek, where the public road leading from the State of Kentucky crosses Lick creek by William Conway's, and thence by Warrensburg to the south and east; and the said court shall have power to regulate the toll for the same for the benefit of said Gordon, and for such length of time and under such conditions, regulations and restrictions as said court shall require and determine; Provided, the said court shall be satisfied that the person or persons who owns or own the land on each side of said creek where said bridge is to be built, shall give his or their consent thereto; and provided, said bridge shall not obstruct the ford of said creek.

SEC. 2. *Be it enacted*, That the provisions of this act shall not extend to authorize said court to subject any citizens of Greene and Cocke counties to the payment of toll, who may cross said bridge in going to or returning from church, mills, stores, elections, musters, blacksmith's shops and other mechanical establishments in said counties.

F. W. HULING,

Speaker of the House of Representatives.

BURCHET DOUGLASS,

Speaker of the Senate.

December 19, 1831.

CHAPTER CCXLII.

AN ACT to include the residence of John Andrews within the county of Giles.

Be it enacted by the General Assembly of the State of Tennessee, That so much of the line of the county of Giles and Maury, as lies between where the Shelbyville road crosses said line, and where the Columbia road crosses the same, be altered in such manner as to include the house and spring of John Andrews within the county of Giles.

F. W. HULING,

Speaker of the House of Representatives.

BURCHET DOUGLASS,

Speaker of the Senate.

December 20, 1831.

President and Trustees.

Of contracts and engagements.

Trustees appointed.

Election of trustees.

Corporation subject to supervision of Gov'l. Assembly.

Authority granted.

Limitation of this act.

CHAPTER CCXLIII.

AN ACT to divorce Elizabeth Linn from her husband Jacob Linn.

Be it enacted by the General Assembly of the State of Tennessee, That the bonds of matrimony heretofore and now existing between Elizabeth Linn and Jacob Linn, be and the same are hereby dissolved.

F. W. HULING,
Speaker of the House of Representatives.
BURCHET DOUGLASS,
Speaker of the Senate.

CHAPTER CCXLIV.

AN ACT for the relief Lewis Ross.

Relief granted.
SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee, That the Treasurer of East Tennessee, be required to have surveyed the land which Lewis Ross lost in a suit with John Spears, an Indian reservee, and that said Treasurer shall pay to the said Lewis Ross the amount of the original cost of said land at the Hiwassee land sales together with the interest on the aforesaid purchase money.*

Restored to privileges.
SEC. 2. *Be it enacted, That Lewis Ross shall hereafter be allowed and enjoy all the rights and privileges of this State.*

F. W. HULING,
Speaker of the House of Representatives.
BURCHET DOUGLASS,
Speaker of the Senate.
December 19, 1831.

CHAPTER CCXLV.

AN ACT for the relief of William Carter former Sheriff of Carter county.

Be it enacted by the General Assembly of the State of Tennessee, That William Carter, former sheriff of Carter county, be allowed the further term of two years from and after the passage of this act, to finish the collection of all taxes which were not paid within the time prescribed by law, under the same rules, regulations and restrictions and with equal powers as acting sheriffs have in such cases; Provided, however, that nothing herein contained

shall prolong the settlements which the sheriff is bound to make with the public Treasurer or county trustee.

F. W. HULING,
Speaker of the House of Representatives.
BURCHET DOUGLASS,
Speaker of the Senate.
December 17, 1831.

CHAPTER CCXLVI.

AN ACT for the benefit of William Thompson and others.

Names confirmed.
SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee, That Robert Thompson, William Thompson and Sarah Dillingham, formerly Sarah Thompson, the reputed children of William Thompson Sen'r. of Jackson county, born out of the bonds of wedlock, be known and called by the names of Robert Thompson, William Thompson and Sarah Dillingham.*

Legitimated.
SEC. 2. *Be it enacted, That Robert Thompson, William Thompson and Sarah Dillingham, be and they are hereby declared the legitimate children of said William Thompson Sen'r. their reputed father and be entitled to all the rights, privileges and immunities as heirs or distributees of said William Thompson, that they would have been entitled to if they had been born in lawful wedlock or marriage existing between the father and mother of said Robert, William and Sarah.*

Certificates of conveyances.
SEC. 3. *Be it enacted, That all deeds of conveyance for land, bills of sale for negroes or other property, and all other instruments of writing whatsoever, either under seal or otherwise, taken in the name, of Agnes Thompson in her life time, the wife of the said William Thompson Sen'r. are hereby declared and made as good and valid to all intents and purposes both in law and equity, to said William, as though they had been taken and executed to him in his own name.*

F. W. HULING,
Speaker of the House of Representatives.
BURCHET DOUGLASS,
Speaker of the Senate.
December 20, 1831.

CHAPTER CCXLVII.

AN ACT for the relief of the heirs of Thomas Alsop deceased.

Be it enacted by the General Assembly of the State of Tennessee, That Josiah Hatley executor of Thomas Alsop

deceased, is hereby authorized and empowered to rescind the contract made by the said Thomas Alsop in his lifetime with Matthew Gleaves in the purchase of a tract of land in the Western District of this State and in Hardeman county; and the said administrator is hereby authorized to give up to the said Matthew Gleaves the bond given by said Matthew Gleaves to said Thomas Alsop, for the title to said tract of land, and to receive from said Gleaves the note given by said Alsop for the payment of said land; Provided, the said Matthew Gleaves may consent to the same in writing under his hand and seal.

F. W. HULING,
Speaker of the House of Representatives.
BURCHET DOUGLASS,
Speaker of the Senate.

December 19, 1831.

CHAPTER CCXLVIII.

AN ACT to extend the corporation laws of the town of Kingston in the county of Roane.

Power given. SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the commissioners of the town of Kingston shall have the same powers to regulate the concerns of said town as the Mayor and Aldermen of the town of Knoxville have in and over said town of Knoxville, and shall be subject to the same limitations and conditions as are imposed by law on said Mayor and Aldermen.

Hardeman Male Academy. SEC. 2. *Be it enacted,* That the name of the academy in the Eastern part of Williamson county, heretofore known and distinguished as the "Harpeth Male Academy," be and the same is hereby changed to the name of the Hardeman Male Academy.

F. W. HULING,
Speaker of the House of Representatives.
BURCHET DOUGLASS,
Speaker of the Senate.

December 20, 1831.

CHAPTER CCXLIX.

AN ACT to change the names and make legitimate the persons therein named.

Name changed. SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Thomas Jefferson Ellis, Susan Jane

Ellis and Horace Sampson, Ellis illegitimate children of Thomas D. Wiggin of Franklin county, shall hereafter be known by the names of Thomas Jefferson Wiggin, Susan Jane Wiggin and Horace Sampson Wiggin, and by that name shall be capable of inheriting the property of the said Thomas D. Wiggin in as full a manner as if they had been born in lawful wedlock.

SEC. 2. *Be it enacted,* That Amey Harris wife of William Harris of Greene county, be and she is hereby empowered to have, possess and enjoy property, both real and personal, in her own name, to sue and be sued, plead and be impleaded, and in all respects to enjoy the rights and privileges of an unmarried woman excepting the privilege of intermarrying with another man.

Amey Harris.

F. W. HULING,
Speaker of the House of Representatives.
BURCHET DOUGLASS,
Speaker of the Senate.

December 20, 1831.

CHAPTER CCL.

AN ACT for the relief of William Polk.

Be it enacted by the General Assembly of the State of Tennessee, That all the following described lands, patented by the State of North Carolina on the 10th day of July 1783, to George Dougherty now the property of William Polk and situate in the county of Obion, viz: grant No. 35 for three thousand acres; grant No. 51, for four thousand acres; grant No. 98, for three thousand acres; and grant No. 161, for two thousand acres, so far as any portion of said lands are flooded by the waters of Reelfoot lake, be and the same are hereby forever exempted from all State and county taxes, dues or assessments; Provided, always, that this act shall have no force or effect until said Polk at his own expense shall cause to be ascertained by the county surveyor of Obion county, and reported to the county or circuit court of said county to be recorded, the precise quantity of said lands, patented by the grants aforesaid, which have not been flooded and lost by the waters of said lake.

F. W. HULING,
Speaker of the House of Representatives.
BURCHET DOUGLASS,
Speaker of the Senate.

December 19, 1831.

CHAPTER CCLI.

AN ACT for the benefit of Henry Lightfoot and Joseph Hodge.

Be it enacted by the General Assembly of the State of Tennessee, That Henry Lightfoot and Joseph Hodge may have surveyed and laid down on the general plan of their district, any quantity of vacant and unappropriated land, not exceeding one hundred and fifty acres, lying on Talley's branch in Henry county, in the twelfth surveyor's district, range fourth, and section fifth, for the purposes of building a mill, and shall have the same preference of entry as other occupants; Provided, the same shall in no wise, interfere with any prior occupant; Provided, also, that if the said Lightfoot and Hodge should fail or refuse to put a mill in operation within two years from and after the passage of this act, the privilege hereby granted shall be void.

F. W. HULING,

Speaker of the House of Representatives.

BURCHET DOUGLASS,

Speaker of the Senate.

December 19, 1831.

CHAPTER CCLII.

AN ACT to change the time of holding battalion musters in the 22d regiment Tennessee Militia.

Be it enacted by the General Assembly of the State of Tennessee, That the first battalion in the 22d regiment of Tennessee Militia, shall hereafter hold battalion musters on the last Friday in March, and the second battalion on the first Friday in April.

F. W. HULING,

Speaker of the House of Representatives.

BURCHET DOUGLASS,

Speaker of the Senate.

December 20, 1831.

CHAPTER CCLIII.

AN ACT for the benefit of Susan R. Pistole.

Be it enacted by the General Assembly of the State of Tennessee, That Susan R. Pistole of Maury county, shall have liberty of contracting and being contracted with, in her own name, suing and being sued, plead and being

impleaded with, and shall have all the powers of a feme sole, and any property hereafter which she may obtain by her own industry, from and after the passage of this act, shall not be subject to the payment of the debts of her husband David Pistole, any law to the contrary notwithstanding.

F. W. HULING,

Speaker of the House of Representatives.

BURCHET DOUGLASS,

Speaker of the Senate.

December 20, 1831.

CHAPTER CCLIV.

AN ACT concerning the seat of justice in the county of Wayne.

SEC. 1. Be it enacted by the General Assembly of the State of Tennessee, That it shall be the duty of the sheriff of Wayne county on the Monday of next, to open and hold elections at the different election precincts in said county for the purpose of ascertaining whether it be the wish of a majority of the qualified voters thereof, that the seat of justice shall be removed from Waynesboro' to the town of Carrollville in said county of Wayne.

Election to be held.

SEC. 2. Be it enacted, That said sheriff shall give twenty days' notice of the days of holding said elections by advertising the same at some public place in each captain's company, and every citizen resident in said county authorized to vote for members of the General Assembly, shall be entitled to vote at said elections.

Twenty days' notice to be given.

SEC. 3. Be it enacted, That if in comparing the polls it shall appear that a majority of the voters, being also a majority of the voters of said county are in favour of transferring the seat of justice from Waynesboro' to Carrollville, it shall be the duty of the sheriff to report the same to the next ensuing county court of said county, together with a full and fair statement of the polls.

Sheriff to report to county Court.

SEC. 4. Be it enacted, That if said court, two thirds of the Justices thereof being present, shall be satisfied from said report, that it is the will of a majority of all the qualified voters of said county to remove the seat of justice of said county to said town of Carrollville, they shall signify the same to the Governor of the State under the seal and certificate of said court, whereupon said Governor shall appoint three qualified and impartial commissioners, none of whom shall be citizens of the county of Wayne.

Duty of the county Court.

SEC. 5. Be it enacted, That said commissioners shall

Duty of Commissioners.

proceed to value, on oath, all the lots and the improvements if any thereon, lying in said town of Waynesboro' and they shall under their hands and seals execute and delivered to the owners of such lots and improvements, certificates of the respective value thereof, and said commissioners shall be entitled to the sum of _____ dollars per day for every day they may be engaged in said valuation to be paid as hereinafter provided for.

Removal of the County Seat:

SEC. 6. *Be it enacted*, That whenever the Governor of the State shall be satisfied that said commissioners are paid for their said services, and that said certificate of valuation are all rendered, and a court house and jail shall have been erected in the town of Carrollsville equal in value to the court house and jail in the town of Waynesboro', he shall by proclamation declare the seat of justice for said county of Wayne, removed from Waynesboro' to Carrollsville, and thereupon it shall be the duty of the different officers of the courts to transfer all records, books and papers of their respective office to said town of Carrollsville, and the different courts of justices shall thereafter be opened and held in said town of Carrollsville, as they are now held by law in the town of Waynesboro'; Provided, always, that the money requisite to fulfil and discharge the object contemplated by this act, shall in no wise be raised by any tax to be hereafter assessed on the people of the county of Wayne; and provided, also, that unless the seat of justice for said county, be removed on the conditions herein before declared on or before the first day of January 1834, this act shall forever after cease to operate and be of no force and effect whatever.

F. W. HULING,

Speaker of the House of Representatives.

BURCHET DOUGLASS,

Speaker of the Senate.

December 17, 1831.

CHAPTER CCLV.

AN ACT to make legitimate Franklin Colburn, otherwise Franklin Enis.

Made legitimate.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Franklin Colburn otherwise Franklin Enis, illegitimate son of William Colburn of Blount county by Martha Enis, be made a lawful heir to have and receive the estate of said William Colburn in as ample a manner as if he had been born in lawful wedlock, any law, usage or custom to the contrary notwithstanding.

SEC. 2. *Be it enacted*, That said Franklin be known hereafter by the name of Franklin Colburn. Name changed.

F. W. HULING,

Speaker of the House of Representatives.

BURCHET DOUGLASS,

Speaker of the Senate.

December 20, 1831.

CHAPTER CCLVI.

AN ACT to compel the commissioners of the county seat of Monroe county to make settlement.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That it shall and may be lawful for the commissioners appointed by an act entitled "An act to appoint certain persons to settle with the commissioners of the county seat of Monroe county and for other purposes," passed the 7th Jan. 1830, to file in the circuit court of Monroe county a bill against the board of commissioners of the county seat of Monroe county and their predecessors in office, calling said commissioners, and their said predecessors of said county seat, to account for the receipts and disbursements of the moneys arising from the sales of the public property by them sold, and which was heretofore appropriated by law to the use and benefit of said county seat, and that said defendants shall be required to show the amount of debts to them due and owing, and which may not have been collected, from whom due and when due, and also what property, if any, remains unsold belonging to said commissioners, and the probable value thereof, and it shall be the duty of said court, to make such decree in the premises as may to right and justice appertain. Settlement to be made.

SEC. 2. *Be it enacted*, That the solicitor of the third solicitorial district, be and he is hereby required to contribute all the aid necessary as attorney and counsellor at law, to carry the provisions of the first section of this act into effect, and if said complainants shall succeed in such suit, there shall be ten dollars taxed to the attorney general in the taxation of costs; if they shall fail in said suit there shall be no taxation of costs. Duty of the Solicitor General.

SEC. 3. *Be it enacted*, That it shall be the duty of Robert Haynes, commissioner of the town of Lawrenceburgh or his successor in office, to pay to John Wasson, one of the late commissioners of said town, the amount of his account, being about twenty dollars for moneys paid by the said Wasson when commissioner, for labor done in digging a well on the public square in Lawrenceburgh, John Wasson of Lawrenceburgh.

and the receipt of the said Wasson shall be a good voucher to the said Haynes on the settlement of his account.

F. W. HULING,
Speaker of the House of Representatives.
BURCHET DOUGLASS,
Speaker of the Senate.

December 19, 1831.

CHAPTER COLVII.

AN ACT to declare navigable Knobb creek in Sevier county.

Be it enacted by the General Assembly of the State of Tennessee, That Knobb creek of Sevier county, a branch of Boyd's creek, be and the same is hereby declared navigable from the mouth of said creek up to the place where the public road, leading from Sevierville to Maysville, crosses the same.

F. W. HULING,
Speaker of the House of Representatives.
BURCHET DOUGLASS,
Speaker of the Senate.

December 20, 1831.

CHAPTER CCLVIII.

AN ACT to extend the north boundary line of the corporation of the town of Lebanon.

Be it enacted by the General Assembly of the State of Tennessee, That the north boundary line of the corporation of the town of Lebanon be and is hereby extended from the north west corner of Samuel Yerger's lot running north twenty four poles to a stake, thence west sixteen and a half poles to a stake, thence south to the old boundary line; and that all the citizens now residing or may hereafter become citizens within the said boundary, shall be subject to all the rules and regulations of the corporation of the said town of Lebanon now in force or shall hereafter be adopted by the mayor and aldermen of said corporation, any law, usage or custom to the contrary notwithstanding.

F. W. HULING,
Speaker of the House of Representatives.
BURCHET DOUGLASS,
Speaker of the Senate.

December 20, 1831.

CHAPTER CCLIX.

AN ACT to incorporate a company for opening a turnpike road from Nashville to the top of the ridge about one mile from Elijah Robertson's, in a direction from Nashville via Charlotte, to the Western District and for other purposes.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Stephen Cantrell, M. Barrow, Philip Shute, Joseph T. Elliston, William E. Watkins, M. Bell, Charles L. Love, Jos. Meek, Brent Spence, Andrew Hynes, George Crockett, William Lytle, Elijah Robertson and R. B. Turner, be and they are hereby appointed commissioners to open books for the purpose of receiving subscriptions to the amount of sixty thousand dollars, to be applied to making a turnpike road from the town of Nashville to the top of the ridge one mile beyond Elijah Robertson's, in a direction to the Western District, via Charlotte, which sum of sixty thousand dollars shall be divided in sums of fifty dollars each.

SEC. 2. *Be it enacted,* That the said company shall be governed by the same rules, regulations, and enjoy the same privileges and advantages as prescribed in an act entitled "an act to incorporate a company for opening a turnpike road from Nashville to Murfreesborough" passed January 4th 1830, and said road shall in all respects be made in the same manner as described in the 3d section of said act.

SEC. 3. *Be it enacted,* That the said company shall be allowed four years from and after the passage of this act to complete the same.

SEC. 4. *Be it enacted,* That as soon as five miles of said road is completed next to Nashville, the said company may have permission to erect a gate, and receive the same rates of toll allowed in the above recited act: Provided, that not more than two gates shall be erected on said road.

SEC. 5. *Be it enacted,* That an act entitled an act to incorporate a company for opening a turnpike road from the Nashville bridge to the top of the ridge at or near Shannon's, on the Russellville and Clarksville roads passed at Nashville in 1829, be and the same is hereby revived and continued in force for the same time and upon the same terms as is provided in the said act which this is intended to revive.

F. W. HULING,
Speaker of the House of Representatives.
BURCHET DOUGLASS,
Speaker of the Senate.

December 20, 1831.

CHAPTER CCLX.

AN ACT to divorce Henry Anderson from his wife Fanny Anderson.

Henry and Fanny Anderson.
 SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the bonds of matrimony now existing between Henry Anderson and Fanny Anderson be and they are hereby dissolved.

Thomas and Fanny Conway.
 SEC. 2. *Be it enacted,* That Thomas Conway of Overton county, be divorced from his wife Fanny Conway, formerly Petall.

Sally and William Anderson.
 SEC. 30. *Be it enacted,* That Sally Anderson of Davidson county, be and she is hereby divorced from her husband William Anderson, and that she is hereby restored to all the rights, and privileges of a *feme sole* as though said marriage had never taken place.

F. W. HULING,
Speaker of the House of Representatives.
 BURCHET DOUGLASS,
Speaker of the Senate.

December 17, 1831.

CHAPTER CCLXI.

A BILL for the relief of Gabriel Fowlkes.

Relief granted.
 SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Gabriel Fowlkes of Hickman county be, and he is hereby authorized to make void an entry of twenty eight acres, founded on a register of West Tennessee, warrant no. 6823, issued to John Brown the 11th December 1830 and which said entry was improperly made; and that said Fowlkes shall have the liberty of sinking the same on any occupant claim south and west of the congressional reservation line, which he may be entitled to, any law, usage, or custom to the contrary notwithstanding.

Surveyor of 7th District.
 SEC. 16. *Be it enacted,* That it shall be the duty of the surveyor general of the 7th district to make void entry no. 18, founded on warrant no. 1252 for fifty acres, upon satisfactory proof being made that it interferes with an occupant claim, and that the entry was made through a mistake.

F. W. HULING,
Speaker of the House of Representatives.
 BURCHET DOUGLASS,
Speaker of the Senate.

December 20, 1831.

CHAPTER CCLXII.

AN ACT for the benefit of the heirs of Col. John Tipton of the House of Representatives.

Be it enacted by the General Assembly of the State of Tennessee, That the treasurer of West Tennessee pay to the heirs of John Tipton, late representative from the county of Washington, one hundred and twenty five dollars and thirty cents, the per diem pay and mileage due to said Tipton, for his services from the 19th day of September to the 8th day of October 1831 inclusive—also the sum of twenty seven dollars to Charles D. M'Lean, chairman of the committee of arrangements, the expenses incurred by said committee in the interment of the deceased Col. Tipton; and the receipts of the said heirs and of the said Charles D. M'Lean, shall be good vouchers in the hands of the said treasurer, in the settlement of his accounts.

F. W. HULING,
Speaker of the House of Representatives.
 BURCHET DOUGLASS,
Speaker of the Senate.

December 17, 1831.

CHAPTER CCLXIII.

AN ACT providing for the removal of obstructions in Elk River.

Whereas by an act of assembly of 1823 and which was amended by an act of 1824, John and Joseph Greer built a mill dam across Elk river and have not complied with the condition of said act:—For remedy whereof,

Be it enacted by the General Assembly of the State of Tennessee, That unless the said Greers shall, by the 1st of November 1832, fix locks in said dam so as to render the navigation of said river safe, secure and easy to any crafts, rafts, or boats that usually navigate said river either in ascent or descent, by fixing good and sufficient locks as required by the act of 1823, and slopes as required by the act of 1824, the said dam shall be and is hereby declared a public nuisance and shall and may be annulled and abated by any person or persons who may do the same; and it shall be the duty of the chancellor to hear and determine the petition of any citizens of Franklin county in relation to the same.

F. W. HULING,
Speaker of the House of Representatives.
 BURCHET DOUGLASS,
Speaker of the Senate.

December 20, 1831.

CHAPTER CCLXIV.

AN ACT for the benefit of James Young of Sparta.

Be it enacted by the General Assembly of the State of Tennessee, That James Young of White County be, and he is hereby authorized to prosecute a suit now pending in the circuit court of White county, in the name of Peter Elrod against Robert Officer, without taking out letters of administration upon the estate of said Elrod deceased.

F. W. HULING,

Speaker of the House of Representatives.

BURCHET DOUGLASS,

Speaker of the Senate.

December 17, 1831.

CHAPTER CCLXV.

AN ACT to release Gardner's turnpike from the payment of a State tax.

Be it enacted by the General Assembly of the State of Tennessee, That the turnpike gate on the road leading from M'Minnville across Cumberland mountain to Pikeville, at present owned by Thomas Gardner, be and the same is hereby released from the payment of any tax whatever, from and after the first day of January next.

F. W. HULING,

Speaker of the House of Representatives.

BURCHET DOUGLASS,

Speaker of the Senate.

December 20, 1831:

CHAPTER CCLXVI.

AN ACT to authorize M. H. Howard and others to build a mill or to erect iron works on Big Sandy river, in the county of Henry.

Authority granted. *Sec. 1. Be it enacted by the General Assembly of the State of Tennessee,* That Memucan H. Howard and others be, and they are hereby authorized to erect a mill or iron works across Big Sandy river below Wyatt's mill, and above the mouth of West Sandy; provided, that said mill or iron works, when erected, shall not interfere with the operation of said Wyatt's mill, any law, usage, or custom to the contrary notwithstanding.

Sec. 2. Be it enacted, That the said M. H. Howard may have surveyed, and laid down on the general plan of the 12th District, any vacant and unappropriated land

not exceeding 5000 acres, including iron ore or timber for the use of iron works, unfit for cultivation and not claimed by any occupant without the consent of such occupant in writing, provided, the said land is within five miles of said iron works, and provided, further, that the said Howard shall erect said iron works within four years from and after the passage of this act.

F. W. HULING,

Speaker of the House of Representatives.

BURCHET DOUGLASS,

Speaker of the Senate.

December 19, 1831.

CHAPTER CCLXVII.

AN ACT for the relief of Matthew M'Clanahan late sheriff of Rutherford county.

Sec. 1. Be it enacted by the General Assembly of the State of Tennessee, That Matthew M'Clanahan late sheriff of Rutherford 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.

Relief granted.

Sec. 2. Be it enacted, That Napoleon B. Bradford, bank agent for Jefferson county, be and he is hereby directed to refund to Thomas Snoddy the sum of twenty two dollars forty six and three fourth cents, which he the said Thomas Snoddy Treasurer of the common school commissioners paid to said agent, over and above what he the said agent was entitled to, and the receipt of the said Thomas Snoddy in the hands of the agent, shall be a good voucher in the settlement of his accounts.

Thos. Snoddy.

F. W. HULING,

Speaker of the House of Representatives.

BURCHET DOUGLASS,

Speaker of the Senate.

December 20, 1831.

CHAPTER CCLXVIII.

AN ACT for the benefit of the Memphis Hospital.

Sec. 1. Be it enacted by the General Assembly of the State of Tennessee, That the State tax on merchants' license within the town of Memphis, be and the same is hereby appropriated for and during the full period of five years from the first day of January next, to the exclusive use and benefit of the Memphis Hospital and is hereby made

State tax appropriated.

the duty of the clerk of the county court of Shelby county, to pay to the trustees of the Memphis Hospital the State tax on merchants' license as aforesaid for five years from the first day of January next, whose receipt for the same shall be a good and sufficient voucher for him with the Treasurer of West Tennessee for the same, any law to the contrary notwithstanding.

SEC. 2. *Be it enacted by the authority aforesaid,* That it shall be the duty of the trustees of the Memphis Hospital to receive and apply the aforesaid appropriation for the use and benefit of the Hospital, under the same rules, restrictions and responsibilities as prescribed in the act of 1829, establishing said Hospital.

F. W. HULING,

Speaker of the House of Representatives.

BURCHET DOUGLASS,

Speaker of the Senate.

December 21, 1831.

CHAPTER CCLXIX.

AN ACT to repeal part of an act passed the 13th day of Jan. 1830.

Be it enacted by the General Assembly of the State of Tennessee, That so much of the above recited act as exempts the volunteer company of the infantry in the 12th regiment of Tennessee Militia, known and distinguished by the name of East Tennessee Highlanders from attending regimental and Battalion musters or courts martial, and in lieu thereof, to hold company musters in Maryville in Blount county, on the third Saturday in November in each and every year, be and the same is hereby repealed.

F. W. HULING,

Speaker of the House of Representatives.

BURCHET DOUGLASS,

Speaker of the Senate.

December 21, 1831.

CHAPTER CCLXX.

AN ACT for the relief of Sally Hopson of Claiborne county.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Sally Hopson wife of Harrod Hopson, 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

Application of
the appropriation

Sally Hopson.

from the controul 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.

SEC. 2. *Be it enacted,* That Elizabeth Moore of Sumner county and Mary Ramsey wife of Thomas K. Ramsey, shall be entitled to the same rights and privileges as are secured to Sally Hopson in the first section of this act.

SEC. 3. *Be it enacted,* That it shall and may be lawful for Lementine Shell of Giles county, to file her petition for a divorce in the next or some subsequent term of the circuit court of Giles county, and on her shewing by credible testimony that her husband James N. Shell, whilst living with her so abused her as to make her take refuge from him in the house of other persons for safety, and that her husband has abandoned her and gone to distant parts without intention to return and without providing any means for her support, to grant a divorce to the said Lementine Shell from her husband without notice or publication.

SEC. 4. *Be it enacted,* That Ellinor Hickerson of Sumner county, wife of Ezekiel Hickerson, be, and she is hereby entitled to all the rights, privileges and immunities granted to Sally Hopson in the first section of this act.

SEC. 5. *Be it enacted,* That it shall and may be lawful for Delany Mitchell of Claiborne county, to file her petition for a divorce at the next or some subsequent term of the circuit court of Claiborne or Grainger county; and on her shewing by credible testimony that her husband Robert Mitchell, has been in the habit of keeping other lewd females in his own house, and that the said Robert Mitchell has been indicted and found guilty in the county or circuit court of Grainger county of such facts, that on proof as herein required, the said court or either of them shall divorce the said Delany Mitchell from her husband Robert Mitchell by giving ten days' notice of such application, to said Robert Mitchell.

F. W. HULING,

Speaker of the House of Representatives.

BURCHET DOUGLASS,

Speaker of the Senate.

December 20, 1831.

Elizabeth Moore
and Mary Ram-
sey.

Lementine Shell.

Ellinor Hicker-
son.

Delany and
Mitchell.

CHAPTER CCLXXI.

AN ACT for the relief of the 77th regiment of Tennessee Militia.

Excused from holding regimental musters.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the 77th regiment of Tennessee Militia, may henceforth be excused from holding regimental musters, and in lieu thereof, each battalion shall hold two battalion musters in each and every year. The first battalion in said regiment shall hold an additional battalion muster on the first Saturday of October, and the second battalion on the last Saturday in October annually, at such places as battalion musters are now authorized to be held by law.

Battalion musters.

SEC. 2. *Be it enacted*, That it shall be the duty of the Colonel Commandant and Lieutenant Colonel of 77th regiment to attend the battalion musters in said regiment which battalion musters shall be governed by the laws now in force and use for the government of regimental musters, and the officers of the regiment shall hold regimental court martials as heretofore.

Third Battalion in Bledsoe county.

SEC. 3. *Be it enacted*, That the third battalion in Bledsoe county, known by the name of the Lafayette Guards hold their court martials on the third Saturday in June annually and their regimental court martial on the first Saturday after the fourth Thursday in November annually, and make their returns to the judge advocate of the 31st regiment of Tennessee Militia, and be under the same rules, regulations and restrictions as other Militia of this State.

F. W. HULING,
Speaker of the House of Representatives.
BURCHET DOUGLASS,
Speaker of the Senate.

December 21, 1831.

CHAPTER CCLXXII.

AN ACT to authorize Austin Gresham to sell a slave.

Be it enacted by the General Assembly of the State of Tennessee, That Austin Gresham, who is the Guardian in right of his wife Eliza Gresham, the mother of Thomas and Mary Burge infants, be and he is hereby authorized to sell for the best price he can obtain a certain negro boy slave named Nathan, the property of his said wards, and the money arising from said sale, shall be applied to the use of the said infant wards, and accounted for as other moneys belonging to the estate of said wards by

said Guardian; Provided, that the securities of said Guardian shall consent in writing, that said sale may be made as is above provided.

F. W. HULING,
Speaker of the House of Representatives.
BURCHET DOUGLASS,
Speaker of the Senate.

December 21, 1831.

CHAPTER CCLXXIII.

AN ACT to establish the town of Batavia.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That a town be established on the lands of James C. Brown in the county of Carroll, to consist of not more than fifty lots of such size as the commissioner may see fit, to be laid off in proper streets and alleys under the direction of James C. Brown, who is hereby declared commissioner for laying out and regulating the said town, which town shall be called and known by the name of Batavia.

Town to be laid out.

SEC. 2. *Be it enacted*, That when any of the lots are sold in the aforesaid town, they shall be liable to taxation as other town lots in this State.

Taxation of town lots.

F. W. HULING,
Speaker of the House of Representatives.
BURCHET DOUGLASS,
Speaker of the Senate.

December 21, 1831.

CHAPTER CCLXXIV.

AN ACT for the benefit of James O. K. Wood.

Be it enacted by the General Assembly of the State of Tennessee, That James O. K. Wood of Weakley county, be and he is hereby authorized to have surveyed and laid down on the general plat of the 13th surveyor's district, any quantity of land, not exceeding 500 acres, adjoining his mill on the north fork of Osion river and for cultivation, upon the payment of the usual fees to the said surveyor, which shall entitle the said Wood to a preference of entry as an occupant, under such rules, regulations and restrictions as are or may be by laws provided.

F. W. HULING,
Speaker of the House of Representatives.
BURCHET DOUGLASS,
Speaker of the Senate.

December 21, 1831.

CHAPTER CCLXXV

AN ACT to authorize John Martin, John B. Perkins and John Simpson to build a bridge across Casey Fork.

Authority granted.
 Sec. 1. *Be it enacted by the General Assembly of the State of Tennessee,* That John Martin, John B. Perkins and John Simpson or either of them, be and are hereby authorized and empowered to build a bridge across the Caney Fork of Cumberland river, near the mouth of Barren creek in the county of Warren.

Rates of toll.
 Sec. 2. *Be it enacted,* That when the said bridge shall be completed, the proprietors thereof, shall be under and governed by the same rules, restrictions and liabilities, that are prescribed in an act of the General Assembly passed the 2nd November 1825, which authorized Reuben Ross to build a bridge across the same river, and the proprietors thereof, shall be entitled to and receive the same rates of toll that was granted to the said Ross by virtue of the aforesaid act.

F. W. HULING,

Speaker of the House of Representatives.

BURCHET DOUGLASS,

Speaker of the Senate.

December 21, 1831.

CHAPTER CCLXXXVI.

AN ACT to authorize David S. Shelton to build a mill dam on Sequatchee river, and for other purposes.

Authority granted.
 Sec. 1. *Be it enacted by the General Assembly of the State of Tennessee,* That David S. Shelton of Marion county, be and he is hereby authorized to build a mill dam across Sequatchee river on his own land, from three to four feet high.

To build a slope.
 Sec. 2. *Be it enacted,* That David S. Shelton be required to build a good and sufficient slope in said dam so that boats or water crafts can safely pass without injury to the owner or owners thereof.

John Dale of White county.
 Sec. 3. *Be it enacted,* That John Dale of White county, may have and erect a mill dam across the Caney Fork in White county, where his mill dam now stands; Provided, he does not injure the ford or springs of the citizens upon said river by such dam.

Caleb Lowe of Knox county.
 Sec. 4. *Be it enacted,* That Caleb Lowe of Knox county, be authorized to build a fish trap on the north side of Clinch river, so as not to obstruct the navigation of the south side of said river, it being the navigable side. Said

Lowe may build his trap at the Cumberland ford of said river in any part thereof, so as not to obstruct the south side thereof, and that the county court of the county in which such trap may be built, is vested with full power to have such trap pulled down, should it obstruct the navigable part of said river, and to tax the said Lowe with the costs thereof, should he fail to remove the obstruction on the order of said court, sufficient notice thereof being given to said Lowe.

F. W. HULING,

Speaker of the House of Representatives.

BURCHET DOUGLASS,

Speaker of the Senate.

December 20, 1831.

CHAPTER CCLXXXVII.

AN ACT for the benefit of John W. P. M'Gimsey and Flora M'Gimsey.

Be it enacted by the General Assembly of the State of Tennessee, That John W. P. M'Gimsey and Flora M'Gimsey, be and they are hereby permitted to bring their suit or suits jointly or separately against the executor or executors, administrator or administrators, of William M'Gimsey deceased, in any court of law or equity in this State having jurisdiction of the same, at any time after said executor or executors, administrator or administrators shall qualify as such, any law, usage or custom to the contrary notwithstanding.

F. W. HULING,

Speaker of the House of Representatives.

BURCHET DOUGLASS,

Speaker of the Senate.

December 19, 1831.

CHAPTER CCLXXXVIII.

AN ACT to encourage the manufacture of Salt.

Be it enacted by the General Assembly of the State of Tennessee, That Henry Sample of Weakley county, shall have and enjoy all the privileges and perform all the duties that other occupants south and west of the Congressional Reservation line enjoy, possess and perform to a tract of country of five miles in extent, each of the bottoms or low grounds of the middle and north forks of Obion rivers in said Weakley county unfit for cultivation;

Provided, however, that the said bottom or low grounds is vacant and unappropriated, and that said Sample does not in any manner interfere with the claim or claims of any occupant or occupants; and provided, further, that should said Henry Sample not succeed in procuring salt water on said lands within two years from and after the first day of January next, then and in that case said land is to revert to the State or United States as the case may be, and said Sample's claim shall forever cease.

F. W. HULING,
Speaker of the House of Representatives.
BURCHET DOUGLASS,
Speaker of the Senate.

December 21, 1831.

CHAPTER CCLXXIX.

AN ACT to amend the first section of an act entitled an act to compel owners of mill dams on Little Pigeon river, in Sevier county, to put slopes therein, passed July 24, 1820.

Be it enacted by the General Assembly of the State of Tennessee, That the slopes directed to be made by the above recited act, shall on or before the first day of November next, be made at least twenty five feet wide, and forty five feet long on a dam seven feet high and in the same proportion for all other dams.

F. W. HULING,
Speaker of the House of Representatives.
BURCHET DOUGLASS,
Speaker of the Senate.

December 21, 1831.

CHAPTER CCLXXX.

AN ACT to amend the laws incorporating the inhabitants of the town of Alexandria in Smith county, and for a precinct election at Commerce in Wilson county.

Sec. 1. Be it enacted by the General Assembly of the State of Tennessee, That hereafter it shall and may be lawful for any one Justice of the Peace living in the captain's company in Smith county, in which the town of Alexandria is situated, to proceed to hold an election for aldermen of said town, under the same rules, regulations and restrictions, as the Sheriff of Smith county is authorized to hold an election for aldermen of the town of Carthage, as provided for by an act passed the _____ day of _____ chapter _____

Election of Aldermen.

Sec. 2. Be it enacted, That the town of Commerce in the county of Wilson, be and is hereby established a precinct, at which the people shall be entitled to vote for members of Congress, members of the Senate and house of Representative of this State, as well as for all other officers for which they are now entitled to vote at other precinct elections in Wilson county.

F. W. HULING,
Speaker of the House of Representatives.
BURCHET DOUGLASS,
Speaker of the Senate.

December 19, 1831.

CHAPTER CCLXXXI.

AN ACT for the relief of John Rayburn.

Be it enacted by the General Assembly of the State of Tennessee, That the Treasurer of Middle Tennessee refund to John Rayburn, Sheriff of Wayne county, twelve dollars and thirty cents, the amount of said sheriff's commission for collecting the State tax for the year 1826, which he has paid into the treasury, and the receipt of the said John Rayburn shall be a good voucher to the said Treasurer in the settlement of his accounts.

F. W. HULING,
Speaker of the House of Representatives.
BURCHET DOUGLASS,
Speaker of the Senate.

December 19, 1831.

CHAPTER CCLXXXII.

AN ACT making an appropriation of money to defray the expenses of the first session of the 19th General Assembly.

Sec. 1. Be it enacted by the General Assembly of the State of Tennessee, That the Speaker of each house shall receive the sum of five dollars per day for their services during the present session, and four dollars for every twenty five miles they may travel to and from the same. That each member of the General Assembly shall receive the sum of four dollars per day for his services during the present session, and the like sum for every twenty five miles he may travel to and from the same. That each Clerk of the General Assembly shall receive six dollars per day for his services during the present session—and

Speakers, members and clerks.

each door keeper, the sum of four dollars per day for his services during the present session.

Sec. 2. Be it enacted, That the Treasurer of West Tennessee pay to N. A. McNairy clerk of the District court of the United States, thirty five dollars, his fees for furnishing the Legislature with a copy of the enumeration of the census of West Tennessee, and to Thomas Foster the sum of two hundred and seven dollars for furnishing wood and cutting the same, and to Eichbaum and Norvell the sum of one hundred and nineteen dollars and seventy six cents, for stationery furnished the General Assembly, and to Robertson and Son the sum of three hundred and twelve dollars and twelve cents, for stationery furnished this General Assembly, also the sum of two hundred and thirty seven dollars thirty two cents, for articles furnished in preparing the rooms for the use of this General Assembly, and to John Austin the sum of two hundred and sixty three dollars, and thirty dollars for fitting up two speakers chairs complete, and to Kirkman and Livingston the sum of four hundred and sixty nine dollars and sixty seven cents, for articles furnished for preparing the two rooms for the General Assembly, and to Atkinson and Son the sum of one hundred dollars and fifty five cents, for painting done to the rooms, and to E. W. Brookshire the sum of thirty two dollars and fifty cents for work done to the rooms, and to Josiah Nichol and Son the sum of sixty dollars, for articles furnished in preparing the rooms, and to E. and C. Trabue the sum of twenty seven dollars and fifty cents, for articles furnished, and to P. Vandervoort Jr. & Co. the sum of four dollars and twenty five cents, for articles furnished for the Representative Hall, and to G. L. Lathrop the sum of twenty dollars, for two speakers' chairs furnished, and to John Austin two dollars for putting iron springs and doors, and to A. Cunningham & Co. the sum of thirteen dollars and fifty cents, for articles furnished, and to Isaac fifty dollars for hauling water for the use of this General Assembly, and to Atkinson the sum of five dollars for sheet iron furnished for stoves, and to Burchet Douglass, Speaker of the Senate, the sum of eight dollars and three cents postage by him paid, and to James Patton, the sum of twenty dollars for services rendered in repairing rooms; and to the Penitentiary, ninety two dollars eighty one and one fourth cents for sundry articles furnished; and to Allen A. Hall, the sum of one thousand and twenty seven dollars eighty three and three fourth cents, for printing done for the House of Representatives; and to Thomas Claiborne, the sum of fifty dollars for having sundry work done to the two houses; and to Charles Wilson, the sum of ten dollars for engrossing; to William

Contingent expenses.

C. Mynatt, the sum of twenty dollars for a copy of the census of East Tennessee; and to James Dally, the sum of six dollars twenty five cents for articles furnished; and to Hunt, Tardiff & Co. the sum of eight hundred and eighty six dollars and ninety seven cents for printing done for the Senate; and for James Smith, the sum of one hundred dollars for his services as assistant clerk twenty days; and to W. H. Hunt, the sum of seventy dollars for his services as assistant clerk fourteen days; to James McDowell, the sum of thirty seven dollars and fifty cents for taking care of the furniture, and services rendered in making necessary preparations previous to the meeting of the Legislature; to Wm. G. Hunt, one hundred and two dollars for services rendered the House of Representatives for engrossing and other services; to Joseph Hickey, one dollar and seventy five cents paid by him for wood; to F. W. Huling Speaker of the House of Representatives, five dollars sixty two and one half cents for postage on communications addressed to him as Speaker.

F. W. HULING,

Speaker of the House of Representatives.

BURCHET DOUGLASS,

Speaker of the Senate.

December 21, 1831.

CHAPTER CCLXXXIII.

AN ACT to authorize the erection of turnpike bridges and cause ways across the middle Fork and Bottom, at Eaton, and across the little north Fork and Bottom of Forked Deer river, at Pags' mill in Gibson county.

Sec. 1. Be it enacted by the General Assembly of the State of Tennessee, That John P. Byrn, Wm. Moore and James Fields be, and they are hereby appointed commissioners to select the most suitable place at or near the town of Eaton in Gibson county, to erect a bridge and causeway across the middle Fork of Forked Deer river and Bottom, and to advertise and let the same, giving thirty days, notice in some two newspapers published in the Western District of the time and place of letting the same, to the person or persons who will construct the said bridge and causeway upon the same plan, under the same regulations and restrictions, for the same tolls and emoluments as are prescribed by law for the bridge and causeway at Jackson for the shortest number of years, and said commissioners are hereby appointed to take bond and security, and to do all things enjoined on the commissioners appointed by the act of assembly establishing the bridge

Commissioners of Eaton turnpike.

and causeway at Jackson; and the said William Moore shall superintend said bridge and causeway after it is built, who shall receive from the proprietor or proprietors the sum of two dollars per day for each day he may be necessarily engaged inspecting said road.

Sec. 2. *Be it enacted*, That T. C. Hawkins, James Scott Sen., Joseph Robbins, George C. Hatch and Carter T. Eason be, and they are hereby appointed commissioners, and they or a majority of them may select the most suitable place at or near Page's mill on the Little North Fork, to erect a bridge and causeway across said Little North Fork and Bottom, and to advertise and let the same, first giving thirty day's notice in some two newspapers in the Western District of the time and place of letting the same, to the person or persons who will construct the said bridge and causeway upon the same plan, under the same regulations and restrictions, for the same tolls and emoluments as are prescribed by law for the bridge and causeway at Jackson for the shortest number of years; provided however, that should said commissioners or a majority of them be of opinion that the rate of toll allowed at the bridge and causeway at Jackson is too high, they shall have power to regulate and establish the rate of toll to be received at said bridge and causeway, which shall be made known in their advertisement; and said commissioners are hereby appointed to take bond and security and to do all things enjoined on the commissioners appointed by act of assembly establishing the bridge and causeway at Jackson; and the said George C. Hatch shall superintend said bridge and causeway after it is built, who shall receive from the proprietor or proprietors the sum of two dollars for each day he may be necessarily engaged in inspecting said road.

Sec. 3. *Be it enacted*, That said superintendants may enforce the payment of said per diem allowance by action of debt before any justice of the peace for Gibson county.

F. W. HULING,

Speaker of the House of Representatives,

BURCHET DOUGLASS,

Speaker of the Senate.

December 19, 1831.

CHAPTER CCLXXXIV.

AN ACT to incorporate the Knoxville and Southern Rail Road Company.

Sec. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That James G. M. Rainey, James King,

Commissioners
of Turnpike at
Page's mill.

Superintendants.

Drury P. Armstrong, John Boyd, Zachariah Booth, William Bowen, James M'Nutt, John M'Ghee, William C. Readman, John Stewart, Alexander Preston, William Lowry, William Hogan, James P. E. Porter, William Wallace, James Berry, Arthur H. Henley and David Caldwell, be and they are hereby appointed commissioners for the Knoxville and Southern Rail Road Company, who shall open books to receive subscribers for the stock in said company at such times and places as said commissioners may direct, and under such rules and regulations as said commissioners may adopt, and said commissioners may act with commissioners (should any be appointed) by the States of Georgia, North Carolina and South Carolina, or either of them, and the three first commissioners may call a meeting of the commissioners whenever and whereafter they may deem it to be advisable.

Sec. 2. *Be it enacted*, That said Knoxville and Southern Rail Road Company, is hereby incorporated with all the rights and powers, which have been granted by the present General Assembly of this State, to the Franklin and Nashville Rail Road Company.

Sec. 3. *Be it enacted*, That said company shall be allowed five years to begin a rail road from some point on the waters of the Tennessee river, admitting of steam-boat navigation, and shall be allowed ten years thereafter to complete said road to the southern line of this State; and said company is vested with power to unite and make a joint stock company with such company as may be incorporated by the States of Georgia, North Carolina and South Carolina or either of them, with a view to extend said rail road to some point on the Charleston and Humbergh rail road or to some point admitting of steam-boat navigation on the Savannah river.

F. W. HULING,

Speaker of the House of Representatives.

BURCHET DOUGLASS,

Speaker of the Senate

December 19, 1831.

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

SAM. G. SMITH,

February 25, 1832.

Secretary of State

Open to
insure

Company incor-
porated.

Time of com-
mencement and
completion.

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