

Decatur sary, reserving at least three acres for a public square, and a lot sufficient for building a court house and jail; and said town, when so laid off, shall be known as Decatur, in honor of the late Commodore Stephen Decatur of the United States navy.

Lots to be sold **SEC. 7. *Be it enacted,*** That the commissioners of said county, shall sell the lots in said town on a credit of at least twelve months; first giving due notice thereof, in one or more newspapers printed in this State; and shall take bond with sufficient securities, from the purchasers of said lots, payable to themselves and successors in office; and shall make title, in fee simple, as commissioners, to the respective purchasers.

Public build'gs provided for **SEC. 8. *Be it enacted,*** That the proceeds of the sales of the lots aforesaid, shall be a fund in the hands of said commissioners, for defraying the expenses incurred in the purchase of the said tract of land, on which the said county seat is located; and also, for defraying the expenses of erecting public buildings.

To superintend buildings **SEC. 9. *Be it enacted,*** That the said commissioners shall superintend the building the court house and jail, and other necessary public buildings; and shall let out such buildings as the county court in said county shall order to be built, upon such terms and conditions as the said court shall direct; and shall take bond, with sufficient security, from the person or persons to whom the same is let, payable to themselves and successors in office, in the sum of ten thousand dollars, conditioned for the faithful performance of his or their contracts.

Com'rs to take oath and give bond **SEC. 10. *Be it enacted,*** That the said commissioners, before they enter upon the duties of their offices assigned them by this act, shall take an oath or affirmation that they will truly and faithfully execute and perform the different duties by this act enjoined upon them, according to the best of their judgment; and moreover, shall enter into bond with approved security, payable to the chairman of the county court of Meigs county, and his successors in office, in the sum of five thousand dollars, conditioned for the due and faithful performance of the duties enjoined upon him by this act; which bond shall be deposited in the clerk's office in said county; and shall not be so construed as to make one of the commissioners security for another.

Funds to be accounted for **SEC. 11. *Be it enacted,*** That said commissioners shall keep a fair and regular statement of all moneys by them received and expended; which statement, when required, shall, from time to time, be laid before the county court; but said commissioners shall not be called on oftener than once a year; and when all the necessary public buildings are completed, the said commissioners shall, by order of the county court, pay over all surplus money to the county

trustee, for county purposes; and they shall be allowed, by the county court, a reasonable compensation for their services.

**SEC. 12. *Be it enacted,*** That the first six commissioners mentioned in this act, shall be entitled to receive, as Compensation for their services, the sum of two dollars for each day they may be absent from home, and necessarily employed in performing the duties required of them by this act, to be paid by the said county court of Meigs, out of any money in the treasury not otherwise appropriated.

**SEC. 13. *Be it enacted,*** That should the county court of Meigs not be organized in time to appoint the commissioners to lay off the town and sell the lots, that it shall and may be lawful for the county court of Rhea to take the bond and security of said commissioners, payable to the chairman of the county court of Meigs, and his successors in office; and do and perform any other act or acts required by this act, until the organization of said county court of Meigs; and it shall be as good and binding as if done by the county court of said county of Meigs.

EPHRAIM H. FOSTER,  
Speaker of the House of Representatives.  
JONATHAN WEBSTER,  
Speaker of the Senate.

Passed, January 20th, 1836.

## CHAPTER XXXV.

An Act to establish the county of Marshall, in honor of John Marshall, late Chief Justice of the United States, to be composed of a part of Bedford, Maury, Giles and Lincoln.

**SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,*** That a County is hereby established on the west of Bedford, the east of Maury, the northeast of Giles, and the northwest of Lincoln, to be known and distinguished by the name of Marshall, in honor of and to perpetuate the memory of John Marshall, late Chief Justice of the United States, to include the territory contained in the following described lines, running the courses and distances hereinafter described, to wit: Commencing at a point eleven and a half miles due west of Shelbyville, running northwardly and southwardly to the Williamson and Lincoln county lines, leaving to Bedford county four hundred and seventy-five square miles and no more; thence west with the Williamson county line between Williamson and Bedford counties to the Maury county line; thence to a point five miles north of Duck river, in a line due north from the point twelve miles east of Columbia; thence south to

said twelve miles point, east of Columbia, to a stake in Carthel's field; thence three hundred and four poles south to two ironwoods; thence south nine and a half degrees west two miles to a hackberry and black walnut; thence south nineteen and a half degrees west two miles to a sugar tree and ironwood; thence south twenty-eight and a half degrees west two miles to a point in Dr. Anderson's field; thence south thirty-eight degrees west two miles to a point in John Vincent's lot; thence south forty-seven and a half degrees west two miles to a sugar tree and ash, near Holt's mill; thence south fifty-seven degrees west two miles to a point in Thomas Cheatham's lot; thence south two miles and one hundred and twenty-eight poles to Giles county line on the ridge; thence eastwardly along the line between the counties of Maury and Giles, eight miles one hundred and thirty-two poles, on a straight line to the Buckeye, corner of Bedford, Lincoln, Maury and Giles counties; thence south along the line between Lincoln and Giles seven miles; thence south eighty-eight and a half degrees east four miles and two hundred and twenty-four poles to two sugar trees; thence north thirty-two and a half degrees east two miles to a stake in a field; thence north forty-two degrees east two miles to a beech; thence north fifty-one and a half degrees east two miles to a chinquapin oak, in Baty's field; thence north sixty-one degrees east two miles to a cherry tree, in Petersburg; thence north seventy and a half degrees east 2 miles to two sugar trees, near Wm. J. Davidson's; thence north five and a half degrees west two miles and one hundred and seventy-six poles to a chinquapin oak, on the Elk ridge, being the line run and marked by Hugh B. Bigham, including within the above described boundaries all the territory contained within the several lines, amounting to about three hundred and fifty-one square miles.

Place for holding courts

SEC. 2. *Be it enacted*, That for the due administration of justice the several courts of said county of Marshall shall be holden at the house of Abner Houston, until the seat of justice shall be located and a suitable house erected for that purpose. The county court shall, in the meantime, have full power and authority to adjourn the courts to such other place in said county as the justices may deem better suited for the holding the same, and more for the public convenience, and to adjourn to the seat of justice, when in their judgment the necessary arrangements are made; and all writs and other process made returnable to either place shall be returnable to the place to which said court may have been removed by the said justices. And the said courts to be holden in and for said county of Marshall shall have and exercise the same powers and jurisdiction under the like limitations and restrictions as other courts in this State.

SEC. 3. *Be it enacted*, That all officers, civil and military, in said county, shall continue to hold their offices and exercise all the functions thereof, until their successors are elected according to the provisions of the amended constitution and the laws made in pursuance thereof. And said county of Marshall shall elect her officers, civil and military, under the amended constitution, under the same rules and regulations, and in the same manner, as other counties in this State; and the said county of Marshall shall possess equal powers and privileges, in all respects, as other counties: *Provided*, nothing in this act shall be so construed (as) to deprive the counties of Bedford, Maury, Lincoln and Giles from having and exercising jurisdiction over the territory composing said county and the citizens thereof, in as ample manner as is now possessed, until the election and qualification of county officers for said county, as provided for by law: *Provided*, also, that nothing in this act shall be construed to prevent the courts in the counties of Bedford, Maury, Giles and Lincoln from rendering judgments, or the sheriffs of said counties from selling under such judgments, any lands or other property within the bounds of said county of Marshall, for taxes, cost and charges, for any preceding year; nor to prevent said sheriffs from collecting any taxes already due for any preceding year; nor to levy and sell under any execution issued from any judgment already rendered, or to be rendered on any suit commenced anterior to the organization of said county, in as ample manner as if this act had not been passed.

SEC. 4. *Be it enacted*, That Richard Warner, Williamson Smith, Holman R. Fowler, George A. M'Bride and William D. Orr, are hereby appointed commissioners, a majority of whom shall be competent to act, and they shall, before the first day of April next, designate a place as near the centre of said county as an eligible site can be procured, and within three miles of the centre, at which they shall procure by purchase or donation, or otherwise, at least fifty acres of land, for which they shall cause a deed to be executed to them and their successors in office, and they shall return their proceedings to the county court of said county, and the same shall be recorded in the clerk's office.

SEC. 5. *Be it enacted*, That it shall be the duty of the county court of said county to appoint five commissioners, to whom the commissioners appointed by this act shall convey the land acquired for the use of said county, on which they shall lay off a town, with as many streets, at least eighty feet wide, as they shall deem necessary, reserving at least four acres for a public square, and a lot of one acre each for a jail, a male school or academy, a female school, and two acres for the erection of churches; and

Commissioners to designate county seat  
Commissioners to lay off Lewisburg



the said town, when so laid off, shall be known by the name of Lewisburg, in honor of Merriwether Lewis.

Sale of lots

SEC. 6. *Be it enacted*, That the commissioners shall sell the lots in said town on a credit of at least twelve months, after giving due notice thereof in one or more newspapers in this State, and shall take bonds with sufficient securities, payable to themselves and successors, and shall make titles in fee simple, as commissioners, to the purchasers of said lots.

Proceeds of sale

SEC. 7. *Be it enacted*, That the moneys arising from the sales of said lots shall constitute a fund for defraying the purchase of said tract of land on which said town shall be located, and for the erection of public buildings.

Public buildings provided for

SEC. 8. *Be it enacted*, That the commissioners shall superintend the erection of the court house, jail, and other necessary public buildings, and shall let out such buildings as the county court of said county shall order to be erected, on such terms and conditions as said court shall direct, and shall take bond with sufficient securities from the undertakers, payable to them and their successors, in the sum of \$10,000, conditioned for the faithful performance of their contracts.

Commissioners to take oath and give bond

SEC. 9. *Be it enacted*, That before said commissioners enter on their duties, they shall take an oath or affirmation to execute all the duties enjoined on them, faithfully and impartially, according to the best of their knowledge and understanding; and shall moreover enter into bond with sufficient security, payable to the chairman of the county court and his successors in office, in the sum of \$10,000, conditioned for the faithful performance of the duties enjoined on them by law, which bond shall be deposited in the clerk's office of the county court, and shall not be so construed as to render one of the commissioners security for another.

To account for funds

SEC. 10. *Be it enacted*, That the commissioners shall keep a regular and correct statement of all moneys by them received and expended, which, when required, shall be exhibited to the county court, and when the necessary public buildings are completed, said commissioners shall pay over all surplus moneys to the county trustee for county purposes; and they shall be allowed by the county court a reasonable compensation for their services.

Compensation

SEC. 11. *Be it enacted*, That the first five commissioners mentioned in this act shall receive three dollars for each day they may be necessarily engaged in performing the duties required of them, to be paid by the trustee of said county of Marshall.

County entitled to school and other funds

SEC. 12. *Be it enacted*, That the county of Marshall shall be entitled to her rateable proportion of the common

school and academy and internal improvement funds, in the same manner that old counties are entitled to the same.

SEC. 13. *Be it enacted*, That on the first Thursday in April next, it is hereby made the duty of the sheriffs of Bedford, Maury and Lincoln counties, by themselves and their deputies, to open and hold elections, for the purpose of receiving the votes of the qualified voters residing in each fraction taken from the several counties to form the said county of Marshall, at which election the polls shall be opened at 10 o'clock A. M., and closed at 4 o'clock P. M.; and no person shall vote at said elections except he has resided in the fraction taken off to form a part of said county of Marshall six months immediately preceding said election, in which the election shall be held, and those who wish to vote for the new county shall put "Marshall" on their tickets, and those against it shall put the words "Old County" on their tickets, and no vote shall be counted except the above named word or words be upon it; and should any person vote at either of said elections not being a qualified voter or not residing in the fraction in which said election is held, such offender, on conviction thereof, shall forfeit and pay the sum of twenty dollars, to be recovered before any tribunal having cognizance thereof.

Voice of the people for or against new cy.

SEC. 14. *Be it enacted*, That the elections for that fraction taken from Bedford, shall be held at the house of Abner Houston and Chapel Hill; for that fraction taken from Maury, at James Davis', Cedar Spring, and at Gallo-way's near the Big Spring; for that fraction from Lincoln, at Thomas Short's and at Maulding and Goodrich's store.

Place for receiving votes

SEC. 15. *Be it enacted*, That immediately after the elections, the sheriffs of Lincoln, Bedford and Maury, shall make return to the Governor, a full statement of all the votes both for and against the establishment of the said county of Marshall; and if it shall appear that a majority of the qualified voters voting in each fraction taken from old counties to form said new county, the Governor shall forthwith issue his proclamation, setting forth that the said county of Marshall has become a constitutional county, and in that event, said county shall be immediately organized agreeable to this act.

Returns of votes to be made to Gov'r.

SEC. 16. *Be it enacted*, That a line may be run from the southwest corner of Marshall county to the Lincoln line, taking a part of Giles in the northeast corner of said county, not reducing Giles below her constitutional limits of six hundred and twenty-five square miles; and when so taken off, it shall be the duty of the sheriff of Giles county to hold an election in said fraction under the same rules, regulations and restrictions, as named in this act for other elections; and if, upon counting out the votes, it shall appear that a majority of the qualified voters voting in said frac-

Fraction of Giles may be included.

tion have voted in favor of becoming a part of Marshall county, the sheriff shall notify the Governor of that fact, who shall, by proclamation, declare that said fraction of Giles county is a part of Marshall county: *Provided*, that before the sheriff of Giles county shall be permitted to open and hold an election in compliance with the provisions of this act, such persons as are interested shall exhibit a fair map of the county of Giles, showing that after the proposed reduction of said county, the said old county contains at least six hundred and twenty-five miles; said survey to be made by Mitchell K. Jackson of Franklin county, and in the event of his failure to act from any cause, then any competent surveyor residing in the county of Franklin, who shall make his return of said survey on oath: *And provided, also*, that Lincoln county shall not be reduced below its constitutional limits; and the sheriff of Giles shall give ten days notice of the time and place of holding the election in the fraction taken from Giles, and that the election in that fraction shall be held on the last Thursday of March, 1836.

*Of the fraction from Lincoln* SEC. 17. *Be it enacted*, That if that part of Giles named in this act should vote to become a part of Marshall county at any time prior to the holding of elections in the other fractions, so much territory as comes to Marshall county from Giles shall be stricken from the south part of the Lincoln fraction, and the remainder of the Lincoln fraction may vote themselves to Marshall county as provided for by this act, to hold the elections in said remainder agreeably to this act.

*Officers* SEC. 18. *Be it enacted*, That if the county of Marshall should be permanently established agreeably to the provisions of this act, it shall and may be lawful for officers elected agreeably to the laws passed at the present session of the General Assembly, to hold their offices and discharge the duties of the same for the time for which they were elected, and should there be vacancies in said county of Marshall, such vacant office shall be filled as the law directs; and it shall be the duty of the sheriffs of Maury county to hold the election to fill the same; and if any civil district or districts should be divided by the lines of the said county of Marshall passing through them, it shall and may be lawful for the county court of said county, and the courts of the several counties from which said county has been taken, to attach the said fractions to other districts in their respective counties, or form a district or districts of one or more fractions, as said courts may think proper.

*Judicial divisions* SEC. 19. *Be it enacted*, That said county of Marshall shall be attached to the Middle division, and appeals, appeals in the nature of writs of error, and writs of error, shall be taken to the supreme court at Nashville; and said

county of Marshall shall be attached to the sixth chancery district of the Middle division, the court for which is held at Shelbyville, in Bedford county; and said county of Marshall shall be attached to the eighth judicial circuit, and the circuit courts thereof shall be held on the fourth Mondays of March, July and November.

SEC. 20. *Be it enacted*, That the justices of the peace<sup>Qualification of justices county court</sup> elected for said county, may be qualified by any justice of the peace of any adjoining county, and that the first county court for said county shall be held on the first Monday in June next, and that said county shall in all respects be organized according to the laws passed at the present session of the General Assembly for re-organizing the State government.

SEC. 21. *Be it enacted*, That should the county of Marshall be established pursuant to this act, the judge of<sup>Circuit courts</sup> the eighth judicial circuit shall hold the first circuit court that comes on afterwards in the county of Lawrence, and the judge of the 11th circuit shall hold the second court, and ever afterwards the said judges shall alternately hold the circuit courts in the said county of Lawrence, in the order above specified.

EPHRAIM H. FOSTER,  
*Speaker of the House of Representatives.*  
JONATHAN WEBSTER,  
*Speaker of the Senate.*

Passed February 20, 1836.

#### CHAPTER XXXVI.

An Act to establish a new county by the name of Coffee, in honor of General John Coffee; to be composed of a part of Bedford, a part of Warren and a part of Franklin counties.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That a new county be and the same is hereby established, by the name of Coffee, in honor of the late General John Coffee, east of Bedford, west of Warren and north of Franklin, adjoining said counties, and composed of parts of the same:—beginning at the store house of William Norton, in Hoover's gap, in the line between Rutherford and Bedford; thence south, eight degrees east, ten and a half miles, to a point twelve miles east of Shelbyville; thence south six and a half miles, to a corner in Franklin county; thence east eight and a half miles, to a point twelve miles north of Winchester; thence south, eighty degrees east, four miles; thence north, forty-five degrees east, thirteen miles sixty-four poles; thence north three hundred and four poles; thence north, thirty degrees

<sup>Boundaries established</sup>



west, two miles and one hundred and fifty poles; thence north, sixty degrees west, one mile and one hundred and sixty poles; thence north, thirty degrees west, two miles; thence north, eighty-five degrees west, three miles and two hundred poles; thence north, twenty degrees west, six and a half miles; thence south, seventy-one degrees west, six miles and seventy poles; thence north, eleven degrees west, one thousand and thirty poles, to the Bedford corner; thence south, forty-four degrees west, along the line between Rutherford and Bedford, one hundred and ninety-two poles; thence south, along said line, one hundred and twenty-eight poles; thence a continuation with said line and ridge, with its meanders, to the beginning.

**SEC. 2.** *Be it enacted,* That for the due administration of justice, the different courts to be holden in said county of Coffee, shall be holden at the house of Thomas Powers, until the seat of justice for said county shall be located, and a suitable house erected for that purpose; the county court shall, in the intermediate time, have full power to adjourn the courts to such other place in the said county, as they may deem better suited for the holding of the same, and for the public convenience, and to adjourn to the seat of justice when in their judgment the necessary arrangements are made; and all writs and other process, returnable to either place, shall and may be returned to the place to which the said courts may have been removed, by the county court aforesaid; and the said courts to be holden in and for the said county of Coffee, shall be under the same regulations and restrictions, and shall have, hold, exercise and possess the same powers and jurisdiction as are possessed by said courts in other counties in this State.

**SEC. 3.** *Be it enacted,* That all officers, civil and military in said county, shall continue to hold their offices, and exercise all the powers and functions thereof, until others be elected under the provisions of the amended constitution and the laws made in pursuance thereof. And the said county of Coffee shall elect her officers, civil and military, under the amended constitution, at the same time and under the same rules and regulations, and in the same manner that may be provided by law for the elections of officers in other counties in this State. And the said county of Coffee shall be placed upon an equal footing, possess equal powers and privileges, in all respects, as other counties in this State; *Provided,* nothing in this act contained shall be so construed as to deprive the counties of Bedford, Warren and Franklin, from having, holding and exercising jurisdiction over the territory composing said county of Coffee and the citizens thereof, in as full and ample a manner as they now have, until the election of county officers under the amended constitution; *Provided,* also, nothing in this act contained

shall be so construed as to prevent the counties of Bedford, Warren and Franklin from entering up judgments, or the sheriffs of said counties from selling, under such judgments, any lands within the bounds of said county of Coffee, for taxes, costs and charges, for the past or any preceding year; nor to prevent the sheriffs of either of said counties of Bedford, Warren and Franklin from collecting from the citizens of said county of Coffee, any taxes due for the past or any preceding year.

**SEC. 4.** *Be it enacted,* That the citizens of the county of Coffee, in all elections for governor, for members of congress and for members of the general assembly, shall vote with the counties from which they may have been stricken off, until the next apportionment of members of the general assembly, agreeable to the provisions of the fifth section of the tenth article of the amended constitution.

**SEC. 5.** *Be it enacted,* That William S. Norton, Hugh Davidson, sen. Lecil Bobo, John Hickerson, Alexander Blakely, William Bradshaw and Thomas Powers be and they are hereby appointed commissioners, a majority of whom can act, who shall, on or before the first Monday in January next, proceed to fix on a place, as near the centre of said county as an eligible site can be procured at least within four miles of the centre of said county; at which site the said commissioners shall procure, by purchase or otherwise, at least fifty acres of land, for which they shall procure a deed or deeds, to be made to themselves and their successors in office, by general warranty; and the said commissioners shall report and return all their proceedings relative to and concerning said county, to the county court of said county; and it shall be the duty of the clerk of said court to record the same.

**SEC. 6.** *Be it enacted,* That it shall be the duty of the county court of said county, to appoint five commissioners, to whom the commissioners appointed by this act shall convey the land acquired for the use of said county; on which it shall be the duty of the commissioners appointed by the county court, to cause a town to be laid off, with as many streets and alleys, and of such width as they may deem necessary, reserving at least four acres for a public square, and a lot sufficient for building a jail; and the said town, when so laid off, shall be known by the name of Manchester.

**SEC. 7.** *Be it enacted,* That the commissioners of said county shall sell the lots in said town on a credit at least of twelve months, first giving due notice thereof in one or more newspapers printed in this State; and shall take bond with sufficient security, from the purchasers of said lots, payable to themselves or their successors in office; and shall

make titles, in fee simple, as commissioners, to the respective purchasers of said lots.

Of proceeds of sales

SEC. 8. *Be it enacted*, That the proceeds of the sale of the lots aforesaid, shall be a fund in the hands of said commissioners, for defraying the expenses incurred in the purchase of the said tract of land on which the said county seat is located; and also for defraying the expenses of erecting public buildings.

Public build'gs

SEC. 9. *Be it enacted*, That the said commissioners shall superintend the building of the court house, jail and other necessary public buildings; and shall let out such buildings as the county court of said county shall order to be built, upon such terms and conditions as the said court shall direct; and shall take bond with sufficient securities, from the person or persons to whom the same is let, payable to themselves and their successors in office, in the sum of ten thousand dollars, conditioned for the faithful performance of his or their contracts.

Com'rs to take oath and give bond

SEC. 10. *Be it enacted*, That the said commissioners, before they enter upon the duties of their office assigned them by this act, shall take an oath or affirmation that they will truly and faithfully execute and perform the different duties by this act enjoined on them, according to the best of their judgment; and moreover, shall enter into bond with approved securities, payable to the chairman of the county court of Coffee county, and his successors in office, in the sum of five thousand dollars, conditioned for the due and faithful performance of the duties enjoined upon them by this act; which bond shall be deposited in the clerk's office in said county, and shall not be so construed as to make one of the commissioners security for the other.

To account for funds

SEC. 11. *Be it enacted*, That the said commissioners shall keep a fair and regular statement of all moneys by them received and expended; which statement, when required, shall, from time to time, be laid before the county court; but said commissioners shall not be called on oftener than once a year; and when all the necessary public buildings are completed, the said commissioners shall, by order of the county court, pay over all surplus money to the county trustee, for county purposes; and they shall be allowed, by the county court, a reasonable compensation\* for their services.

Compensation

SEC. 12. *Be it enacted*, That the first seven commissioners mentioned in this act, shall each be entitled to receive, as compensation for their services, the sum of three dollars per day, for each day they may be absent from home, and necessarily employed in performing the duties required of them by this act, to be paid by the said county of Coffee, out of any monies in the treasury not otherwise appropriated.

SEC. 13. *Be it enacted*, That the commissioners that may be appointed to lay off the town, shall also reserve as many lots as they may deem necessary, to be given to the different religious denominations, on which to erect houses of public worship; and also a lot for a public burying ground; and that the said commissioners shall also reserve a lot for each, a male and female academy, of such size as they may deem necessary; *Provided*, that that portion of the counties of Warren and Franklin included within the bounds of Coffee county, shall still be liable to pay to the respective counties from which they may be taken off, their rateable proportion of the county debt; and *Provided*, further, that the citizens of the county of Coffee shall be entitled to receive their rateable proportion from the several counties from which they are taken, of the school fund, internal improvement fund, or other public moneys, which are now due or may fall due prior to this act going into effect.

Lots reserved for churches & other uses

School fund

SEC. 14. *Be it enacted*, That the portion of Rutherford county lying in Hoover's gap, shall be attached to and become a part of the county of Coffee, upon the following conditions, to wit: that the county of Rutherford shall not thereby be reduced below her constitutional number of square miles; and that a majority of the qualified voters, residing within the boundaries, as herein after described, shall, on or before the 15th day of February next, notify the governor of the State, by written communication, signed by such majority, of their wish, to be attached to said county of Coffee. A direct line shall be run, crossing Hoover's gap at right angles, as near as may be, so as to intersect with the Bedford county line, on the ridge, on each side of said gap, leaving Christopher Hoover and Jacob Hoover on the north side of said line, and crossing the gap as near Jacob Hoover's mill as practicable, to leave those persons on the north side of said line; and the territory lying on the south of the line to be so run, shall, on the conditions aforesaid, be attached to and become a part of the county of Coffee.

Hoover's gap

EPHRAIM H. FOSTER,  
Speaker of the House of Representatives.  
JONATHAN WEBSTER,  
Speaker of the Senate.

Passed, January 8th, 1836.



## CHAPTER XXXVII.

An Act to incorporate the inhabitants of the town of Livingston, in the county of Overton, and for other purposes.

*SECTION 1. Be it enacted by the General Assembly of the State of Tennessee,* That the town of Livingston, in the county of Overton, and the inhabitants thereof, are hereby constituted a body politic and corporate, by the style and name of the Mayor and Aldermen of the town of Livingston; and shall have perpetual succession, and by their corporate name may sue and be sued, plead and be impleaded, grant, receive, purchase and hold real, personal and mixed estate, and dispose of the same for the benefit of said town, and for that purpose alone, and may have a town seal.

*SEC. 2. Be it enacted,* That said corporation shall have full power and authority to enact and pass such laws and ordinances necessary and proper to preserve the health of the town, prevent and remove nuisances; to provide for licensing and regulating auctions; taxing, regulating and restraining theatrical or other public amusements and shows, within the bounds of said corporation; to restrain and prohibit gambling; to establish night watches and patrols; to ascertain, when necessary, the boundary and location of streets, lots and alleys; to establish new streets, lanes and alleys, with the consent of the proprietors of the ground, lots or houses adjoining such streets, lanes or alleys; to pave and keep in repair the streets, and to pass all laws necessary for the same; to establish necessary inspections within the town; to erect and regulate markets; to provide for the establishment and regulation of a fire company, and the sweeping of chimneys; to procure water on the public square by digging wells or otherwise; to erect and regulate pumps; to impose, collect and appropriate fines, penalties and forfeitures, for a breach of their by-laws and ordinances; to appoint a recorder and town constable; to lay and collect taxes for the purpose of carrying the necessary measures into operation for the benefit of said town; to restrain tipping houses; to prohibit public indecencies, and to pass all laws and ordinances necessary and proper to carry this act into effect; *Provided,* the same are not incompatible with the laws and constitution of this State.

*SEC. 3. Be it enacted,* That all fines, forfeitures and penalties, imposed by the by-laws and ordinances of said corporation, if not exceeding fifty dollars, shall be recoverable before a justice of the peace, by action of debt, in the corporate name of said corporation; and if exceeding that sum, then by action of debt in the circuit court of the county of Overton, and for the use and benefit of said town.

*SEC. 4. Be it enacted,* That the sheriff of the county of Overton shall, by himself or deputy, hold an election at the court house, in the town of Livingston, on the first Monday of May next, and on said day in each and every year thereafter, for the purpose of electing seven persons to serve as aldermen for said town of Livingston, for one year, commencing on the Monday next succeeding their election; and all persons owning a freehold in said town, and all persons residing in the limits of said corporation, and who would be entitled to vote for members of the general assembly, shall be entitled to vote for aldermen of such corporation; and no person shall be eligible to the appointment of alderman, unless he be a citizen of, and freeholder of the town of Livingston; and if the sheriff of said county should fail to hold the election at the time prescribed by this act, the said corporation shall not, for that cause, be dissolved; but the sheriff may, at any time thereafter, proceed to open and hold said election—first giving ten days' notice thereof.

*SEC. 5. Be it enacted,* That the seven persons, qualified as aforesaid, having the highest number of votes, at any election held as aforesaid, shall be taken as duly elected; and the sheriff of Overton county shall, within three days thereafter, give to each of the seven aldermen elect, a certificate of his election; and it shall be the duty of the persons so elected, to meet at the court house within three weeks thereafter; four of whom shall form and constitute a quorum; and they shall proceed to elect one of their own body to be mayor of said corporation, for the same time for which the aldermen were elected, as aforesaid; and whenever any mayor of said corporation shall die, remove out of said town or resign, another election shall be held by the aldermen, in the manner aforesaid, for another person, for the time unexpired, and until the next general election for aldermen. And when any alderman shall die, remove out of said town or resign, such vacancy may be filled by the mayor and aldermen of said town, at any regular meeting; and the person or persons appointed by them shall serve until the next general election.

*SEC. 6. Be it enacted,* That the mayor and aldermen of said town shall, before entering on the duties of their appointment, take an oath before some justice of the peace for Overton county, faithfully, uprightly and honestly to demean themselves as mayor and aldermen of said corporation, during their continuance in the said appointments.

*SEC. 7. Be it enacted,* That the town constable appointed by said corporation, shall continue in office twelve months from the time of his appointment; and shall, before he enters upon the duties of his office, enter into bond with security to said body politic, conditioned for the faithful discharge of

the duties of his appointment, and accounting for all monies by him collected; and the recorder shall continue in his office for one year, and his compensation shall be regulated by the mayor and aldermen.

Tax

SEC. 8. *Be it enacted*, That said corporation shall have power to impose and collect a tax on all property, real, personal and mixed, and upon polls within its limits; but with the limitations and in the manner prescribed by the twenty-ninth section of the second article of the constitution of this State; and when any tax shall be imposed on any real property, lying in the limits of said corporation, and not paid by the owner or occupier thereof, and there shall not be any personal property of the owner or occupier thereof, in the limits of said corporation, upon which the same could be levied, then it shall be the duty of the recorder to certify the same to the county court of Overton county, at the first term in each and every year; and upon said report, at said term, it shall be the duty of said court to enter up judgment against said real estate, in favor of the said corporation; upon which an order of sale shall issue, directed to the sheriff of Overton county, and made returnable in three months from the term from which the same shall issue; and it shall be the duty of the sheriff to advertise the sale of said real estate, in some newspaper printed in this State, thirty days before the day of said sale, which shall be at the court house door of Overton county; which tax, when collected by the sheriff, shall be paid by him into the hands of the recorder, for the use of said corporation; which sale, when made, shall vest the right and title of said real estate in the purchaser and his heirs, without regard to the usual strictness required in such cases; and if, from a want of bidders or other cause, said real estate should not be sold, then an alias or pluries writ may issue, till the said property be sold or the tax collected; the tax is hereby made a lien upon the real estate; and in all cases where the owners of taxable property, in said town, fail to pay the taxes imposed by said corporation, and have personal property within the bounds thereof, the officer to whom is entrusted the collection of said taxes, shall have power to make distress and sale thereof, without any other process than the tax book signed by the mayor of said corporation, and countersigned by the recorder thereof.

Judges of elections

SEC. 9. *Be it enacted*, That the sheriff of Overton county shall, previous to holding an election for aldermen, as provided for in this act, appoint three respectable citizens, freeholders in the town of Livingston, who shall act as judges of said election.

Term of office  
SEC. 10. *Be it enacted*, That the mayor and aldermen and other officers, by this act to be appointed, shall hold their offices for the term of time by this act directed, and until their successors are elected and qualified.

SEC. 11. *Be it enacted*, That the town of Dallas, in the county of Hamilton, and Jamestown, in the county of Fentress, and the town of Salem, in the county of Franklin, and the inhabitants thereof, are hereby incorporated; and that the provisions of this act be extended to said towns; and that the sheriffs of said counties be, and they are hereby required to perform the same duties in conducting their elections in their respective towns, as are required of the sheriff of the county of Overton, in conducting the elections in the town of Livingston.

Incorporation of Dallas J's; town &amp; Salem

EPHRAIM H. FOSTER,  
*Speaker of the House of Representatives.*  
JONATHAN WEBSTER,  
*Speaker of the Senate.*

Passed, January 25, 1836.

#### CHAPTER XXXVIII.

An Act to amend an act entitled "An act to incorporate the La Grange and Memphis Rail Road," passed December 14th, 1835.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the books for the subscription of stock in said company, shall be opened at La Grange, Memphis, and such other places as the commissioners may designate, agreeably to said act, on the first Monday of April next, instead of the first of January 1836.

Subscription book opened

SEC. 2. *Be it enacted*, That Robert T. Mahaffy, Fielding Hackney, John P. Robinson, E. S. Davis, Samuel M'Manus, Joseph Shinpock, Charles Michie, William Cage, Jas. M. Walker, (—) Dupey, Elisha W. Harris, Hugh Davis, Wardlow Howard, Wilkins J. Hunt, are hereby added to the list of commissioners.

Additional Commissioners

EPHRAIM H. FOSTER,  
*Speaker of the House of Representatives.*  
JONATHAN WEBSTER,  
*Speaker of the Senate.*

Passed February 20, 1836.

#### CHAPTER XXXIX.

An Act supplemental to an act, "entitled an act to establish a new county, of the name of Cannon, to be composed of parts of the counties of Warren, Rutherford and Smith," passed the 31st day of January, 1836.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Hugh Robinson, of the county

Commissioners to mark county line



of Cannon, and Solomon Beasley and Alfred P. Gowen, of the county of Rutherford, are hereby appointed commissioners to run and plainly mark the dividing line between the counties of Cannon and Rutherford, and the line between Cannon and Warren, according to the provisions of the act as above recited, to which this is a supplement, except so far as the same directs that said line shall be run north from the twelve mile tree, near Readyville, marked by Joseph Fowler; and instead of so running, they shall run north from said twelve mile tree to John Witherspoon's, and from thence a northeast direction, leaving said Witherspoon in Rutherford county, to the nearest point of Rucker's Knob, leaving Bennett Rucker and Higdon R. Jarratt, in Cannon county; thence with the summit of the ridge to the dividing ridge, between the waters of Stone's river and Landers' Fork; thence with the summit of said ridge to the Wilson county line. The said commissioners shall run from said twelve mile tree south to Jesse Stovall's field, then run west of south so as to strike the point of the ridge that divides the waters of Cripple creek from Brawley's Fork, and so as to include the house of Jesse Stovall, in Cannon county, leaving William Stacy in Rutherford county, then with the top of the ridge to the line of Coffee county; and the line so run, shall forever be the boundary between said counties of Cannon and Rutherford; and said county of Cannon shall pay said commissioners a reasonable compensation for their services in running and marking said line; and the citizens residing in that part of said county of Cannon taken from Rutherford county, shall not be liable to pay any part of the debts of the county of Warren or any other county, except debts which may be hereafter incurred by the county of Cannon.

Sheriff to hold elections

SEC. 2. *Be it enacted*, That the sheriff of said county of Cannon shall, on the first Monday of January, 1837, and on the first Monday of January in every year thereafter, hold an election in the town that may be laid off under the provisions of the act to which this is a supplement, for the purpose of electing by the qualified voters of said town, four town commissioners, who shall appoint one of their own body chairman, and shall also appoint a clerk and treasurer; and said commissioners shall have power to lay and collect a tax for the use of said town, on all property within its limits which is taxable by the constitution of the State, and to lay and collect a tax on all shows and public exhibitions for money in said town; and to pass all by-laws and ordinances necessary for the regulation of said town: *Provided*, that they shall not pass any by-laws or ordinances incompatible with the constitution and laws of the State.

Transfer of suits

SEC. 3. *Be it enacted*, That all civil suits at law which may be, on the first day of March next, pending in the

county and circuit courts of the counties of Cannon and Rutherford, and wherein both plaintiff and defendant, or plaintiffs and defendants, reside within the limits of the county of Cannon, it shall be the duty of the clerks of said courts respectively, to transfer them to the circuit court of said county of Cannon; and they shall forthwith, after said first day of March, file in the office of the clerk of said county, a transcript of the record of all such suits, and all the papers and proceedings in relation to them; and any suit so transferred, shall be proceeded in in said circuit court of Cannon county, in the same manner as if they had been originally instituted therein.

SEC. 4. *Be it enacted*, That the commissioners heretofore appointed to divide the county of Warren into civil districts, be, and they are hereby authorized to divide and lay off the same into fifteen districts, and no more. Civil districts

SEC. 5. *Be it enacted*, That all causes now pending in the former courts of chancery at M'Minnville, shall remain to be determined in the court of chancery established at that place, by virtue of an act passed at the present session of the Legislature, entitled an act to establish chancery courts, unless the same be transferred by consent of parties to the chancery court of another district, agreeably to the tenth section of that act, as the same is ordered to be done agreeably to the provisions of this act. Chancery causes

SEC. 6. *Be it enacted*, That the act to which this is a supplement shall be and is hereby amended, so that the line of the said county of Cannon, shall run from the point where the line of Cannon county strikes the line between Rutherford and Wilson according to the first section of this supplement; thence with the line of Wilson to the point near Stroud's, where the line run by Trott enters Wilson county; thence north eighty degrees east with the line run by said Trott through the county of Wilson to the Smith county line; thence to the point where the line of Cannon county leaves the county line of Wilson, according to the act to which this is a supplement: *Provided*, that the county of Wilson, on a survey to be made by the county surveyor of Sumner county, or some other good surveyor of that county, to be selected by the Senator and Representatives of Sumner county, shall have the constitutional quantity of territory after cutting off the territory aforesaid: *Provided*, also, that if there should be less surplus territory in the county of Wilson, the line shall be so run by the surveyor aforesaid as to include such surplus territory and no more, in the county of Cannon; and as soon as the said survey may be made, and the line run cutting off the surplus territory of Wilson county to the said county of Cannon, the citizens thus cut off, shall be entitled to all the rights, privileges and immunities, in every respect, that the citizens of Boundaries established

said county of Cannon have conferred on them by the act to which this is a supplement.

Survey of part  
of Wilson

SEC. 7. If the line of the county of Cannon should be run through the county of Wilson as provided in the foregoing section, the said surveyor shall return to the Governor a fair plat of such survey, who shall in that event issue his proclamation to that effect; after which, the part of Wilson county taken off by such survey, shall be and constitute a part of the county of Cannon; and the citizens in the portion of territory so laid off, shall have all the privileges, and be subject to all the duties of other citizens of the county of Cannon: *Provided*, that the citizens so added to the county of Cannon shall not be liable to pay any part of the debts of the county of Warren, or any other county, except debts which may be hereafter incurred by the county of Cannon.

To constitute a  
civil district

SEC. 8. That the portion of the county of Wilson so to be taken off and attached to the county of Cannon, shall constitute one civil district, in addition to the number now allowed to the county of Cannon, until changed according to law; and an election for magistrates and constables, and all other elections required to be held in other districts in said county of Cannon, shall take place therein at the same time, and in the same manner of other districts in the county of Cannon: *Provided*, that if such election should not take place at the time of elections in other districts, the first election in the same may be held at any other time, to be fixed by the first county or circuit court of Cannon county: *Provided*, also, that so soon as the proclamation shall have issued as aforesaid, the commissioners heretofore appointed to lay off Wilson county into districts, shall designate the place for general elections in said district so cut off to the county of Cannon; and they shall also arrange the territory that may be left on the Wilson county side of such line, if the said line shall divide any of the civil districts of Wilson county into a new district, or attach portions, or all of such territory to other districts, or newly to arrange the districts in that part of the county, in the manner that will best promote the convenience of the people.

Share of public  
funds

SEC. 9. Said county of Cannon shall be entitled to the share to which its population will entitle it of the common school and other public funds, that are by law to be distributed among the several counties of this State; and the portion of such funds allotted to the counties from whose territory, the county of Cannon is taken, shall have a deduction in proportion to the quantity of their territory and population so taken off.

Fraction of  
Smith included

SEC. 10. *Be it enacted*, That in addition to the fifteen square miles taken from the county of Smith and attached to the county of Cannon, by the act to which this is a sup-

plement, the following territory shall also be attached; beginning at a stake in the line dividing the counties of Smith and Wilson, four miles from the southwest original corner of Smith county, running thence north twenty-three degrees west eight and one fourth miles, to an elm tree in said line; thence south eighty degrees east sixteen miles, to the Caney Fork river; thence up said river with the meanders, intersecting at that point the eastern boundary of said county of Cannon; and the inhabitants included in said boundary shall have all the rights, privileges and immunities, that the inhabitants of said county of Cannon have conferred on them by the act to which this is a supplement.

Civil districts

SEC. 11. *Be it enacted*, That in addition to the commissioners appointed by joint resolution of both houses of this Legislature to lay off Smith county into civil districts, Jacob Fite and John Fite shall, and they are hereby appointed; and it is hereby made the duty of said commissioners, or any three of them, forthwith to lay off that part of Smith county which, by this act, is attached to the county of Cannon, into civil districts, and designate the places of holding elections in such districts; which districts shall be added to the number of districts for Cannon county, and shall be laid off as near as may be convenient, with not less than one hundred free voters to one district; and they shall also regulate and lay off the districts in Smith county, adjoining its south boundary line, as established by this act, so as to suit the convenience of the citizens, and to return ideal plats with certificates for Cannon county, to the county court of Cannon, and for Smith, to the county court of Smith, and one for each to the Secretary of State.

Repea

SEC. 12. *Be it enacted*, That so much of the act to which this is a supplement, as requires the commissioners who were appointed by said act to ascertain the surplus territory in Smith county, and hold an election to ascertain the consent of the inhabitants within said surplus territory to be attached to Cannon county, to report their proceedings to the county court of Cannon county, be, and the same is hereby repealed.

EPHRAIM H. FOSTER,  
*Speaker of the House of Representatives.*  
JONATHAN WEBSTER,  
*Speaker of the Senate.*

Passed February 19, 1836.



## CHAPTER XL.

An Act to change the place of holding Courts in the county of Coffee, and for other purposes.

Repeal

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That so much of the act as directs courts to be holden for the county of Coffee at the house of Thomas Powers, be, and the same is hereby repealed.

To be held at Stone Fort

SEC. 2. *Be it enacted,* That until the court house for the county of Coffee shall be in a state of readiness to hold court therein, the courts for said county shall be held at the Stone Fort, or some house near that place, to be agreed upon by a majority of the acting justices of the peace for said county.

Public square reduced

SEC. 3. *Be it enacted,* That it shall and may be lawful for the proper commissioners for laying off the town of Manchester in said county, to reduce the public square, at their discretion, below four acres.

EPHRAIM H. FOSTER,  
*Speaker of the House of Representatives.*  
JONATHAN WEBSTER,  
*Speaker of the Senate.*

Passed January 30, 1836.

## CHAPTER XLI.

An Act supplemental to an act, passed the 8th of January, 1836, to establish the county of Coffee.

Hoover's Gap attached to Coffee

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the portion of Rutherford county lying in Hoover's Gap, shall be, and the same is hereby attached to the county of Coffee, by a direct line, to be run across said Gap at right angles, as near as may be, so as to intersect with the Bedford county line as the same existed before the said county of Coffee was established, on the ridge on each side of said Gap, leaving Christopher Hoover and Jacob Hoover in the county of Rutherford, and crossing the Gap as near Jacob Hoover's mill as practicable, to leave those persons on the north side of said line, and the territory lying south of the line to be run as aforesaid, shall become a part of the said county of Coffee.

Rights

Line to be run

SEC. 2. *Be it enacted,* That the citizens residing in the territory described in the first section of this act shall be placed on an equal footing, possess equal powers and privileges in all respects with the other citizens of said county of Coffee; and that Solomon Beesly be appointed to run

and mark the line as herein provided for, for which he shall be allowed three dollars for every day he may be necessarily employed in running and marking said line, to be paid by the said county of Coffee.

SEC. 3. *Be it enacted,* That all appeals, appeals in the nature of writs of error, and writs of error, which may be taken and prosecuted from the circuit court of the county of Coffee, shall be taken to the supreme court holden at Nashville. <sup>Appeals taken to Nashville</sup>

SEC. 4. *Be it enacted,* That the next term of the circuit courts of the counties of Roane, Rhea, Bledsoe, Marion, Hamilton, M'Minn and Monroe, shall be held at the times heretofore prescribed by law, and ever after, at the times prescribed by an act passed at the present session of the General Assembly, entitled an act to establish circuit courts; and the first circuit court for the county of Meigs shall be held on the fourth Monday of May, 1836, and ever after at the times mentioned in the act aforesaid. <sup>Circuit court in Roane, Rhea & other counties</sup>

SEC. 5. *Be it enacted,* That the circuit court for the county of Sumner shall be held on the third Mondays in February, June and October, in every year, any previous law to the contrary notwithstanding. <sup>Sumner circuit court</sup>

SEC. 6. *Be it enacted,* That the first line of Coffee county, instead of south eight east from the beginning ten and a half miles to the twelve mile point east of Shelbyville, shall be so run southwardly ten and a half miles as to strike the twelve mile point east of Shelbyville. <sup>Coffee cy. line</sup>

EPHRAIM H. FOSTER,  
*Speaker of the House of Representatives.*  
JONATHAN WEBSTER,  
*Speaker of the Senate.*

Passed February 4, 1836.

## CHAPTER XLII.

An Act giving further time to the Commissioners appointed by this General Assembly, to locate the county seat of Lauderdale and Coffee counties, and for other purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the commissioners appointed by this General Assembly at the present session to locate the seat of justice in the county of Lauderdale, have the further time of sixty days to perform that duty, and their acts shall be as good and binding as if done heretofore. <sup>Further time allowed</sup>

SEC. 2. *Be it enacted,* That in case it is not convenient for John R. Howard to make the survey pointed out in the act establishing the county of Lauderdale, that Wm. B. Jones of Gibson county be authorized to make said sur- <sup>Surveyor appointed</sup>

vey, who shall receive the same compensation that said Howard was allowed in said act.

Coffee county SEC. 3. *Be it enacted*, That the commissioners appointed to locate the seat of justice for the county of Coffee, shall perform that duty on or before the tenth day of March next.

Revenue of Tipton & Dyer SEC. 4. *Be it enacted*, That the county court of the counties of Tipton and Dyer, a majority of the acting justices being present, may, in their discretion, order and direct so much of the county revenue of their respective counties as may be collected for the year 1835, from the citizens of, and the lands lying within the limits of the county of Lauderdale, to be paid over to the trustee of Lauderdale county, for the use and benefit of said county; and the said county court of the counties of Tipton and Dyer may, in their discretion, respectively appoint such person as they may deem fit and proper to make the necessary examination, and report to them the amount of county revenue so collected by the sheriff or collecting officers of their respective counties.

Public funds portioned to Lauderdale SEC. 5. *Be it enacted*, That the citizens of the county of Lauderdale shall be entitled to receive from the counties from which they may have been stricken off, their rateable proportion of the common school fund, internal improvement fund, and all other public monies now due, or which may fall due, prior to the passage of this act.

EPHRAIM H. FOSTER,  
*Speaker of the House of Representatives.*  
JONATHAN WEBSTER,  
*Speaker of the Senate.*

Passed January 30, 1836.

### CHAPTER XLIII.

An Act to authorize a vote to be taken for the division of Humphreys county.

Vote authorized SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the sheriff of Humphreys county shall, on the 4th Monday of November next, open and hold an election at all the precincts in the county of Humphreys, for the purpose of receiving the votes of the qualified voters of said county for or against the division of said county.

Notice required SEC. 2. *Be it enacted*, That it shall be the duty of said sheriff to advertise said election in three public places in each captain's company in said county, at least ten days before the election; and it shall be the duty of said sheriff

to appoint a sufficient number of clerks and judges to superintend said election, in the same manner that county courts are authorized to appoint judges and clerks to superintend elections for Governor, Members to Congress and to the General Assembly; which judges and clerks shall be under the same rules, regulations and restrictions, as other judges and clerks appointed by the county courts of this State.

SEC. 3. *Be it enacted*, That it shall be the duty of the said sheriff to compare the state of the polls before some three justices of the peace for said county, and shall forthwith certify the state of the votes of the citizens of said county to this General Assembly, accompanied by the certificate of the justices whom the votes shall be compared before.

SEC. 4. *Be it enacted*, That if the said sheriff shall fail or refuse to comply with the requisition of this act, he shall forfeit and pay to and for the use of the county, five hundred dollars, to be sued for by the trustee of said county, for the use of said county.

EPHRAIM H. FOSTER,  
*Speaker of the House of Representatives.*  
JONATHAN WEBSTER,  
*Speaker of the Senate.*

Passed, October 21, 1835.

### CHAPTER XLIV.

An Act to establish the dividing line between the counties of Robertson and Montgomery.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the dividing line between the counties of Robertson and Montgomery shall be a straight line.

SEC. 2. *Be it enacted*, That Henry Johnson and George S. Wimberly shall be commissioners, whose duty it shall be to commence on the Sulphur fork of Red river, where the dividing line between said counties crosses the same, and to run and mark said line straight to the Kentucky line, so that the same shall be a straight line from the mouth of Sycamore creek to the Kentucky line.

SEC. 3. *Be it enacted*, That said commissioners shall report to the county courts of the counties of Montgomery and Robertson, as early as practicable, the boundary so by them run; which shall be registered in each of said counties, and the same shall be the limits of said counties.

SEC. 4. *Be it enacted*, That said commissioners be al-



lowed the sum of four dollars per day, for every day they may be engaged in such service, to be paid by the county of Montgomery.

Part of Robertson transfer'd to Montgomery

SEC. 5. *Be it enacted*, That after the survey shall have been made by the commissioners herein named, that part now in the county of Robertson, from the point where it crosses the Sulphur fork creek to the Kentucky line, shall be and compose part of the county of Montgomery, and the citizens residing therein shall be entitled to all the rights and privileges of other citizens of Montgomery county, and subject to the same pains and penalties thereof; *Provided*, that nothing in this act shall prevent the sheriffs, or any other officer in the county of Robertson, from collecting their taxes, now due, from the citizens of that part of said county of Robertson stricken off by this act and attached to the county of Montgomery.

EPHRAIM H. FOSTER,  
*Speaker of the House of Representatives.*  
JONATHAN WEBSTER,  
*Speaker of the Senate.*

Passed, February 18, 1836.

#### CHAPTER XLV.

An Act to attach a portion of Perry county to the county of Benton.

Territory attach'd to Bent'n

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That all that part of Perry county lying between Purdy's and Daugherty's line, be and same is hereby attached to the county of Benton, to wit:—Beginning on the Tennessee river, at the line that divides Purdy's and Daugherty's districts, and thence running with said line to the north east corner of Henderson county; thence with the Henderson county line to the Carroll county line, where the same intersects the county of Benton.

Rights extended

SEC. 2. *Be it enacted*, That the citizens within the aforesaid boundary shall, in all respects, be entitled to all the privileges and rights that are extended to the county of Benton.

Taxes

SEC. 3. *Be it enacted*, That all taxes and other public dues from the citizens within the aforesaid boundary, shall be payable and collected by the proper officers of the county of Perry, in as full and ample a manner as if this act had not been passed; and the county courts of said county shall have full power and authority to render judgment for taxes and public dues, against the land and other property of citizens within the aforesaid boundary, in as full and ample

a manner as if said citizens had not been detached from the county of Perry.

SEC. 4. *Be it enacted*, That Hamilton Ledbetter, Adam Walker and John Meanes, be and they are hereby directed <sup>With of the people to be obtained</sup> to hold an election at the precinct within the aforesaid bounds, first giving ten days notice, to receive the votes of the qualified voters within the aforesaid boundary, for and against being attached to the county of Benton; and they are hereby directed to compare the votes as taken before some justice of the peace for Perry county; and if a majority of the citizens shall vote for being attached to the county of Benton, they shall certify the same to the governor, the number of votes given for and against the same, and the governor shall immediately proclaim the fraction hereby proposed to be attached to the county of Benton, shall from twenty days after the date of such proclamation, be attached to the county of Benton; *Provided*, that the governor shall not issue his proclamation until it shall be shewn by actual survey, that to attach the territory hereby proposed, will not reduce the county of Perry below its constitutional limits; *Provided*, also, that the citizens residing within the aforesaid boundary, and voting against being detached from the county of Perry, shall not be required to pay any portion of the expense of making a survey of said county of Perry.

EPHRAIM H. FOSTER,  
*Speaker of the House of Representatives.*  
JONATHAN WEBSTER,  
*Speaker of the Senate.*

Passed February 20, 1836.

#### CHAPTER XLVI.

An Act to add additional territory to the county of Humphreys.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That all that portion of Dickson county lying in the following boundaries, shall hereafter be attached to and belong to the county of Humphreys:—Beginning at the south west corner of Dickson county, and thence running east with the south boundary line of said county of Dickson, to where the said line intersects the ridge that divides the waters of Hurricane creek from the waters of Garner's creek; thence with said ridge, to where said ridge intersects with the ridge that divides the waters of Cumberland and Duck rivers; thence north westwardly with said ridge, to the line that divides the counties of

Part of Dickson attach'd to Humphreys

Dickson and Humphreys; thence south with said line to the beginning.

Part of Hickman attached to Humphreys

SEC. 2. *Be it enacted*, That all that territory and country now lying in the county of Hickman, within the following boundaries, shall hereafter belong and (be) attached to the county of Humphreys, to wit:—Beginning in the line dividing the counties of Hickman and Humphreys, where the same first strikes Duck river, running south from the north west corner of Hickman; running thence up with the meanders of Duck river, with the main channel, to where the middle of the main ridge dividing the waters of Sugar and Tumbling creeks strikes the river; thence a north easterly course, along the summit of said ridge, between the waters of said creeks, to the main ridge dividing the waters of Garner's and Little Hurricane creeks; thence along the summit of the same to the north boundary line of Hickman county; thence west with said line, to the north west corner of said county; thence south with the line dividing the counties of Hickman and Humphreys to the beginning.

Place of voting

SEC. 3. *Be it enacted*, That the citizens residing within the aforesaid boundaries, shall still vote with the county from which they have been detached, until the next enumeration, for members of the general assembly, members to congress, governor and electors for president and vice president; *Provided*, the lines hereby directed to be run, shall not run within twelve miles and a half of the present county seats of said counties; and *Provided*, also, the said counties shall not be reduced below their constitutional limits.

Taxes

SEC. 4. *Be it enacted*, That all taxes and other public dues from citizens within the aforesaid boundaries, shall be collected in the same manner as heretofore; and the county courts are hereby authorized to render up judgment for the same, in the same manner as if the territory hereby detached still remained attached to their respective counties.

Officers

SEC. 5. *Be it enacted*, That all officers, civil and military, shall remain in office, within the aforesaid boundaries, until elections shall take place by law, to supply the same; when it shall be lawful for the citizens within said boundaries to vote with and in all things be considered citizens of the county of Humphreys.

Commissioners to mark line

SEC. 6. *Be it enacted*, That John Thompson, Isaac Little, Henry Luton and William McCasland, be and they are hereby appointed commissioners to survey, run out, and mark the boundaries as herein directed, and have a copy and plat of the same transmitted to the county courts of each county; which copy and plat shall be spread on the records of their county.

Compensation

SEC. 7. *Be it enacted*, That the said commissioners shall receive three dollars per day for each day they may be

engaged in making the survey, hereby directed to be paid out of the county treasury of Humphreys county.

EPHRAIM H. FOSTER,  
*Speaker of the House of Representatives.*  
JONATHAN WEBSTER,  
*Speaker of the Senate.*

Passed, February 2, 1836.

## CHAPTER XLVII.

An Act supplemental to an act passed during the present session of the Legislature, entitled "an act to establish the county of Cannon."

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the county of Cannon be and the same is hereby attached to the 5th judicial circuit; and the courts therefor shall be held by the Judge of said circuit, on the third Mondays of March, July and November of every year, in some suitable house in the town of Danville, until the seat of justice for said county is established by the commissioners appointed by the act to which this is a supplement, and the erection of a court house for the same.

Cannon attached to 5th ja. cir.

SEC. 2. *Be it enacted*, That said county of Cannon is hereby attached to the chancery district composed of Warren and White; and the courts therefor shall be holden at McMinnville, in Warren county, as heretofore provided; *Provided*, that suits originating in said county of Cannon, may be brought either in the chancery court at Murfreesboro' or McMinnville, at the election of the complainant.

Chancery cor't

SEC. 3. *Be it enacted*, That the commissioners heretofore appointed to divide the county of Cannon into civil districts, be and they are hereby authorized to divide the same into twelve districts and no more; and the first elections for constables, magistrates and all county officers for said county, shall be held by the sheriff of Warren county, or his deputies, on the first Saturday in March, according to the provisions of an act passed during the present session of the legislature, entitled "an act to provide for the election of a governor, representatives in congress, members of the general assembly, sheriffs, trustees, registers, clerks of the circuit and county courts, and for other purposes."

Civil districts

SEC. 4. *Be it enacted*, That all appeals, writs of error, and appeals in the nature of writs of error, from the circuit courts of said county of Cannon, shall be taken to the supreme courts, to be held for the middle division, at Nashville.

Appeals taken to Nashville

SEC. 5. *Be it enacted*, That nothing contained in the

Taxes for 1836



act to which this is a supplement, shall be so construed as to authorize the sheriff of Warren, Rutherford or Smith, or either of them, to collect taxes from any portion of the citizens of Cannon county, for the year 1836.

County seat

SEC. 6. *Be it enacted*, That the town of Manchester, the seat of justice in Coffee county, shall be laid off by the commissioners appointed for that purpose between the two forks of Duck river, above the Stone Fort, on both sides of the main road from Nashville to Winchester, and upon the hundred acres of land obtained from Andrew Hynes for that purpose.

EPHRAIM H. FOSTER,  
*Speaker of the House of Representatives.*  
JONATHAN WEBSTER,  
*Speaker of the Senate.*

Passed February 9, 1836.

#### CHAPTER XLVIII.

An Act to provide for removing the county seat of Humphreys county.

Commissioners appointed

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Isaac Lucas, Jas. M. Parker, William M'Castland, George Peoples and Hiram M'Elzea, be, and they are hereby appointed commissioners for the county of Humphreys, with full power and authority to purchase and fix on a suitable site within four miles of the centre of said county, taking the public convenience and good into consideration, for the purpose of locating the county seat of said county, which shall hereafter be known by the name of Waverley.

Oath required

SEC. 2. *Be it enacted*, That before any of the commissioners hereby appointed shall proceed to perform any of the duties herein required, they shall take and subscribe the following oath before some justice of the peace for said county: I do solemnly swear that I will well and truly execute and perform all the duties enjoined on me by law, as commissioner to fix on a permanent seat of justice in the county of Humphreys, to the best of my skill and ability. And in case any or either of the aforesaid commissioners shall fail or refuse to act under the provisions of this appointment, the county court of said county is hereby directed to fill such vacancy by appointing some person who shall not reside further than five miles from the person who shall fail or refuse to act, and the county court shall have full power and authority to fill such vacancy as they may occur, requiring the individual so appointed to be

under the same regulations as the commissioners appointed by this act.

SEC. 3. *Be it enacted*, That a majority of said commissioners shall constitute a board to transact business, and it shall be their duty as soon as they have fixed on a place for the seat of justice in said county, immediately to proceed to obtain a tract of land, not less than forty acres, to be conveyed to them by general warranty and in trust, for the purpose of laying off the said town of Waverley, and they shall lay the same off into convenient lots, lanes, streets and alleys, reserving therein on the most convenient and eligible place, two acres in a square form, to be called the public square, on which to erect the court house; and the said commissioners shall sell the lots so laid out, to the highest bidder for the same, at public sale, giving a credit to the purchaser of twelve months from the day of sale, and make deeds of conveyance to the purchasers respectively; but said sales of lots shall not take place until the time and place of the sale of said lots shall have been advertised four months in three newspapers printed in this State, and at the most public places in the county; and in all cases of sales of lots, the said commissioners shall take notes under hand and seal, payable to themselves and their successors as commissioners, with good and sufficient security for the purchase money of the respective purchasers.

Majority to act and their duties

SEC. 4. *Be it enacted*, That the commissioners shall let out the building of the court house and jail of said town to the lowest bidder, and appropriate the money arising from the sale of the lots in payment of the same; and in case the proceeds of the sale of the said lots shall not be sufficient to build said court house and jail, the county court of said county shall have full power and authority to lay a tax on all taxable property from year to year, not exceeding one half of the State tax, to build said court house and jail, which moneys, when collected by the sheriff of said county, shall be paid to said commissioners or their successors on application.

Public building provided for

SEC. 5. *Be it enacted*, It shall be the duty of the commissioners aforesaid, before they enter into any of the duties enjoined on them by this act, enter into bond and security in the penal sum of five thousand dollars, payable to the chairman of the county court of said county and his successors in office, for the use of the county, faithfully to discharge their duty as commissioners for said county, and correctly account for all sums of money that may come into their hands as commissioners, and it shall be the duty of said commissioners to make fair and perfect settlements of all their accounts with the county court once in each year.

Commissioners to give bond

SEC. 6. *Be it enacted*, The county court of said county

is hereby authorized to make such appropriations as compensation for said commissioners, as they shall from time to time think just and right.

Courts remov'd  
to Waverly

SEC. 7. *Be it enacted*, That when the commissioners aforesaid shall certify to the county court of said county, that the court house is in sufficient preparation and readiness to transact business in, it shall be the duty of the county court to order from thenceforth, the courts of said county shall be held at Waverley; and all writs, bonds, processes and recognizances, shall be made returnable at the town of Waverley after the order of said court shall have been made.

Jail of Hum-  
phreys to be  
sold

SEC. 8. *Be it enacted*, That the commissioners aforesaid shall, when they may think proper, expose to public sale, by giving ten days notice, the public jail of said county, for the use and benefit of the counties of Humphreys and Benton; and the said commissioners of each county shall, among themselves, determine the proportion due to each county, which decision and determination by the said commissioners shall be final between the two counties.

EPHRAIM H. FOSTER,  
*Speaker of the House of Representatives.*  
JONATHAN WEBSTER,  
*Speaker of the Senate.*

Passed February 10, 1836.

## CHAPTER XLIX.

An Act supplemental to an act to establish the county of Bradley.

Courts

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the county of Bradley be and the same is hereby attached to the eastern division of the State; and that all appeals and writs of error, taken from the courts of said county, shall be taken to the supreme court at Knoxville; that the said county is hereby attached to the ninth chancery district, the court for which sits at Madisonville in Monroe county, and to the third judicial circuit of the State; and that the circuit courts for the said county of Bradley shall be held on the second Mondays of May, September and January, in each and every year, except that the first term thereof shall be held on the last Monday of May next.

Elections

SEC. 2. That if the said county of Bradley should not be laid off into justices districts, or the elections for justices of the peace, constables and other county officers, should not be made therein, at the time and in the manner directed by the existing laws, in relation to the other counties of the

State, it shall be lawful for the commissioners appointed to lay off the county into civil districts; to do so at any time before the first day of April next; and it shall be lawful for the election for the various county officers for said county to be held on the first Saturday in April next, under the same rules, regulations and restrictions, in all respects, as are prescribed for the election of the county officers of the other counties of this State, on the first Saturday in March, and forever after the first election for county officers in said county of Bradley, the same shall be held on the first Saturday of March, as directed for the other counties of the State.

SEC. 3. That the county court of Meigs county, at their first term, a majority of the acting justices being present, shall fix upon the house of James Lillard, as the place of holding the county and circuit courts of said county, until the seat of justice is established; and all courts held at the place fixed upon by said county court, shall have all the powers, privileges and authority that said courts now have at the house of John Stuart, and shall be held under the same rules and restrictions as if held at the house of said John Stuart.

EPHRAIM H. FOSTER,  
*Speaker of the House of Representatives.*  
JONATHAN WEBSTER,  
*Speaker of the Senate.*

Passed February 20, 1836.

## CHAPTER L.

An Act to incorporate the town of Lagrange, in the county of Fayette.

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

SEC. 2. *Be it enacted*, That the said corporation shall have full power and authority to enact and pass such laws and ordinances necessary and proper to preserve the health and comfort of the town, to prevent and remove nuisances, to establish night watches and patrols; to ascertain, when necessary,



the boundary and location of streets, lanes and alleys, with the consent of the proprietors of the lots adjoining such streets, lanes or alleys, to provide for licensing auctions, to restrain and prohibit gaming, and provide for licensing, regulating and restraining immoral exhibitions and shows, within the limits of said town; *Provided*, however, they shall not be authorized to tax book auctions, or chaste and scientific exhibitions; they shall be authorized and empowered to pave and keep in repair the streets, and pass all laws necessary for the same; to pave the side walks and plant shade trees, to make embankments and other improvements; to prevent the streets and public roads from washing; to erect, build, lay out and regulate public baths, promenade walks and pleasure grounds; to establish and regulate markets; to provide for the establishment and regulation of fire companies; to erect and regulate pumps on the main streets; to prevent the running of horses, and to prohibit the showing or exhibition of stud horses or jacks within the limits of said town; to impose and appropriate fines, penalties and forfeitures, for the breach of their by-laws or ordinances; to lay and collect taxes for the purpose of carrying the necessary measures and regulations into operation for the benefit of said town, to restrain and regulate tippling houses, and to pass all laws and ordinances necessary to carry the intent and meaning of this act into effect; *Provided*, they are not incompatible with the constitution and laws of the United States or of this State.

Recovery of  
fines

**SEC. 3.** *Be it enacted*, That all fines and penalties imposed by the by-laws and ordinances of said corporation, if within the jurisdiction granted to justices of the peace, shall be recovered before the mayor of said town, or any justice of the peace of the township or district, and if exceeding that sum before any court having jurisdiction thereof.

Election of  
mayor & alder-  
men

**SEC. 4.** *Be it enacted*, That at any time after the passage of this act, the sheriff of the county of Fayette, if furnished with a certified copy of this act, shall, after giving ten days notice, hold an election for a mayor and six aldermen, who shall hold their offices until the first Saturday in January 1837, and until their successors are elected and duly qualified, and forever after the elections shall be held on the first Saturdays in January, and they shall not be permitted to resign without good cause shown. But when vacancies do occur they shall be filled by the board. All persons owning a freehold in said town, and also all persons residing in said town, who would be qualified to vote for members of the general assembly, shall be qualified to vote at the said elections for mayor and aldermen; but no person shall be eligible to the appointment of mayor and aldermen unless he shall be a resident citizen and a freeholder in said

Town. The election in 1837 and all subsequent ones, shall be held by the mayor and aldermen at their council chamber; of which the recorder shall give ten days notice.

**SEC. 5.** *Be it enacted*, That the mayor shall have concurrent jurisdiction with the justices of the peace of said county, of all causes of action that shall or may arise within the limits of said town, under this act, civil and criminal, subject to and regulated in every respect by the same laws that regulate and direct the proceedings of justices of the peace. He shall have the use of the county jail, and may send the town constable into any part of the county to execute process.

Jurisdiction of  
mayor

**SEC. 6.** *Be it enacted*, That the mayor and aldermen of said town, before entering on the duties of their appointments, shall take an oath or affirmation, before some justice of the peace for said county, faithfully to discharge their respective duties.

Of oath

**SEC. 7.** *Be it enacted*, That on the following Saturday, after each and every annual election, or sooner if the officers elect have all qualified, it shall be the duty of the mayor and aldermen to meet at their council chamber and elect a treasurer and recorder, and shall also select one constable from those elected by the voters of the district, or the districts including the county-town; who shall do the business of the corporation for one year, and until their successors are elected and qualified. Before entering upon the duties of their respective offices they shall each take an oath faithfully to discharge their official duties. It shall be the duty of the recorder to keep an accurate and detailed record of all the proceedings of the board, and shall receive such compensation as the mayor and aldermen shall award. It shall be the duty of the town constable to execute all warrants or other process issued by the mayor; collect all fines, taxes and amercements, and when necessary shall command the *posse* to aid in the execution of his duties.— He shall be a conservator of the peace, and on view or information give immediate notice to the mayor of all violations of the corporation laws. Before entering on the duties of his office, he shall give a bond to the corporation with at least two respectable freehold securities, residents of the corporation, in a sum not less than one thousand dollars, conditioned for the faithful discharge of his duties and regularly accounting for all public moneys which may come to his hands; and shall produce the treasurer's receipts and recorder's certificate before he can be eligible to a re-election. It shall be the duty of the treasurer to receive and pay out all monies belonging to the corporation, and shall, before he enters upon the duties of his office, give bond under the same rules and regulations required of and prescribed for the constable, and shall not be eligible to a re-

Election of  
treasurer, re-  
corder & con-  
stable

appointment unless he produces the recorder's certificate that a satisfactory exhibit of the receipts and expenditures of the preceding year has been made to the mayor and aldermen.

**SEC. 8.** *Be it enacted,* That when any tax or duty shall be imposed upon any real property, lying within the limits of said corporation, and not paid by the owners or occupiers of the same, at the end of the year, and there shall be no personal property within the limits of said corporation upon which the same could be levied, then it shall be the duty of the town constable to certify that fact to the mayor, who shall render judgment and condemn the said real estate to be sold, or so much thereof as will satisfy the principal tax, interest and costs;—and thereupon, an execution or order of sale shall be issued to the town constable; who shall, after giving thirty days notice in some newspaper in general circulation in the county, notice to the tenant in possession, if there be any, and to the owner by mail, if his residence be known—sell the said real estate to the highest bidder, and shall make a return thereof to (the) mayor; and if he find the proceedings regular, shall cause the same to be entered of record, and in the name of the corporation, execute a deed to the purchaser, conveying all the right which the proprietor held; *Provided,* however, that the owner may redeem the same at any time within two years, by paying the purchaser, or any one claiming under him, the amount of the purchase money, with twenty per cent interest thereon per annum.

**SEC. 9.** *Be it enacted,* That on all judgments rendered by the mayor, the defendant shall have the right of appeal to the circuit court of Fayette county, under the same rules and regulations prescribed by law in cases before justices of the peace.

**SEC. 10.** *Be it enacted,* That the mayor shall be authorized to take depositions and administer oaths, and be allowed the same fees therefor as may be allowed to justices of the peace.

**SEC. 11.** *Be it enacted,* That Holly street, extending from Commerce to Arch street, shall be vacated, and the fee simple of the same shall vest in the mayor and aldermen of said town, their successors and assigns forever; *Provided,* that the owners of property fronting the said street give their consent, which shall be in writing and recorded in the corporation record; and *Provided,* further, that the mayor and aldermen shall not sell and convey said street without a covenant that a frame house at least two stories high, with a brick cellar, shall be built in the same, so as to secure Commerce street from injury by washing and the falling in of the bank.

**SEC. 12.** *Be it enacted,* That the corporation limits of

Real estate may  
be sold for  
taxes

Right of appeal  
from mayor's  
judgment

Authority of  
mayor

Holly street

the town of Lagrange shall be as follows:—beginning at Limits of cor-  
Giles' corner, on the Sommerville road; thence east to a position  
point opposite the south east corner of the town plat; thence  
south to the south east corner of the town tract; thence west  
to a point, so that a due north line will strike the Sommer-  
ville road; thence north along said road to the place of be-  
ginning.

**SEC. 13.** *Be it enacted,* That the mayor and aldermen Officers fees  
shall determine and enter in their by-laws the fees and per-  
quisites of the town constable and treasurer.

**SEC. 14.** *Be it enacted,* That all laws heretofore passed Repeal  
in relation to the town of Lagrange, coming within the pur-  
view of this act, be and the same are hereby repealed.

EPHRAIM H. FOSTER,  
*Speaker of the House of Representatives.*  
JONATHAN WEBSTER,  
*Speaker of the Senate.*

Passed, January 5, 1836.

## CHAPTER LI.

An Act to legalize the appointment of the town of Livingston, in Overton  
county.

**SEC. 1.** *Be it enacted by the General Assembly of the  
State of Tennessee,* That the appointment of the commis-  
sioners of the town of Livingston, be and the same is  
hereby legalized, and that their acts as such, shall be as valid  
as though their appointment had been in strict conformity  
to law.

EPHRAIM H. FOSTER,  
*Speaker of the House of Representatives.*  
JONATHAN WEBSTER,  
*Speaker of the Senate.*

Passed, November 26, 1835.

## CHAPTER LII.

An Act to change the time of holding the Circuit Court of Franklin county.

**SECTION 1.** *Be it enacted by the General Assembly of  
the State of Tennessee,* That the next term of the circuit  
court authorized to be holden for the county of Franklin on  
the second Monday in January, 1836, be and the same is  
hereby directed to be holden on the fourth Monday in April  
next, and ever after at such times as shall be appointed in  
Time of cir. ct.



the bill re-organizing the circuit courts of this State, if the same shall be re-organized; and if not, then said courts shall be held at the same times they are required to be holden previous to the passage of this act.

Return of process

SEC. 2. *Be it enacted*, That all writs, recognizances and other process which by law is made returnable to the second Monday in January, shall be returned to said court on the fourth Monday in April, and shall be as valid as though they had been returned to the second Monday in January.

Duty of clerk

SEC. 3. *Be it enacted*, That the clerk of said court shall take recognizances returnable to said fourth Monday in April; and do all other things which, by the existing laws, he is authorized to do, where judges failed to attend, or where the times of holding courts in this State have been changed.

EPHRAIM H. FOSTER,  
*Speaker of the House of Representatives.*  
JONATHAN WEBSTER,  
*Speaker of the Senate.*

Passed, January 8, 1836.

### CHAPTER LIII.

An Act to declare the north and middle forks of Obion river, in Weakley county, navigable.

Declared navigable

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the north fork of the Obion river, in the county of Weakley, from the mouth up to the mouth or junction of Cane creek, above Farmer's bridge, on said river, and the middle fork of Obion river, in said county, from the mouth up to Holt's old mills, on said river, above the mouth of Thompson's creek—shall be deemed and are hereby declared navigable streams, free and open to all persons for navigation with boats, crafts and all other means of conveyance by water, without interruption or obstruction.

Pass way to be left

SEC. 2. *Be it enacted*, That if any person or persons have heretofore erected or may hereafter erect any mill-dam across either of said streams, or that part declared navigable by the first section of this act, such person or persons shall make or leave open some safe and convenient pass way, by which boats and other water crafts may safely navigate said stream in passing said mill-dam.

Penalty for offending

SEC. 3. *Be it enacted*, That if any person or persons shall fail or refuse to comply with the provisions of the second section of this act, such person or persons shall

forfeit and pay the sum of five hundred dollars for every such offence, to be recovered before any jurisdiction having cognizance thereof; one half to the use of the informer and the other half to the use of the State.

SEC. 4. *Be it enacted*, That this act shall be in force and take effect from and after the 25th November, 1836. When in force

EPHRAIM H. FOSTER,  
*Speaker of the House of Representatives.*  
JONATHAN WEBSTER,  
*Speaker of the Senate.*

Passed, February 10, 1836.

### CHAPTER LIV.

An Act appointing James F. Broyles a commissioner of a turnpike road, granted to Cain Broyles in the year 1831.

SECTION 1. *Be it enacted, by the General Assembly of the State of Tennessee*, That James F. Broyles of the county of Greene, is hereby appointed a commissioner of a turnpike road granted to Cain Broyles, of said county, in the year 1831; who shall, before entering upon the duties of said appointment, take the oath prescribed in the fourth section of said act, and shall perform the same duties and be entitled to the same compensation as the other commissioners are by said act.

EPHRAIM H. FOSTER,  
*Speaker of the House of Representatives.*  
JONATHAN WEBSTER,  
*Speaker of the Senate.*

Passed, November 16, 1835.

### CHAPTER LV.

An Act to amend an act entitled "an act to authorize Joseph P. Thomas and James B. Reynolds to build a bridge across Red river, in Montgomery county," passed the 5th day of October, 1832.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the further time of one year is hereby granted to James B. Reynolds to complete his bridge across Red river, on the road leading from Clarksville to Russellville, in addition to the time heretofore granted by the above recited act, to the said James B. Reynolds and Joseph P. Thomas. Further time allowed

SEC. 2. *Be it enacted*, That the said James B. Reynolds is hereby vested with all the rights, privileges and

emoluments, and subject to all the pains and penalties that the said Joseph P. Thomas and James B. Reynolds were by the provisions of the act which this is intended to amend.

**EPHRAIM H. FOSTER,**  
*Speaker of the House of Representatives.*  
**JONATHAN WEBSTER,**  
*Speaker of the Senate.*

Passed, December 14, 1835.

### CHAPTER LVI.

An Act to amend "an act to establish East Tennessee College, and to appoint additional trustees for the same.

**SECTION 1.** *Be it enacted by the General Assembly of the State of Tennessee,* That James Park, Robert M. Anderson, David A. Deadrick, Pleasant Crew, William K. Trigg, Spencer Jarnagin, James H. Cowan, Samuel R. Rodgers, Isaac Lewis, William S. Kennedy, William J. Baker, Marcus D. Bearden and Campbell Wallace, be and they are hereby appointed trustees of East Tennessee College, with equal power and privileges with the trustees heretofore appointed for that institution.

**EPHRAIM H. FOSTER,**  
*Speaker of the House of Representatives.*  
**JONATHAN WEBSTER,**  
*Speaker of the Senate.*

Passed, February 5, 1836.

### CHAPTER LVII.

An Act to establish a precinct for holding elections in Cade's cove and Tuckaleechy cove in Blount county, and for other purposes.

**SECTION 1.** *Be it enacted by the General Assembly of the State of Tennessee,* That the commissioners appointed to lay off the county of Blount into civil divisions, be and they are hereby authorized to establish a precinct for holding the elections for civil and military officers, at some convenient place in Cade's cove, and also to establish a precinct for the same purpose, at some convenient place in Tuckaleechy cove; and it shall be the duty of the commissioners, appointed to take lists of taxable property in said division, to attend one day for that purpose in Cade's cove and one day for a similar purpose in Tuckaleechy cove.

**Sec. 2.** *Be it enacted,* That the justices of the peace

Precinct established

in Hamilton county, are hereby authorized, if they deem it expedient, to establish three precincts or places of holding elections for governor, members of congress and members of the general assembly and military officers, over and above the number now allowed by law in said county, which places shall be designated by said court; and all elections held at such places shall be as good and valid as the election held at the other precincts in said county.

**SEC. 3.** *Be it enacted,* That the commissioners of Franklin county be and they are hereby authorized to establish a precinct at some suitable place in the Sinking cove of said county, for the same purposes as those established in Cade's and Tuckaleechy coves.

**SEC. 4.** *Be it enacted,* That the commissioners of Fentress county be and they are hereby empowered to establish a precinct at some suitable place on Station Camp of said county, also at Isaac Taylor's, for the same purpose as those established in Cade's and Tuckaleechy coves.

**EPHRAIM H. FOSTER,**  
*Speaker of the House of Representatives.*  
**JONATHAN WEBSTER,**  
*Speaker of the Senate.*

Passed, February 2, 1836.

### CHAPTER LVIII.

An Act to incorporate the West Tennessee Male and Female Academies.

**SECTION 1.** *Be it enacted by the General Assembly of the State of Tennessee,* That Henry G. Smith, W. B. Seymour, L. P. Williams, E. Haskins, W. C. Loving, Washington Eddings, A. G. Hunt, Jesse Allen, James Wright, John Cobbs, Duke Williams, William S. Gray, W. Jones, A. R. Govan, John C. Cooper, George M. Smith, E. S. Tappan and Thomas C. Hudson, be and are hereby appointed commissioners, any five of whom shall be sufficient to perform the duties of their appointment, by whom subscriptions may be received to the capital stock of the West Tennessee Male and Female Academies, in or near Sommerville, in the county of Fayette, hereby incorporated; and they or a majority of them may cause books to be opened at such times and places as they may direct, for the purpose of receiving subscriptions to the capital stock of said company, first giving such notice thereof as they may think necessary. The books shall be kept open for subscriptions not less than ten days; and two and a half dollars on each share of the amount subscribed, shall be paid to said commissioners, at the time of subscribing, and

Commissioners for receiving subscriptions



forty-seven dollars and fifty cents to the president and trustees for the time being, in such instalments as they may from time to time direct. In case the whole amount hereby authorized to be subscribed, shall not be taken when the books are first opened, the president and trustees, when elected, shall and may open books for subscription, at their discretion, until the whole of the capital stock shall be taken.

Incorporation  
and powers

SEC. 2. *Be it enacted*, That the capital stock of said company shall not exceed seventy-five thousand dollars, in shares of fifty dollars each; which shares may be subscribed for either by individuals, companies or corporations; so soon as five hundred shares of said capital stock shall have been subscribed, the subscribers of said stock, their representatives and assigns, shall be and they are hereby declared to be incorporated into a company and body corporate, by the name and style of the President and Trustees of the West Tennessee Male and Female Academies; and by that name shall be capable in law of purchasing, holding, selling, leasing and conveying estates, real, personal and mixed, and shall have succession in and for the term of one hundred years; and by said corporate name may sue and be sued, and may have and use a common seal, which they may alter or renew at their pleasure; and shall have and exercise all the powers, rights and privileges which corporations may lawfully have; also to ordain, establish and put into execution such by-laws and regulations as shall be necessary and proper for the transaction of the business of the said company, and erecting, endowing and governing institutions for male and female education; *Provided*, the same shall not be inconsistent with the constitution and laws of this State and of the United States.

Election of trustees

SEC. 3. *Be it enacted*, That for the due administration of the affairs of said company, there shall be fifteen trustees, citizens of this State, who shall be elected annually, on the third Monday in January, by the stockholders; and the trustees, at their first meeting after each election, shall appoint one of their body president of said company; and *Provided*, it shall so happen that an election of trustees should not be made, when in pursuance of this act it should have been made, the said corporation, for that cause, shall not be deemed dissolved; but they may, at any time within six months thereafter, make such election, in such manner as shall have been prescribed by the laws and ordinances of said corporation; and in case of the death, resignation or removal from the State, of any trustee, his place shall be filled by the remaining trustees for the time being, or a majority of them until the next general election.

Powers of trustees

SEC. 4. *Be it enacted*, That the trustees for the time being shall have power to appoint, engage and employ such

teachers, officers, clerks, stewards and servants under them, for transacting the business of said corporation, and to allow suitable compensation for their services, and shall have all powers for the management of all things necessary to the prosperity of said institution, which corporations can have and exercise under their by-laws.

SEC. 5. *Be it enacted*, That as soon as five hundred shares of the capital stock shall be subscribed, the commissioners shall give at least ten days notice that an election for trustees will be held in Sommerville at such times as they may think proper; and the stockholders may elect from themselves, fifteen trustees; each of whom shall own at least five shares; three of said commissioners being judges of election, and each stockholder giving one vote for each share which he may be the owner of on the first day of January preceding the election. The trustees, when elected, shall proceed to organize the company, and shall continue in office until the next stated election, unless displaced by the stockholders, and until a new board be formed; and after the board of trustees shall have elected their president, the president and trustees shall take an oath before some judge or justice of the peace, that they will severally perform their duty to the best of their skill and ability.

SEC. 6. *Be it enacted*, That the individual property, both personal and real, of every stockholder in said corporation, shall be held and bound for the debts of said corporation, to the full amount of his or her stock, which has not been paid into the joint fund of said company.

SEC. 7. *Be it enacted*, That if at any time a stockholder shall fail or neglect to pay one instalment or part of his subscription, when called on by the president and trustees, upon giving thirty days notice, and shall not, within twenty days of the time fixed for the payment by such notice, pay in the amount called for, the stock on which it may be demanded, together with the amount paid in, and all dividends accruing shall be forfeited to the company, and may be sold by the president and trustees, for the benefit of the company; *Provided*, however, the president and trustees may remit such forfeitures on such terms as they may deem proper, or they may waive such forfeiture and sue the person in default for the amount due and called for by action of debt, before any judicature having cognizance thereof, and cause the same to be made out of his individual property, and if after judgment is obtained, it is not eventually paid, the above forfeiture shall attach.

SEC. 8. *Be it further enacted*, That the following shall constitute the fundamental rules for the government of said corporation:—1st. That there shall be a treasurer appointed, who shall execute his bond with good and sufficient security, payable to the president and trustees and their

successors in office, for the faithful performance of his duty, with such covenants and under such penalties as the president and trustees may deem requisite; and said president and trustees shall have like powers to take bonds with security from any other officers of said corporation, with the like covenants and conditions. 2d. The trustees shall keep a fair and regular minute of their proceedings, and on any question when one trustee calls for it, the yeas and nays shall be entered. 3rd. The president and trustees, of whom five shall form a quorum to do business, shall have the right at all times, to visit the academies; and it shall be their duty to appoint a standing committee for each month, consisting of not less than three of the trustees, to visit the respective institutions at least once in each week. It shall also be the duty of a quorum of the board of trustees to visit the respective institutions at least once in each month, to enquire into the progress of the pupils and the management of the academies. 4th. All contracts, notes, bills, or engagements made by said president and trustees, shall be signed by the president and countersigned by the treasurer, and the funds of the company shall in no wise be held responsible for any contract or engagement, unless the same shall be executed as aforesaid. 5th. The stock of said company shall be transferred only on the books of the company; but they may have transfer books at such places as the president and trustees may designate. 6th. Half yearly dividends shall be made of so much of the profits as shall appear to the trustees advisable, if any. 7th. It shall be the duty of said corporation to keep a book in which a statement at the end of every year shall be entered, of the amount of capital stock, amount of real and personal estate, amount of funds on hand, and amount of debts due said company, and also the amount of debts, notes or obligations due from said company—in fact, to shew a full and general statement of the situation of said company; which book shall be open for the inspection of any stockholder who wishes to examine the same. 8th. The several books and accounts of the company shall be at all times subject to the examination of any one of the trustees. 9th. All sectarian preferences and distinctions shall be discarded in the management of said institutions; and not more than six of the members of the board of trustees shall belong to any one religious denomination at the same time. 10th. Students of all denominations shall be admitted into said institutions, with equal privileges, and merit alone be made the criterion of honors. 11th. The board of trustees shall have a regular meeting of the board at least once in every month, and the president shall always be present, unless necessarily absent, in which case the trustees present may appoint one of their body *pro tem*.

SEC. 9. The said company (may) receive and hold by <sup>Or donations</sup> gift, donation or bequest any property of any kind whatsoever, which shall be in addition to the capital stock; and when any gift, donation or bequest, shall be made to said company, they shall appoint three or more persons as commissioners to value said gift, bequest or donation, and to the amount of value that they fix on the same, the said trustees shall receive into the said institution for educating poor children, and educate the same to the amount of said property, as if the same was paid into the company in money for that purpose, unless otherwise provided for by the donor.

SEC. 10. Any number of stockholders not less than ten, <sup>Called meet'gs</sup> and holding at least three hundred shares, shall have power at all times to call a general meeting of the stockholders, as also shall a majority of trustees, for purposes relative to the institution, by giving three weeks notice and specifying the object of the meeting.

SEC. 11. That if any person shall wilfully and maliciously, by any means injure, impair or destroy any part of the <sup>Of injury to property</sup> building, improvements, wells, springs, property or appurtenances belonging to the said corporation, by virtue of this act, such person shall be subject to be indicted, and on conviction thereof shall be fined and imprisoned at the discretion of the court, and moreover liable to an action for damages at the suit of the president and trustees, in any court having cognizance thereof.

SEC. 12. *Be it enacted*, That the county court of the county of Fayette shall and may, upon the petition of the president and trustees, authorise a road to be laid out and kept up as other public roads of the first class, one from each of the academies to the margin of the town of Somerville, or to such public road leading thereto as they shall deem most convenient, under the same rules and liabilities as by the laws of the State are applicable to other roads of the same class. <sup>Road to academy granted</sup>

SEC. 13. *Be it enacted*, That previous to each stated election for trustees, after the first ensuing the passage of <sup>Notice of meeting required</sup> this act, notice shall be given at least thirty days preceding; and each stockholder owning from one to five shares, shall be entitled to one, and one vote for every three shares he may own over and above five; *Provided*, that no stockholder shall be entitled to more than thirty votes, and *Provided*, that they may vote by proxy duly executed twenty days previous to said election.

EPHRAIM H. FOSTER,  
Speaker of the House of Representatives.  
JONATHAN WEBSTER,  
Speaker of the Senate.

Passed January 21, 1836.



## CHAPTER LIX.

An Act to amend an act passed the 5th day of January, 1830, authorizing the building of a court house in the town of Rogersville.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Clinton Armstrong, Joseph Huffmaster and William A. Walker, are hereby appointed additional commissioners for the building said court house, and that the commissioners for building said court house be vested with power to let the building of the said court house to the lowest and best bidder or bidders.

EPHRAIM H. FOSTER,  
*Speaker of the House of Representatives.*  
JONATHAN WEBSTER,  
*Speaker of the Senate.*

Passed November 11, 1835.

## CHAPTER LX.

An Act to incorporate the inhabitants of the town of Wesley, in the county of Haywood.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the town of Wesley, in the county of Haywood, be and the same is hereby incorporated under all the regulations, restrictions and privileges as is the town of Winchester, in the county of Franklin.

EPHRAIM H. FOSTER,  
*Speaker of the House of Representatives.*  
JONATHAN WEBSTER,  
*Speaker of the Senate.*

Passed February 20, 1836.

## CHAPTER LXI.

An Act to make good the probate and registration of certain titles to lands lying between Henderson's and Walker's lines, in Claiborne, Hawkins and Sullivan counties.

Grants to be  
evidence

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That all grants issued by the State of Virginia, for lands in that tract of country situated between what is commonly called Henderson's and Walker's lines, in Claiborne, Hawkins and Sullivan counties, and which have been heretofore registered in said counties, shall

be received as evidence in any of the courts of this State.

SEC. 2. *Be it enacted*, That all deeds of conveyance <sup>Deeds to be evidence</sup> for lands granted by the State of Virginia, in the tract of country mentioned in the first section of this act, which deeds of conveyance have been heretofore recorded in the registers' offices of said counties, shall be read in evidence in any of the courts of law and equity in this State.

SEC. 3. *Be it enacted*, That certified copies of the <sup>Copies to be evidence</sup> grants and deeds above mentioned, from the registers of said counties, shall be received in evidence as aforesaid; *Provided*, it shall appear to the court that the original grants or deeds may have been lost or destroyed.

EPHRAIM H. FOSTER,  
*Speaker of the House of Representatives.*  
JONATHAN WEBSTER,  
*Speaker of the Senate.*

Passed, November 25, 1835.

## CHAPTER LXII.

An Act to declare Wolf river, in the counties of Overton and Fentress, navigable.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Wolf river, from the mouth up to the ford near James Seaton's, is hereby declared navigable; and should any person or persons put any obstructions therein, such person or persons shall be deemed guilty of a misdemeanor, and moreover shall forfeit and pay for every such offence fifty dollars, to be recovered by action of debt before any tribunal having cognizance thereof, one half to the person suing and the other to the county.

EPHRAIM H. FOSTER,  
*Speaker of the House of Representatives.*  
JONATHAN WEBSTER,  
*Speaker of the Senate.*

Passed, February 15, 1836.

## CHAPTER LXIII.

An Act to incorporate the Gallatin Female Academy.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Harris Odom, Oscar F. Bledsoe, Richard May, James A. Blackmore, William P. Rowles, Daniel Saffarans, A. D. Duval, H. B. Vaughn, Elijah

Boddie, William Trousdale and Joseph C. Guild, of the county of Sumner, be and they are hereby constituted a body politic and corporate, by the name of the Gallatin Female Academy, it being the female institution now under the superintendence of William P. Rowls, in the town of Gallatin, and by that name shall have succession and common seal, and the said trustees and their successors, by the name aforesaid, shall be capable in law or otherwise, to purchase, receive and hold, to themselves and their successors, any lands, tenements, goods or chattels not exceeding fifty thousand dollars, which shall be given, granted or devised to them, or by them purchased for the use and benefit of said academy, and to appropriate, use and dispose of the same in such manner as to them may seem fit and proper for the use and benefit of said academy; and the said trustees, and their successors, by the name aforesaid, may sue and be sued, plead and be impleaded, in any court of law and equity in this State or elsewhere.

Meetings and  
officers

SEC. 2. *Be it enacted*, That the said trustees and their successors shall have power to hold such meeting, at such times and places as may be agreed upon, from time to time, by a majority of the board of trustees aforesaid, to appoint a president, secretary and treasurer of said board, and fill all vacancies that may happen by death, resignation or otherwise; *Provided*, that three members shall constitute a quorum to transact business relating to the management, interest or government of said academy.

Powers

SEC. 3. *Be it enacted*, That said board of trustees, together with their secretary and treasurer, shall have power to make such by-laws, rules and regulations, relating to the said academy and the government thereof, 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.

EPHRAIM H. FOSTER,

*Speaker of the House of Representatives.*

JONATHAN WEBSTER,

*Speaker of the Senate.*

Passed January 18, 1836.

#### CHAPTER LXIV.

An Act to authorize the president and directors of the Union Bank of Tennessee, to establish a branch at Randolph, in Tipton county, and at Carthage, in Smith county, and for other purposes.

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

the Union Bank of the State of Tennessee, at their next or any subsequent meeting, be and they are hereby authorized to establish a branch of said bank at the town of Randolph, in the county of Tipton, and at Carthage, in the county of Smith, under the same rules, regulations and restrictions that are prescribed by the charter of said bank for the establishment of branches at Jackson and Columbia.

SEC. 2. *Be it enacted*, That if at any period, after two years from and after the establishment of said branches, or either of them, it shall be ascertained that the same does not yield a fair profit to the stockholders, then and in that case the president and directors of the mother bank may close the concerns of said branch or branches, and take in the funds.

SEC. 3. *Be it enacted*, That in case the Union Bank shall fail or refuse to establish the branches herein provided for, or either of them, under the provisions of this act, within twelve months after the passage thereof, then and in that case, the president, directors and company of the Planter's Bank of Tennessee, may establish a branch of said bank at either of the places aforesaid, under the same rules, regulations and restrictions, that the president, directors and company of said bank are authorized to establish branches at Pulaski and Athens.

SEC. 4. The Planter's Bank of Tennessee may establish a branch thereof at the town of Lagrange, in the county of Fayette, in the same manner, and subject to all the provisions of this act, touching the establishment of branches of the Union Bank at Randolph and Carthage.

SEC. 5. *Be it enacted*, That in case the Union Bank shall fail or refuse to locate a branch thereof at Randolph, within sixty days from and after the passage of this act, then and in that case it shall be lawful for the Planter's Bank of Tennessee to do the same, under the same rules and regulations that branches are established at Pulaski and Athens.

SEC. 6. *Be it enacted*, That the president and directors of the Planter's Bank of Tennessee, be and they are hereby authorized to establish a branch of said Planter's Bank, at the town of Franklin, in the county of Williamson, under the same rules, regulations and restrictions that are prescribed by the charter of said bank for the establishment of branches at Pulaski and Athens.

EPHRAIM H. FOSTER,  
*Speaker of the House of Representatives.*  
JONATHAN WEBSTER,  
*Speaker of the Senate.*

Passed February 17, 1836.



## CHAPTER LXV.

An Act for the benefit of James Vaughn and William Gulley.

Compensation  
to Vaughn

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the commissioners of school lands in the county of Monroe, be and they are hereby directed to pay to James Vaughn of said county, the sum of seventy-five dollars, out of the first rents and profits of said school lands, after the passage of this act, for services rendered and monies laid out and expended by the said James Vaughn, as commissioner of said school lands in the year 1831.

Wm. Gulley

SEC. 2. *Be it enacted,* That the school commissioners of the school tract of land near Petersburg, in Lincoln county, are hereby authorized to pay to William Gulley the value of his services rendered and labor done on said school tract of land;—the value to be adjudged by the said commissioners, out of the proceeds of said school tract; which payment shall be made out of the proceeds of said school tract.

EPHRAIM H. FOSTER,  
*Speaker of the House of Representatives.*  
JONATHAN WEBSTER,  
*Speaker of the Senate.*

Passed February 19, 1836.

## CHAPTER LXVI.

An Act to repeal the third section of an act passed October 11th, 1832, establishing a part of the dividing line between the counties of Bledsoe and Marion.

*Be it enacted by the General Assembly of the State of Tennessee,* That the third section of an act passed the 11th October, 1832, establishing Cannon's line, from the mouth of Brush creek to the Hamilton county line, as the dividing line between the counties of Bledsoe and Marion, be and the same is hereby repealed; and that the line, as established between said counties, on the south east side of Sequatchee river, before the passage of the above recited act, be re-established as the true dividing line between that portion of said counties.

EPHRAIM H. FOSTER,  
*Speaker of the House of Representatives.*  
JONATHAN WEBSTER,  
*Speaker of the Senate.*

Passed, February 20, 1836.

## CHAPTER LXVII.

An Act to provide for the election of Commissioners for the School Lands, in the counties of Franklin, Bedford and Warren, and for other purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That there shall be elected, by the qualified voters of each township, having a tract or tracts of school land in the counties of Franklin, Bedford and Warren, three commissioners for each tract of land, who shall hold their office for one year.

SEC. 2. *Be it enacted,* That it shall be the duty of the justices of the peace, residing in the townships or districts having school land, to open and hold an election at the most convenient and public place, at or near the centre of such township, on the first Monday of January in each year, having first given public notice of the time and place of holding said election, by setting up written advertisements at, at least, three of the most public places in said township, ten days previous to the day of election; and it is hereby made the duty of such justice or justices of the peace, so holding such election as aforesaid, to certify the same to the next term of the county court, whose duty it shall be to cause the commissioners thus elected, to enter into bond in the sum of one thousand dollars, made payable to the chairman of the county court, and his successors in office, with good and sufficient security, to be approved of by said county court, for the faithful performance of the duties of their appointment as commissioners, as aforesaid; which bond shall be subject to be sued on, by any person or persons who may think him, her or themselves aggrieved or injured, in the name of said chairman, or his successors, for his, her or their use; and no recovery had on said bond shall be considered a discharge of the same; but said commissioners and their securities, shall be held liable upon said bond, so often as they may fail to perform the duties of their appointments, as required by the same; and said commissioners, before entering upon the duties of their said appointment, shall take an oath faithfully and impartially to discharge the duties of said appointment to the best of their skill and ability.

SEC. 3. *Be it enacted,* That should any commissioner or commissioners die, resign, or fail to enter into bond, as required by the second section of this act, that then, and in such cases, it shall be the duty of the justice of the peace residing in the township, after giving the notice required by the second section of this act, to open and hold an election to fill such vacancy, subject to the same rules, regulations

and restrictions, as are prescribed in the second section of this act.

*Annual reports of proceeds req'd*  
**SEC. 4.** *Be it enacted,* That at the expiration of each year, it shall be the duty of each board of commissioners, or any one of said board, to make return to the county court, upon oath, of the nett proceeds of their respective tracts of school land, of which they may be commissioners, and all disbursements made by them; which report shall be entered of record by the clerk, in a well bound book to be kept for that purpose alone, who shall be entitled to the same fee therefor, and for taking the bond required by this act, as they are now entitled to by the existing laws; and it shall and may be lawful for the county court, to make to said commissioners a reasonable compensation out of the rents and profits of said tract of land, for their services.

*Moneys &c to be paid over to successors*  
**SEC. 5.** *Be it enacted,* That it shall be the duty of each board of commissioners, at the first term of the county court, after the election of commissioners, as required by this act, to deliver to their successors in office, all moneys, property, notes, bonds, accounts and effects in their hands, as such commissioners as aforesaid; and on failure thereof, it is hereby made the duty of said county court, on motion, to enter up judgment against such commissioners and their securities, for the full amount of such money, notes, bonds, accounts and effects, which may be ascertained to be in their hands, together with fifteen per centum damages thereon, in favor of the chairman of said county court, or his successors in office, for the use of the successors of said commissioners, from which said judgment an execution may issue as in other cases.

*School land to be leased*  
**SEC. 6.** *Be it enacted,* That said board of commissioners shall have full power and authority, first giving ten days notice of the time and place, by setting up at least three written advertisements in said township, to lease the school tract of land of which they are commissioners, for any term not less than one nor more than fifty years, taking bonds with approved security, to keep in good repair said lease, and to pay the rent thereof, in equal annual instalments; which said lease shall be conditioned, that if such lessee, his assignee or assignees, his heirs, executors or administrators, shall fail or refuse to keep in repair said lease, or to pay said rents annually as they fall due, then that said commissioners or their successors, may, at their discretion, regard said lease as being null and void, and enter upon and take possession of said school tract of land, and again lease the same to any other person, according to the provisions of this act.

*May sue and be sued*  
**SEC. 7.** *Be it enacted,* That said board of commissioners shall have a right to sue, and shall be liable to be sued,

as the board of commissioners of the tract of school land, for which they were elected.

*School houses to be built*  
**SEC. 8.** *Be it enacted,* That whenever a sufficient fund may be received by said board of commissioners, it shall be the duty of said board, where the same has not heretofore been done, to cause to be built a suitable number of good and convenient school houses, in convenient parts of the township, in which a common English school may be taught, and to employ and pay a good teacher of the English language, to instruct all children that may be sent thereto.

*Rules for school*  
**SEC. 9.** *Be it enacted,* That each board of commissioners shall be authorized to pass rules and by-laws for the regulation of the school, not contrary to law.

*Acts of ejectment*  
**SEC. 10.** *Be it enacted,* That each board of commissioners shall be vested with full power, and they are hereby required to commence and prosecute actions of ejectment as commissioners, against all and every person or persons, who are now or may hereafter be in possession of the tract of school land, or any part thereof, for which they were elected commissioners, and shall also have power to bring and prosecute suits against all and every person or persons, who may commit a trespass or trespasses, on any such tract of school land, and shall have power to do all other acts and things necessary to be done, to carry the provisions of this act into full force and effect; and the original surveys made for the respective school tracts, shall be considered as vesting a legal title in the same, as fully as though grants had issued thereon, and all copies or abstracts from the general plan, shall be received in evidence upon the trial of such actions of ejectment; and when any school tract shall be laid down upon the general plan, in pursuance of any act of assembly, the same or a copy of that part of such plan, shewing that such tract was laid off for the use of schools, shall be *prima facie* evidence to prove such fact; and in all actions of ejectment, the demise shall be laid in the name of the State, and the suit shall not be abated or dismissed for any omission, defect or imperfection of the commissioners, but the court shall proceed to try the title as though other commissioners were regularly elected and qualified.

*Former leases validated*  
**SEC. 11.** *Be it enacted,* That the leases already made of the school tracts, under the former acts of assembly, shall remain good and valid; but all the rents that shall fall due upon such leases after the first day of January next, shall be paid over to the commissioners elected in pursuance of this act.

EPHRAIM H. FOSTER,  
 Speaker of the House of Representatives.  
 JONATHAN WEBSTER,  
 Speaker of the Senate.



## CHAPTER LXVIII.

An Act to provide for the holding of Courts in the county of Meigs

Where to be held  
SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the county and circuit courts for the county of Meigs, shall be held at the house of John Stewart, until the county seat shall be established and a suitable court house erected.

Chancery dis't  
SEC. 2. *Be it enacted,* That said county of Meigs is hereby attached to the chancery district composed of the counties of McMinn and Monroe, and shall constitute a part of said chancery district.

App'ls to sup'e ct. at Knoxville  
SEC. 3. *Be it enacted,* That all appeals, appeals in the nature of a writ of error, and writs of error, taken from the judgment of any court for the county of Meigs, shall be taken to the supreme court at Knoxville.

Benton county  
SEC. 4. *Be it enacted,* That all appeals, appeals in the nature of writs of error, and all writs of error that originate in the county of Benton, shall be taken to the supreme court at Jackson.

EPHRAIM H. FOSTER,  
*Speaker of the House of Representatives.*  
JONATHAN WEBSTER,  
*Speaker of the Senate.*

Passed February 17, 1836.

## CHAPTER LXIX.

An Act authorizing the sale of part of the public square in the town of Waynesboro'.

Sqr. to be sold  
SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That it shall and may be lawful for the county court of Wayne county, two thirds of the acting justices concurring therein, to authorize to be laid off and sold, for the benefit of the county, so much of the west and south sides of the public square, in the town of Waynesboro', as they may think proper, so that the same shall not be reduced below a convenient size; due regard being had to the convenience of the public.

Preference to owners of rear lots  
SEC. 2. *Be it enacted,* That if the county court of said county shall make an order for the sale of any part of the public square, as aforesaid, they shall order the laying off into lots of convenient size, such portions as they shall designate, and the same may be sold in such manner as they may think best for the interest of the county; *Provided,* that before offering the same to the highest bidder, at pub-

lic sale, they shall give a preference of purchase to those persons who may be the owners of lots thrown back from the square in consequence of others being laid off in front, at such prices as may be agreed upon between the persons wishing to purchase and such commissioners as the court may appoint to superintend the laying off and sale of the same.

SEC. 3. *Be it enacted,* That if a price cannot be agreed upon between the persons thus authorized to purchase at private sale, and the commissioners appointed by the county court, it shall be the duty of the commissioners to give a reasonable notice, by public advertisement, that they will sell said lots at public sale, on a credit of twelve months, to the highest bidder, the purchaser giving bond and approved security; and the money arising therefrom, when collected, shall be paid over to the county trustee, to be disposed of in such manner as the county court shall direct.

SEC. 4. *Be it enacted,* That the commissioners aforesaid shall have power to execute to purchasers, upon the payment of the purchase money, a good and sufficient title, vesting in the purchaser a fee simple to the property so sold.

EPHRAIM H. FOSTER,  
*Speaker of the House of Representatives.*  
JONATHAN WEBSTER,  
*Speaker of the Senate.*

Passed, February 17th, 1836.

## CHAPTER LXX.

An Act to attach a portion of the county of Henry to the county of Benton.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That all that portion of the county of Henry, contained within the following boundary, shall hereafter be and the same is hereby attached to the county of Benton, to wit:—Beginning on the Tennessee river, on the line that divides the county of Henry and Benton, and thence running down said river with its meanders, so far, to a point, that by running a line due west will include all the inhabitants on Lick creek to Sandy river; thence up the said river with its meanders, to where it intersects with the county line of Benton county.

SEC. 2. *Be it enacted,* That D. P. Henderson, Nicholas Brewer and Charles J. Wheatley, be and they are hereby appointed commissioners to run and mark the boundary as herein prescribed; for which they shall receive a com-

pensation to be allowed them by the county court of Benton county, and they shall make a complete plat of the territory hereby included in said county, and the same shall be spread on the records of the said county.

Of voting

SEC. 3. *Be it enacted*, That the citizens within the aforesaid boundary shall exercise all the rights and privileges of the citizens of the county of Benton, in electing their county officers for said county; *Provided*, they shall vote for members of congress, governor, electors for president and vice president, and members of the general assembly, with the county of Henry, until the next enumeration, in pursuance of the fifth section and tenth article of the amended constitution.

Taxes

SEC. 4. *Be it enacted*, That all taxes and public dues from the citizens within the aforesaid boundary, due to the county of Henry, shall be collected in the same manner as heretofore, and they shall be liable for the same, in as full and ample a manner as if said citizens had never been detached from said county of Henry.

EPHRAIM H. FOSTER,  
*Speaker of the House of Representatives.*  
JONATHAN WEBSTER,  
*Speaker of the Senate.*

Passed February 15th, 1836.

## CHAPTER LXXI.

An Act to amend the act incorporating the town of Clarksville, and to increase and extend the powers of the mayor and aldermen of said town, and for other purposes.

May impose tax

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That it shall and may be lawful for the mayor and aldermen of the town of Clarksville in council assembled, to lay a tax on all polls, town lots, slaves and other property, and upon all privileges made liable to taxation by the laws of this State, within said town, for the purpose of improving the public square and public streets of said town—and they shall, moreover, be empowered to pass by-laws and ordinances necessary and proper to preserve the health and comfort of said town; to prevent and remove nuisances; to establish night watches and patrols; to ascertain, when necessary, the boundary and location of streets, lanes and alleys, with the consent of the proprietors of lots adjoining such streets, lanes and alleys; to provide for licensing auctions; to restrain and prohibit gaming; to establish and regulate markets, and provide for the licensing, regulating and restraining immoral exhibitions and

shows, within the limits of said corporation; *Provided*, however, that they shall not be authorized to tax book auctions or chaste and scientific exhibitions.

SEC. 2. *Be it enacted*, That the mayor of the town of Clarksville shall have concurrent jurisdiction with the justices of the peace of the county of Montgomery, of all causes of action that shall or may arise, within the limits of said town, under this act, of a criminal nature, subject to and regulated in every respect by the same laws that regulate and direct the proceedings of justices of the peace. He shall have the use of the county jail, and may send the town constable into any part of the county to execute process.

Jurisdiction of mayor

SEC. 3. *Be it enacted*, That when any tax or duty shall be imposed upon any real property lying within the limits of said corporation, and not paid by the owners or occupiers of the same, at the end of the year, and there shall be no responsible property within the limits of said corporation upon which the same can be levied, then it shall be the duty of the town constable to certify that fact to the mayor, who shall render judgment and condemn said real estate to be sold, or so much thereof as will satisfy the principal tax, interest and costs; and thereupon, an execution or order of sale shall be issued to the town constable, who shall, after giving thirty days notice in some newspaper in circulation in the county, or in some other public manner, notice to the tenant in possession, if there be any, and to the owner, by mail, if his residence be known, sell the said real (property,) to the highest bidder, and shall make a return thereof to the mayor; and if he find the proceedings regular, shall cause the same to be entered of record, and in the name of the corporation execute a deed to the purchaser, conveying all the rights which the proprietor held; *Provided*, however, that the owner may redeem the same at any time within two years, by paying the purchaser or any one claiming under him, the amount of the purchase money, with twenty-five per cent per annum interest thereon.

Real estate may be sold for taxes

SEC. 4. *Be it enacted*, That on all judgments rendered by the mayor, the defendant shall have the right to appeal to the circuit court of Montgomery county, under the same rules and regulations prescribed by law, in cases before the justices of the peace.

Right of appeal from mayor's judgment

SEC. 5. *Be it enacted*, That the mayor shall have authority to take depositions, and administer oaths, and be allowed the same fees therefor as may be allowed to justices of the peace.

Power

SEC. 6. *Be it enacted*, That if any person residing in said town and holding property therein, shall fail or refuse to pay such tax as may be laid by the mayor and aldermen of said

Of refusal to pay taxes



town, then it shall be lawful for the constable acting in and for said town, under the direction of the mayor, to seize upon and destrain so much property of such person, so failing to pay said tax, as will be sufficient to pay said tax, and to expose the same to sale, in the same manner as if the same had been levied upon by virtue of an execution issued from a justice of the peace, and the fee of said officer shall be the same as in case of an execution.

*Limits extend'd*  
**SEC. 7.** *Be it enacted,* That said mayor and aldermen, in council assembled, shall have power to extend the police laws of said town, passed, or which may hereafter be passed, to preserve quiet and order, over all that part of the county adjacent to said town, embraced in the following limits:—Beginning on Cumberland river, at the upper corner of Robert's addition to said town; thence east to the Nashville road, one pole beyond or above the house of Madison Kings; thence north to Reynold's bridge across Red River; thence down Red river to its mouth; thence up the Cumberland river to the beginning. The mayor and Aldermen of the town of Clarksville shall have full power and jurisdiction over the inhabitants and property in the corporate limits, as extended by this act, as they might or could exercise over any of the citizens or property within the old corporate limits.

*Qualifications of voters*  
**SEC. 8.** *Be it enacted,* That all persons, in other respects qualified to vote, residing within the limits described in the preceding section, shall have the privilege of voting in all elections of mayor and aldermen, and shall be eligible to serve as such.

*Mayor of Franklin*  
**SEC. 9.** *Be it enacted,* That the mayor of the town of Franklin, in the county of Williamson, shall have concurrent jurisdiction with the justices of the peace in said county of Williamson, of all causes of action of a criminal nature, that shall or may arise within the limits of the corporation of said town of Franklin, under this act, subject to and regulated in every respect by the same laws that regulate and direct the proceedings of justices of the peace; he shall have the use of the county jail, and may send the town constable into any part of the county to execute process.

*Right of appeal*  
**SEC. 10.** *Be it enacted,* That (in) all judgments rendered by the mayor of said town of Franklin, the defendant shall have the right of appeal to the circuit court of Williamson county, under the same rules and regulations prescribed by law in cases before the justices of the peace.

*Depositions*  
**SEC. 11.** *Be it enacted,* That the mayor shall have power and authority to take depositions and administer oaths, and be allowed the same fees therefor, and do all

other business as may be allowed to justices of the peace.

**EPHRAIM H. FOSTER,**  
*Speaker of the House of Representatives.*  
**JONATHAN WEBSTER,**  
*Speaker of the Senate.*

Passed, February 9, 1836.

## CHAPTER LXXII.

An Act to amend an act passed the 30th of November, 1833, entitled, "an act for the relief of the citizens of Covington.

**SECTION 1.** *Be it enacted, by the General Assembly of the State of Tennessee,* That the proceeds of sales of the streets authorized to be sold by the said act, passed the 30th November, 1833, entitled, "an act for the relief of the citizens of Covington," be and the same is hereby ordered and directed to be paid to the mayor and aldermen of said town, for the use of the said corporation.

**EPHRAIM H. FOSTER,**  
*Speaker of the House of Representatives.*  
**JONATHAN WEBSTER,**  
*Speaker of the Senate.*

Passed February 15, 1836.

## CHAPTER LXXIII.

An Act making compensation to Pryor Lea for services rendered to the State.

**SECTION 1.** *Be it enacted by the General Assembly of the State of Tennessee,* That the treasurer of Tennessee, *Treasurer to pay P. Lea* pay to Pryor Lea the sum of one thousand dollars, as compensation to the said Pryor Lea, as agent and attorney for the State in certain reservation suits, instituted in the circuit courts of Roane, Monroe and McMinn counties, founded upon the treaties of 1817 and 1819, between the United States and the Cherokee tribe of Indians.

**SEC. 2.** *Be it enacted,* That the said Pryor Lea is here- *P. Lea contin'd agent* by continued as agent and attorney for the State

**EPHRAIM H. FOSTER,**  
*Speaker of the House of Representatives.*  
**JONATHAN WEBSTER,**  
*Speaker of the Senate.*

Passed February 18, 1836.

## CHAPTER LXXIV.

An Act to make provision for the payment of certain claims in the county of Fayette.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the county court of Fayette county shall have power to appropriate any monies in the county treasury not otherwise appropriated, for the satisfaction of any claims that individuals may have against the said county for work done under contracts made with the commissioners of internal improvement for said county; *Provided,* that said justices of the county court may judge of the justice and validity of such claims, and may require the establishment of said claims, by suit at law or otherwise, as they in their discretion may judge proper.

EPHRAIM H. FOSTER,  
*Speaker of the House of Representatives.*  
JONATHAN WEBSTER,  
*Speaker of the Senate.*

Passed, February 17, 1836.

## CHAPTER LXXV.

An Act to repeal an act passed November 24, 1817, entitled, "an act for the benefit of Joseph A. Montgomery.

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

EPHRAIM H. FOSTER,  
*Speaker of the House of Representatives.*  
JONATHAN WEBSTER,  
*Speaker of the Senate.*

Passed, December 17, 1835.

## CHAPTER LXXVI.

An Act for the benefit of William Bayless, surveyor general of the Hiwassee district.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That William Bayless, late surveyor general of the Hiwassee district, be allowed the sum of three dollars per mile, including all expense, for each mile he may have run and marked, in extending the lines of

Compensation  
to W Bayless

the several counties mentioned in an act of assembly passed in the year 1833, entitled, "an act extending the laws and jurisdiction of this State to her southern limits.

SEC. 2. *Be it enacted,* That the said William Bayless shall make a proper return on oath, accompanied by a plat or plats, representing the lines by him run, in obedience to the aforesaid act, to the comptroller of public accounts, and upon the order of said comptroller, the treasurer shall pay the amount so ordered to be paid by said comptroller, to the said William Bayless.

W Bayless to  
return plat

EPHRAIM H. FOSTER,  
*Speaker of the House of Representatives.*  
JONATHAN WEBSTER,  
*Speaker of the Senate.*

Passed, February 16, 1836.

## CHAPTER LXXVII.

An Act to amend an act passed the 11th day of October, 1832, incorporating the town of McMinnville.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the bounds of the corporation of the town of McMinnville, as incorporated by the act of 1832, be and the same are hereby extended as follows:— Beginning at the north west corner of the town of McMinnville, running west sixty poles; thence south to a point opposite the south west corner of said town, so as to include the real estate of Matthew Watson, Thomas Parris, B. L. Ridley, J. P. Thompson and John B. Rodgers.

Limit extend'd

SEC. 2. *Be it enacted,* That said corporation of the town of McMinnville shall have power to tax the land included within the aforementioned bounds, according to its value.

May tax land

EPHRAIM H. FOSTER,  
*Speaker of the House of Representatives.*  
JONATHAN WEBSTER,  
*Speaker of the Senate.*

Passed, December 17, 1835.

## CHAPTER LXXVIII.

An Act authorizing the stockholders of the Planter's Bank of Tennessee to establish a branch at the town of Clarksville, and for other purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the stockholders of the Plan- Br. at Clarkv't  
ters' Bank of Tennessee, at their next or any subsequent



meeting, be and they are hereby authorized to establish a branch of the said bank at the town of Clarksville, in the county of Montgomery, under the same rules and regulations that are prescribed in the charter of the said Planters' Bank, establishing the branches at Pulaski and Athens.

Pr. may be  
withdrawn

SEC. 2. *Be it enacted*, That if it should be found, at any period after the expiration of two years from the establishment of said branch, that said branch shall have yielded no profit to the stockholders of said Planters' Bank, the directors of the mother bank may wind up the concerns of said branch and take in the fund.

Union b'k br  
at Clarksville

SEC. 3. *Be it enacted*, That in case the Planters' Bank of Tennessee should fail or refuse to establish a branch at the town of Clarksville, under the provisions of this act, within six months after the passage thereof, then and in that case the president, directors and company of the Union Bank of the State of Tennessee, may establish a branch of said Union Bank at the town of Clarksville, in the county of Montgomery, under the same rules and regulations that said president, directors and company of the said bank have by the provisions of the charter thereof, to establish branches in East Tennessee, in West Tennessee and at the town of Columbia.

EPHRAIM H. FOSTER,  
*Speaker of the House of Representatives.*  
JONATHAN WEBSTER,  
*Speaker of the Senate.*

Passed, January 1, 1836.

### CHAPTER LXXIX.

An Act to change the time of holding the circuit court of Fentress county.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the circuit court for the county of Fentress, instead of being holden on the fourth Monday in February, 1836, shall be held on the third Monday in June next, as prescribed in an act passed at the present session to establish circuit courts in this State; and all process, recognizances and other proceedings, shall be returnable accordingly, and no proceeding, writ or recognizance, shall abate or be discontinued by reason of any thing in this act.

EPHRAIM H. FOSTER,  
*Speaker of the House of Representatives.*  
JONATHAN WEBSTER,  
*Speaker of the Senate.*

Passed February 10, 1836.

### CHAPTER LXXX.

An Act to authorize the sale of Columbia College, in Maury county.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the Trustees of Columbia college in Maury county, at any regular meeting, of which they shall have notice, and two thirds assenting thereto, are hereby authorized to sell any property, real or personal, belonging to Columbia college, and to vest the proceeds thereof, and also any academy or college funds to which said institution is entitled, in the establishment of some useful and necessary professorship in Jackson college in Maury county, or in such other manner as they shall deem most beneficial and expedient.

SEC. 2. *Be it enacted*, That any deed which said trustees shall execute, for any property belonging to Columbia college, in conformity with this act, when legally registered, shall vest a valid title in the purchaser.

EPHRAIM H. FOSTER,  
*Speaker of the House of Representatives.*  
JONATHAN WEBSTER,  
*Speaker of the Senate.*

Passed February 2, 1836.

### CHAPTER LXXXI.

An Act to amend an act of the general assembly passed at Nashville on the 19th day of November, 1833, entitled, "an act to authorize A. M. Coffee to open a tarapike road.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the proprietors of said road be and they are hereby authorized to commence said road at such point on the Cherokee boundary line, betwixt the mouth of Ocoee river and the east end of Starr's mountain; as the commissioners of said road shall designate, so as to make said road the nearest and best route from Athens, Tennessee, to the State line, in the direction of Dahlonega, Georgia.

SEC. 2. *Be it enacted*, That David Cantrell, Oliver Dotson and Thomas P. Wells, be and they are hereby appointed commissioners of said road, in the room of those heretofore appointed, and that Augustine P. Fore and Nathaniel Smith, the present proprietors of said road, are hereby constituted a body politic and corporate, and they and their successors shall have succession in the charter aforesaid, for the term of thirty years, and may sue and be

sued in any of the courts of this State or elsewhere, in their corporate name aforesaid.

EPHRAIM H. FOSTER,  
*Speaker of the House of Representatives.*  
JONATHAN WEBSTER,  
*Speaker of the Senate.*

Passed January 28, 1836.

### CHAPTER LXXXII.

An Act to incorporate the town of Bigbyville, in Maury county.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Tebena Conkey, Frederick Zollicoffer, James Cannon, Isaac Moore and David Untham, or a majority of them, are hereby appointed commissioners to lay off and mark the limits of the town of Bigbyville, in Maury county, and shall make out a plan and plat of the same, a certified copy of which they shall deposit in the clerk's office of the county court of Maury county, and all streets, lanes or alleys and public grounds, designated as such on said plan, shall inure to and remain for the use of said town; and said commissioners, or a majority of them, shall hold an election for five aldermen for said town, giving twenty days notice in five places in said town, of the time and places of holding said election; and all persons residing within said town shall be eligible as aldermen, and all persons entitled to vote for members to the general assembly shall be entitled to vote in said election; that said aldermen when so elected, shall meet as soon thereafter as convenient and take an oath of office, and said aldermen shall elect one of their body mayor, and said mayor and aldermen shall compose a body politic and corporate and have perpetual succession by the name and style of the Mayor and Aldermen of the town of Bigbyville, and by that name may sue and be sued, plead and be impleaded, and may have and use a common seal, and are empowered to pass by-laws for the government of the town.

SEC. 2. *Be it enacted,* That the first mayor and aldermen for said town, elected as herein before prescribed, shall hold their offices for one year after qualifying as such, and an election shall be held annually for aldermen; *Provided,* that if an election should not be held at the proper time, the aldermen of the preceding year shall continue in office until their successors are elected.

SEC. 3. *Be it enacted,* That said mayor and aldermen shall appoint a clerk or recorder, who shall keep a record of all the proceedings of said mayor and aldermen.

SEC. 4. *Be it enacted,* That the qualified voters residing within the limits of said town, shall elect a constable at the same time that is fixed for electing aldermen; and said constable shall have all the power and perform all the duties of constables for incorporated towns.

SEC. 5. *Be it enacted,* That the said mayor and aldermen may annually levy such tax as they may deem proper for the improvement of the streets or for other purposes connected with the interest of said town.

EPHRAIM H. FOSTER,  
*Speaker of the House of Representatives.*  
JONATHAN WEBSTER,  
*Speaker of the Senate.*

Passed February 17, 1836.

### CHAPTER LXXXIII.

An Act to incorporate the Winchester Female Academy.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Mark Hutchins, Dr. William Estill, James Robison, Wallis Estill, jr. Joseph Klepper, Thomas Wilson, Benjamin Deckard, William Reeves, John Goodin, Joseph A. Copp, Richard Sharp and James Sharp, be and they are hereby constituted a body politic and corporate by the name of the Trustees of the Winchester Female Academy, and by that name shall have perpetual succession and a common seal; and the trustees and their successors, by the name aforesaid, shall be capable in law to purchase, receive and hold to themselves and their successors forever, or for any less estate, any lands, tenements, goods or chattels which shall be given, granted or devised to them, or purchased by them to the use of said academy, and for no other use or purpose whatever, and to use and dispose of the same, in such manner as to them shall seem most advantageous for the use of said academy; and the said trustees and their successors, by the name aforesaid, may sue or be sued, plead and be impleaded, in any court of law or equity in this State or elsewhere.

SEC. 2. *Be it enacted,* That the said trustees and their successors, shall have power to hold a meeting, whenever convened by any four of said trustees, at any place said trustees may appoint, but not less than seven members may constitute a board; which board, or a majority of them, shall have power to fill all vacancies which may happen, by death, resignation or removal, to appoint a president and secretary of said board, and to transact all business of every description relating to the interest, government and management of

Commissioners

Term of office

Recorder to be appointed

Trustees incorporated

Power of trs'ts



said academy, in such manner as to them shall seem expedient and necessary; *Provided*, said board of trustees, shall not have power to make any by-laws, rules and regulations which shall be inconsistent with the laws of the United States or of the State of Tennessee.

EPHRAIM H. FOSTER,  
Speaker of the House of Representatives.  
JONATHAN WEBSTER,  
Speaker of the Senate.

Passed November 26, 1835.

#### CHAPTER LXXXIV.

An Act to incorporate the inhabitants of the town of Clinton, in the county of Anderson.

Clinton incor-  
porated

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

SEC. 2. *Be it enacted*, That the corporation aforesaid shall have full power and authority to enact and pass all laws and ordinances necessary to suppress vice and immorality, to preserve the health of the town, to prevent and remove nuisances, to establish night watches and patrols, to ascertain the boundary and location of streets, lots and alleys, to provide for licensing and regulating auctions, to restrain and prohibit gaming, to provide for licensing, regulating or restraining theatrical and other public amusements within said town, to pave and keep in repair the streets, to establish necessary inspections, to erect and regulate markets, to appoint a recorder and constable, to license and regulate a fire company, to lay and collect taxes, to regulate and restrain tippling houses, to impose and appropriate fines and forfeitures, and to pass all other laws necessary and proper for the good government of said town, and regulating the police thereof: *Provided*, they are not incompatible with the constitution and laws of this State.

Laws how far  
binding

SEC. 3. *Be it enacted*, That the laws and ordinances of said town shall not be obligatory on the persons of said town, being citizens of the State, unless in cases of inten-

tional violations of laws or ordinances previously promulgated.

SEC. 4. *Be it enacted*, That all fines and forfeitures imposed by the by-laws and ordinances of the corporation shall be sued for and recovered in the name of the corporation and for the use of said town, before any jurisdiction having cognizance thereof.

Fines may be  
sued for

SEC. 5. *Be it enacted*, That the sheriff of Anderson county shall hold an election at the court house in Clinton on the first Saturday in August, 1836, and on the same Saturday in each and every year thereafter, for the purpose of electing seven persons to serve as aldermen of the corporation of said town of Clinton for the term of one year, commencing on the first Saturday in August in each and every year; and all persons owning a freehold in said town, and also all persons residing in said town who would be qualified to vote for members of the General Assembly, shall be qualified to vote at said election for aldermen, and no person shall be eligible to the appointment of aldermen unless he be a citizen of the said town of Clinton.

Sh'ff to hold e-  
lection for Ald-  
ermen.

SEC. 6. *Be it enacted*, That the seven persons qualified as aforesaid, having the highest number of votes at any election, held as aforesaid, shall be taken to be duly elected, and the sheriff of said county of Anderson shall, within three days thereafter certify the same to the recorder of the corporation, who shall thereupon summon said aldermen to meet at the court house in said town, on the Saturday succeeding the day of their election; and the said aldermen shall there meet as aforesaid, and any number not less than five shall be a quorum; and they shall proceed to elect by ballot one of their own members to be mayor of said corporation, for the same term for which the aldermen were elected as aforesaid; and whenever any mayor of said corporation shall die, remove out of said town, or resign, another election shall be held by the aldermen, in manner aforesaid, of another person for the time then unexpired, until the next general election of aldermen; and whenever any aldermen shall die, remove or resign, such vacancy may be filled up by the mayor and aldermen of said town at any regular meeting, and the person or persons by them appointed shall serve until the next election.

Organization of  
b'd of Ald'men

SEC. 7. *Be it enacted*, That if the sheriff of Anderson county shall at any time hereafter fail or refuse to open and hold an election as aforesaid, he shall forfeit and pay one hundred dollars to the corporation of the town of Clinton, to be recovered by action of debt before any jurisdiction having cognizance thereof, for the use of said corporation; and in case the said sheriff of Anderson county shall fail or neglect to hold said election, at the time and

Failure of Sh'ff  
to hold elect'ns

place specified by this act, it shall and may be lawful for him to hold said election, for the purpose aforesaid, on any succeeding Saturday in the same, and the same shall be as effectual as though the same had been opened and held on the day herein before specified.

When law  
takes effect

SEC. 8. *Be it enacted*, That this act shall take effect from and after the last day of July, 1836.

EPHRAIM H. FOSTER,  
*Speaker of the House of Representatives.*  
JONATHAN WEBSTER,  
*Speaker of the Senate.*

Passed, December 28, 1835.

#### CHAPTER LXXXV.

An Act to incorporate the town of Madisonville, in the county of Monroe.

Comm'rs and  
their powers

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That William M. Steel, William M. Stakely, Guilford Cannon, Samuel Becknell, Samuel M. Johnson, James M. Greenway, John G. Glass and Thomas Irwin be and they are hereby appointed commissioners for the town of Madisonville, in the county of Monroe, with full power and authority to enact and pass the following laws and ordinances; to wit, to preserve the health of said town, to prevent and remove nuisance, to provide for the licensing and regulating auctions, taxing, regulating and restraining theatrical and other public amusements and shows; to restrain and prohibit gambling, to prohibit shooting and shooting matches, to restrain breaches of the peace, violations of public morals or public decency, galloping or running horses; to construct and make any necessary improvements, and keep the same in repair; to impose and appropriate fines, penalties and forfeitures for a breach of their by-laws and ordinances, within the bounds of said town; to appoint a mayor, treasurer, clerk, and town constable; to provide for the future election of mayor, aldermen, clerk and constable of said town; to lay and collect taxes for carrying the necessary regulations into effect, for the benefit of said town, and to pass all laws and ordinances necessary and proper to carry into effect the intent and meaning of this act, *Provided*, they are not incompatible with the laws of this State.

Fine recoverable  
before Mayor

SEC. 2. *Be it enacted*, That all fines, penalties and forfeitures imposed by any by-law or ordinance, as prescribed in the first section of this act, shall be cognizable by the mayor of said town; and all warrants issued under the pro-

visions of this act shall be issued by the mayor for the time being, and directed to be executed and returned by the constable of said town, under such rules, regulations and instructions as said board shall direct.

SEC. 3. *Be it enacted*, That the board of commissioners by this act appointed, and their successors in office, are hereby constituted a body politic and corporate, by the name and style of mayor and aldermen of the town of Madisonville, and in that name shall have corporate existence, may have and use a common seal, sue and be sued, plead and be impleaded in any of the courts of this State. Act of incorp'n

SEC. 4. *Be it enacted*, That the commissioners, mentioned in the first section this act, shall hold their office until the first day of January, 1837, and until their successors are appointed, and have power to fill all vacancies that may take place in said board; *Provided*, that no vacancy shall be filled by the present commissioners or their successors, who are hereby declared to have the same power as the commissioners for the time being, except at a regular adjourned meeting of said board, or at a meeting to which each of (the) members have been notified to attend, which notice shall specify the vacancy and the intention of said board to fill it. Term of office

SEC. 5. *Be it enacted*, That no fine or forfeiture by and under any by-law or ordinance of said board, shall exceed ten dollars. Fine limited

SEC. 6. *Be it enacted*, That any five of said board shall constitute a quorum to transact business. Quorum

SEC. 7. *Be it enacted*, That no person shall be eligible to the office of mayor or alderman, except he be a freeholder within the bounds of said town; *Provided*, that no by-law or ordinance shall take effect, or be in force, until fifteen days notice shall first be given by advertisement at each of (the) precinct election grounds in said county, and at the court house door in said town, setting forth such by-law or ordinance. Eligibility of Mayor

SEC. 8. *Be it enacted*, That the town of Raleigh, in the county of Shelby, be and the same is hereby incorporated with all the powers, privileges and immunities that are granted in the incorporation of the town of Lagrange, in the county of Fayette, during the present session of the Legislature. Raleigh inc'p'd

SEC. 9. *Be it enacted*, That the citizens of said town, who are entitled to vote for mayor and alderman, be and they are hereby authorized to elect a town constable at the same time they elect a mayor and aldermen; and that said corporation limits of the town of Raleigh be extended to Wolf River, on the south of said town, and not to exceed one half mile from the court house in every other direction. Elect'n of constable & limits of town



Election in  
Farmington

SEC. 10. *Be it enacted*, That the election for mayor and aldermen in town of Farmington, in the county of Bedford, shall be held on the second Saturday in March next.

EPHRAIM H. FOSTER,  
*Speaker of the House of Representatives.*  
JONATHAN WEBSTER,  
*Speaker of the Senate.*

Passed, February 20, 1836.

### CHAPTER LXXXVI.

An Act for the benefit of John Calloway.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the treasurer pay to John Calloway, of Monroe County, the sum of eighty-one dollars and twenty-five cents, on account of an entry made by him, through mistake in the Hiwassee district, for the south west quarter of section twelve, township second, range first east of the meridian in Monroe county, with interest thereon from the time the money was paid until refunded; *Provided*, that said John Calloway shall, before receiving the said sum of eighty-one dollars and twenty-five cents and the interest from the treasurer aforesaid, execute a deed of release to the State, for the said quarter section of land, and have the same proved and registered in the county of Monroe and certified as required by law.

SEC. 2. *Be it further enacted*, that the several sums in this act mentioned, shall be paid out of any money in the treasury of the State not otherwise appropriated.

EPHRAIM H. FOSTER,  
*Speaker of the House of Representatives.*  
JONATHAN WEBSTER,  
*Speaker of the Senate.*

Passed February 11, 1836.

### CHAPTER LXXXVII.

An Act to provide for the viewing and laying off a road from the Cumberland Gap to the Smokey Mountain Turnpike Road.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That James P. H. Porter, Micajah C. Rogers, Anthony Lawson, John Mullendore and Elijah Cate, of the county of Sevier, be and they are hereby appointed commissioners to view and lay off a road

of the first class, from the end of the Smokey Mountain turnpike road in said county of Sevier, to some point of the public road in or near the Cumberland Gap, in the county of Claiborne; and in the performance of this duty, said commissioners shall in no case lay off said road through enclosed lands, without the consent of the owner thereof.

SEC. 2. *Be it enacted*, That it shall be the duty of said commissioners, or either of them, to view and lay off said road as aforesaid, and to make report of so much of said road as may be laid off in each county, to the county court through which it may pass; whereupon it shall be the duty of each of such courts to whom such report shall be made, to appoint an overseer, or overseers, and assign hands to open and keep in repair so much of said road as may be located in its county; *Provided*, the county courts of the several counties through which said road passes, a majority of all the justices being present, shall agree thereto.

SEC. 3. *Be it enacted*, That it shall be the duty of the overseers to be appointed by virtue of this act, to open and keep said road in repair, as a road of the first class is by law required to be opened and kept in repair, and if they shall fail so to do, they shall be liable to be indicted, and on conviction shall be fined in a sum not less than twenty-five dollars.

EPHRAIM H. FOSTER,  
*Speaker of the House of Representatives.*  
JONATHAN WEBSTER,  
*Speaker of the Senate.*

Passed February 20, 1836.

### CHAPTER LXXXVIII.

An Act to extend the time for complying with the provisions of an act, passed at Nashville on the 13th day of October, 1832, entitled, "an act to establish a Turnpike road from the town of Murfreesborough to the top of the ridge in the direction of M'Minavills.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the before recited act, is hereby revived and declared in full force and effect to all intents and purposes; and that the company thereby incorporated be allowed the term of five years from the passage hereof, to commence the construction of said turnpike road, and shall finish five miles thereof each and every year thereafter, until the whole is completed.

SEC. 2. *Be it enacted*, That the company, by said act incorporated, shall by its directors, have full power and funds

authority, to borrow any sums of money that they may find necessary to employ, in constructing said turnpike road; and to give a lien on the profits of said road, and on the property of said corporation for the payment of any sums of money by them borrowed, for the purpose aforesaid.

EPHRAIM H. FOSTER,  
*Speaker of the House of Representatives.*  
JONATHAN WEBSTER,  
*Speaker of the Senate.*

Passed, February 18, 1836.

### CHAPTER LXXXIX.

An Act to incorporate a Female Academy in the town of Clarksville in the county of Montgomery.

*Trustees incorporated*  
SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That John H. Poston, James M'Clure, Isaac Dennison, Alexander H. Cromwell, John M'Keage, Thomas W. Frazier, James B. Reynolds, Eli Lockhart and Henry F. Beaumont be, and they are hereby appointed and constituted a body politic and corporate, by the name of the Clarksville 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 aforesaid, shall be capable in law to purchase, receive and hold to themselves and their successors for the time aforesaid, any lands, tenements, goods or chattels which shall be given, granted or demised to them, or purchased by them, to the use of said academy, and to use and dispose of the same in such manner as to them shall seem most advantageous for the use of said academy; and said trustees and their successors, by the name aforesaid, may sue and be sued, plead and be impleaded in any court of law or equity in this State or elsewhere.

*Trustees*  
SEC. 2. *Be it enacted,* That the said trustees, or their successors, shall have power to hold meetings whenever convened by any two of said trustees, at any place said trustees may appoint, but not less than three members shall constitute a board; which board or a majority of them shall have power to fill all vacancies, which may happen by death, resignation or removal of any trustee; to appoint a president, secretary, and president (treasurer?) of said board, and to transact all business of every description relating to the interest, government and management of said academy, in such manner as to them shall seem expedient and necessary; and said board of trustees shall have power to make any by-laws, rules or regulations they may deem proper;

*Provided,* they be not inconsistent with the laws and constitution of this State, or of the United States.

SEC. 3. *Be it enacted,* That a male academy be incorporated in the town of Wesley, Haywood county, under Wesley Academy at all the provisions of a law incorporating the Madison and Wesley female academies, except that the male academy hereby incorporated at Wesley shall only elect ten trustees.

SEC. 4. *Be it enacted,* That until the first Monday of May next, and until an election shall take place for trustees of the Franklin female academy, Ferdinand Stuhlin Academy Thomas Maney, Edward G. Clouston, Richard Christmas, William Hardeman and Robert C. Foster, jun. be and they are appointed trustees of said Franklin female academy, in addition to those already appointed in the act of the present session, incorporating the president, trustees, & co. of the Franklin female academy, and until that time, shall have and exercise the same power with the former trustees appointed as aforesaid.

EPHRAIM H. FOSTER,  
*Speaker of the House of Representatives.*  
JONATHAN WEBSTER,  
*Speaker of the Senate.*

Passed, February 13, 1836.

### CHAPTER XC.

An Act to incorporate a Female Academy on Little Harpeth, in Williamson county, by the name of Elm Wood Academy.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That William Hadley, Benjamin D. Trust's incor'd Smith, Joseph Crockett, Everett Owen, James Crockett, Herbert Owen, Sutherland M. Mayfield, David Johnson and Dennie P. Hadley be and they are hereby constituted a body politic and corporate, by the name of the trustees of the Elm Wood female academy, and by that name shall have perpetual succession and a common seal; and the trustees and their successors, by the name aforesaid, shall be capable in law to purchase, receive and hold to themselves, and their successors forever, or for any less estate, any lands, tenements, goods or chattels, which shall be given, granted or devised to them, or purchased by them, to the use of said academy, and to use and dispose of the same in such manner as to them shall seem most advantageous for the use of said academy; and the said trustees and their successors by the name aforesaid, may sue and be sued, plead and be impleaded, in any court of law or equity in this State or elsewhere.



Three constit<sup>ts</sup>  
a board

**SEC. 2.** *Be it enacted,* That the said trustees and their successors, shall have power to hold a meeting whenever convened by any three of said trustees, at any place said trustees may appoint, but not less than five may constitute a board, which board or a majority of them, shall have power to fill vacancies which may happen by death, resignation or removal, to appoint a president and secretary of said board, and to transact all business of every description, relating to the interest, government and management of said academy, in such manner as to them shall seem expedient and necessary; *Provided,* said board of trustees shall not have power to make any by-laws, rules or regulations which shall be inconsistent with the laws of the United States, or of the State of Tennessee.

EPHRAIM H. FOSTER,  
*Speaker of the House of Representatives.*  
JONATHAN WEBSTER,  
*Speaker of the Senate.*

Passed January 29, 1836.

## CHAPTER XCI.

An Act to provide for the election of commissioners for the School Lands of Lincoln county and for other purposes.

**SEC. 1.** *Be it enacted by the General Assembly of the State of Tennessee,* That there shall be elected by the qualified voters of each township in Lincoln county, having a tract of school land, three commissioners for each tract of school land in said county, who shall hold their office for the term of two years and until their successors shall be elected and qualified.

**SEC. 2.** It shall be the duty of some one of the justices of the peace of Lincoln county to open and hold an election for said commissioners, at some convenient and public place in each township having school land, as central as may be, on the first Saturday in April next; and the next election shall be held on the first Saturday in November, 1837, and forever thereafter said elections shall be held on the first Saturday in November every two years, said justices of the peace first giving ten days previous notice of the time and place of holding such election, by setting up written advertisements at least at three of the most public places in such township; and it shall also be the duty of such justice of the peace holding such election, to certify the same to the next term of the county court of said county thereafter, before which court the commissioners thus elected shall appear and enter into bond with good

and sufficient security, in the sum of one thousand dollars, payable to the chairman of the county court of said county and his successors in office, conditioned, that they and each of them shall well and truly discharge the duties of their office; and in default thereof, or for any omission or neglect of duty, pay all costs, damages or injury which may be occasioned thereby, which bond shall be entered upon the records of said court, and the same shall be subject to be sued upon by any person or persons who may feel him, her or themselves injured or aggrieved, the suit being brought in the name of said chairman, or his successor for the use of the person or persons bringing such suit, and no recovery had thereon for any sum less than the penalty thereof, shall be considered a discharge of said bond, but the same may be sued upon, and a recovery had, as often and whenever said commissioners, or either of them, shall omit or fail to perform their respective duties; and said commissioners, before entering upon the duties of their office or appointment, shall also in open court take an oath that they will faithfully and impartially discharge the duties of said appointment to the best of their skill and ability.

**SEC. 3.** That should any commissioner die, resign, re-Of vacancies  
move or fail to enter into bond as above required, that then, and in such case, it shall be the duty of said justice of the peace, or some other, after giving the notice as above required, to open and hold an election, to fill such vacancy, subject to the same rules, regulations and restrictions as are prescribed for the first or any biennial election.

**SEC. 4.** That said commissioners in each and every Commissioners  
township, when elected and qualified as aforesaid, and their incorporated  
successors in office shall constitute a body politic or corporate, and by the name and style of the board of common school commissioners for the township No. of Lincoln county, may sue and be sued, and may hold property in trust for the benefit of the common school of said township.

**SEC. 5.** That the commissioners elected and qualified Division of  
in pursuance of the provisions of this act, may and they township  
are authorized in their discretion, to lay off and divide such township into any number of sub-divisions, or school districts, not exceeding five, so as best to suit the convenience of all persons in said township.

**SEC. 6.** That the qualified voters in each sub-division, or Election of  
school district so laid off, may elect two trustees, whose duty trustees  
it shall be to attend at some place in their respective school districts on the first Saturday in January of each year, for the purpose of taking a list of all the minors in such district; and said list, when completed, shall be returned by said trustees to the commissioners, and said commissioners

shall, when they shall have received all of said lists, appropriate the monies arising from the rents and profits of said tract of school land for the current year, among said sub-divisions or districts in proportion to the number of minors in each, and inform the trustees of each district of the amount to which their respective districts are entitled.

Teachers to be employed

SEC. 7. That it shall be the duty of said trustees to employ some person of good moral character, and of whose qualifications the said trustees shall be the judges, to teach an English school, in their respective districts, for such term of time as the funds to which said district is entitled will authorize; and at the expiration of the term for which said teacher was employed, said trustees shall certify the same to the commissioners and the amount due said teacher, and thereupon said commissioners shall pay the same to said teacher, whose receipt, together with the certificate of the trustees, shall be a good voucher in the hands of said commissioners in their settlement with their successors or with the county court.

Trust's to superintend schools

SEC. 8. That said trustees shall have the general superintendence and government of the school within their respective districts, and make such rules and regulations for the same as they in their discretion may deem proper and expedient, not inconsistent with the laws of the State.

Pow'rs of Commissioners

SEC. 9. That the commissioners elected, as provided for by this act, be and they are hereby vested with all the powers that commissioners of school lands are now vested with by the existing laws of the State, and it shall be the duty of said commissioners to rent, lease and otherwise manage said school lands in manner as heretofore required by law.

Com's may employ teachers

SEC. 10. That should the commissioners of any township deem it inexpedient to divide the township, for which they are commissioners, into sub-divisions, or school districts, that then and in that case said commissioners shall themselves employ teachers and appropriate the proceeds of such tract in manner as now provided for by the existing laws; and said commissioners shall make annual returns to the county court of the receipts and disbursements of the tract of school land for which they are commissioners, which return shall be sworn to by some one of said commissioners.

Sch'ls to be free

SEC. 11. That all schools to be kept, or authorized to be kept, under the provisions of this act, are hereby declared to be public and free for all the free white children residing within the township where such school is located.

Com's to collect & appropriate funds

SEC. 12. That said commissioners of said tracts respectively, shall be authorized to sue for, collect and receive any and all monies which may be due for the rents

and profits of said lands heretofore which have not been collected and received, and appropriate the same in the same manner, and subject to the same regulations as they are authorized to receive, and appropriate rents and profits which may hereafter become due; *Provided*, that nothing contained in this act shall be so construed as to prevent such further and future legislative action upon the subjects, or any of them embraced in this act, as the legislature from time to time may deem proper and expedient.

EPHRAIM H. FOSTER,  
Speaker of the House of Representatives.  
JONATHAN WEBSTER,  
Speaker of the Senate.

Passed, February 19, 1836.

## CHAPTER XCII.

An Act to extend the limits of the corporation of the town of Brownsville, in the county of Haywood, and to amend an act of the General Assembly, passed November 1, 1826, incorporating the inhabitants of the town of Brownsville, in Haywood county.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the limits of the corporation of the town of Brownsville shall extend to, and include, all the persons and property, living and being within one hundred and twenty poles, east, west, north and south from the centre, the outside lines to run to the true meridian, and at right angles, so as to produce a perfect square.

Limits of Brownsville

SEC. 2. *Be it enacted*, That the corporation, aforesaid, shall have full power and authority to pass all laws and ordinances, for the government and control of persons and property within the aforesaid boundary, and for the maintenance and benefit of said corporation, in as full and ample manner as though the same were within the original chartered limits of said corporation.

Authority of Corporation

SEC. 3. *Be it enacted*, That in all cases where the owner of taxable property in said town, fails to pay the taxes imposed by said corporation, and has personal property in the bounds thereof, the officer, to whom is entrusted the collection of said taxes, shall have power to make distress and sale thereof, without any other process than the tax book, signed by the mayor of said corporation, and countersigned by the recorder thereof.

Collection of taxes

SEC. 4. *Be it enacted*, That if the sheriff of said county should fail to hold the election at the time prescribed by the above recited act of 1826, the said corporation shall not for that reason be dissolved, but the mayor and alder-

Election of Officers



men thereof, and all the officers by them elected, by virtue of the said act of incorporation, shall hold their offices until their successors are elected and qualified.

*Of fail' e of Sh'ff  
to hold elect'ns* SEC. 5. *Be it enacted*, That if the said sheriff, either by himself or deputy, shall fail to hold an election for aldermen for said town, at the time prescribed by the said act of 1826, he shall forfeit and pay fifty dollars, to be recovered in an action of debt, before a justice of the peace; one half to the use and benefit of said corporation and the other half to the recorder of said corporation, whose duty it shall be to prosecute said suit.

*Law binding  
after election* SEC. 6. *Be it further enacted*, That the first and second section of this act shall not be binding and obligatory, until the sheriff of Haywood county shall open and hold an election at the court house in Brownsville, on the first Saturday in May next, at which time the qualified voters, within the present corporation of Brownsville, as well as those who would be within the limits as proposed to be extended by this act, shall be permitted to vote for and against the extension of the limits of said town; and should a majority of the votes taken be for the extension, as in the first section of this act specified, thenceforth the said first and second sections shall be in force, and the vote as taken by the said sheriff shall by him be deposited in the office of the clerk of the county court.

EPHRAIM H. FOSTER,  
*Speaker of the House of Representatives.*  
JONATHAN WEBSTER,  
*Speaker of the Senate.*

Passed, February 15, 1836.

### CHAPTER XCIII.

An Act to incorporate the president, trustees and company of the Franklin Female Academy.

*Incorporation  
of subscribers* SECTION 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, who are or shall become subscribers to the association, formed at Franklin, for the purpose of establishing a female academy, 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 and trustees of the Franklin female academy; and by that name shall have perpetual succession, and be liable to sue and be sued, plead and be impleaded in all courts of record and elsewhere; and to purchase and hold estate, both real and personal, and the

same to alien, sell and dispose of; to have and use a common seal: and also to ordain, establish and put in execution such rules, by-laws and regulations as shall appear necessary and proper for transacting the business of said association, and conducting and governing a seminary for the education of females; *Provided*, the same shall not be inconsistent with the constitution and laws of this State.

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

*Article I.* Each individual, who shall subscribe for stock on the books of the company, or the legal representative of such person, shall be considered as a joint proprietor with all of the members in the stock or property of the company, so long as he shall conform to the laws and rules for the government of the same.

*Art. II.* The capital stock of said company shall be fifty thousand dollars, and shall be divided into shares of fifty dollars each.

*Art. III.* The affairs of said company shall be managed by seven trustees, who shall elect one of their own body to be president; said trustees shall be elected by the proprietors of stock in said company, each share being entitled to one vote, but that no stockholder shall be entitled to more than thirty votes: the first election shall be held on the first Monday in May next, and thereafter on the first Monday in October in each and every year; the trustees shall be proprietors of stock, 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 said trustees shall refuse to act, or die, or remove out of the State, or cease to be a member of the company, the remaining trustees shall fill said vacancy from amongst the members of the company until next election.

*Art. IV.* There shall be a treasurer elected for said company, by the president and trustees, who shall hold his office for one year; whose duty it shall be to take charge of the funds of the company, and collect, distribute and pay out the same, pursuant to the orders of the president and trustees of the company; the treasurer shall, before entering on the duties of his office, enter into bond with good security, payable to the president and trustees, for the use of the company, in such sum as they may direct, with conditions that he will well and truly execute the duties of his office, and that he will well and truly account for all the monies 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, shall keep

the same open at all times for the inspection of the president and trustees, and shall hand over the same together with all the papers to the president and trustees when his time of service expires.

*Art. V.* The president and trustees shall appoint a secretary, who shall be one of the stockholders, and shall keep a regular and full record of their meetings, and of the business transacted by them, which shall be open for inspection to the proprietors at every regular meeting.

*Art. VI.* The president and trustees, of whom five shall be a quorum, shall have power to make, alter and annul all such by-laws, rules and regulations for the government of the affairs 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 expedient, not inconsistent with this act of incorporation and articles of association; and shall have power to employ such and so many teachers in the different branches of education, to prescribe the manner of tuition, to purchase such apparatus as to them may appear proper; and shall have power at all times, and it shall be their duty, at least once in every month, to visit the academy and inquire into the course of discipline and the studies of the students.

*Art. VII.* The stock or shares, belonging to the proprietors in the said company, shall be transferable on the books of said company and in no other manner.

*Art. VIII.* The president and trustees shall have power to require payment from the members of the company, from time to time of such sum as to them may appear necessary; *Provided*, that no greater sum than five dollars shall be required to be paid at any time in three months, and that notice shall be given in the newspaper in Franklin, at least twenty days of the payment.

*Art. IX.* If any member of said company shall fail to pay into the hands of the treasurer, within the time required by order of the president and trustees, any sum required by them to be paid, such person shall thereupon cease to be a member of said company, and shall forfeit all claim that he or she may have to the property of said company, or to the money by him or her paid; *Provided*, nevertheless, that the president and trustees shall have power, within any time of four months from such failure, on the application of such person, to accept of such instalment with an additional sum, not exceeding ten per cent., and reinstate such defaulter as a member, and cause the same, and all circumstances attending it, to be entered on the records; and if any member shall make such default or failure, and shall fail to make application to the president and trustees, within the term of four months, to be reinstated, or shall fail to pay such in-

stalment, with the addition of the damages required, his default shall be entered on the minutes of the board, together with the circumstances, and that he or she has ceased to be a member of the company.

*Art. X.* The profits of said company shall be applied, as far as shall be adjudged necessary and proper, to the purpose of furthering and promoting female education; any additional profits which it may not be adjudged by the president and trustees necessary to apply to that purpose, shall be paid over in equal portions to the members of the company for the time being, every six months.

*SEC. 3. Be it enacted*, That until the first Monday of May next, and until an election shall take place for trustees of said academy, the affairs of said company shall be conducted by Nicholas Perkins, Thomas Hardeman, James Park, William Maney, Henry Baldwin, jun. Robert P. Currin and Benjamin S. Tappan, of whom Nicholas Perkins is president, and until that time they shall be called the president and trustees of the Franklin female academy, and shall have and exercise all the power and authority hereby given to the president and trustees of said academy.

EPHRAIM H. FOSTER,  
*Speaker of the House of Representatives.*  
JONATHAN WEBSTER,  
*Speaker of the Senate.*

Passed,

#### CHAPTER XCIV.

*An Act to alter the time of holding the Chancery Courts of Smith county, and the Circuit Courts of Jackson county, and for other purposes.*

*SECTION 1. Be it enacted by the General Assembly of the State of Tennessee*, That from and after the first day of March, eighteen hundred and thirty-six, the chancery courts for the county of Smith shall be held on the second Monday of January and July, and the circuit courts for the county of Jackson shall be held on the third Monday of March, July and November, in each and every year; and that so much of the acts passed at the present session of this general assembly, as fixes the time of holding the said courts be and the same is hereby repealed.

*SEC. 2. Be it enacted*, That the chancery court at Tazewell in the county of Claiborne, shall be held on the first Monday of March and fourth Monday of September, in each and every year, from and after the first term to be held under the act passed at the present session establishing chancery courts.



**SEC. 3.** *Be it enacted,* That the county of Powel be and is hereby attached to the first judicial circuit, and that it shall and may be lawful for the people living within the limits of the county of Powel, to file their bills in the chancery court to be held at Rogersville, Greenville or Jonesboro', any law to the contrary notwithstanding. And should the condition upon which said county is to be established, be not complied with, then and in that case the chancery districts shall remain as they have been heretofore established by an act establishing chancery courts, passed at the present session of the general assembly.

**SEC. 4.** *Be it enacted,* That all process and other proceedings made returnable to the chancery court at Carthage on the third Monday of July next, by the provisions of an act to establish chancery courts, and a supplement thereto, passed at the present session, shall be deemed and held returnable to said court on the second Monday of July next; and that all process and other proceedings made returnable to the circuit court for the county of Jackson, on the second Monday of March next, by the provisions of an act to establish circuit courts, and a supplement thereto, passed at the present session, shall be deemed and held returnable to the circuit court of said county, on the third Monday of March next; and that all the provisions of said acts shall be in full force, except as remains otherwise provided.

**SEC. 5.** *Be it enacted,* That the bond and security required to be given by the treasurer of the State, under the provisions of an act to establish the treasury department of this State, and to prescribe the duties of the treasurer, passed at the present session of the general assembly, may be taken by the governor or any circuit judge of this State, under the rules and regulations prescribed in said act for the same to be taken by a judge of the supreme court; and the officer taking the bond shall be and is hereby authorized to administer the oaths required by law to be taken by the treasurer.

EPHRAIM H. FOSTER,

*Speaker of the House of Representatives.*

JONATHAN WEBSTER,

*Speaker of the Senate.*

Passed February 20, 1836.

### CHAPTER XCV.

An Act to provide for the establishment of a branch of the Planters' Bank of Tennessee at Murfreesborough.

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

the Planters' Bank of Tennessee, are hereby authorized to establish a branch of said bank at Murfreesborough in Rutherford county, for the purpose of discount and deposit, upon the same terms, and in the same manner practised at the principal bank under the charter of incorporation.

**SEC. 2.** *Be it enacted,* That the management of said branch and the making discounts and receiving deposits at the same, shall be committed to twelve directors, who shall be appointed by the board of directors of the principal bank, whenever they shall establish said branch, ten of whom shall reside in the county of Rutherford, and five of whom shall constitute a quorum to transact business. Said directors shall choose from amongst themselves, a president of their board; and the board of directors of the principal bank shall appoint a cashier of said branch, who shall give such bond and security as shall be required by the board of directors of the principal bank. The board of directors of said branch shall be subject to such rules and regulations as may be adopted by the principal bank for the government of said branch, so far as the same may be consistent with the charter of incorporation of said principal bank, and with the general laws of the State.

**SEC. 3.** *Be it enacted,* That it shall not be a necessary qualification of a director of said branch that he shall be a stockholder in the bank; and when a board of directors shall have been appointed for said branch, they shall have the power, and it is hereby made their duty, to fill all vacancies which may occur in their own body, by death removal or resignation. The directors of said branch shall, before entering on the discharge of their duties as such, before some justice of the peace, take the following oath or affirmation. I, A B, solemnly swear, or affirm, that I will faithfully and impartially discharge the duties of director of the branch of the Planters' Bank of Tennessee at Murfreesborough, to the best of my skill and ability—*so help me God.* Said oath shall be in writing and signed by the director taking the same, and shall be filed with the records of said branch.

**SEC. 4.** *Be it enacted,* That said Planter's Bank of Tennessee may issue bills or notes payable on demand at said branch, as the board of directors may deem expedient and proper.

**SEC. 5.** *Be it enacted,* That the president or any one or more of the directors of the principal bank, or of said branch, shall at all times have the right to examine and inspect the books and accounts of said branch, whether the board of directors be in session or not.

**SEC. 6.** *Be it enacted,* That the board of directors of said branch shall, with the consent of the board of directors of the principal bank, have power to employ such clerks,

officers and servants as may be necessary for transacting the business of said branch, and to allow them reasonable compensation for their services. They shall also have power to employ counsel when it may be necessary in managing the business of said branch.

*Salary of cash'r* SEC. 7. *Be it enacted*, That the salary of the cashier of said branch shall be stipulated by the board of directors of the principal bank, and he shall perform all such duties as may be lawfully required of him by the board of directors of the principal bank or of said branch, under the charter of incorporation.

*25th sec. of Pl. Bank charter* SEC. 8. *Be it enacted*, That the provisions of the twenty-fifth section of the act of incorporation of said Planters' Bank of Tennessee, shall apply to the said branch at Murfreesborough, in the same manner that it applies to said bank at Pulaski, in Giles county.

*Br. at Winch'r* SEC. 9. Said Planters' bank may also establish a branch thereof at Winchester, in the county of Franklin, and under all the provisions and limitations and restrictions, governing and authorizing the establishment of said branch at Murfreesborough.

EPHRAIM H. FOSTER,  
*Speaker of the House of Representatives.*  
JONATHAN WEBSTER,  
*Speaker of the Senate.*

Passed February 20, 1836.

#### CHAPTER XCVI.

An Act to incorporate Oakland academy in the county of Fayette.

*Tr's incorpor'd* SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That William Lavesque, Erwin Wilder, James Hunter, Durant Hatch, John Lawston, Thomas H. Lester, Henry G. Smith, Jephtha Towles, N. Wilder and E. Baker, be and are hereby constituted a body politic and corporate, by the name of the Trustees of the Oakland Academy, and shall have perpetual succession, and be capable in law or otherwise, to purchase, receive and hold to themselves, any lands, tenements, goods or chattels, which shall be given, granted or devised to them, or be purchased by them for the use and benefit of said academy, and to appropriate, use and dispose of the same in such manner as to them may seem fit and proper, for the use and benefit of said academy; and the said trustees and their successors, by the name aforesaid, may sue and be sued, plead and be impleaded in any court of law and equity in this State or elsewhere.

SEC. 2. *Be it enacted*, That the trustees aforesaid and their successors, shall have power to hold such meeting, at said academy or elsewhere, at such times as may be agreed upon, from time to time, by a majority of the board of trustees aforesaid, to appoint a president, secretary and treasurer of said board, and fill all vacancies that may happen, by death, resignation or otherwise; but not less than three members shall constitute a quorum to transact any business relating to the interest or government of said corporation.

SEC. 3. *Be it enacted*, That the president and trustees of said institution shall have power to make such by-laws and regulations for said academy and the government thereof, as a majority of said board may deem right and proper; *May make by-laws* *laws* *Provided*, they are not inconsistent with the constitution and laws of the United States and of the State of Tennessee.

EPHRAIM H. FOSTER,  
*Speaker of the House of Representatives.*  
JONATHAN WEBSTER,  
*Speaker of the Senate.*

Passed January 25, 1836.

#### CHAPTER XCVII.

An Act to amend the charter of Jackson college in Maury county.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the charter of the Jackson college, in Maury county, be and the same is hereby so amended that any ten of the trustees may constitute a quorum to fill any vacancies in the board, or transact any other business in reference to the institution, which now requires a greater number.

EPHRAIM H. FOSTER,  
*Speaker of the House of Representatives.*  
JONATHAN WEBSTER,  
*Speaker of the Senate.*

Passed December 3, 1835.

#### CHAPTER XCVIII.

An Act supplemental to an act passed at the present session of the general assembly, entitled, "an act to extend the corporation of the town of Murfreesborough."

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



Murfreesborough be extended north to Eagle street, so as to include all the lots south of said street, which were laid off and sold by William Lytle, and that said lots and occupants be subject to the same rules and liabilities as are by law imposed on the original chartered limits of said corporation and its corporators, and that the same privileges are hereby conferred.

EPHRAIM H. FOSTER,  
*Speaker of the House of Representatives.*  
JONATHAN WEBSTER,  
*Speaker of the Senate.*

Passed, February 20, 1836.

### CHAPTER XCIX.

An Act declaring Mulberry creek, in Lincoln county, navigable.

Declared navigable  
SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Mulberry creek, in Lincoln county, be and the same is hereby declared navigable, from its mouth to the mills of James and William L. Hague.

Repeal  
SEC. 2. *Be it enacted,* That all laws and parts of laws coming in the purview and meaning of this act, be and the same are hereby repealed.

EPHRAIM H. FOSTER,  
*Speaker of the House of Representatives.*  
JONATHAN WEBSTER,  
*Speaker of the Senate.*

Passed, November 12, 1835.

### CHAPTER C.

An Act to provide for the appointment of trustees of Mount Cumberland academy in Fentress county, and for other purposes.

County ct may remove trust's  
SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the county court of Fentress county, at their first or any subsequent session, after the first Monday of May next, be and they are hereby required, if in their opinion the safety of the academy fund requires it, to remove the present trustees, or any portion of them, of said academy, and appoint others who shall be under the same liabilities and responsibilities as now enjoined by law.

Col. Fe. Inst.  
SEC. 2. *Be it enacted,* That the trustees of the Columbia college, or the trustees of Woodward academy, in

Maury county, are hereby authorized and directed to pay To be p'd from Treasury over to the trustees of the Columbia female institute, the money to which the academy aforesaid is entitled from the school fund, which money shall be appropriated and used by said trustees of the female institute, for the advancement of female education.

EPHRAIM H. FOSTER,  
*Speaker of the House of Representatives.*  
JONATHAN WEBSTER,  
*Speaker of the Senate.*

Passed February 20th, 1836.

### CHAPTER CI.

An Act to incorporate Midsylvania Female Academy, in the county of Rutherford.

Trustees incorporated  
SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That James C. Mitchell, Swepson Sims, Benjamin Johnson, James M. King, Overton W. Crockett, Thompson Jarratt, Lewis Garner, William M. Smith and Granville S. Crockett, be and they are hereby appointed a body politic and corporate by the name of the Trustees of Midsylvania Female Academy, and shall have perpetual succession, and be capable in law or otherwise to purchase, receive and hold to themselves and their successors, any lands, tenements, goods or chattels, which shall be given, granted, devised to them or purchased by them, for the use and benefit of said academy, and to appropriate use and dispose of the same in such manner as to them may seem fit and proper for the use and benefit of the academy aforesaid; and the said trustees and their successors, by the name aforesaid, may sue and be sued, plead and be impleaded, in any court of law and equity in this State or elsewhere.

May appoint officers  
SEC. 2. *Be it enacted,* That the trustees aforesaid and their successors, shall have power to hold such meeting, at said academy, at such times as may be agreed upon, from time to time, by a majority of the board of trustees aforesaid, to appoint a president, secretary and treasurer of said board, and fill all vacancies that may happen, by death, resignation, or otherwise; *Provided,* that not less than five members shall constitute a quorum to transact any business relating to the management, interest or government of the above mentioned institution.

May make by-laws  
SEC. 3. *Be it enacted,* That said board of trustees, together with their secretary and treasurer, shall have power to make such by-laws, rules and regulations, relative to said

academy and the government thereof, and their own proceedings as a majority of said board may deem right and proper; *Provided*, that such by-laws rules and regulations are not inconsistent with the constitution and laws of the United States and of the State of Tennessee.

EPHRAIM H. FOSTER,  
*Speaker of the House of Representatives.*  
JONATHAN WEBSTER,  
*Speaker of the Senate.*

Passed, November 25, 1835.

### CHAPTER CII.

An Act for the benefit of John Austin and others.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the Treasurer of Middle Tennessee pay to John Austin, of Davidson county, the sum of two hundred and eighty-four dollars and eighty-one cents. To Josiah Nichol & Co. the sum of four hundred and fifty two dollars and eight cents. To William Livingston the sum of three hundred and fifty dollars and fifty-eight cents. To David Saffarans the sum of eighty two dollars and fifteen cents; and to B. Atkinson and Stanback the sum of three hundred and three dollars and twenty-five cents;— which said several sums are due to the persons aforesaid for necessary materials furnished and work done in fitting up the legislative halls under the amended constitution.

Compensation  
for services

SEC. 2. *Be it enacted*, That said treasurer pay to E. H. Foster, speaker of the house of representatives, the sum of five dollars twelve and a half cents; money advanced by him to M. Jones for work done and materials furnished for use of the Senate chamber.

To E. H. Foster

To Jo Barnard

SEC. 3. *Be it enacted*, That said treasurer pay to Joseph Barnard the sum of twenty dollars for work performed by contract with Samuel G. Smith, then secretary of state, and for enveloping paper in transmitting to the different counties fifteen thousand copies of the old and amended constitutions.

J W Stanback  
and D Saffarans

SEC. 4. *Be it enacted*, That said treasurer pay to J. W. Stanback the sum of nine dollars and twenty-five cents, for materials furnished and work done on each of the Legislative halls, on the 11th day of December, 1835; and also, to David Saffarans the sum of eighty-six dollars sixty-eight and three quarter cents, for work done and materials furnished on the halls of legislature, as per account dated 1st January, 1836.

SEC. 5. *Be it enacted*, That the aforesaid several sums

of money be paid to the persons aforesaid, out of any money in the treasury of Middle Tennessee not otherwise appropriated.

EPHRAIM H. FOSTER,  
*Speaker of the House of Representatives.*  
JONATHAN WEBSTER,  
*Speaker of the Senate.*

Passed January 21, 1836.

### CHAPTER CIII.

An Act for the benefit of Return J. Meigs and Robert H. Hynds.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the treasurer of this State pay <sup>R J Meigs</sup> to Return J. Meigs the sum of one hundred dollars, as compensation in full for his services as counsel in the case against Toqua Will and Andrew Miller, for the sixteenth section of fractional township four, range four, east of the meridian.

SEC. 2. *Be it enacted*, That the said treasurer pay to <sup>R H Hynds</sup> Robert H. Hynds the sum of one hundred dollars as compensation in full for like services, as counsel in the same case.

SEC. 3. *Be it enacted*, That the aforesaid several sums <sup>To be paid from treasury</sup> be paid out of any money in the treasury.

EPHRAIM H. FOSTER,  
*Speaker of the House of Representatives.*  
JONATHAN WEBSTER,  
*Speaker of the Senate.*

Passed February 20, 1836.

### CHAPTER CIV.

An Act to appoint additional commissioners for the town of Huntingdon, in the county of Carroll.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Levi S. Woods, Alexander M. Caldwell and John Smithers, be and they are hereby <sup>Com'rs app'd</sup> appointed commissioners for the town of Huntingdon, in the county of Carroll, in addition to the present number of commissioners for said town, and that they shall have the same power and authority, the same emoluments and shall take the same oath that is prescribed by law for the former commissioners.



May execute  
deeds

SEC. 2. *Be it enacted*, That the commissioners appointed by the first section of this act, in conjunction with the present commissioners of said town, or a majority of them, shall have full power and authority to make and execute deeds of conveyance for all lots and alleys in said town, which have heretofore been lawfully sold and for which no deeds have heretofore been made.

May sell alleys

Sec. 3. *Be it enacted*, That said commissioners shall have full power and authority to sell and convey any alleys in said town, when in their opinion the public good requires it; *Provided*, however, that before they proceed to sell any of said alleys, said commissioners shall obtain the consent of the persons owning the property adjoining said alleys, before they proceed to make said sale, which consent shall be in writing.

EPHRAIM H. FOSTER,  
*Speaker of the House of Representatives.*  
JONATHAN WEBSTER,  
*Speaker of the Senate.*

Passed, January 2, 1836.

## CHAPTER CV.

An Act to incorporate the inhabitants of the town of Trenton in the county of Gibson.

Incorporated

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the town of Trenton in the county of Gibson, and the inhabitants thereof, are hereby constituted a body politic and corporate by the style and name of the Mayor and Aldermen of the town of Trenton, and shall have perpetual succession, and by their corporate name may sue and be sued, plead and be impleaded, grant, receive, purchase and hold real, personal and mixed estate, and dispose of the same for the benefit of said town and for that purpose alone, and may have a town seal.

Powers

SEC. 2. *Be it enacted*, That said corporation shall have full power and authority to enact and pass such laws and ordinances necessary and proper to preserve the health of the town; prevent and remove nuisances; to provide for licensing and regulating auctions; taxing, regulating and restraining theatrical and other public amusements and shows within the bounds of said corporation; to restrain and prohibit gambling; to establish night watches and patrols; to ascertain, when necessary, the boundary and location of streets, lanes and alleys; to pave and keep in repair the streets, and to pass all laws necessary for the same; to

establish necessary inspections within the town; to erect and regulate the markets; to provide for the establishment and regulation of a fire company, and the sweeping of chimneys; to procure water on the public square by digging wells or otherwise; to erect and regulate pumps; to impose, collect and appropriate fines, forfeitures and penalties for a breach of their by-laws and ordinances; to appoint a recorder and town constable; to lay and collect taxes for the purpose of carrying the necessary measures into operation for the benefit of said town; to restrain tippling houses; to prohibit public nuisances, and to pass all laws and ordinances necessary and proper to carry this act into effect; *Provided*, the same are not inconsistent with the laws and constitution of this State.

SEC. 3. *Be it enacted*, That all fines, forfeitures and penalties imposed by the by-laws and ordinances of said corporation, if not exceeding fifty dollars, shall be recoverable before a justice of the peace by action of debt, in the corporate name of said corporation; and if exceeding that sum, then by action of debt in the circuit court of the county of Gibson, and for the use and benefit of said town. Fine recover'able.

SEC. 4. *Be it enacted*, That the sheriff of the county of Gibson shall, by himself or deputy, hold an election at the court house, in the town of Trenton, on the first Monday of February next, and on said day in each and every year thereafter, for the purpose of electing seven persons to serve as aldermen for said town of Trenton, for one year, commencing on the Monday next succeeding their election; and all persons owning a freehold in said town, and all persons residing in the limits of said corporation, and who shall be entitled to vote for members of the general assembly, shall be entitled to vote for aldermen of said corporation; and no person shall be eligible to the appointment of alderman unless he be a citizen and freeholder of the town of Trenton; *Provided*, that any person who has an equitable title to any real estate in said town, shall be eligible to office in all cases where, by this act, a freehold estate is required. And if the sheriff of said county should fail to hold the election at the time prescribed by this act, the corporation shall not, for that cause, be dissolved; but the sheriff may, at any time thereafter, proceed to open and hold said election, first giving ten days notice thereof. Elections

SEC. 5. *Be it enacted*, That the seven persons qualified as aforesaid, having the highest number of votes at any election held as aforesaid, shall be taken as duly elected, and the sheriff of Gibson county shall, within three days thereafter, give to each of the seven aldermen elect, a certificate of his election; and it shall be the duty of the persons so elected to meet at the court house within three weeks thereafter; four of whom shall form and constitute a Election of Mayor

quorum, and they shall proceed to elect one of their own body to be mayor of said corporation for the same time for which the aldermen were elected as aforesaid; and whenever any mayor of said corporation shall die, remove out of said town or resign, another election shall be held by the aldermen in manner aforesaid, for another person for the time unexpired and until the next general election for aldermen. And when any alderman shall die, remove out of said town or resign, such vacancy shall be filled by the mayor and aldermen of said town at any regular meeting; and the person or persons appointed by them shall serve until the next general election.

*O. th*  
**SEC. 6.** *Be it enacted,* That the mayor and aldermen of said town shall, before entering on the duties of their appointment, take an oath before some justice of the peace of the county of Gibson, faithfully, uprightly and honestly to demean themselves as mayor and aldermen of said corporation during their continuance in said appointment.

*Constable and recorder*  
**SEC. 7.** *Be it enacted,* That the town constable appointed by said corporation, shall continue in said office twelve months from the time of his appointment, and shall, before he enters upon the duties of his office, enter into bond with security to said body politic, conditioned for the faithful discharge of the duties of his appointment, and accounting for all monies by him collected; and the recorder shall continue in his office for one year, and his compensation shall be regulated by the mayor and aldermen.

*Collection of taxes*  
**SEC. 8.** *Be it enacted,* That said corporation shall have power to impose and collect a tax on all property, real, personal and mixed, and upon the polls within its limits; but with the limitations and in the manner prescribed by the twenty-ninth section of the second article of the constitution of this State; and when any tax shall be imposed on any real estate lying in the limits of said corporation, and not paid by the owner or occupier thereof, and there shall not be any personal property of the owner or occupier thereof, in the limits of said corporation, upon which the tax could be levied, then it shall be the duty of the recorder to certify the same to the county court of Gibson county, at the first court in each and every year; and upon said report, at said term, it shall be the duty of said court to enter up judgment against said real estate, in favor of said corporation; upon which an order of sale shall issue, directed to the sheriff of Gibson county, and made returnable in three months from the term from which the same shall issue; and it shall be the duty of the sheriff to advertise the sale of said real estate, in some newspaper printed in this State, thirty days before the day of sale, which shall be at the court house door of Gibson county; which tax, when collected by the sheriff, shall be paid by him, into the hands of

the recorder for the use of said corporation; which sale, when made, shall vest the right and title of said real estate in the purchaser and his heirs, without regard to the usual strictness required in such cases; and if from a want of bidders or other cause, said real estate should not be sold, then an alias or pluries writ may issue till said property be sold or tax collected. The tax is hereby made a lien upon the real estate; and in all cases where the owners of taxable property in said town fail to pay the taxes imposed by the said corporation, and have personal property in the bounds thereof, the officer to whom is entrusted the collection of said taxes, shall have power to make distress and sale thereof without any other process than the tax book, signed by the mayor of said corporation and countersigned by the recorder thereof.

*Judges of elections*  
**SEC. 9.** *Be it enacted,* That the sheriff of Gibson county shall, previous to holding an election for aldermen, as provided in this act, appoint three respectable citizens, freeholders in the town of Trenton, who shall act as judges in said election.

*Term of office*  
**SEC. 10.** *Be it enacted,* That the mayor and aldermen and other officers by this act to be appointed, shall hold their offices for the term of time by this act directed, and until their successors are elected and qualified.

*Act may be accepted or not*  
**SEC. 11.** *Be it enacted,* That it shall be the duty of the sheriff of the county of Gibson, (before this act shall be binding and obligatory,) to open and hold an election at the court house in Trenton, at which the qualified voters of said town shall be permitted to vote for the adoption or rejection of this act; and if a majority (vote) for its adoption, it shall from thenceforth be in force. The sheriff shall give ten days previous notice of said election; and in the event that a majority of the qualified voters should adopt this act, then the act by which said town is at present incorporated shall be void and of no further effect; and the papers and records shall be delivered over to the mayor and aldermen elected under the authority of this act.

EPHRAIM H. FOSTER,  
*Speaker of the House of Representatives.*  
 JONATHAN WEBSTER,  
*Speaker of the Senate.*

Passed, December 4, 1835.

## CHAPTTR CVI.

An Act for the relief of Nicholas Hobson.

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



the State of Tennessee, That the agent of the bank of the State of Tennessee be and he is hereby directed to refund to Nicholas Hobson, late cashier of said bank, the sum of one hundred and fifty-three dollars and fifty-seven cents; *Provided*, however, and upon condition, that before said sum is paid to said Hobson, he shall assign to the agent of said bank, for the use of the bank, a judgment which he, the said Hobson, recovered for that amount against William Johns in the county court of Davidson county.

EPHRAIM H. FOSTER,  
Speaker of the House of Representatives.  
JONATHAN WEBSTER,  
Speaker of the Senate.

Passed, February 20, 1836.

#### CHAPTER CVII.

An Act for the benefit of the Jonesboro' Female Academy.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the trustees of Martin academy, in the county of Washington, are hereby authorized and directed by this act, to pay the sum of five hundred dollars out of any monies belonging to said institution to the trustees of the Jonesboro' female academy; *Provided*, however, that the trustees of said female academy be required to give their receipt to the trustees of Martin academy for the sum specified in this act, which shall be sufficient voucher in their hands for the payment of the same.

Trustees Martin academy to pay \$500

\$500 applied to use of Jonesboro' female academy

SEC. 2. *Be it enacted*, That according to the provisions of the act incorporating said female academy, the trustees thereof have full power, and they are hereby authorized and required to receive the sum of money mentioned in the first section of this act, and to apply it to the benefit of said female academy and for no other purpose; *Provided*, said trustees first enter into bond, binding themselves in the penal sum of one thousand dollars, payable to the chairman of the county court and his successors in office, for the faithful application of said fund, thus obtained, as required by this act.

SEC. 3. *Be it enacted*, That the trustees and patrons of the Salem academy, shall have and possess full power and authority to transfer their claims in said institution, and the individual or individuals so receiving said transfer, shall have and possess all the powers and privileges that patrons are now allowed by law; the power to transfer claims to the

patrons in this act, also extend to the administrators and executors of patrons in said institution.

EPHRAIM H. FOSTER,  
Speaker of the House of Representatives.  
JONATHAN WEBSTER,  
Speaker of the Senate.

Passed, February 17, 1836.

#### CHAPTER CVIII.

An Act giving Julius Dugger the further time of two years, to build a toll bridge across the Watanga river, and for other purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the further time of two years be allowed Julius Dugger, to build a toll bridge across the Watanga river, in Carter county, at or near where the stage road crosses the same, under the same provisions of the act passed on the 8th day of October, 1832, for his benefit, except that the commissioners appointed in the above recited act be released from further service; and that the county court of Carter county be and is hereby authorized to appoint five commissioners, to act in accordance with the provisions of said act.

EPHRAIM H. FOSTER,  
Speaker of the House of Representatives.  
JONATHAN WEBSTER,  
Speaker of the Senate.

Passed, December 14th, 1835.

#### CHAPTER CIX.

An Act to authorize the citizens of the civil district, including the town of Upper Elkton, in the county of Giles, to elect an additional justice of the peace, in pursuance of the 15th section of the 6th article of the constitution, and for other purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the citizens of the civil district, including the town of Upper Elkton, in the county of Giles, be and they are hereby authorized to elect one additional justice of the peace, for the convenience and benefit of the citizens of the said town of Upper Elkton.

Additional justice authorized

SEC. 2. *Be it enacted*, That said justice shall be elected and commissioned in the same manner as other justices, and shall have the same authority, power and emoluments.

Add'l jus. p'ce in Farmington

SEC. 3. *Be it enacted*, That the citizens of the civil

division, including the town of Farmington, in the county of Bedford, may elect one additional justice of the peace, who shall be elected and commissioned in the same manner, have the same powers, privileges and emoluments as are allowed to other justices of the peace in said county.

EPHRAIM H. FOSTER,  
*Speaker of the House of Representatives.*  
JONATHAN WEBSTER,  
*Speaker of the Senate.*

Passed February 9, 1836.

### CHAPTER CX.

An Act to incorporate the Athens Male and Female Academy, in the county of Fayette.

*Be it enacted by the General Assembly of the State of Tennessee,* That James G. Hall, Washington Eddings, George Thompson, William Kerr, William Guerrunt, Littlebury D. Stovall, John R. Arnold, Richard Clem and George M. Bowers be and the same are hereby incorporated by the name of the Athens male and female academy; and shall have perpetual succession, and shall have the same powers and privileges that are granted to the Oakland academy, by a charter of incorporation, passed on the day of

at the present session of the Legislature.  
EPHRAIM H. FOSTER,  
*Speaker of the House of Representatives.*  
JONATHAN WEBSTER,  
*Speaker of the Senate.*

Passed February 20, 1836.

### CHAPTER CXI.

An Act to authorize the commissioners of internal improvement for Henry county, to contract for building a bridge across Main Sandy River, at or near Bond's Ferry, where the road leading from Paris, in Henry county, to Charlotte, in Dickson county, by way of La Grange Furnace, in Stewart county, crosses the same.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the internal improvement commissioners of Henry county be, and they are hereby authorized and required to cause a bridge to be built across Main Sandy river, at or near Bond's ferry, in Henry county, by making a contract with some suitable person to build the same, or by letting the same to the lowest bidder, which

bridge, when built, shall be a free bridge, and the building of the same shall be carried into effect as soon as practicable after the passage of this act.

SEC. 2. *Be it enacted,* That said commissioners shall pay for the building said bridge out of the internal improvement fund of Henry county, according to the contract they may enter into, and shall retain in their own hands as much money as will compensate them for their services in carrying this act into effect, which allowance shall be made by the county court; *Provided,* That the building or erection of said bridge shall in no wise interfere with the free navigation of Main Sandy river.

SEC. 3. *Be it enacted,* That an act passed at the session of 1833, authorizing James and Benjamin Bond to build a bridge on Sandy river, at or near Bond's ferry, be and the same is hereby repealed.

SEC. 4. *Be it enacted,* That said bridge shall be built according to a plan laid down or furnished by the said commissioners, and shall be built under the superintendence of some one of said commissioners.

EPHRAIM H. FOSTER,  
*Speaker of the House of Representatives.*  
JONATHAN WEBSTER,  
*Speaker of the Senate.*

Passed December 18, 1835.

### CHAPTER CXII.

An Act to incorporate the inhabitants of the town of Rogersville, in the county of Hawkins.

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

SEC. 2. *Be it enacted,* That the corporation aforesaid, shall have full power and authority to enact and pass such laws and ordinances, necessary and proper to preserve the health and comfort of the town, to prevent and remove nuisances, to establish night watches and patrols, to ascertain when necessary the boundary and location of streets, lots, lanes and alleys, to establish new streets, lanes and



alleys, with the consent of the proprietors of lots or houses adjoining such streets, lanes or alleys; to provide for licensing and regulating auctions, to restrain and prohibit gaming, and to provide for the licensing, regulating and restraining theatrical or other public amusements within said town; to pave and keep in repair the public square and streets of said town, and to pass all regulations necessary for the same, to establish inspections and erect a market house within the town; to provide for establishing, licensing and regulating a fire company, the sweeping of chimneys, to impose and appropriate fines, penalties and forfeitures for the breach of the by-laws and ordinances, to lay and collect taxes for the purpose of carrying the necessary measures and regulations into operation for the benefit of said town, to restrain and regulate tippling houses, and to pass all laws and ordinances necessary to carry the intent and meaning of this act into effect; *Provided*, they are not incompatible with the constitution and laws of the United States or of this state.

*Coll'ou of fines*  
**SEC. 3.** *Be it enacted*, That all taxes, fines, penalties and forfeitures imposed by the laws and ordinances of said corporation, if not exceeding fifty dollars, shall be recovered before the mayor of said town, or any justice of the peace of the magistrate's district in which said town is situated, and if exceeding that sum, before the circuit court of the county of Hawkins.

*Election of Aldermen*  
**SEC. 4.** *Be it enacted*, That the sheriff of Hawkins county, at the court house in the town of Rogersville, shall open and hold an election on the first Saturday in May, in each and every year, he first giving ten days notice by a written advertisement, at the door of the court house, for the purpose of electing seven persons to serve as aldermen of the corporation of said town of Rogersville, who shall hold their offices for and during the term of one year, and until their successors are duly elected and qualified; and all persons residing in said town, who would be qualified to vote [for members of the General Assembly, shall be qualified to vote at the said election for aldermen, and no person shall be eligible to the appointment of alderman unless he be a citizen and freeholder of said town of Rogersville.

*Appointment of officers*  
**SEC. 5.** *Be it enacted*, That the seven persons qualified as aforesaid, having the highest number of votes at any election, held as aforesaid, shall be duly elected, and the sheriff of said county of Hawkins shall, within two days thereafter, certify the same to the persons so elected, who shall at the court house in said town, on the Saturday next succeeding the day of their election, meet, and any number, not less than five, be a quorum, and they shall then proceed to elect by ballot one of their own number, to be

mayor of said corporation for the term of one year, and the said aldermen shall elect a recorder and constable, and the mayor of said corporation shall be the treasurer for the time being; and whenever any mayor of said corporation shall die, resign or remove, another election shall be held by the aldermen, for the purpose of electing a mayor, who, when elected, shall serve, until the next general election; and when any recorder, constable or alderman shall die, remove or resign, such vacancy may be filled by the mayor and aldermen, to serve until the next general election.

*Oath required*  
**SEC. 6.** *Be it enacted*, That the mayor and aldermen of said town, before entering upon the duties of their respective appointments, shall take an oath or affirmation, before some justice of the peace for said county, faithfully to discharge their respective duties.

*Recorder*  
**SEC. 7.** *Be it enacted*, That it shall be the duty of the recorder, before entering upon the duties of his office, to take an oath faithfully to discharge his official duties, and it shall be his duty to keep an account and detailed record of all the proceedings of the board, and shall receive such compensation as the mayor and aldermen shall award; it shall be the duty of the town constable to execute all warrants or other process issued by the mayor, collect all fines, taxes and amercements, and when necessary shall command the "posse" to aid in the execution of his duties; he shall be a conservator of the peace, and on view or information give immediate notice to the mayor of all violations of the corporation laws; before entering on the duties of his office he shall give a bond to the corporation, with at least two good and sufficient securities, residents of the corporation, in a sum not less than five hundred dollars, conditioned for the faithful discharge of his duties, and regularly accounting for all public moneys which may come to his hands, and shall produce the treasurer's receipt and recorder's certificate before he can be eligible to a re-election; it shall be the duty of the treasurer to receive and disburse all monies belonging to said corporation under the direction of the board of aldermen.  
*Constable*  
*Treasurer*

*W'k on streets*  
**SEC. 8.** *Be it enacted*, That persons residing within the limits of said corporation, who by the laws of this State are or may be liable to work on the public roads, shall be liable to work on the streets in said town, and shall be exempt from working (on) all roads beyond the limits of said corporation.

*Appeal*  
**SEC. 9.** *Be it enacted*, That on all judgments, rendered by the mayor, the defendant shall have the right of appeal to the circuit court of Hawkins county, under the same rules and regulations prescribed by law cases before justices of the peace.

**SEC. 10.** *Be it enacted*, That the mayor and aldermen

of said town shall have full power and authority to extend the corporation limits of said town, as far as they may deem expedient and beneficial; *Provided*, the consent of the owners of said lots and land so to be included, shall first be obtained in writing and entered of record in the record book kept by the recorder.

Repeal  
 SEC. 11. *Be it enacted*, That all laws heretofore made for the regulation of the town of Rogersville are hereby repealed.

Limits of Dresden extended  
 SEC. 12. *Be it enacted*, That the boundaries of the corporate limits of the town of Dresden, in the county of Weakley, be and the same are hereby extended as follows: beginning at the south west corner of the town, as laid off in the original plan, running thence south forty-five poles, thence east to a point, from which running due north will leave said town seven and a half poles west, thence north to a point, due east from the northern boundary of the town, and thence west to (the) north boundary of said town, as laid off by the commissioners of said town.

EPHRAIM H. FOSTER,  
*Speaker of the House of Representatives.*  
 JONATHAN WEBSTER,  
*Speaker of the Senate.*

Passed February 15, 1836.

### CHAPTER CXIII.

An Act to amend an act entitled, an act to appoint suitable persons to open and keep in repair that part of the road, leading from South West Point to Carthage, which lies on Cumberland Mountain, passed November 15, 1815.

Incorporation  
 SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Robert Officer and William Bartlett be constituted a body politic and corporate, by the name of the White Plains turnpike company, and in that name to sue and be sued, plead and be impleaded, and they are hereby authorized to continue that part of said road which leads from the White Plains to Mrs. Johnson's stand, to be under the same rules, regulations and restrictions as required by the act, granting the charter to Thomas Bounds, Esq. for the same road, and to receive the same rates of toll that said Bounds was authorized to receive, and that the commissioners appointed by this act have the same power, and shall receive the same emoluments as required by said act which this is intended to amend; *Provided*, that said corporation keep in as good repair as the old road, a road from Mrs. Johnson's stand to John Stewart's, on

Gordon's road, for which they shall receive no additional toll.

SEC. 2. *Be it enacted*, That said corporation shall have and be entitled to said road, after the expiration of Robert Officer and Thomas Franebe's charter (which expires in 1837,) for and during the space of sixteen years, and that Thomas Lollan and Samuel Johnson, sen., be and they are hereby appointed commissioners on said road, whose duty it shall be to view it at least twice in every year.

EPHRAIM H. FOSTER,  
*Speaker of the House of Representatives.*  
 JONATHAN WEBSTER,  
*Speaker of the Senate.*

Passed February 15, 1836.

### CHAPTER CXIV.

An Act authorizing the county court of Green county to perform certain duties.

SECTION 1. *Be it enacted, by the General Assembly of the State of Tennessee*, That the county court of Green county, a majority of the justices being present, are hereby authorized to alter the lines of the justices districts, number eight, ten and twelve, so as to include within the tenth district the farms of William Dickson, Mrs. Wyly, Mrs. Vistel, Richard M. Woods, Robert Malony and such others as they may deem expedient; *Provided*, the consent of the person or persons to be included, in said tenth district, be first obtained.

EPHRAIM H. FOSTER,  
*Speaker of the House of Representatives.*  
 JONATHAN WEBSTER,  
*Speaker of the Senate.*

Passed,

### CHAPTER CXV.

An Act supplemental to an act, passed at the present session of this General Assembly, extending the limits of the corporation of the town of Franklin in the county of Williamson.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the limits of the corporation of the town of Franklin be changed, or so altered as to run from a stake in the Columbia road, the same being the termination of the line as specified in the act, to which this



is a supplement, east to big Harpeth, so as to include Oakland, the residence of Canelm H. Hines; and said corporation shall have the same power as is vested by the act to which this is a supplement.

EPHRAIM H. FOSTER,  
*Speaker of the House of Representatives.*  
JONATHAN WEBSTER,  
*Speaker of the Senate.*

Passed January 30, 1836.

### CHAPTER CXVI.

An Act authorizing the sale of a part of the public square, in the town of Montgomery, in Morgan county.

*Be it enacted by the General Assembly of the State of Tennessee,* That the commissioners of the town of Montgomery, in the county of Morgan, be and they are hereby authorized, after first giving twenty days notice by advertising, at six of the most public places in said county, to sell and convey to the purchaser one quarter acre lot, off of the south east end, and one quarter acre lot off of the north west end of the public square in said town, and that said commissioners shall appropriate the proceeds of said sale in repairing the jail and court house of said county.

EPHRAIM H. FOSTER,  
*Speaker of the House of Representatives.*  
JONATHAN WEBSTER,  
*Speaker of the Senate.*

Passed, November 26, 1835.

### CHAPTER CXVII.

An Act to incorporate the Columbia Female institute at Columbia, in Maury county.

Trustees incor-  
porated

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Peter R. Booker, Patrick M'Guire, Adlar O. Harris, James Walker, Lucius J. Polk, Leonidas Polk, George G. Skipwith, Evan Young H. Langley and Sam. D. Frierson be and they are hereby constituted a body politic and corporate, by the name of the trustees of the Columbia female institute, and shall have perpetual succession and be capable in law or otherwise, to purchase, receive, and hold to themselves and their successors, any lands, tenements, goods or chattels, which shall

be given, granted, devised to them or purchased by them, for the use and benefit of said academy, and to appropriate, use and dispose of the same in such manner as to them may seem fit and proper, for the use and benefit of the academy aforesaid, and the said trustees and their successors, by the name aforesaid, may sue and be sued, plead and be impleaded in any court of law and equity in this State or elsewhere.

SEC. 2. *Be it enacted,* That the trustees aforesaid, and their successors, shall have power to hold such meeting at said academy, at such times as may be agreed upon from time to time, by a majority of the board of trustees aforesaid, to appoint a president, secretary and treasurer of said board, and fill all vacancies that may happen by death, resignation or otherwise, but not less than three members shall constitute a quorum, to transact any business relating to the management, interest, or government of said institution.

SEC. 3. *Be it enacted,* That said board of trustees, together with their secretary and treasurer, shall have power to make such by-laws, rules and regulations relative 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.

SEC. 4. *Be it enacted,* That the mayor and aldermen of the town of Columbia are hereby authorized to sell certain vacant lots in the town of Columbia, and appropriate the same towards building the Columbia female institute; and the trustees of the Columbia female academy are authorized to sell certain lots, laid off and granted to said academy, and to appropriate the proceeds to the building of the Columbia female institute; *Provided,* always said sales shall not be made without the consent of the mayor and aldermen in the one case, and the trustees of Columbia female academy in the other.

EPHRAIM H. FOSTER,  
*Speaker of the House of Representatives.*  
JONATHAN WEBSTER,  
*Speaker of the Senate.*

Passed February 20, 1836.

### CHAPTER CXVIII.

An Act to declare the east fork of Obed's river navigable.

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

*the State of Tennessee*, That the east fork of Obed's river, from its junction with the west fork to the mouth of Buffalo Cove creek, be and the same is hereby declared navigable.

Obstructions

SEC. 2. *Be it enacted*, That if any person or persons shall erect any dam or obstruction across said stream, the same shall be considered a nuisance and shall be abated as such, and the person or persons creating the same shall be liable to an indictment in the circuit court of the county, and upon conviction shall be fined not less than fifty dollars nor more than one hundred dollars, and moreover shall pay for every such offence fifty dollars, to be recovered by action of debt before any jurisdiction having cognizance thereof, one half to the use of the person who will sue for the same, the other half to the use of the county.

EPHRAIM H. FOSTER,  
*Speaker of the House of Representatives.*  
JONATHAN WEBSTER,  
*Speaker of the Senate.*

Passed December 18, 1835.

### CHAPTER CXIX.

An Act to appoint additional commissioners to Robert Jetton's toll bridge and turnpike road across Sandy river and bottom, in Carroll county.

Commissioners

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That David Green, Robert R. Moore and Stephen Eason, be and they are hereby appointed commissioners on the part of the State, of the toll bridge and turnpike road across Sandy river and bottom, in the county of Carroll, granted to Robert Jetton in 1830.

Powers, &amp;c

SEC. 2. *Be it enacted*, That said commissioners shall have the same powers, privileges and emoluments, and shall perform the same duties and take the same oath that were required of the original commissioners to said toll bridge and turnpike road; and that William Harbert, William Jackson and John T. Bryant be appointed commissioners on the part of the State, of the toll bridge and turnpike road across Big Hatchee river and bottom, at Estanaula, in the county of Haywood.

EPHRAIM H. FOSTER,  
*Speaker of the House of Representatives.*  
JONATHAN WEBSTER,  
*Speaker of the Senate.*

Passed, December 7, 1835.

### CHAPTER CXX.

An Act making an appropriation of money to clear out obstructions in the east fork of Obed's river.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That five hundred dollars is hereby appropriated for the purpose of clearing out obstructions in the east fork of Obed's river; which sum shall be expended for the purpose aforesaid, within the limits of Fentress county. Appropriation

SEC. 2. *Be it enacted*, That the aforesaid sum of five hundred dollars shall be paid out of any money in the treasury not otherwise appropriated. How paid

SEC. 3. *Be it enacted*, That Jesse Cobb, Richard Smith and James H. Beason, be and they are hereby appointed commissioners to superintend said work, who shall give bond and security to the governor of the State, conditioned for the faithful appropriation of said money to the purposes aforesaid; which bond shall be taken by the county court of Fentress county, and transmitted to the office of the Secretary of State, to be there deposited for safe keeping. Commissioners

SEC. 4. *Be it enacted*, That said commissioners shall make report to the next general assembly of the progress of the work, and of the expenditure of the money. Comm'rs to make report

EPHRAIM H. FOSTER,  
*Speaker of the House of Representatives.*  
JONATHAN WEBSTER,  
*Speaker of the Senate.*

Passed February 3, 1836.

### CHAPTER CXXI.

An Act to authorize the board of common school commissioners of Hardeman county to receive the internal improvement money to which said county is entitled.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the board of common school commissioners for Hardeman county are hereby authorized to receive any money or moneys that said county now has or hereafter may be entitled to receive of the internal improvement fund, agreeably to the acts of general assembly passed in 1827 and 1831, entitled, "an act for the improving the navigable rivers and other objects of internal improvement," and an act to amend said act. Com'rs to receive money

SEC. 2. *Be it enacted*, That the agent of the bank of the State of Tennessee be and is hereby directed to pay the State of Tennessee be and is hereby directed to pay Bank to pay commissioners



to the clerk and treasurer of the board of common school commissioners of said county, any moneys that he now has, or that may hereafter come to his hands, as the internal improvement fund of said county; and the receipt of said clerk and treasurer as aforesaid, shall be a good and sufficient voucher in the settlement of the accounts of the agent of the bank of the State of Tennessee.

School fund

SEC. 3. *Be it enacted*, That when said money shall be received by said board of common school commissioners, through their clerk and treasurer, it shall be and remain a part of the common school fund of said county, and shall be managed by said board of common school commissioners, under the same rules, regulations and restrictions, that the common school fund is now subject to, by the existing laws of the State.

Power to loan

SEC. 4. *Be it enacted*, That it shall be the duty of said board of commissioners to loan said money as other common school money, and for such length of time as will bring all the notes of the school fund for Hardeman county due and payable at the same time.

Paym't of debts

SEC. 5. *Be it enacted*, That the said board of common school commissioners shall, after receiving said internal improvement money as aforesaid, pay to the commissioners of internal improvement for said county, or to their order, any money that may be due them, or by them for any contract that they may have entered into, and that may not have been paid by the agent of the bank of the State of Tennessee.

Dickson county

SEC. 6. *Be it enacted*, That the provisions of this act shall extend to the county of Dickson, as well as and in the manner that they apply to the county of Hardeman, and the agent of the bank of the State of Tennessee is hereby required to pay over to the clerk and treasurer of the board of common school commissioners for said county of Dickson, any internal improvement monies that he may now have or that may hereafter come to his hands, which have been or may hereafter be set apart by law, as an internal improvement fund for said county, and said agent is required to pay over to said clerk and treasurer, any academy money that he, the said agent, may have in his hands, or that may hereafter come to his hands, which has been or may hereafter be appropriated by law for the benefit of an academy or academies, in said county of Dickson, and said internal improvement and academy fund, when received by the clerk and treasurer aforesaid, shall be loaned and disposed of according to the provisions of the third section of this act.

Tracy academy

SEC. 7. *Be it enacted*, That the said board of common school commissioners are hereby required to pay over to the trustees of Tracy academy, in the said county of

Dickson, any interest that may accrue upon the academy fund, by them received according to the provisions of this act, to be applied by said trustees for defraying the expenses of said institution; and should said academy go into operation, the trustees may receive the interest of the internal improvement fund for said county of Dickson, that may accrue for the next four years, from and after the passage of this act, and the receipt of said trustees shall be a sufficient voucher in the hands of said board for the same.

SEC. 8. *Be it enacted*, That the clerks and treasurers aforesaid, upon receiving any of the moneys from the said bank agent, according to the provisions of this act, shall enter into bond with good and sufficient security in an amount double that which they may receive, in the same manner that they are by law required to give bond and security for the faithful discharge of their official duties.

EPHRAIM H. FOSTER,  
*Speaker of the House of Representatives.*  
JONATHAN WEBSTER,  
*Speaker of the Senate.*

Passed November 25, 1835.

## CHAPTER CXXII.

An Act authorizing the sale of the Memphis Hospital, and for other purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the president and trustees of the Memphis hospital company, be and they are hereby authorized to sell, on such terms and conditions as they may think best for the interest of the company, and to make title to the purchaser or purchasers thereof, the house and lot in said town belonging to the hospital company.

SEC. 2. *Be it enacted*, That the sum of five thousand dollars out of any moneys in the treasury of the Western District, not otherwise appropriated, be appropriated for the purpose of building a hospital in the town of Memphis, or its vicinity.

SEC. 3. *Be it enacted*, That the president and trustees of said hospital company shall have power to receive and receipt for the money hereby appropriated, from the treasurer of the Western District, and also shall have power to contract for said building, under the rules, regulations and restrictions that were passed for the government of said company, in the act of 1829, establishing said company.

SEC. 4. *Be it enacted*, That said hospital company shall have further power to contract for or receive by donation, any lot in the town of Memphis, or in the suburbs thereof,

for the purpose of building said hospital, and take a deed to the trustees and their successors in office accordingly; and they are also required to appropriate the money arising from the sale of the house and lot, in the first section of this act mentioned, to the building of said hospital.

EPHRAIM H. FOSTER,  
Speaker of the House of Representatives.  
JONATHAN WEBSTER,  
Speaker of the Senate.

Passed December 22, 1835.

### CHAPTER CXXIII.

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

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the mayor and aldermen of the town of Paris, in the county of Henry, may have the power and are hereby authorized to extend the corporation of said town any distance from the court house not exceeding one mile each way; *Provided,* the citizens which may be included in such extension, consent thereto, and *Provided,* also, that the boundaries thereof shall be plainly surveyed, marked out and designated before said corporation laws may be extended.

EPHRAIM H. FOSTER,  
Speaker of the House of Representatives.  
JONATHAN WEBSTER,  
Speaker of the Senate.

Passed, November 25, 1835.

### CHAPTER CXXIV.

An Act to extend the corporation of the town of Murfreesboro', and for other purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the mayor and aldermen of the corporation of the town of Murfreesboro', shall henceforth have power and authority to pass any law or ordinance not inconsistent with the constitution and laws of the State, imposing fines and penalties on any person or persons who shall offer any show, public exhibition or performance of any kind, for money, within one mile of the public square, in the town of Murfreesboro', and to provide for the col-

Corporate  
powers

lection of the same; for which special purpose and no other, except as expressed in the second section of this act, the limits of said corporation are hereby extended the distance of one mile in every direction from said public square, and the boundary lines thereof shall intersect each other at right angles, running north and south, east and west.

SEC. 2. *Be it enacted,* That said corporation shall have and exercise the same power and authority in regard to the establishment of a patrol, and the punishment of offences committed by slaves within the limits aforesaid, that it has by law a right to exercise within its original chartered limits.

SEC. 3. *Be it enacted,* That the lot of ground, No. 85, now owned and occupied by Nathaniel Douglass, as a private residence; the lot now owned and occupied by Isaac C. Brown, No. 99; that part of lot No. 98 that belongs to said Isaac C. Brown, and lot No. 91, belonging to Frederick Johns, adjoining the town of Murfreesboro' on the north boundary, be and the same are hereby enclosed within the said corporation of the town of Murfreesboro', and shall be subject, in every respect, to all the laws and ordinances of said corporation, as fully as though the same had been included within the original chartered limits thereof; and the occupant or occupants of said lots, shall henceforth be entitled to the same rights and privileges, and subject to the same liabilities as the other corporators within the limits of said corporation and body politic.

SEC. 4. *Be it enacted,* That the provisions contained in the first and second sections of this act, as applied to the corporation of the town of Murfreesboro', be and the same are hereby extended to the corporation of the town of McMinnville, in Warren county.

EPHRAIM H. FOSTER,  
Speaker of the House of Representatives.  
JONATHAN WEBSTER,  
Speaker of the Senate.

Passed November 19, 1835.

### CHAPTER CXXV.

An Act to incorporate the trustees of Pleasant Grove academy, in Maury county.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Jonathan S. Hunt, Merritt H. Booker, Elisha Uzzell, Joseph Bellanfont and James Kerr, be and they are hereby appointed and constituted a body politic and corporate, by the name and style of "the Trustees of the Pleasant Grove academy," and by that name

Trustees incor-  
porated



may sue and be sued, plead and be impleaded, and shall have perpetual succession and a common seal, and shall have, hold and acquire all property, both real and personal, which may be necessary for the purposes of the academy, and shall have, exercise and enjoy all such rights, powers and privileges as are usually possessed and exercised by the trustees of any incorporated academy, and may ask, demand, sue for and receive any monies granted by the acts of said State of Tennessee, in behalf of, or for the use of common schools or incorporated academies, and for the same grant proper acquittances or discharges by the signature of the president with the common seal attached.

Quorum

SEC. 2. *Be it enacted*, That any three of said trustees shall constitute a quorum for the transaction of business, and that upon the death or refusal to act, removal or resignation of any member, the vacancy may be filled by the county courts as in other academies.

EPHRAIM H. FOSTER,  
*Speaker of the House of Representatives.*  
JONATHAN WEBSTER,  
*Speaker of the Senate.*

Passed December 31, 1835.

#### CHAPTER CXXVI.

An Act to repeal part of an act passed at Nashville, on the 11th day of November, 1833, chapter 96, entitled, "an act to extend the corporation of the town of Bolivar, in Hardeman county."

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the before recited act be and the same is hereby repealed; *Provided*, however, that so much of said act as includes the grave yard, at the east end of said town, shall remain in full force and virtue.

EPHRAIM H. FOSTER,  
*Speaker of the House of Representatives.*  
JONATHAN WEBSTER,  
*Speaker of the Senate.*

Passed, December 30, 1835.

#### CHAPTER CXXVII.

An Act to incorporate the town of Lawrenceburg.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That an act passed December 30th,

Repeal

1825, incorporating the town of Lawrenceburg, be and the same is hereby repealed.

SEC. 2. *Be it enacted*, That the town of Lawrenceburg in the county of Lawrence, be and the same is hereby incorporated under the same rules, regulations, restrictions and privileges, as is the town of Clinton, in the county of Anderson, passed December 28th, 1835, and the same shall take effect from and after the passage of this act.

EPHRAIM H. FOSTER,  
*Speaker of the House of Representatives.*  
JONATHAN WEBSTER,  
*Speaker of the Senate.*

Passed, February 19, 1836.

#### CHAPTER CXXVIII.

An Act to incorporate the Edmondson Female Academy, in the county of Warren.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That William Shields, George R. Smart, Samuel Edmondson, William White, Alexander Black, Andrew S. Marchbanks and James P. Thompson, of the county of Warren, be and they are hereby constituted a body politic and corporate by the name of the Edmondson Female Academy, and by that name shall have succession and a common seal, and the said trustees and their successors, by the name aforesaid, shall be capable in law or otherwise to purchase, receive and hold to themselves and their successors, any lands, tenements, goods or chattels not exceeding fifty thousand dollars, which shall be given, granted or devised to them, or purchased by them for the use and benefit of said academy, and to appropriate, use and dispose of the same, in such manner as to them may seem fit and proper for the use and benefit of said academy; and the said trustees and their successors, by the name aforesaid, may sue and be sued, plead and be impleaded, in any court of law or equity in this State or elsewhere.

SEC. 2. *Be it enacted*, That said trustees and their successors shall have power to hold such meetings, at such times and places as may be agreed upon from time to time, by a majority of the board of trustees aforesaid, to appoint a president, secretary and treasurer of said board, and fill all vacancies that may happen, by death, resignation or otherwise; but not less than four members shall constitute a quorum to transact business relating to the management, interest or government of said institution.

May make by-  
laws

SEC. 3. *Be it enacted*, That said board of trustees, together with their secretary and treasurer, 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 the State of Tennessee.

EPHRAIM H. FOSTER,  
*Speaker of the House of Representatives.*  
JONATHAN WEBSTER,  
*Speaker of the Senate.*

Passed December 2, 1835.

#### CHAPTER CXXXI.

An Act to improve the navigation of the French Broad and Obion rivers.

Appropriation  
made

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the sum of fifteen hundred dollars be and the same is hereby appropriated out of the treasury of the State, to be paid out of any moneys therein not otherwise appropriated, to be applied to the removing obstructions in said river, called the "Hanging rock," in Sevier county.

Commissioners  
appointed

SEC. 2. *Be it enacted*, That John Brabson, William Ellis and Micajah C. Rodgers, be and they are hereby appointed commissioners to superintend said work and the expenditure of said money; who shall give bond and security, payable to the Governor of the State, for the faithful application of said money, which bond shall be taken by the county court of Sevier county, and be lodged in the office of the Secretary of State; and the receipt of said commissioners shall be a sufficient voucher for said treasurer in the settlement of his accounts; and said commissioners shall make a report, upon oath, to the next general assembly, of their proceedings, stating what sum has been received by subscription and how they have applied said money and what sum, together with a report showing the progress of the work.

Subscriptions

SEC. 3. *Be it enacted*, That said commissioners are hereby authorized to receive subscriptions of money from individuals, to be applied to the purpose aforesaid, and it shall be their duty to apply all such donations to the purpose aforesaid; and should there be a surplus in the hands of said commissioners, after the removal of the obstructions before mentioned, it shall be the duty of said commission-

ers to apply said surplus to the improving the navigation of said river at the seven islands.

SEC. 4. *Be it enacted*, That five hundred dollars be and is hereby appropriated to the cleaning out of the "Hackle," <sup>Appropriation for the Hackle</sup> in the river Obion, to be paid by the treasurer of the State out of any money not otherwise appropriated; and that Alexander McCulloch, Moses Woodfin and William W. Lea; be appointed commissioners to let out said work and appropriate said five hundred dollars, and they shall give bond and security under the same regulations as are provided in the second section of this act.

EPHRAIM H. FOSTER,  
*Speaker of the House of Representatives.*  
JONATHAN WEBSTER,  
*Speaker of the Senate.*

Passed, February 1, 1836.

#### CHAPTER CXXX.

An Act making an additional appropriation to complete the Lunatic Hospital in this State.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the sum of two thousand five hundred dollars annually, for two years, be and the same is hereby appropriated for the purpose of completing the Lunatic Hospital, to be paid out of any money in the treasury not otherwise appropriated, as herein after directed. <sup>Appropriation</sup>

SEC. 2. *Be it enacted*, That Robert Woods, John Shelby, Felix Robertson and James Overton, be appointed commissioners to cause to be finished and furnished, in a manner suitable for the reception of patients, said hospital; and for that purpose the said commissioners, or a majority of them, are hereby authorized and empowered to employ a suitable person to superintend the finishing and furnishing said hospital buildings, to enclose the ground attached to said buildings, and to have the same graded in a proper manner; said commissioners, or a majority of them, are further authorized and empowered to employ an agent for the purpose of visiting and inspecting similar institutions abroad, with a view to obtaining such knowledge as may be necessary to the accomplishment of the object of the legislature in the establishment of said hospital. <sup>Commis'rs and their duty</sup>

SEC. 3. *Be it enacted*, That said commissioners may, <sup>May obtain warrants</sup> from time to time, obtain from the comptroller, warrants on the treasurer to the amount of the sum appropriated in the first section of this act, to be disposed of as will ensure the speedy and faithful execution of the purposes herein before set forth.



Insurance au-  
thorized

SEC 4. *Be it enacted*, That said commissioners are hereby authorized, in their discretion, to have such an amount insured on said hospital and its appurtenances as shall not exceed three fourths of the cost.

EPHRAIM H. FOSTER,  
*Speaker of the House of Representatives.*  
JONATHAN WEBSTER,  
*Speaker of the Senate.*

Passed, February 20, 1836.

### CHAPTER CXXXI.

An Act to extend the limits of the corporation of the town of Franklin in the county of Williamson, and to amend the act of the General Assembly, passed October 9th, 1815, incorporating the inhabitants of the town of Franklin aforesaid.

Limits extend-  
ed

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the limits of the corporation of the town of Franklin shall extend to and include all the persons and property living and being within the following described boundary, to wit:—Beginning on the east side of the Columbia road, where the old corporation line crosses the same, running south, ten degrees east fifty poles, with the road to a stake in Winstead's line; thence north, ten degrees west to a stake in the old corporation line.

Power

SEC. 2. *Be it enacted*, That the corporation aforesaid shall have full power and authority to pass all laws and ordinances for the government and control of persons and property within the aforesaid boundaries, and for the maintenance and benefit of said corporation, in as full and ample manner as by law it can now pass laws and ordinances within the original chartered limits of said corporation.

EPHRAIM H. FOSTER,  
*Speaker of the House of Representatives.*  
JONATHAN WEBSTER,  
*Speaker of the Senate.*

Passed November 16, 1835.

### CHAPTER CXXXII.

An Act to incorporate the Dresden Female Academy, in the county of Weakley.

Trustees incor-  
porated

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That an academy for the education of females shall be established in or near the town of Dres-

den, Weakley county, to be called "Dresden Female Academy, and that Benjamin Bondurant, Jubilee Rogers, Perry Vincent, William H. Johnson, William Fitzgerald, James H. Moran, Richard C. Williams, Thomas C. Edwards, David P. Caldwell, Pulaski B. Bell, John A. Gardner and John Charlton, be a body politic and corporate, to be known by the name and style of the Trustees of Dresden Female Academy, to have perpetual succession and a common seal.

SEC. 2. *Be it enacted*, That when any vacancy shall happen in the board of trustees hereby created, or their successors, the remaining members shall have power to elect any suitable person or persons to fill such vacancy or vacancies as often as the same may happen; or should any of the corporators in the first section of this act mentioned, refuse to act or die before taking on themselves or himself the duties of trustee, as aforesaid, then and in that case, those who shall take on themselves the burthen of trustees as aforesaid, shall have full power to fill all vacancies as aforesaid made. In filling all vacancies as aforesaid, the concurrence of a majority of the acting members shall be required.

SEC. 3. *Be it enacted*, That the board of trustees, or a majority of them, shall have power to choose from amongst themselves, a president, secretary and treasurer, and all other officers which they may deem necessary and proper, and at any time to supersede them or any of them, and appoint others from among themselves; also to dismiss any member of the board and fill his place by the appointment of another; also to employ teachers and other persons in the academy, and to dismiss them at pleasure, unless restrained from so doing by contract; also to make any by-laws or regulations not inconsistent with the laws of the State or of the United States, for the organization and good government of the academy.

SEC. 4. *Be it enacted*, That a majority of the board shall be competent to do and transact any and all business of the corporation; and when the board are equally divided, the president for the time being shall give the casting vote, and shall not vote unless there be a tie of the members present.

SEC. 5. *Be it enacted*, That said corporation shall have power to receive any donations which may be made to said academy, in money, lands, or goods or other property, and the same to hold, use and apply, according to the wish and intent of the donors respectively; also to purchase real or personal property for the benefit of the institution, and the same to have, manage and apply or sell, as they shall deem most conducive to the interest and welfare of the institution; also to convey, by any assurance known to the laws, any property of the institution which by this act or any

subsequent act, they are or may be empowered to sell; and in making any conveyance the same shall be signed by the president for the time being, by the consent of a majority of the board.

Style

SEC. 6. *Be it enacted*, That the said board may sue and be sued, plead and be impleaded, by the name and style of the Trustees of Dresden Female Academy, in any jurisdiction or tribunal in which any of the judicial powers of the State now are or hereafter may be vested, having respect to the local jurisdiction of the court, and to the jurisdiction as regulated by the amount in litigation; and in case of suits against the board, service of process on the president for the time being shall be good service, and the said board shall have full power to prosecute and defend suits by attorney or attorneys.

Record

SEC. 7. *Be it enacted*, That said board shall cause a record to be kept of all their proceedings, and shall also cause to be kept an account of all their dealings, debts and credits.

Funds to be paid over

SEC. 8. *Be it enacted*, That the trustees of Dresden Male Academy, annually on the first day of January in each year, may pay over to the trustees of the Dresden Female Academy, hereby incorporated, one half of the interest of the academy fund of said county, and the receipt of the treasurer of the board of trustees for the female academy, shall be a good voucher in their settlements with the court.

EPHRAIM H. FOSTER,  
*Speaker of the House of Representatives.*  
JONATHAN WEBSTER,  
*Speaker of the Senate.*

Passed, December 21, 1835.

### CHAPTER CXXXIII.

An Act making an appropriation to Eli A. Seay.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the sum of eighteen dollars be and the same is hereby appropriated to Eli A. Seay, and the treasurer of Middle Tennessee is hereby directed to pay the same to the said Seay or his agent, whose receipt shall be a good voucher on settlement.

EPHRAIM H. FOSTER,  
*Speaker of the House of Representatives.*  
JONATHAN WEBSTER,  
*Speaker of the Senate.*

Passed, December 14th, 1835.

### CHAPTER CXXXIV.

An Act to amend the charter of the Farmers' and Merchants' Bank of Memphis.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the fourth section of the charter of the Farmers' and Merchants' bank at Memphis be so amended as to authorize and require the election of twelve directors instead of nine, as now required by said section.

EPHRAIM H. FOSTER,  
*Speaker of the House of Representatives.*  
JONATHAN WEBSTER,  
*Speaker of the Senate.*

Passed, November 25, 1835.

### CHAPTER CXXXV.

An Act to alter the dividing line between the counties of Marion and Hamilton.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the dividing line between the counties of Marion and Hamilton, on the south side of the Tennessee river, shall commence opposite the mouth of Lick creek, running the nearest direction to the extreme height of the Raccoon mountain; thence in a direction so as to strike the Georgia line where said line intersects the Lookout valley, leaving the Lookout valley in Hamilton county.

SEC. 2. *Be it enacted*, That so much of the act passed in the year 1833, chapter 15, as relates to the dividing line between the counties of Marion and Hamilton, on the south side of the Tennessee river, be and the same is hereby repealed.

SEC. 3. *Be it further enacted*, (That) if the county court of Marion county deem it expedient, they shall appoint some person or persons to mark or run and mark said line, who shall receive a reasonable compensation for his or their services, to be allowed by the court and paid out of any moneys in the hands of the county trustee not otherwise appropriated.

EPHRAIM H. FOSTER,  
*Speaker of the House of Representatives.*  
JONATHAN WEBSTER,  
*Speaker of the Senate.*

Passed, February 17, 1836.



## CHAPTER CXXXVI.

An Act to amend the 8th section of an act, entitled "an act creating a board of Internal Improvement for the county of Giles," passed 19th December, 1831.

*Commissioners appointed*  
SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That William Moffitt, James Hague, John J. Whitaker, Jesse Daniel, Drury Connelly and Matthew Martin, be appointed commissioners of the board of Internal Improvement for the county of Lincoln, in addition to those appointed under the 8th section of an act entitled, "an act creating a board of internal improvement for the county of Giles," passed 19th December, 1831.

*Appropriation for Mulberry creek*  
SEC. 2. *Be it enacted,* That the board of internal improvement for the county of Lincoln, are hereby authorized and empowered to appropriate so much of the internal improvement fund of the county of Lincoln, as may have come or may come to their hands, as they may deem expedient and proper to improve the navigation of Mulberry creek.

*Funds may be loaned*  
SEC. 3. *Be it enacted,* That the board of internal improvement of Lincoln county, be hereby authorized and required to loan out any of the internal improvement fund that may be on hand, until the same shall be otherwise appropriated, as provided in this act and the act to which this is an amendment.

EPHRAIM H. FOSTER,  
*Speaker of the House of Representatives.*  
JONATHAN WEBSTER,  
*Speaker of the Senate.*

Passed November 19, 1835.

## CHAPTER CXXXVII.

An Act to repeal an act, entitled, "an act to incorporate the inhabitants of the town of Tazewell," passed 2d day of January, 1830.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That so much of the above recited act as relates to the incorporation of the town of Tazewell, be and the same is hereby repealed.

EPHRAIM H. FOSTER,  
*Speaker of the House of Representatives.*  
JONATHAN WEBSTER,  
*Speaker of the Senate.*

Passed December 28, 1835.

## CHAPTER CXXXVIII.

An Act to incorporate the town of Sommerville.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the town of Sommerville, in the county of Fayette, be and the same is hereby incorporated, with the same powers, rights and privileges, in all respects, as the town of Lagrange, in the same county; and that all the provisions of an act incorporating Lagrange, except so far as the same are local in their character, be held applicable to the said town of Sommerville.

EPHRAIM H. FOSTER,  
*Speaker of the House of Representatives.*  
JONATHAN WEBSTER,  
*Speaker of the Senate.*

Passed January 30, 1836.

## CHAPTER CXXXIX.

An Act to incorporate the inhabitants of the town of Dyersburg, in the county of Dyer.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the town of Dyersburg in the county of Dyer, and the inhabitants thereof, are hereby made and created a body politic and corporate, under the name and style of the Mayor and Aldermen of the town of Dyersburg; and shall have the same power and authority as are granted to the inhabitants of the town of Trenton, in the county of Gibson, by an act passed at the present session of this general assembly.

EPHRAIM H. FOSTER,  
*Speaker of the House of Representatives.*  
JONATHAN WEBSTER,  
*Speaker of the Senate.*

Passed January 2, 1836.

## CHAPTER CXL.

An Act to amend an act, entitled, "an act to establish the Planters' Bank of Tennessee," passed November 15th, 1833.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the directors of the Planters' Bank of Tennessee, be and they are hereby authorized, at

any time within two years from the passing of this act, to sell at public auction, for the benefit of said bank, eight hundred and forty-nine shares of the capital stock of said bank, which were not subscribed for at the time of the original subscription.

EPHRAIM H. FOSTER,  
Speaker of the House of Representatives.  
JONATHAN WEBSTER,  
Speaker of the Senate.

Passed November 16, 1835.

## CHAPTER CXLI.

An Act to incorporate Madison Female Academy.

Incorporated

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the subscribers to the female academy about to be established in the town of Jackson, in this State, their successors in office and assigns, shall be and they are hereby created a body corporate and politic, by the name and style of the President and Trustees of Madison Female Academy, and so to continue in succession for and during the term of thirty years; and by the name and style aforesaid, they shall be and are hereby authorized and empowered to have, purchase, receive, possess, enjoy and retain to them and their successors, lands, rents, tenements, hereditaments, goods and effects, of what kind and nature soever, to an amount not exceeding twenty-five thousand dollars, and the same to sell, alien, receive or dispose of as they may think proper, and to sue and be sued, implead or be impleaded, answer and be answered unto, in all courts of record, or any other place whatsoever; and also to have and use a common seal, and to ordain, establish and put into execution such by-laws and ordinances and regulations as shall seem necessary for the government and management of said institution, not being contrary to the laws and constitution of the State of Tennessee or of the United States, and generally to do and execute all acts, matters and things which a corporation or body politic may lawfully execute and perform.

Capital

SEC. 2. *Be it enacted,* That the capital stock of said incorporated company, shall not exceed twenty-five thousand dollars, and shall be divided into shares of ten dollars each; and each share shall entitle the holder thereof, or his, her or their agent or proxy, to one vote in the election of trustees of said institution.

Trustees and their duties

SEC. 3. *Be it enacted,* That for the proper management of the affairs of said institution, there shall be twenty trus-

tees, citizens of Madison county, annually elected by the stockholders at the academy building, on the first Monday in July in each and every year, who shall, at their first meeting thereafter, appoint a president, who shall preside over said institution, and such assistant teachers as they may think proper and necessary; and in all cases of appointing a president of said institution or assistants as aforesaid, two-thirds of said trustees shall be required to constitute a quorum to do the same; and it shall be the duty of said trustees, before they engage the services of any person to preside over said institution as aforesaid, or assistant teachers, to make a public examination of the qualifications of all such persons as may apply for either of said appointments.

SEC. 4. *Be it enacted,* That if it shall so happen, that the said trustees shall fail to make any such appointment as herein provided for, on the day or at the time specified in this act, the same may be done at any other day which they shall appoint or designate for that purpose; and if the stockholders of said academy shall, for any cause, neglect or fail to elect the trustees of said institution, at the time herein required, they may do the same on such other day as they may designate, giving twenty days notice thereof in a public newspaper printed in said town of Jackson.

Of failure to appoint on day

SEC. 5. *Be it enacted,* That the president of said institution and any five of said trustees, shall constitute a quorum to do and transact all other business relating to the management and control of said institution, except as herein before provided for, and except, also, as to the regulation and amount of salary to be allowed the officers and teachers of said institution, which shall in all cases require two-thirds of said trustees to be present; and the said president and trustees are hereby authorized to demand and receive the stock subscribed to the said institution, at such time and manner as they may deem proper; and a failure to pay the amount so called in or demanded, shall constitute a forfeiture of the stock belonging to said delinquent stockholder, at the discretion of the president and trustees; *Provided,* that personal application, by the treasurer of the board and ten days notice shall in all cases be given, before any such forfeiture shall be directed to be taken.

Quorum of trustees and failure to pay

SEC. 6. *Be it enacted,* That the president and trustees shall appoint one of their body to be the secretary, and shall appoint a treasurer to receive all monies and valuable things belonging to said corporation, and allow him such compensation as they shall think reasonable.

Sec'y & treasurer

SEC. 7. *Be it enacted,* That the stock of said corporation shall be transferable and assignable, according to such form as the president and trustees shall prescribe; *Provided,* that books of the stock and transfer thereof shall be kept by the secretary of the corporation; and *Provided,* also,

Of transfers



that any stockholder who shall transfer all his stock to any other person or persons, shall immediately cease to be a member of said corporation, and the person or persons enjoying the same, substituted in his or their place.

Wesley Female  
Academy

SEC. 8. *Be it enacted*, That a female academy be established at or near the town of Wesley, in the county of Haywood, to be known and designated by the name and style of the president and trustees of the Wesley Female Academy, to be created, organized and conducted, in all respects agreeably to this act, in relation to the Madison Female Academy, except that the Wesley Female Academy shall only have ten trustees; in all other respects the two academies shall be placed upon equal footing with each other and governed by the same laws.

EPHRAIM H. FOSTER,  
*Speaker of the House of Representatives.*  
JONATHAN WEBSTER,  
*Speaker of the Senate.*

Passed February 9, 1836.

## CHAPTER CXLII.

An Act to incorporate the La Fayette male and female academies, in the north west county of Hardeman county.

Trustees incor-  
porated

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Thomas Shaw, Jonathan Burford, David B. Carnes, William Moore, Thomas J. Neelley, Thomas W. Hudson, William H. Moore, David Lane, William Harden, William Johnson, Benjamin W. Williams, Edward Owens, Isham Smith, Silas M. Durham, Ezekiel Owens, William P. Ingram, Stephen C. Durham, Stephen Jarman and Edwin S. Price, be and they are hereby constituted a body politic and corporate, by the name and style of the trustees of the La Fayette male and female academies; and shall have perpetual succession, and be capable in law and authorized to purchase, receive and hold to themselves and their successors any lands, goods or chattels, which shall be given, granted, devised to them or purchased by them, for the use and benefit of said academies, and to appropriate, use and dispose of the same in such manner as to them may seem fit and proper, for the use and benefit of the academies aforesaid, and for no other use or purpose whatever; and the said trustees and their successors, by the name aforesaid, may sue and be sued, plead and be impleaded in any court of law or equity in this State or elsewhere.

Powers

SEC. 2. *Be it enacted*, That the trustees aforesaid, and

their successors shall have power to hold such meetings pertaining to the business of said academies, as may be agreed upon from time to time, to appoint a president, secretary and treasurer of said board, and that in case of the death, resignation or removal of any of the aforesaid trustees or their successors, the county court of said county shall supply such vacancy by election or appointment, and that seven of said trustees for said academies, may form a board for the transaction of any business pertaining to said institution.

SEC. 3. *Be it enacted*, That said board of trustees, together with their secretary and treasurer, shall have power to make such by-laws, rules and regulations relating to said academies and the government thereof, 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.

May make by-  
laws

SEC. 4. *Be it enacted*, That the trustees aforesaid, shall have all the rights and privileges in relation to forty-seven acres of vacant land, on which the academies aforesaid are situated, that have been extended to the occupants of the Western District, for the use of said academies, and the same shall be exempt from entry by others, as other occupant claims may be; *Provided*, that the same shall not interfere with any other occupant claim or claims.

To have privi-  
leges of an oc-  
cupant

EPHRAIM H. FOSTER,  
*Speaker of the House of Representatives.*  
JONATHAN WEBSTER,  
*Speaker of the Senate.*

Passed November 14, 1835.

## CHAPTER CXLIII.

An Act to alter the line between Blount and Monroe counties.

SECTION 1. *Be it enacted, by the General Assembly of the State of Tennessee*, That the following shall be the line between the counties of Blount and Monroe, to wit: beginning on the present line at the Militia Springs, thence a direct line from said springs to strike the little Tennessee River, above the farm of David Russell, so as to include said Russell in the county of Monroe; the said river then to be the line to where the said river strikes the North Carolina line; *Provided*, that nothing herein contained shall be so construed as to prevent the sheriff of Monroe county from collecting all taxes, both state and county, that may be due from that portion of the citizens residing north of said river, and within the territory hereby taken off said county of

Dividing line

Monroe; and *provided* further, that the sheriff and other officers of said county of Monroe shall have full power and authority to collect all judgments that have been rendered by either the county or circuit courts of said county, or any justice of the peace against any person residing in said territory hereby taken off said county of Monroe.

SEC. 2. *Be it enacted*, That Robert Wear, of Blount county, shall run the line from the Militia Springs to the river as contemplated by this act, and that the county court of Blount pay him a just compensation therefor.

EPHRAIM H. FOSTER,  
*Speaker of the House of Representatives.*  
JONATHAN WEBSTER,  
*Speaker of the Senate.*

Passed February 13, 1836.

#### CHAPTER CXLIV.

An Act to amend an act, entitled "an act to appoint additional commissioners for the town of Perryville, in the county of Perry," passed the 16th day of October, in the year 1824.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the present commissioners of the town of Perryville and their successors in office, shall have the preference and exclusive privilege of erecting and keeping up a ferry, at and from any part of the bank of Tennessee river within the limits of said town, to the opposite bank, and may land, put out, and receive, at any of the ferry landings at the opposite bank all such persons, with their effects, as may wish to cross at said ferry; *Provided*, that in consideration of the preference hereby granted, the citizens of said county shall have the right of crossing at said ferry, without delay or hindrance, free from toll; and *provided* further, that if said commissioners should fail or refuse to keep up said ferry, it shall be the duty of the county court of said county, and they are hereby fully authorized to grant an order to any other person or persons, who will keep up the same upon the terms herein before specified.

SEC. 2. *Be it enacted*, That the commissioners aforesaid, shall have power and authority, should they deem it expedient so to do, to rent or lease said ferry so established, for any time not exceeding three years, reserving to the citizens of the county the right of crossing at the same, as prescribed by the first section of this act.

SEC. 3. *Be it enacted*, That the internal improvement commissioners in said county, on both sides of Tennessee

R. Wear to run  
line

Privilege of  
ferry granted

May lease ferry

May purchase  
boats

river, be and they are hereby authorized, should they deem the same advisable, to vest the whole or any part of the internal improvement fund of said county, as they may think proper, in the purchase of boats and other water crafts for said ferry, or to hiring a keeper, should it be necessary, to be kept up upon the terms and conditions herein before mentioned.

SEC. 4. *Be it enacted*, That the rents and profits accruing from said ferry, if any, shall be paid over to the internal improvement commissioners of said county, to be by them expended on such objects of improvement in said county as they may think most for the good of the county.

SEC. 5. *Be it enacted*, That no higher ferriages shall be imposed on the travelling community at said commissioners ferry, than are allowed to be received by the county court at other public ferries, on the Tennessee river, in said county; *Provided*, that nothing in this act contained shall be so construed, as to prevent the owner or keeper of the ferry on the opposite bank from landing his boats, and other water crafts, at any of the ferry landings hereby secured to the corporation.

EPHRAIM H. FOSTER,  
*Speaker of the House of Representatives.*  
JONATHAN WEBSTER,  
*Speaker of the Senate.*

Passed, November 17, 1835.

#### CHAPTER CXLV.

An Act to open and extend the streets of the town of Gallatin in Sumner county.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That it shall and may be lawful for the mayor and aldermen of the town of Gallatin, or a majority of them, to open and extend any street or streets of said town, to the extremity of the corporate limits thereof, in a straight line in each and every direction.

SEC. 2. *Be it enacted*, That it shall be lawful in every case, where it may become necessary, by extending any street or streets of said town, to pass over the ground of any individual or individuals, for the town constable thereof to summon a jury of twelve freeholders, who shall be citizens of said county, whose duty it shall be, to go upon the ground over which said street or streets so extended, as aforesaid, shall pass, and upon oath assess the damages which may accrue to the owner or owners of said ground; and after the sum so assessed in damages have been paid

May extend  
streets

Damages may  
be assessed



or tendered by said corporation, to the owner or owners of said ground, it shall be lawful for said mayor and aldermen, or a majority of them, to open and extend any street or streets in said town, as far in any direction as the corporation limits of said town now extends.

**SEC. 3.** *Be it enacted,* That this act shall be in force from and after the passage thereof.

**EPHRAIM H. FOSTER,**  
*Speaker of the House of Representatives.*  
**JONATHAN WEBSTER,**  
*Speaker of the Senate.*

Passed November 25, 1835.

## CHAPTER CXLVI.

An Act to incorporate the town of Dover, in the county of Stewart.

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

**SEC. 2.** *Be it enacted,* That the corporation of the town of Dover shall include the following bounds, (to wit,) beginning at a point at low water mark of Cumberland river, that a south line will include the grave yard, continuing this course to a point that an east line will include the house that Fielding L. Sidebottom now lives in, continuing this course to a point that a north line will include the buildings where William Kay now resides, continuing this course to Lick Creek, thence down said creek to Cumberland river, thence down said river at low water mark to the beginning.

**SEC. 3.** *Be it enacted,* That the corporation aforesaid, shall have full power and authority to enact such laws and ordinances necessary to preserve the health of the town, to prevent and remove nuisances, to establish patrols, to ascertain when necessary the boundaries and locations of streets, lots and alleys, to provide for licensing, regulating and restraining theatrical or other public amusements within said town, to restrain and prohibit gaming, to keep in repair the streets, to pass all regulations necessary for the same; to regulate markets, to appoint a recorder and con-

stable, to impose and appropriate fines, penalties, and forfeitures for a breach of their by-laws, to lay and collect taxes, for carrying the necessary measures into operation for the benefit of said town; to regulate and restrain tippling houses, to restrain and punish drinking, fighting, breaking the sabbath, shooting, and to pass such ordinances to preserve the good order of the said town, and enact penalties and impose the same, so that they do not conflict or violate the constitution of this State, and are inconsistent with the laws of this State.

**SEC. 4.** *Be it enacted,* That all fines, penalties and forfeitures imposed by the laws and ordinances of said corporation, if not exceeding fifty dollars, shall be recovered before a single justice of the peace; and if exceeding that sum, then to be recovered by action of debt in the circuit court of Stewart county, in the name of the corporation and for the use of the town.

**SEC. 5.** *Be it enacted,* That the sheriff of Stewart county shall hold an election at the court house, in the town of Dover, on the second Saturday in March in each and every year, for the purpose of electing five persons to serve as aldermen, of the corporation of the said town of Dover, for one year, commencing on the first day in April next thereof; and all persons residing in said town, who would be qualified to vote for member of the General Assembly, shall be qualified to vote at said election for aldermen; and no person shall be eligible to the appointment of aldermen, unless he shall have a freehold in said town, and has been a citizen thereof for six months previous to said election.

**SEC. 6.** *Be it enacted,* That the five persons qualified as aforesaid, having the highest number of votes at any election, held as aforesaid, shall be taken as duly elected aldermen for said town; and the sheriff of said county of Stewart shall within two days thereafter notify said aldermen of their election, whose duty it shall be to meet at the court house in Dover, and proceed to elect by ballot one of their own number to be mayor of said corporation, as aldermen as aforesaid; and whenever any mayor of said corporation shall die, remove out of said town or resign, another election shall be made, by the aldermen aforesaid, of any other person, for the time then unexpired; and when any alderman shall die, remove or resign, such vacancy may be filled by the mayor and aldermen of said town, at any regular meeting, and the person or persons by them appointed shall serve until the next election.

**SEC. 7.** *Be it enacted,* That the lands within said corporation, which are not included within the boundaries of said town of Dover, by virtue of this act, shall not be subject to any other taxes than state and county taxes, but the

prison rules shall extend to and include the whole of the corporation of the said town of Dover.

Alexandria incorporated

SEC. 8. *Be it enacted*, That the town of Alexandria, in the county of Smith, be incorporated under the name and style of the mayor and aldermen of the town of Alexandria, under the same rules and regulations as prescribed in the act incorporating the town of Livingston, in the county of Overton; *Provided*, however, that the constable of the civil district, in which said town of Alexandria is situated, shall proceed and hold election for mayor and aldermen of said town, on the second Saturday in April next, and ever afterwards on the second Saturday in January in every year.

Limits

SEC. 9. *Be it enacted*, That the limits of said town are hereby extended as follows: beginning on the bank of Hickman's creek, Wm. Floyd's north east corner, thence south, including Willis Alman's, thence south west, including Edward Tucker's, thence west to Jacob Fite's east boundary line; thence north with said line to the old plan of said town, thence west to the western part of lot No. 1, thence north to said creek and with said creek to the beginning.

Additional justices for several counties

SEC. 10. *Be it enacted*, That an additional justice of the peace shall be elected for said town of Alexandria, by the qualified voters thereof, and that the qualified voters of the town of Columbia shall elect two justices of the peace, and the voters in the town of Mount Pleasant one justice of the peace, for the county of Maury; and that the town of Philadelphia, in the county of Monroe, shall be authorized to elect one additional justice of the peace, agreeably to the amended constitution, who shall have the same jurisdiction with other justices of the peace for the county of Monroe; that the citizens of Kingston, in the county of Sullivan, are also authorized to elect an additional justice of the peace; that the constables for the civil districts, in which said towns are situated, shall collect the tax assessed by the mayor and aldermen of said towns, and shall do and perform all other services, as required of the town constable in the act incorporating the town of Livingston.

Taxes

SEC. 11. *Be it enacted*, That the town of Huntingdon, in the county of Carroll, and the citizens thereof, are hereby incorporated and declared a body politic and corporate, by the name and style of the mayor and aldermen of the town of Huntingdon; and shall have the same powers and privileges that were granted to the inhabitants of the town of Trenton, in Gibson county, by an act passed at the present session of this General Assembly.

Huntingdon incorporated

EPHRAIM H. FOSTER,  
Speaker of the House of Representatives.  
JONATHAN WEBSTER,  
Speaker of the Senate.  
Passed February 15, 1836.

CHAPTER CXLVII.

An Act to amend an act, passed the first day of January, 1830, entitled "an act to amend an act for the benefit of Bean's Station Turnpike Road."

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That so much of the above recited act as relates to the appointment of commissioners on said road be and the same is hereby repealed.

Repeal

SEC. 2. *Be it enacted*, That hereafter there shall be two commissioners, to wit, William Graham, of Claiborne county, and Thomas Whiteside, of Grainger county, on said road, who shall be entitled to all the powers, privileges and rights and emoluments, and be under the same duties and liabilities that the commissioners were under by law heretofore.

Commissioners appointed

SEC. 3. *Be it enacted*, That said commissioners be and they are hereby authorized and empowered to purchase a site for a toll gate on said road, within the limits prescribed for the erection of a toll gate on said road, if the same should, in the discretion of said commissioners, be deemed expedient; and in the event that said commissioners should at any time purchase a site for a toll gate on said road, they shall take a title for the same in the name of said commissioners and their successors in office, for the use and benefit of the turnpike road aforesaid.

Site for gate to be purchased

SEC. 4. *Be it enacted*, That hereafter the following shall be the rates of toll to be collected at said gate, to wit, for each four wheel carriage of burden with its load and driver, if drawn by six horses, mules, or oxen, one dollar; if drawn by less than six and not less than four horses, mules or oxen, seventy-five cents; if drawn by less than four horses, mules or oxen, fifty cents; for each four wheeled carryall, if drawn by two or more horses, mules or oxen, fifty cents; if drawn by one, thirty-seven and one half cents; for each two wheeled carriage of burden, if drawn by two or more horses, mules or oxen, thirty-seven and one half cents; if drawn by less, twenty-five cents; for each four wheeled pleasure carriage, if drawn by four or more horses or mules, one dollar; if drawn by less than four and not less than two horses or mules, fifty cents; if drawn by one horse or mules, fifty cents; for all two wheeled pleasure carriages, fifty cents; for man and horse twelve and a half cents; for each loose or led horse, mule or ass, not in a drove, six and a fourth cents; for each slave, six and a fourth cents; for each horse, mule or ass, in a drove, three cents; for each head of cattle, two cents; for each head of hogs or sheep one cent.

Rate of tax

State road

SEC. 5. *Be it enacted*, That hereafter said commission-

May employ teams &c



ers may direct the overseer or overseers of said road to purchase powder, employ teams, or use any team or teams, tool or tools belonging to said turnpike, to be used and employed on any portion of said road, between Bean's Station and Cumberland Mountain, not directed to be kept up by the funds arising from said gate, if in the discretion of said commissioners it may be deemed expedient; and the claims of said overseer or overseers, as the case may be for such materials so furnished, shall be paid out of the funds arising from said gate, in the same manner that other claims are paid.

Salt wagon exempt from toll

SEC. 6. *Be it enacted*, That all wagons and teams that may hereafter pass through the turnpike gate on said turnpike road, loaded with salt from Virginia or Kentucky Salt Works, shall be permitted to pass through said gate without paying any toll.

Repeal

SEC. 7. *Be it enacted*, That all laws and parts of laws coming within the purview or meaning of this act, be and the same are hereby repealed.

EPHRAIM H. FOSTER,

Speaker of the House of Representatives.

JONATHAN WEBSTER,

Speaker of the Senate.

Passed February 6, 1836.

## CHAPTER CXLVIII.

An Act to incorporate the inhabitants of the town of Farmington, in the county of Bedford.

Incorporated

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

Limits

SEC. 2. *Be it enacted*, That the corporation shall include all the territory within the original plan of said town, also include the lots of Col. Ephraim Hunter and Robert Dryden, on the south boundary, the lots of James Eakin on the north and east boundary, the lots of John Wilson and James H. Neal to the beginning.

Power

SEC. 3. *Be it enacted*, That the corporation aforesaid, shall have full power and authority to enact and pass all

laws and ordinances necessary to suppress vice and immorality, to preserve the health of the town, to prevent and remove nuisances, to establish night watches and patrols, to ascertain the boundary and location of streets, lots and alleys, to provide for licensing and regulating auctions, to restrain and prohibit gaming, to provide for licensing, regulating or restraining theatrical and other public amusements within said town, to pave and keep in repair the streets, to establish necessary inspections, to erect and regulate markets, to appoint a recorder, to license and regulate a fire company, to lay and collect taxes, to regulate and restrain tippling houses, to impose and appropriate fines and forfeitures, to erect and regulate pumps on the streets or alleys, and to pass all other laws necessary and proper for the good government of said town, and regulate the police thereof; *Provided*, they are not incompatible with the constitution and laws of this State.

SEC. 4. *Be it enacted*, That the laws and ordinances of said town shall not be obligatory on the persons of said town, being citizens of the State, unless in cases of intentional violation of laws or ordinances previously promulgated.

Laws to apply to intentional offences

SEC. 5. *Be it enacted*, That all fines and forfeitures imposed by the by-laws and ordinances of the corporation, shall be sued for and recovered in the name of the mayor and aldermen, for the use of said town, before any jurisdiction having cognizance thereof.

Recov'y of fines

SEC. 6. *Be it enacted*, That the sheriff of Bedford county, by himself or deputy, shall hold an election in Farmington, on the first Saturday in March, 1836, and on the same Saturday in each and every year thereafter, for the purpose of electing seven persons to serve as aldermen for the corporation of said town of Farmington, and one recorder, for the term of one year; and all persons owning a freehold in said town, and also all persons residing within said town, who would be qualified to vote for members of the General Assembly, shall be qualified to vote at said election for aldermen and recorder, and no person shall be eligible to the appointment of alderman, unless he be a citizen and qualified voter of said town of Farmington.

Election of aldermen

SEC. 7. *Be it enacted*, That the seven persons qualified as aforesaid, having the highest number of votes at any election, held as aforesaid, shall be taken to be duly elected; and the sheriff of said county of Bedford shall, at the time of holding said election, or within three days thereafter, certify the same to the recorder of said corporation, who shall thereupon summons said aldermen to meet at some named place in Farmington, on the Saturday succeeding the day of election; and the said aldermen shall

Of mayor

there meet as aforesaid, and any number not less than six shall be a quorum; and they shall proceed to elect by ballot one of their own members to be mayor of said corporation for the same term for which the aldermen were elected as aforesaid; and when any mayor of said corporation shall die, remove out of said town or resign, another election shall be held by the aldermen in manner aforesaid, of another person, for the time then unexpired, until the next general election for aldermen; and when any alderman shall die, remove or resign, such vacancy may be filled up by the mayor and aldermen of said town, at any regular meeting, and the person or persons by them appointed shall serve until the next election.

Of failures of sheriff to hold election

**SEC. 8.** *Be it enacted,* That if the sheriff of Bedford county shall at any time hereafter fail or refuse to open and hold an election, as prescribed in the 5th section of this act, he shall forfeit and pay one hundred dollars to the corporation of the town of Farmington; to be recovered by action of debt, before any jurisdiction having cognizance thereof, for the use of said corporation; and in case the said sheriff of Bedford county shall fail or neglect to hold said election, at the time and place specified by this act, it shall and may be lawful for him to hold said election for the purpose aforesaid, on any succeeding Saturday in the same, and the same shall be as effectual as though the same had been opened and held on the day herein before specified.

Of process and returns

**SEC. 9.** *Be it enacted,* That the coroner, sheriff, deputy sheriff, or any constable of Bedford county, are hereby authorized and required to execute and make proper returns on each and every legally made out process, and put into the hands of either of said officers.

When to take effect

**SEC. 19.** *Be it enacted,* That this act shall take effect from and after the first day of March, 1836.

**EPHRAIM H. FOSTER,**  
*Speaker of the House of Representatives.*  
**JONATHAN WEBSTER,**  
*Speaker of the Senate.*

Passed, December 14, 1835.

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

**LUKE LEA,**  
*Secretary of State.*

SECRETARY'S OFFICE,  
Nashville, June 10, 1836.

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