

Mount, who shall severally possess the same power and authority that the original trustees were severally invested with, by virtue of an act, entitled, "an act to establish academies in the several counties in this state, and for the appointment of trustees thereof." Passed September 13th, 1806. And a meeting of said trustees may at any time be called by the president of the board, or any two members, on giving five days personal notice in writing: *Provided*, that at such called meeting, not less than a majority of the whole number shall constitute a board.

JOHN TIPTON,
Speaker of the House of Representatives.
JOSEPH M. MINN,
Speaker of the Senate.

April 20, 1809.

CHAP. IV.

An ACT to amend the law for the regulation of Knoxville.

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

shall be open and holden at the court house in Knoxville, on the last Saturday of this month, by the sheriff of Knox county, or in case said sheriff or his deputy should fail to attend, by any justice of the peace residing in Knoxville, for the purpose of electing five suitable persons to act as commissioners for said town of Knoxville, for the term of two years; at which election, all males of full age, liable to pay a town tax in said town, shall be entitled to vote; and the five persons having the greatest number of votes, shall be commissioners for said town, for the term of two years, from the time of their election; and shall have the same power and authority to lay and collect taxes, to make laws for the good order and government of said town, to remove nuisances and encroachments upon the streets, that hath heretofore been vested by law in the commissioners of said town.

Sec. 2. *Be it enacted*, That on the last Saturday of April in every second year, after the aforementioned election, the sheriff of Knox county shall open and hold an election at the court house in Knoxville, for the purpose of electing five suitable persons to act as commissioners for said town, for the term of two years after the election; which elections shall be conducted in the same manner, and the same persons entitled to vote, as provided and specified in the first section of this act; and the sheriff shall attend to holding each of said elections, and give the same notice to the citizens of Knoxville, of the time and place of holding the same, as hath heretofore been prescribed, under the same penalty as the laws heretofore in use for the regulation of said town have provided.

Meetings of,
how to be called.

Election of commissioners when
and where to be held.

Who may vote.

Power of commissioners.

Time and manner of holding elections.

Penalty on sheriff for not holding election.

Sec. 3. *Be it enacted*, That in case the sheriff of said county should, at any time, fail or neglect to hold an election, and give notice as intended by this act, it shall be lawful for the commissioners last in office, or some one or more of them, after giving at least five days previous notice to the citizens of Knoxville, by advertisement at six of the most public places in said town, to open and hold an election at the court house in said town, for the purpose of electing commissioners for said town, for the term of two years from the stated time for holding such elections by the sheriff; and the five persons having the greatest number of votes at such election, shall be commissioners for said town.

Sec. 4. *Be it enacted*, That all commissioners elected by virtue of this act, shall, before entering on the duties of said office, take the oath heretofore prescribed to be taken by the commissioners of Knoxville, by the laws enacted for the regulation of said town, and shall have the same power in all respects.

Sec. 5. *Be it enacted*, That if any collector or holder of any of the monies which heretofore have been, or hereafter may be collected for the use of said town, shall, after demand made for that purpose, fail, neglect or refuse to pay over to such commissioners, or to the treasurer by them appointed, all town monies remaining in their hands, it shall be lawful for said commissioners or their treasurer, after having given such collector or holder of town monies, five days previous notice of such their or his intention to apply to the county court of Knox county, by motion, for judgment against such delinquent collector or holder of town monies, and his or their securities, if such be or they shall have given; and it shall be the duty of said court, on being satisfied of the amount of town monies remaining in the hands of any such collector or holder, to enter up judgment forthwith against him and his securities, for the amount so remaining in his hands, together with lawful interest on such sum, from the time the same ought to have been paid, and all costs, and to award execution for the same.

Sec. 6. *Be it enacted*, That it shall be lawful for said commissioners, at any time they shall deem most proper, to receive lists of taxable property upon oath, having given at least ten days previous notice of the time and place of receiving such lists, by advertising the same at six of the most public places in Knoxville; and all persons liable to pay taxes in said town, shall, at the time and place so appointed, make a faithful return on oath, of all their taxable property in said town, or shall make return of the same on oath as aforesaid, to the clerk of said commissioners, within one month after the time so appointed by said commissioners, for receiving such lists or returns; or in default thereof, the person failing to make such return, shall pay a double tax on all tax-

elections by whom to be held, in case sheriff should fail to hold one.

Remedy against holders of town money refusing to pay the same.

Commissioners to receive lists of taxable property.

Penalty for failing to return taxable property.

able property by him or her not returned as above directed, Provided, that no fine, other than the double tax above mentioned, shall be incurred by any person failing to return their taxable property as above directed.

JOHN TIPTON,

Speaker of the House of Representatives.

JOSEPH M. MINN,

Speaker of the Senate.

April 20, 1809.

CHAP. V.

AN ACT to incorporate a Water Company in the Town of Knoxville, and for other purposes.

Preamble.

WHEREAS, John Crozier, Josiah Nichol, James Park and William Park, Richard Bearden, George W. Campbell, Thomas Humes, Nathaniel Cowan, John Williams, Pleasant M. Miller, James Dardis and Thomas Dardis, the heirs of Francis Fleshart and Edwin Bothe, John N. Gamble, James Trimble, Edward Scott, James Charter, Robert Craighead, Charles McClung, and Patrick Campbell, have at considerable expence procured water to be brought in pipes into the town of Knoxville: And whereas, in order to preserve the said pipes, and to secure to the persons aforesaid, the benefit which they ought to derive from their undertaking, it is expedient that they should be incorporated and vested with the necessary powers for regulating the manner in which said water shall be used, and preserving the pipes by which the same is conducted, from the injuries of mischievous persons: Therefore,

Water company incorporated.

SECTION 1. **B**E it enacted by the General Assembly of the State of Tennessee, That the said John Crozier, Josiah Nichol, James Park and William Park, Richard Bearden, George W. Campbell, Thomas Humes, Nathaniel Cowan, John Williams, Pleasant M. Miller, James Dardis and Thomas Dardis, the heirs of Francis Fleshart, & Edwin Bothe, John N. Gamble, James Trimble, Edward Scott, James Charter, Robert Craighead, Charles McClung, and Patrick Campbell, and their heirs and assigns, be and they are hereby constituted a body politic and corporate, by the name of the Knoxville water company, and by that name may sue and be sued, in all courts of law or equity, in this state, and may take and hold to themselves, and their heirs or assigns, any lands or tenements, over which the said water passes, or any right, or interest therein, which hath been, or may be conveyed to them.

Proprietors to be members.

Sec. 2. *Be it enacted*, That whenever the interest of any one of the persons above named, in the water aforesaid, shall cease and determine, he shall no longer continue a mem-

ber of said company; but the person or persons in whom such interest shall at any time vest, shall be a member or members in his stead, and shall be vested with all the powers hereby vested in a member of said company.

Sec. 3. *Be it enacted*, That said company shall have power to appoint such officers as they may deem necessary, and to prescribe such rules and regulations for the government of said company, as they shall deem proper, and to enforce the observance of the same, under such penalties as they shall judge necessary: *Provided*, that the said company shall not be authorized to punish any disobedience of their rules and regulations, but by a fine not exceeding five dollars, which may be sued for and recovered in the name of said company before any justice in this state, who is not a member of said company.

Sec. 4. *Be it enacted*, That if any person shall wilfully or maliciously injure or destroy any of said pipes, or remove the earth from above them; such person or persons shall, on conviction before the court of Knox county, be fined not exceeding fifty dollars, and imprisoned not exceeding three months; and if such wilful and malicious injury be done by any slave, such slave, on conviction thereof, before any justice of the peace for Knox county, shall receive corporeal punishment by whipping, at the discretion of such justice of the peace, not exceeding thirty-nine lashes.

Penalty for injuring pipes.

Sec. 5. *Be it enacted*, That if any person or persons shall wilfully and maliciously injure or destroy any pipes erected for the purpose of conveying the water to any place in this state, or remove the earth so as to injure the pipes, he, she or they, so offending, shall be liable to indictment for a misdemeanor, in any of the courts in this state; and if a negro, shall be liable to be whipped by order of a justice of the peace in any number not exceeding thirty nine lashes.

Penalty for injuring pipes, of any other works

JOHN TIPTON,

Speaker of the House of Representatives.

JOSEPH M. MINN,

Speaker of the Senate.

April 22, 1809.

CHAP. VI.

AN ACT to authorise Sheriffs to take bail in certain cases.

SECTION 1. **B**E it enacted by the General Assembly of the State of Tennessee, That from and after the passage, of this act, in all cases where a defendant in any civil suit may have given bail for his appearance, and the bail during the recess of court, should think proper to deliver the body of such defendant, to the sheriff, in discharge of him or themselves, then the sheriff, upon the delivery of such defendant, is hereby authorized to take bail from said defen-

Sheriff may take bail in civil cases, in certain cases.

stant, if he should offer the same, in the same manner, and under the same restrictions, as are pointed out for him when he has the original writ in his possession.

Sec. 5. *Be it enacted*, That in all cases where a person may be prosecuted, or bound over for his appearance to answer any charge exhibited against him by the state, and the security be fearful that he would escape, such security may deliver him up to the sheriff. The sheriff is hereby authorized to take a recognizance of such person or persons, with at least two sufficient securities, in the following sums, to wit: If for any crime above the degree of petit larceny, and for which the person or persons so charged, had, in the first instance been let to bail, in the sum of one thousand dollars, and securities each five hundred. For petit larceny, five hundred dollars, and securities each two hundred and fifty. For any charge under the degree of petit larceny, two hundred and fifty dollars, and the securities each one hundred and twenty five. And on said person failing to give such security, said sheriff is hereby authorized and required to commit said person to the jail of his county or district, as the case may be, and make out a warrant of commitment, setting forth the cause of such commitment, under his hand, which shall be a sufficient warrant to retain such person until he shall give such bail as is above required, or until the court to which he shall have been recognized for his appearance: *And provided*, that said sheriff shall not be bound to accept such surrender, unless at the place of holding court in his county, or at his usual place of residence.

Where bound to receive surrender.

JOHN TIPTON,

Speaker of the House of Representatives

EDWARD DOUGLASS,

Speaker of the Senate, pro tem.

April 22d, 1809.

CHAP. VII.

AN ACT to prolong the time for receiving claims by the Commissioners of East and West Tennessee, and for other purposes.

SECTION I. *Be it enacted by the General Assembly of the State of Tennessee*, That the commissioners of East and West Tennessee shall, and it is hereby declared to be their duty, to continue to receive claims for adjudication as heretofore, until the fourth Monday of September next, and no longer.

Time of receiving claims prolonged.

Whereas by an act of the general assembly of this state, heretofore passed, grants obtained from the state of Virginia for lands within this state, under a belief that those lands lay within the state of North Carolina, are to have the same force

and effect, as if the same had been issued by the state of North Carolina. And whereas, under the provisions of the aforesaid act, individuals claiming lands under grants issued by the state of North Carolina, are liable to lose their lands on account of some of said Virginia grants interfering with their said grants. And whereas, many good citizens of this state, who hold their lands under grants issued by the state of Virginia, are liable to lose their said lands on account of prior interfering grants issued from the state of North Carolina, and no provision has yet been made by which any person under such circumstances can obtain any certificate on account of a prior interfering grant. Therefore,

Sec. 2. *Be it enacted*, That in every case where any person or persons who claim lands under a grant issued by the state of North Carolina or Virginia, are apprehensive that they will lose their title to said land, or any part thereof, on account of any prior interfering grant issued by the state of Virginia, or by the state of North Carolina, that it shall and may be lawful for such person or persons to file his claim with either commissioner, whose duty it shall be, to examine such claim, and if it should appear by such evidence as is required in other cases of interfering titles, that said grant is a genuine grant, and that the same issued on a good and valid warrant, and that no other grant issued on the same warrant, or on any duplicate thereof; and that the prior interfering grant was fairly issued by the state of Virginia or North Carolina, in the manner prescribed by their laws; and that the said Virginia or North Carolina grant (as the case may be) is the better title to said land, or any part thereof, then, and in that case, it shall be a duty of said commissioner to issue to such applicant or his legal representatives, a certificate for the quantity of acres taken by such prior interfering claim. *Provided always*, that no certificate shall in any case be issued, if the applicant should still have within the bounds and bounds of his grant, the number of acres called for in his said grant.

Provision for persons claiming under grants from Virginia or North Carolina, &c.

JOHN TIPTON,

Speaker of the House of Representatives.

JOSEPH M'MINN,

Speaker of the Senate.

April 22, 1809.

CHAP. VIII.

AN ACT to explain a part of the second section of an act, entitled, "An act to define the jurisdiction of justices of the peace, and for other purposes therein mentioned." Passed November the sixth, eighteen hundred and one.

WHEREAS doubts have existed in the minds of some

C

Justices of the peace in this state, whether the indulgence granted to plaintiffs in the second section of the above recited act, in having trial before the justice nearest his place of abode, was intended to be exclusive: Therefore, to dispel all doubts,

No suit to abate on the plea that the justice is not the nearest to plaintiff's residence.

BE it enacted by the General Assembly of the State of Tennessee, That no justice of the peace within this state, shall suffer any suit to abate on the plea that he is not the nearest justice to the plaintiff, but shall take cognizance of all legal returns; any custom or usage to the contrary, notwithstanding.

JOHN TIPTON,
Speaker of the House of Representatives.

EDWARD DOUGLASS,
Speaker of the Senate, pro. tem.

April 22, 1809.

CHAP. IX.

AN ACT to divorce the persons therein named.

Preamble.

WHEREAS good cause hath been shown to this general assembly, why the persons hereafter named should be discharged from the bonds of matrimony: Therefore,

Persons divorced.

BE it enacted by the General Assembly of the State of Tennessee, That the bonds of matrimony existing between John Sevier, junior, and his wife Susanna, formerly of Greene county; Samuel Moore, and his wife Anne, of the same county; Lewis Edwards, and his wife Mary; John Cunningham of Knox county, and his wife Elizabeth; Mary Ann Gallaher, and her husband William Gallaher; Elizabeth Williams, and her husband Nathaniel Williams; William Cartwright, and his wife Polly, be, and they are hereby dissolved to all intents and purposes; and that the aforesaid persons be restored to all the rights, privileges, and immunities, which each enjoyed before their intermarriage.

JOHN TIPTON,
Speaker of the House of Representatives.

EDWARD DOUGLASS,
Speaker of the Senate, pro. tem.

April 22, 1809.

CHAP. X.

AN ACT making provision for the land claims of the persons therein named

Warrant to issue to T. F. Sumner, assignee, &c

SECTION 1. **B**E it enacted by the General Assembly of the State of Tennessee, That the register of

West Tennessee be, and hereby is authorized to issue a grant for two hundred and seventy four acres of land, to Thomas E. Sumner, assignee of Solomon Bibby, on warrant number two hundred and thirty two, entered April 14th, seventeen hundred and ninety seven, number of location, seven thousand two hundred and seventy seven, surveyed by William Montgomery for Solomon Bibby; Beginning at or near the head of Grave's creek, in Sumner county, on the twenty-eighth day of July, eighteen hundred and eight; which certificate of survey was, on the twelfth day of September eighteen hundred and eight, transferred by said Solomon Bibby, to the said Thomas E. Sumner, in presence of two witnesses, and said transfer proven by one of them, to wit, John Smith, in open court, in the county court of Franklin, in North Carolina, at September session, eighteen hundred and eight, of said court, as is manifest by the certificate of said probate, given under the hand and seal of the clerk of said court, bearing date September thirteenth, eighteen hundred and eight; and the grant so issued, shall be as good and valid, as if said transfer had been proven by the oath of both subscribing witnesses thereto. *Provided*, said warrant shall be adjudged by the commissioner of West Tennessee, to be a good and valid warrant, before the issuance of said grant; any law requiring transfers to be proven by two witnesses, to the contrary notwithstanding.

And whereas, William Bradley, of Hawkins county, in the year seventeen hundred and eighty four, served as one of the guards under captain Looney, for running the line for the officers and soldiers of the North Carolina line, for which services he was entitled to three hundred and twenty acres of land, and as yet has not received any warrant therefor.— Therefore,

Sec. 2. *Be it enacted*, That said William Bradley be, and he is hereby authorized to receive a warrant for the quantity of three hundred and twenty acres of land, on his making application to the commissioner of West Tennessee. *Warrant to issue to William Bradley.*

Sec. 3. *Be it enacted*, That it shall be the duty of the commissioner of West Tennessee, to issue to the heirs of David Faine, a warrant for six hundred and forty acres, it appearing to the satisfaction of this assembly, that said David Faine, in his life time, was entitled to a pre-emption of six hundred and forty acres of land, on the east fork of Mill creek, in Davidson county, but never received a warrant or grant therefor; which said warrant, shall entitle the heirs of said David Faine, to enter the same, and obtain a grant therefor, on any piece of vacant land on which the citizens are entitled to locate any unsatisfied claims. *Provided*, a warrant or grant never issued of record, by virtue of said pre-emption right. *To the heirs of David Faine.*

Sec. 4. *Be it enacted*, That the register of the land office for East Tennessee, is hereby directed and required, on application, to issue a certificate to be issued to Samuel Y. Balch, *Certificate to be issued to Samuel Y. Balch.*

plication, to issue to Samuel Y. Balch, surveyor of the sixth district, or to his assigns, a certificate for fourteen hundred acres of land, which will be in full of said surveyor's services for sectioning the district aforesaid.

Whereas it doth appear to this general assembly, from satisfactory evidence, that Robert Looney served as a hunter to the second commissioners and guard, in the year seventeen hundred and eighty four; and it doth also appear that he hath sold all his right, title and interest to the warrant and land he was entitled to receive for the same, unto Richard Britton, Therefore,

Sec. 5. *Be it enacted*, That on application of said Richard Britton to the commissioner of West Tennessee, and on the said Britton or his representatives, filing the affidavit & transfer of said Robert Looney, with said commissioner, he shall examine the claim, and if it shall appear that said Looney never obtained from the state of North Carolina or any other person through him, a warrant or grant for said services, then, and in that case, the commissioner shall declare the same a valid claim against the state, and shall issue a duplicate to Richard Britton, or his legal representatives for the quantity of land heretofore given by the state of North Carolina, for similar services; which duplicate shall entitle the rightful owner to enter, survey and obtain a grant for the same, agreeably to the laws of this state.

Sec. 6. *Be it enacted*, That the said commissioner of West Tennessee, is hereby authorized to examine the claim of Robert Reed, on the papers of said Reed being filed with him; and if it shall appear to said commissioner, that said Reed was one of the guard in seventeen hundred and eighty four, in running the military line, and that said Reed, nor no other person by or through him, ever obtained a warrant or grant for said services; then and in that case, said commissioner shall issue a warrant for two hundred and fifty acres, in full for said service, which shall entitle the rightful owner to obtain a grant for the same, for any vacant land which by the laws of this state, are authorized to be granted on similar warrants.

Sec. 7. *Be it enacted*, That the commissioner of East Tennessee, is hereby authorized to re-consider the former decision of the board of commissioners of East Tennessee, relative to the claim of the heirs of John Ish, respecting a grant for six hundred and forty acres of land, of number nine hundred and seventy three, issue a certificate for the quantity called for in said grant, as in other cases, and as if no decision had been made by the said former board, should the evidence under the existing laws authorize the issuing such certificate.

Sec. 8. *Be it enacted*, That the commissioner of the land office of East Tennessee, be directed to issue to James Forgey, a duplicate of a land warrant issued by John Carter,

Richard Britton
he received a war-
rant on certain
conditions.

Provision for
the claims of
Robert Reed.

Of John Ish.

Of James For-
gey.

late entry taker of Washington county, being number one thousand and seventeen, for six hundred and forty acres, dated the fifth January, one thousand seven hundred & seventy-nine, to include an improvement made by Peter Renfro, and entered by James Peters, and transferred to James Forgey, by William Maclin, attorney in fact for said Peters, it appearing to the satisfaction of this general assembly, that no grant has issued on said entry, and that said entry stands fair on the books now in the commissioners office, but does not exhibit the number of acres, which said duplicate shall entitle the said Forgey to have a survey made, and a grant issued for the land described in said entry. *Provided always*, that said grant, so to be obtained, shall not prejudice the claim of any Prior title, of any other person. *Provided*, the commissioner before issuing such duplicate, be satisfied that said warrant is good in all other respects, except the omission of the number of acres contained in said entry. *Provided also*, that the commissioner of East Tennessee, shall examine the entry number one thousand and eighteen, in the name of said James Peters, issue a duplicate to the person entitled to the same, for the amount of said warrant, in the same manner as is provided for the entry of number one thousand and seventeen, entered in Carter's office.

Whereas by the eighth section of an act, entitled, "an act directing the division of the state into districts, and for the appointment of principal surveyors," &c. &c. Passed at Knoxville, September the twelfth, eighteen hundred and six, the principal surveyor of the third district, is compelled to keep his office at Alexander's. And whereas, it would tend much to the convenience of those having business with, and in said office, that the same should be kept at Warren courthouse. Therefore,

Sec. 9. *Be it enacted by the General Assembly of the State of Tennessee*, That from and after the first day of May next, the principal surveyor of the third district, shall keep his office at Warren court house; and that part of the before recited eighth section, which directs said office to be kept at Alexander's, is hereby repealed and made void.

Whereas in many instances the register of the land office for West Tennessee, has suspended the issuing of grants in a great number of cases, upon entries and surveys made upon warrants which have been passed good and valid by the board of commissioners, even when there appears to be fair and connected assignments down to the person who made the entry. For remedy whereof,

Sec. 10. *Be it enacted by the General Assembly of the State of Tennessee*, That where warrants and plats of survey have not withstanding assignments been, or may hereafter be filed with the register of the land office for West Tennessee; and where the assignments shall appear fairly connected, from the warrantee down to the last

Office of sur-
veyor of third
district, to be
kept at Warren
court house.

Grants to issue
notwithstand-
ing assignment
may have been
made by person
implicated in

the report of
Locke and
Gaither.

assignee, for which the survey is made, and plat filed, it shall be the duty of the register, without further evidence, to make out a grant in the name of the person in which such plat of survey shall be, agreeably to the warrant, as in other cases, on good and valid warrants, notwithstanding such assignments may have been made by some of those persons implicated in the report of Locke and Gaither.

Whereas it appears to the general assembly, that John Smith hath applied to the commissioner of West Tennessee, to obtain a certificate on account of part of a tract of two hundred and seventy four acres of land, which he claims by a grant dated sixth December, seventeen hundred and ninety seven, and is numbered 3340, on account of a part of said tract being taken from him by a prior interfering grant, and could not succeed in his application, because by mistake the surveyor in making the plat and certificate of survey which is attached to said Smith's grant, has, by mistake, inserted therein, that he made said survey by virtue of warrant, No. 3735; when in truth, said survey was made on warrant, No. 3745. Therefore,

Provision for
the claim of
John Smith.

Sec. 11. *Be it enacted*, That it shall be the duty of said commissioner, to examine the claim of said Smith, and if he should be satisfied that said Smith would be entitled to a certificate on account of a prior interfering grant, had said survey appeared to have been made on warrant No. 3745, that then it shall be a duty of said commissioner to issue a certificate to said Smith, for the number of acres so taken away by the prior interfering claim.

Whereas colonel Joel Lewis filed two warrants, issued from John Armstrong's office, with the board of commissioners of West Tennessee, one No. 2217, for one thousand acres; one other, No. 2218, for two thousand acres, which warrants were declared invalid, because the entries on which said warrants issued, stand in the name of Leabeores Whitney, and transferred by said Whitney to James Grant, and from said grant's statement, it appears, that he forwarded the warrants to said Lewis in his own name, without making a transfer in the entry book. For remedy whereof,

Sec. 12. *Be it enacted by the General Assembly of the State of Tennessee*, That said Joel Lewis is hereby authorized to file said warrants with the commissioner of West Tennessee, and if it shall appear to said commissioner from sufficient evidence, that the entries from which those warrants issued, were good and valid entries, and that the money was paid on said entries, and that said Joel Lewis is justly entitled to the same, and that no grant ever issued on a warrant from said entries, or on a duplicate thereof, then, and in that case, said commissioner shall file two duplicates agreeable to the warrants filed, which shall entitle the rightful owner to enter,

survey and obtain grants for the same, agreeably to the laws in force and use in similar cases.

Sec. 13. *Be it enacted*, That the commissioner of East Tennessee, shall issue a certificate to William Young, heir of Robert Young, on grant No. 811, for one hundred and twenty-five acres of land, entered in the office of John Armstrong, No. 1496, which has been rejected by said commissioner, because the consideration in said grant is fifty shillings, when in fact it ought to have been ten pounds; which land, called for in said grant, is taken by the claim of Robert Stone, founded on a special entry of prior date.

Of William
Young, heir of
Robert Young.

JOHN TIPTON,

Speaker of the House of Representatives.

JOSEPH M'MINN,

Speaker of the Senate.

April 22, 1809.

CHAP. XI.

AN ACT to alter the present dividing line between White and Overton Counties.

BE it enacted by the General Assembly of the State of Tennessee, That William Phillips, now of Overton county, be, and hereby is authorized and empowered to employ some surveyor to run a line beginning at a point in the present dividing line of the said counties, which point shall be eastwardly of said Phillips's house, ten poles; thence northwardly ten poles to a point; thence westwardly forty poles to a point; thence southwardly to the present dividing line between said counties, so as to include the present dwelling house of the said William Phillips, within the limits of White county, a plat of which alteration of the line, the said surveyor shall make and return to the county court of White, and it shall be the duty of the clerk of said court, to record the same in his office, all which shall be done at the proper expence of the said William Phillips.

Line to be run,
&c.

At the expence
of William Phillips.

JOHN TIPTON,

Speaker of the House of Representatives.

JOSEPH M'MINN,

Speaker of the Senate.

April 22, 1809.

CHAP. XII.

AN ACT for extending further indulgence to occupants.

SECTION 1. **B**E it enacted by the General Assembly of the State of Tennessee, That all those persons who have by any law or laws, been entitled to an indulgence

Further time
allowed to occupants to procure
warrants.

in securing their occupant claims, be allowed the further term of two years, from and after the third day of December next, to procure warrants to secure their titles, and obtain their grants for such lands as they may have had surveyed, and returned to the surveyors offices under the authority of any former law or laws; any thing in former laws to the contrary, notwithstanding.

Persons in possession of vacant land on the first of January, 1809 allowed 12 months to survey the same.

Improvement not to contain less than one, nor more than 300 acres.

Mode of obtaining grants for such improvements.

Sec. 2. *Be it enacted*, That where any person has settled down, and was in actual possession on or before the first day of January, one thousand eight hundred and nine, on vacant and unappropriated land, and where no person has entered the same by virtue of a good and valid warrant, previous to the passage of this act, the said person in possession, shall be allowed the further time of twelve months, from and after the passing of this act, to survey the same, including said improvement, of not less than one hundred acres, nor more than three hundred acres; and he or they shall file plats of survey agreeably to the directions of the thirty sixth section of the land law, passed at Knoxville, the third day December, one thousand eight hundred and seven, and shall be allowed until the third Monday in September, one thousand eight hundred and eleven, to obtain warrants for the land so settled, and to be surveyed; at the expiration of which time it shall be the duty of the registers to make out grants by virtue of such entry and survey, made on a good and valid warrant or certificate, as in other cases.

JOHN TIPTON,
Speaker of the House of Representatives.
JOSEPH M. MINN,
Speaker of the Senate.

April 22, 1809.

CHAP. XIII.

AN ACT to authorise the Register of the Land Office of East Tennessee, to issue grants in certain cases therein mentioned, and for other purposes.

Grants to issue to religious associations, &c.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the register of the land office of East Tennessee, is hereby authorized to make out and issue a grant or grants, on any survey or surveys, of any claim of land lying south of French Broad and Holston, and west of Big Pigeon rivers, which may have been surveyed for, and in the name of any association or company, for the use of any religious society or profession; or which may have been surveyed in the names of any individuals as trustees for any society or association, under the same rules as is required for making out and issuing grants for occupant claims in said tract of country; which said grant, shall vest a

right in the said tract or tracts of land, in full and complete company, or in said trustees, as the case may be, and their successors, for the uses and purposes expressed in said survey, forever. And provided, that the installments due and payable to be due on the said tracts, shall be paid as in other cases.

Sec. 2. *Be it enacted*, That it shall and may be lawful for either of the registers of the land office in this State, to make out and issue grants on any plat and certificate of survey filed in his office, in the name or names of any assignee or assignees, provided such assignment be made on said plat and certificate of survey, as filed in his office, signed by the person making the same, and attested by two witnesses, one of whom shall be said register, in whose office said plat shall be filed.

JOHN TIPTON,
Speaker of the House of Representatives.
JOSEPH M. MINN,
Speaker of the Senate.

April 22, 1809.

CHAP. XIV.

AN ACT giving further time for the probate and registration of grants, deeds and other instruments required by law to be proven and registered, and for other purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That a further time of twelve months from and after the passing of this act, shall be allowed every person who hath not had his or her grant, or a copy thereof, registered within the time heretofore prescribed by law; within which time it shall and may be lawful for such grantee, or any person claiming under such grantee, to have his, her or their grant, or a copy thereof, registered in the county where the land lies, in the same manner, and under the same rules and regulations, pointed out in the first section of an act, entitled, "an act for the relief of persons who have not had their deeds, grants, mortgages, conveyances, or bills of sale, registered within the time heretofore prescribed by law." Passed at Knoxville, November the thirtieth, one thousand eight hundred and seven.

Sec. 2. *Be it enacted*, That a further time of twelve months from and after the passing of this act, shall be allowed all and every person or persons who have not had his, her or their mortgages, conveyances, deeds of gift, or of sale, or powers of attorney authorizing the sale of conveyance of any estate, bills of sale of slaves, or other instruments of writing, required or authorized by law to be registered, proved and registered; within which time it shall and may be lawful for such person or persons to have all and every such

instrument of writing acknowledged or proved, and registered, in the manner hereinafter mentioned.

Sec. 3. *Be it enacted,* That every deed of conveyance, mortgage, deed of trust, or power of attorney, authorizing the sale or conveyance of land, which have not been registered within the time prescribed by law, shall be admitted to registration in the county where the land lies, upon their being acknowledged by the person who executed the same, in any court of record in this state, and said acknowledgment being certified by the clerk of such court, under his hand, and the seal of his office; or upon their being proved in any court or courts of record in this state, by two of the subscribing witnesses thereto, if so many there are in this state, and by such probate or probates, being certified by the clerk of such court or courts, under his hand, and the seal of his office.

Sec. 4. *Be it enacted,* That every bill of sale, or other instrument of writing not before mentioned, which by law ought to have been registered, and which has not been registered within the time prescribed, shall and may be registered in the county where the vendee lives, upon the same being acknowledged by the vendor, or proved by the subscribing witness or witnesses thereto, in any court of record in this state, and said acknowledgment or probate being certified by the clerk of such court, under his hand and the seal of his office.

Sec. 5. *Be it enacted,* That all deeds of conveyance, mortgages, deeds of trust, or powers of attorney, authorizing the sale of any real estate, or bills of sale heretofore executed, the time for the registration of which has not yet elapsed, or where such instruments may hereafter be executed, shall and may be registered in the proper county, upon the same having been acknowledged or proved, and certified in the manner herein before prescribed, provided such registration is made within the time prescribed by law.

Sec. 6. *Be it enacted,* That the mode prescribed for the acknowledgment or probate of any conveyance or other instrument, in any other state or government, shall remain the same as that pointed out in the act, herein before mentioned, passed the thirtieth November, one thousand eight hundred and seven.

Sec. 7. *Be it enacted,* That in all cases where any deed of conveyance, mortgage, or deed of trust, shall have been registered without the payment of the state tax due thereon, or without the payment of the register's fees due thereon, it shall and may be lawful for the respective registers to sue for and recover such tax and fees in the same manner, they are now authorized to sue for and recover the tax and fees due on original grants.

And whereas, the failure of several of the county registers

within this state, to register with such deed by whom registered, the probate endorsed on, or annexed to such deed, great injury under our present laws, may be sustained by persons claiming lands within the limits of this state, who, for the evidence of their titles are compelled to resort to register's copies. For remedy whereof,

Sec. 8. *Be it enacted,* That from and after the passing of this act, the copy of any deed for the conveyance of land, or power of attorney certified in the usual form by any county register within this state, to be a copy from his register's book or books, shall be received as evidence by any court of justice, within this state, though it should not appear by such copy that the probate had been registered with the original deed, the copy of which is lost. *Provided nevertheless,* that the court to which such copy is offered as evidence, shall be satisfied that the original deed or power of attorney is not in the power or possession of the person offering to use such copy as evidence. *And provided also,* that such deed, shall have been registered in the register's office of the county in which by law it was required to be registered.

JOHN TIPTON,

Speaker of the House of Representatives

EDWARD DOUGLASS,

Speaker of the Senate, pro tem.

April 22d, 1809.

CHAP. XV.

AN ACT to amend the law in force for keeping roads in repair.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the following persons, to wit: William Snodgrass, William Deery, Francis Holly, Jacob Johnston, John Lynn, William Lyon, Christopher Wilcox, William Alexander, Andrew Calhoun, Thomas Henderson, Nicholas Counts, Chesley Jamison, James Armstrong and John Kain, be appointed commissioners of that part of the stage road leading from Abingdon, Virginia, to Nashville in this state, which may be within the limits of this state, whole duty it shall be, from time to time, to view said road, or such part as may be convenient to his residence; and if said road, or any part thereof, shall be out of repair, it shall be his duty to give notice thereof, to the overseer of such part as may be out of repair, and if said overseer shall not, within ten days, repair said road, it shall be the duty of said commissioner to have the same done at the expense of the said overseer, which shall be recovered by

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warrant in the name of said commissioner, and execution there accordingly.

JOHN TIPTON,
Speaker of the House of Representatives,

JOSEPH M' MINN,
Speaker of the Senate,

April 22, 1809.

CHAP. XVI.

AN ACT to alter the time of holding the Courts of Pleas and Quarter Sessions for the county of Claiborne.

Time of holding courts in the county of Claiborne,

SECTION 1. **BE** it enacted by the General Assembly of the State of Tennessee, That after the first day of June next, the courts of pleas and quarter sessions for the county of Claiborne, shall commence and be held on the first Mondays in January, April, July and October, commencing on the first Monday of July next; any law to the contrary notwithstanding.

Certain citizens in future to vote at the court house.

Sec. 2. *Be it enacted,* That the citizens of the said county of Claiborne, residing south of Powell's river, and west of the town of Taxewell, shall in future vote at the court house, for the election of governor, members of the general assembly, members to congress, and electors of president and vice president of the United States.

JOHN TIPTON,
Speaker of the House of Representatives,
JOSEPH M' MINN,
Speaker of the Senate,

April 20, 1809.

CHAP. XVII.

AN ACT to repeal part of an act, entitled, "An act to appoint commissioners, and to vest them with powers to sell the public lot and jail in front of the court house in Rogersville, and for other purposes therein mentioned."

Part of former law repealed.

BE it enacted by the General Assembly of the State of Tennessee, That so much of the second section of the above recited act, as vests power in the commissioners to sell the old prison and stocks, and the lot upon which they stand, in the town of Rogersville; be, and the same is hereby repealed.

JOHN TIPTON,
Speaker of the House of Representatives,
JOSEPH M' MINN,
Speaker of the Senate,

April 22, 1809.

CHAP. XVIII.

AN ACT to provide for running a line from the upper part of the Chickasaw Old Fields, to the head waters of Duck River.

WHEREAS a convention, between the United States and the Chickasaw nation of Indians, concluded, ratified and confirmed on the 22d of May, 1807, agreeably to a line to be run from the upper part of the Chickasaw Old Fields, at the upper point of an Island, called Chickasaw Island, on said River, to the most easterly head waters of that branch of said Tennessee River, called Duck River.

SECTION 1. **BE** it enacted by the General Assembly of the State of Tennessee, That William D. Quisenberry and Summerlet Moore, be, and they are hereby appointed commissioners to run the line from the bank of the Tennessee river, at the upper part of the Chickasaw Old Fields, at the upper point of an island called Chickasaw Island, on said river, to the most easterly head waters of that branch of said Tennessee river, called Duck river, and said commissioners are hereby directed to have said line distinctly marked.

Sec. 2. *Be it enacted,* That each of the commissioners appointed by this act, shall, before they proceed to the duties assigned them, take an oath before some justice of the peace within this state, faithfully and correctly to run said line, as heretofore described, from Tennessee river, to the most easterly head waters of Duck river, and for which service, they, and each of them, shall be entitled to the sum of two dollars for each and every day they may necessarily be employed in performing the same, which they shall certify on oath to the next general assembly.

Sec. 3. *Be it enacted,* That the said commissioners shall employ one marker to assist in carrying this act into effect, who shall be entitled to receive one dollar per day, which shall be paid on the certificate of either of the commissioners aforesaid, by either of the public treasurers, which shall be good in the settlement of their accounts.

JOHN TIPTON,
Speaker of the House of Representatives,
EDWARD DOUGLASS,
Speaker of the Senate, pro tem.

April 22, 1809.

CHAP. XIX.

AN ACT to annex the land therein described, to the Town of Gallatin, in the county of Sumner.

SECTION 1. **BE** it enacted by the General Assembly of the State of Tennessee, That the piece of land called the Town of Gallatin, in the county of Sumner, be, and the same is hereby

parcel of land hereinafter described, adjoining the town of Gallatin on the east, viz: Beginning at the north east corner of said town; thence north, sixty five degrees east, sixty-eight poles to a sugar tree, where James Trousdale's line intersects James Willon's; thence east seventeen and a half poles to a hickory; thence south sixty eight poles to a dog wood and ash; thence south fifteen degrees west, fifty-seven poles to the south east corner of said town; thence with the line of said town, sixty three poles to the beginning, containing twenty nine acres more or less, be, and the same is hereby annexed to the town of Gallatin, and declared to be a part thereof.

Proprietors of lots hereby added, to be subject to the same rules and regulations as the other proprietors of said town.

Sec. 2. *Be it enacted*, That all owners of lots in the said piece or parcel of land, shall be entitled to the same privileges, pay the same taxes, and in all respects be under the same regulations and restrictions, as if said lots had been contained within the bounds of the town of Gallatin as originally laid off by the commissioners; any law, usage or custom to the contrary, notwithstanding.

JOHN TIPTON,

Speaker of the House of Representatives.

EDWARD DOUGLASS,

April 22, 1809.

Speaker of the Senate, pro. tem.

CHAP. XX.

An ACT to alter and establish the true line between the counties of Roane, Rhea and Bledsoe, which was established by an act, entitled, "An act to reduce Roane county to its constitutional limits, &c." Passed at Knoxville, the thirtieth day of November, one thousand eight hundred and seven.

Line between Roane, Rhea, and Bledsoe.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the line which divides the county of Roane from the counties of Rhea and Bledsoe, shall begin on the north bank of Tennessee river, at the mouth of White's creek; thence up White's creek, as it meanders, to the place where the road leading from Knoxville to Nashville, crosses the main fork of said White's creek; thence north, forty west, to the Overton county line. *Provided*, nothing in this act contained, shall be so construed as to preclude the sheriff of Roane county from collecting the state, county and poor tax, due in that part of Rhea and Bledsoe counties, which is east and north of the line described in the before recited act, for the year one thousand eight hundred and nine.

Proviso.

JOHN TIPTON,

Speaker of the House of Representatives.

JOSEPH M-MINN,

April 20, 1809

Speaker of the Senate.

CHAP. XXI.

An ACT supplementary to an act, entitled, "An act to secure the free navigation of Nolichucky river." Passed at Knoxville, December 3d, 1807.

WHEREAS it is the wish of the good citizens of Washington county, to extend the navigation of said river. *Preamble*

Be it enacted by the General Assembly of the State of Tennessee, That from and after the passing of this act, the river Nolichucky, from Brownborough to Kenbec Bayles, or Brown's island, be and remain a public way, free and open, affording an unmolested navigation to all persons wishing to descend said river with boats, crafts or other carriages, under all the rules, regulations and forfeitures, contained in the act to which this is a supplement, and that Nathan Gann, senior, be added to the number of those that are appointed for the purpose of collecting subscriptions for opening said river, and that the said Gann, be, and hereby is authorized to act as such. *Additional commissioner appointed*

Nolichucky river to be navigable to Brown's island.

JOHN TIPTON,

Speaker of the House of Representatives.

JOSEPH M-MINN,

Speaker of the Senate.

April 20, 1809.

CHAP. XXII.

An ACT to amend an act, entitled, "An act to order the transcribing certain entries or documents therein mentioned." Passed at Knoxville, September eleventh, eighteen hundred and six.

WHEREAS the above recited act authorized Andrew Preamble Ewing, esquire, to take an accurate transcript of the book of entries formerly kept by Samuel Barton, entry taker for Davidson county; and said Ewing, together with David McGaugh, esquire, vested with power to collate the same. And whereas, the above named Andrew Ewing, hath taken a copy of the books of entries, as directed by said act, and the same hath not yet been collated. Therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Nathan Ewing and Robert Searcy, are hereby authorized to examine and compare the copy so taken by said Andrew Ewing, with the original book of entries kept by said Barton, which shall be as good and valid in law, as though the same had been examined and compared as pointed out by the said act; and the

Commissioners appointed to examine copies so taken.

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said commissioners so appointed, shall have the same powers, ^{their powers & compensation.} be entitled to the same pay, and be under the same rules, regulations and restrictions, as those heretofore named in said act.

JOHN TIPTON,
Speaker of the House of Representatives.

EDWARD DOUGLASS,
Speaker of the Senate, pro. tem.

April 22, 1809.

CHAP. XXIII.

AN ACT to rectify a mistake in an act passed last General Assembly, entitled, "An act to appoint additional commissioners for the town of Sevierville."

^{Preamble.} WHEREAS the name of David Owens, was inserted in said act by mistake, when the name of the person intended to be appointed is Stewart Owens;

^{Commissioners appointed.} **BE** it enacted by the General Assembly of the State of Tennessee, That Stewart Owens, be one of said commissioners of said town of Sevierville, with all the power and authority vested in any of said commissioners, appointed by said act.

JOHN TIPTON,
Speaker of the House of Representatives.

JOSEPH M. MINN,
Speaker of the Senate.

April 20, 1809.

CHAP. XXIV.

AN ACT to alter the names of certain persons therein mentioned.

^{Preamble.} WHEREAS Godfrey Carriger, junior, of the county of Carter, has petitioned this General Assembly that the names of his illegitimate children, Tennessee Crawley, John Rhea Crawley, and James Johnson Crawley, be altered to Tennessee Carriger, John Rhea Carriger, and James Johnson Carriger, and that they be rendered capable of inheriting, as if born in lawful wedlock;

^{Names of certain persons altered.} **SECTION 1.** **BE** it enacted by the General Assembly of the State of Tennessee, That the names of Tennessee Crawley, John Rhea Crawley, and James Johnson Crawley, illegitimate children of Godfrey Carriger, junior, of Carter county, be, and the same are hereby altered to Tennessee Carriger, John Rhea Carriger, and James Johnson Carriger.

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Sec. 2. **BE** it enacted, That the said Tennessee Carriger, John Rhea Carriger and James Johnson Carriger, be, and rendered capable of inheriting any, estate or property under the said Godfrey Carriger junior, in the same manner as if they had been born in lawful wedlock; any law to the contrary, notwithstanding.

JOHN TIPTON,
Speaker of the House of Representatives.

JOSEPH M. MINN,
Speaker of the Senate.

April 20, 1809.

CHAP. XXV.

AN ACT to alter the time of laying the Poor Tax.

SECTION 1. **BE** it enacted by the General Assembly of the State of Tennessee, That from and after the passage of this act, it shall be the duty of all the county courts within this state, to lay the poor tax of their respective counties, at the same time pointed out by law for the laying of the county tax. ^{Peer tax to be laid at the time of laying county tax.}

JOHN TIPTON,
Speaker of the House of Representatives.

JOSEPH M. MINN,
Speaker of the Senate.

April 20, 1809.

CHAP. XXVI.

AN ACT to grant relief to those who have failed to record and register their deeds and mesne conveyances within the time heretofore prescribed by law.

WHEREAS it hath been made appear to this General Assembly that there are a number of honest and bona fide purchasers of lands, who are likely to be injured by having their deeds and mesne conveyances recorded and registered after the time had expired which was limited by law. For remedy whereof, ^{Preamble.}

SECTION 1. **BE** it enacted by the General Assembly of the State of Tennessee, That all deeds and mesne conveyances which have heretofore been acknowledged in open court, within any county in this state, or proved by two good and lawful evidences, and the same hath been duly recorded and registered, shall be as good and valid in law, as if the same had been done within the time limited by the acts of the general assembly in such case made and provided, and the same shall be read and given in evidence in

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support of the right thereby conveyed, in any court of record in said state.

JOHN TIPTON,
Speaker of the House of Representatives.

JOSEPH M'MINN,
Speaker of the Senate.

April 12, 1809.

CHAP. XXVII.

AN ACT to repeal the second section of an act, entitled, "An act allowing and regulating certain officers fees, in particular cases." Passed the 11th of September, 1806.

Repealing clause SECTION 1. **B**E it enacted by the General Assembly of the State of Tennessee, That the second section of an act, entitled, "an act allowing and regulating certain officers fees in particular cases." Passed the 11th September, 1806, be repealed from and after the first day of June next.

Representatives of deceased justices, to file their public papers with clerk of the county court. Sec. 2. *Be it enacted,* That in all cases hereafter, when any justice of the peace of this state shall die, resign or remove out of his county, in which he is a justice of the peace, that then, and in those cases, the representatives of the justice deceased, or the person resigned or removed, shall carefully file the public papers of the justice deceased, resigned or removed, with the clerk of the court of the county, in which he was a justice, to be safely kept; and in all cases thereafter, where the proceedings or copies thereof, may be necessary for the benefit of any person interested, the same kind of process shall be directed to the clerk, that would have been proper to the justice of the peace.

Compensation to clerks for copies. Sec. 3. *Be it enacted,* That the clerk of the courts of pleas, &c. shall be entitled to the sum of twenty five cents, for all copies regularly certified, of the proceedings of justices of the peace mentioned in this act, to be paid by the person requiring it.

JOHN TIPTON,
Speaker of the House of Representatives.

JOSEPH M'MINN,
Speaker of the Senate.

April 21, 1809.

CHAP. XXVIII.

AN ACT to authorize Robert Armstrong of White County, to collect taxes therein mentioned.

Late collector of taxes in White

BE it enacted by the General Assembly of the State of Tennessee, That Robert Arm-

strong, of White county, heretofore collector of the public and county taxes, in and for the county of White, be, and hereby is authorized to collect the taxes due for the year one thousand eight hundred & seven, in the counties of Warren and Franklin, formerly a part of the county of White, which said taxes were imposed when the now counties of Warren and Franklin, formed a part of White county, for which he shall account as for other public taxes, under similar penalties, and for which he shall be entitled to receive the like commissions as are usually allowed by law, for the collection of and accounting for other public taxes.

JOHN TIPTON,
Speaker of the House of Representatives.

JOSEPH M'MINN,
Speaker of the Senate.

April 20, 1809

CHAP. XXIX.

AN ACT to establish a separate election in the county of Maury.

SECTION 1. **B**E it enacted by the General Assembly of the State of Tennessee, That the sheriff of said county shall, by himself or deputy, hold an election at the house of John Kirk, upon Richland creek of Elk, near the shoals of said creek, on the days appointed by law for holding elections, to elect a governor, members of the general assembly, representatives to congress, and elector to elect a president and vice president of the United States; and all persons who reside on the south side of the ridge, commonly called Elk River Ridge, within the bounds of said county, may vote in said election.

Sec. 2. *Be it enacted,* That said election shall be held and conducted under the same rules and regulations as elections are conducted in this state; and any person who shall vote at both places of holding elections in said county, shall forfeit and pay the sum of ten dollars to any person who will sue for the same; and the sheriff or returning officer of said election, shall, on the succeeding day, convey the poll of said election to the court house in Columbia, which shall be added, and become a part of the poll thereof.

Sec. 3. *Be it enacted,* That this act shall take effect, and be in force from and after the first Monday in May next.

JOHN TIPTON,
Speaker of the House of Representatives.

JOSEPH M'MINN,
Speaker of the Senate.

April 22, 1809.

AN ACT to establish a separate court in the county of Blount, for the trial of Caveat causes.

Caveat court of Blount county established; when & where to be held, and their jurisdiction.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That a court shall be holden at the court house in Maryville, in Blount county, on the third Monday of August next, and thereafter on the third Monday of the same month, in every month that the court of said county is now held as established by law, for holding courts in said county, which courts established by this act, may hold their sessions for the term of six juridical days, and shall take cognizance of all causes therein, now depending by caveat, for lands in said county court, and shall be known and distinguished by the name of the Caveat Court of Blount county.

By whom to be held.

Sec. 2. *Be it enacted,* That the justices of the court of Blount county, shall, at their sessions of said court, to be held in May next, and at each of their subsequent sessions, appoint five of their own body, who, or a majority of them, shall attend and hold the court established by this act, at the next term thereof after such appointment, and shall have the same, and all and singular the powers, that the court of said county hath had respecting the trial of caveats, and appeals shall be had from the judgments of said caveat court, as hath been authorized by law from said county court; and the powers of said county courts as heretofore vested, shall cease as to the trial of said caveats, from and after the third Monday of August next.

Their powers. Appeals allowed. Power of county court of Blount, as to caveats taken away.

Jurors when & how to be appointed for said court. Shall be summoned, qualified, &c. as other jurors and penalty for failing to attend.

Sec. 3. *Be it enacted,* That said county court shall at their next sessions, to be held in May next, and at each of their subsequent sessions, appoint twenty four jurors to attend the said caveat court, who shall be summoned to attend, shall possess the same qualifications, and be subject to the same penalties that jurors are in the county courts, and who have no caveats in the said courts.

Certain caveat causes now depending in county court to be transferred to caveat court &c.

Sec. 4. *Be it enacted,* That from and after the end of the next county court, to be holden on the fourth Monday of May next, all causes depending in said county court by caveat, respecting lands, and all rules in and about said causes, shall be continued over to the first term of said caveat court, and therein continued from term to term, until adjudication had on said causes; and all process for witnesses, and all other process respecting any of said caveat causes, after the fourth Monday of May next, shall be returnable to the third Monday of August, and to each subsequent term of said caveat court, in the same manner as process hath heretofore been returnable to said county court.

Clerk of county court to attend.

Sec. 5. *Be it enacted,* That the clerk of said county court shall be clerk of said caveat court; and the sheriff of said

county, shall attend, by himself or deputy, said caveat court, and perform all and singular the duties, either in term time, and at all other times, which he is bound by law to do in other cases.

Sec. 6. *Be it enacted,* That nothing in this act shall be so construed as to prevent the county court of Blount county, at their sessions to be held on the fourth Monday of May next, from proceeding on any of said caveat causes, in the same manner as if this act had not passed.

County court may proceed at their next session on every calendar

JOHN TIPTON,
Speaker of the House of Representatives,

JOSEPH M'MINN,
Speaker of the Senate.

April 22, 1809.

AN ACT to amend the land law passed in the years one thousand eight hundred and six, and one thousand eight hundred and seven.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That whenever it shall appear from satisfactory evidence, before either of the commissioners, as the case may be, that an entry has been made in the office of John Armstrong, in the name of two or more persons, and that said warrant has become supernumerary, and that no grant hath ever issued on said warrant, or a duplicate thereof, and that the same is a good and valid warrant, then, and in that case, said commissioner shall, with the consent of all persons interested in said warrant, direct his clerk to make out a duplicate to each person for his equal proportion, or their representatives, so that said warrant be divided between the persons or their legal representatives, for the full amount of their said respective parts; and whenever duplicates may heretofore have been issued, from either of the boards of commissioners appointed by the authority of this state, in the name of two or more persons, they, or either of them, may file said duplicate with said commissioner, who is hereby authorized to cause his clerk to issue to each of them respectively, duplicates for their equal proportion to the full amount of their respective shares as aforesaid, and cause said original duplicate to be filed away in his office, after writing in the face of the same, *duplicates issued,* and sign his name thereto, which duplicates shall entitle the rightful owner to enter any vacant and unappropriated land in this state, which by the laws of this state is subject to be entered, except the land south of French Broad and Holston rivers.

Joint owners of supernumerary warrants may receive duplicates for their respective shares

Duplicates heretofore issued to two or more persons may be filed with commissioner, &c. duplicates shall be issued to each party interested for his proportion.

Sec. 2. *Be it enacted,* That it shall be the duty of the

Books of the B

of commission-
ers of W. T. to
be delivered to
the present
commissioner.

first board of commissioners in West Tennessee, their clerk, the register of the land office for said West Tennessee, or any other person as he case may be, having possession, of the books, records and papers of said board, to deliver them over on application to the present commissioner for the use of the state.

Provi sion for
holders of claims
in file No 29,
whose lands
cannot be iden-
tified.

Sec. 3. *Be it enacted*, That wherever it shall appear to the commissioner of West Tennessee, that any of those lands provided for in file No. 29, agreeable to the land law of eighteen hundred and six, cannot be identified so as to enable the rightful owner to enter on and enjoy the same, then, and in that case, on the said owner, or his legal representative, producing to said commissioner evidence of the same, as required by the law in other cases of lost land, the said commissioner shall issue a duplicate to the rightful owner accordingly.

Surveyor of the
military district
in certain cases
to enter on his
books transfers
of entries, &c.

Sec. 4. *Be it enacted*, That in all cases where entries shall have been made in the office of the surveyor of military lands before the third day of December, eighteen hundred and seven, upon warrants which have been, or may hereafter be adjudged valid; and when the person or persons making such entry or entries, may have sold and transferred the warrant or warrants upon which such entry or entries were made, to any other person after the time of making such entry, it shall and may be lawful for the said surveyor to transfer the entry upon his books to the person or his representatives, to whom the warrant has been assigned, and to make the survey in the name of the assignee, ~~and~~ a grant may issue to him accordingly.

Preamble.

WHEREAS by the laws now in force, the claims which individuals who have entries for lands may be sold by the risks to satisfy their debts, or to enforce the collection of taxes, and no provision is made by which the purchasers at such sale can procure grants. Therefore,

Sheriffs and o-
ther officers to
transfer entries
sold for taxes or
under judgments
and mode of pro-
ceeding.

Sec. 5. *Be it enacted*, That wherever land to which an individual or individuals have claim by entry, shall have been sold, or may hereafter be sold by any sheriff or coronor for the purpose of collecting the taxes, or under judgments, it shall and may be lawful for the sheriff or other officer making such sale, to transfer such entry or entries in the surveyor's books, and to assign the warrant upon which such entry shall have been made, to the purchaser or purchasers; and it shall be the duty of the different surveyors, to permit such transfers and assignments to be made, and to make out and return plats and certificates of survey in the name of such assignees, to the respective registers, whose duty it shall be, to make out grants accordingly. *Provided always*, that such assignees shall pay the said surveyors their fees for such new plats and certificates of survey; and in case such assignee should discover that the entry so assigned him, or any part thereof, hath been taken away by some prior entry, he shall have the same

Grants to issue
to purchasers
at sheriff's sales,
&c.
Purchaser may
remove his war-
rant in the same
manner as the

power to remove his warrant and procure a grant for any original owner vacant land that any other assignee or owner of a warrant might have done.
hath or may have by law.

Fees to princi-
pal surveyors
searches and
copies.

Sec. 6. *Be it enacted*, That each principal surveyor shall be entitled to demand and receive for each search, where no copy is required, six and one fourth cents, which shall be paid him by the person requiring such search; and for each search and copy, where a copy is required, twelve and one half cents, and no more.

Warrants to is-
sue to the hold-
ers of grants for
lands north and
east of the con-
gressional line,
where the grant
is for a less quan-
tity of land than
is called for in
the warrant

Sec. 7. *Be it enacted*, That in every case where a grant hath been issued by the state of North Carolina, for lands in this state, and north and east of the congressional boundary line, and it shall appear that the quantity of acres called for in such grant, is less than the quantity called for in the warrant, on which such grant issued, it shall be the duty of either commissioner to issue a certificate to the rightful owner for such part of said warrant as is ungranted. *Provided al-ways*, that such commissioner shall be first satisfied that said warrant was a good and valid warrant, and that the whole thereof has not been granted, and that there is not so much land within the buts and bounds of said grant, as said war-rant calls for.

Preamble.

Whereas it is doubted whether, when lands are sold for the taxes, under the provisions of an act of the general as-sembly, passed at Knoxville the fourth day of December, one thousand eight hundred and seven, can be redeemed by the owner thereof. To remedy such doubts,

Owners of
lands sold for
taxes, may re-
deem the same.

Sec. 8. *Be it enacted*, That it shall and may be lawful for the owner of such land, or his agent, to redeem any land which may hereafter be sold for the taxes, in the same man-ner he would have been authorized to redeem it, if the said act of one thousand eight hundred and seven had not been passed.

Sales of lands
for taxes, when
and how to be
made.
How to be ad-
vertised.

Sec. 9. *Be it enacted*, That all sales of lands for the tax-es, hereafter to be made, shall be made on the first Monday of November, and the succeeding day in each year, and shall be advertised as the law directs, at least thirty days before the day of sale. *Provided always*, that this section shall not affect any case where the land is already advertised for sale.

Provision for
persons who
have surrender-
ed to N C grants
for certain
lands.

Sec. 10. *Be it enacted*, That wherever it shall be made appear to either of the commissioners of this state, that any grant which has been heretofore derived from the state of North Carolina, for any land to which the Indian title is ex-tinguished, which lies north and east of the congressional boundary line, the grantee whereof, shall have, prior to the first day of January, one thousand eight hundred and four, surrendered his her or their grant to the state of North Ca-rolina, and by his or their deed under seal, renounced all right to hold any land thereby; which surrender and re-nunciation of right hath been accepted by the state of North

Carolina, and a warrant issued to said grantee in lieu thereof, and which warrant either has, or hereafter may be filed for adjudication, to issue a duplicate thereof, to the person to whom said warrant issued, or to their legal representatives or assigns. *Provided*, said warrant shall appear to have originated from a good and valid entry, on which no other grant has ever issued, notwithstanding such warrant may have been heretofore adjudged invalid.

Sec. 11. *Be it enacted*, That where any person hath seated him, her or themselves, on any spot of land, and hath entered the same, with an intent to secure a title therefor, and said land had actually never been granted or surveyed at the time such entry was made, and afterwards was taken by an older entry, then, and in such case, the person so seated on said land, shall be entitled to receive pay from the rightful owner thereof, to the value of his improvement.

JOHN TIPTON,
Speaker of the House of Representatives.

JOSEPH M. MINN,
Speaker of the Senate.

April 22, 1809.

CHAP. XXXII.

AN ACT to facilitate the transfer of land South of French Broad and Holston.

SECTION 1. *BE it enacted by the General Assembly of the State of Tennessee*, That it shall and may be lawful for the register of East Tennessee, to issue a grant on any plat and certificate of survey, for land south of French Broad and Holston, and west of Big Pigeon rivers, which has or may be filed in his office agreeable to law, in the name or names of any person or persons, who may be a rightful purchaser of the same, when sold at the sale of any sheriff or coroner, or other officer, under a judgment and execution, from some court of record, on such person filing in said register's office, a deed of conveyance proved or acknowledged in the court of the county where such land lies, together with a certified copy of the record of the judgment under which said sale shall have been made, & that said person or persons to purchasing and obtaining a grant, shall be bound to pay the different instalments due to the state, in the same manner as the same are required by law to be paid; and where any sale as aforesaid may have been made, while the plat and certificate remains in the surveyor general's office, the purchaser may remove such plat and certificate into the register's office, and obtain a grant in the same manner as above directed.

Occupants in certain cases to be paid for their improvements by the owner of the land.

Mode of obtaining grants by purchasers at sheriff's sales &c. of occupant claims.

Effect of such grants.

Purchaser may remove plats, &c. to the register's office.

Sec. 2. *Be it enacted*, That in all cases hereafter, where the register may issue a grant for any land in said district, he shall annex the plat and certificate of survey to the grant, and in all cases where he hath issued grants for any of said lands, he shall give up to the grantee, his order or assigns, the plat and certificate of survey on which such grant issued; any former law to the contrary, notwithstanding.

Sec. 3. *Be it enacted*, That either of the registers of the land office for East or West Tennessee, shall be entitled to the sum of twenty-five cents, for every transfer made in his office, and recording the same.

JOHN TIPTON,
Speaker of the House of Representatives.
JOSEPH M. MINN,
Speaker of the Senate.

April 21, 1809.

CHAP. XXXIII.

AN ACT making good the registration of all deeds heretofore registered by the different registers of any county in this state.

WHEREAS the registers in several of the counties in this state, have heretofore registered deeds of conveyance for lands in their offices, and omitted recording the signature and seal of the grantor. For remedy whereof,

BE it enacted by the General Assembly of the State of Tennessee, That all deeds of conveyance for land heretofore registered in the register's office in any county in this state, where by law the same was required to be registered, where the register hath failed to register the signature and seal of the grantor, shall be considered good and valid in law, and a copy from said registration shall be admitted as evidence in any court of law or equity in this state, in as full and ample a manner as though the signature and seal to the same had been registered in any office in said state; any law, usage, or custom to the contrary, notwithstanding.

JOHN TIPTON,
Speaker of the House of Representatives.
EDWARD DOUGLASS,
Speaker of the Senate, pro. tem.

April 22d, 1809.

CHAP. XXXIV.

AN ACT for the relief of the citizens south of French Broad & Holston, and to provide for the collection of the monies arising on occupant claims.

SECTION 1. *BE it enacted by the General Assembly of the State of Tennessee*, That the respective

Plats and certificates heretofore annexed to the grants Formerly granted entitled to receive plats, &c.

Compensation to registers for transfers, &c.

Preamble.

Remedy provided in cases where registers have failed to register the signature and seal of grantor.

Further time allowed for the

claimants of land south of French Broad and Holston, and west of Big Pigeon rivers, who are entitled by occupancy to pre-emption, shall be, and they hereby are allowed until the fifteenth day of July, eighteen hundred and eleven, to pay the first instalment of the purchase money for their said lands; and the second instalment shall become due and payable one year thereafter, and not sooner; and the other eight instalments shall become due and payable yearly, and every year thereafter, until the whole is paid; but each of said instalments shall bear interest at the rate of six per centum per annum, from the time said instalments would have become due and payable by the act passed at Knoxville, the sixth day of December, eighteen hundred and six, till the time the same is paid. *Provided always*, that nothing herein contained, shall be so construed, as to prevent any person claiming by occupancy, from paying the whole, or any of said instalments, and the interest due thereon, at any earlier day they may think proper.

Sec. 2. Be it enacted, That if any of said instalments, and the interest due thereon, should not be paid at or before the time specified in this act, it shall be the duty of the treasurer for Washington and Hamilton districts, immediately to cause the land on which said instalment is due, to be advertised for sale, and in such advertisement shall specify the day on which the land will be sold, and that the same will be sold in Knoxville, and the amount due on said land; which advertisement, shall be published in some newspaper printed in Knoxville, if any there be, and if there be none published in Knoxville, then in the nearest newspaper to said land, for six weeks preceding the day of sale; and if the said money that is to be due, and the costs, are not paid before the day appointed for said sale, it shall be a duty of said treasurer, at the time and place appointed, to expose such land to public sale for ready money, to the highest bidder, and it shall be a duty of said treasurer, at and upon such sale, to bid and offer for said land, the amount of the money then due on said land, and the costs, and if no person will give more for said land, it shall be the duty of the said treasurer, for said purchase money then due, and the costs, to purchase such land in for the use of this state, if they be other than college or academy lands, and if they be either college or academy lands, then for the use of the colleges or academies as the case may be; but if any person will give more for said land, that then, and in that case, it shall be the duty of said treasurer to knock off said land to the highest bidder who pays the money; but such land, thus sold, shall be liable, in the hands of such purchaser, to the subsequent instalments, and the interest thereon, as the same may become due, and the same may be afterwards sold by the said treasurer, in the same manner, as often as the same may become neces-

Payment of first instalment.

Second & other instalments when paid.

Interest to be paid, &c.

Proviso.

Mode of proceeding in case instalments are not paid.

Lands to be advertised.

And sold.

Duty of treasurer.

Land to be liable in the hands of purchaser, for subsequent instalments.

sary to enforce the payment of said consideration money, with interest, or any part thereof.

Sec. 3. Be it enacted, That the personal property of said occupants, shall in no case be sold to raise said purchase money, or any part thereof.

Sec. 4. Be it enacted, That in all cases where the said treasurer shall purchase any of said lands for the use of this state, that it shall be the duty of said treasurer to pay the expenses attending said sale, which shall be allowed him in the settlement of his accounts.

Sec. 5. Be it enacted, That whenever said treasurer shall make a sale of any of said lands, for which no grant has issued to any person or persons, it shall be his duty to assign the plat and certificate of survey of said land, filed in the register's office, to such purchaser or purchasers, upon which assignment, it shall be the duty of the register to issue a grant to such assignee or assignees, and their heirs, stating always in some part of such grant, how much is still due, and that the said land is liable to the state therefor.

Sec. 6. Be it enacted, That if in any case, said land should sell for more than the amount of all the instalments and interest unpaid on said land, and the costs attending said sale, that then the overplus shall, by said treasurer, be paid on demand, to the person who, at the time of such sale, owned said land, or his or their legal representatives; and if upon any of said sales, the land should not sell for enough to pay all of said instalments, interest and costs, then, and in that case, the said treasurer shall apply the whole of said money, over and above the instalments, interest and costs then due, towards the discharge of the instalments afterwards to become due.

Sec. 7. Be it enacted, That to enable said treasurer to comply with the duty prescribed by this act, it shall be the duty of the register of East Tennessee, so soon as any instalment becomes due, to furnish said treasurer with a correct list of all the lands for which plats and certificates of survey have been filed, and on which the purchase money, or any part thereof, is due and unpaid, for which he shall be allowed the sum of twelve and one half cents, for each tract contained in such list, to be paid by said treasurer.

Sec. 8. Be it enacted, That whenever said treasurer shall sell any tract of land, for which a grant shall have issued, it shall be the duty of said treasurer to execute to such purchaser and his heirs, a deed of conveyance, which shall vest the title in such purchaser and his heirs, liable to the payment of the balance of the purchase money, if any should still remain due.

Sec. 9. Be it enacted, That the said treasurer, for making such collections through the medium of sales, shall be allowed

And may be sold for the same.

Personal property of occupants not to be sold, &c.

Expense of sales provided for, when the land is purchased by treasurer.

Mode of conveyance by treasurer.

Surplus purchase money to be paid to the original owner, after deducting the amount of the several instalments and interest.

Purchase money to be applied to the payment of instalments until the whole are paid.

Register of E. Tennessee, to furnish treasurer with lists, &c.

His compensation therefor.

Treasurer to convey land sold to the purchaser.

Effect of such conveyance.

Compensation to treasurer.

And how to be collected.

Allowance to printers for advertising, &c.

Further time allowed for filing plats, &c. in the register's office.

ed at the rate of four per centum, upon every sum he may collect, to be collected as costs attending such sale.

Sec. 10. *Be it enacted*, That the printer shall be allowed the sum of twelve and one half cents, on each tract of land, for publishing according to this act, unless no printer will publish for that price; in which case, said treasurer may make a contract at the lowest price the same can be procured.

Sec. 11. *Be it enacted*, That in all cases where the plat and certificate of survey for land in said district, hath not been removed from the surveyor general's office, into the register's office, within the time heretofore prescribed, such plat and certificate may be filed with the register of the land office at any time before the first day of March next, and a grant may issue thereon, as if such plat and certificate had been filed within the time heretofore limited by law.

JOHN TIPTON,

Speaker of the House of Representatives.

JOSEPH M. MINN,

Speaker of the Senate.

April 22, 1809.

CHAP. XXXV.

AN ACT respecting certain fees of the Secretary of State.

Preamble.

Whereas it was the true meaning and intent of this general assembly, by the fifty first section of an act, entitled, an act to amend an act, entitled, "An act directing the division of the state into convenient districts, for the appointment of principal surveyors thereof, and for ascertaining the bona fide claims against the same," agreeable to an act of congress passed the 18th day of April, one thousand eight hundred and six, entitled, "An act to authorize the state of Tennessee to issue grants and perfect titles to certain lands therein described, and to settle the claims to the vacant and unappropriated lands within the same; and to point out the mode hereafter to be pursued, in ascertaining the unsatisfied claims, and in perfecting titles on the same." Passed December the third, one thousand eight hundred and seven, that the secretary of state should be entitled to twelve and one half cents, and no more, for the services therein required by him to be done and performed, including the affixing the state seal to a grant. And whereas, it is represented to this general assembly, that the said secretary has in many instances taken as a fee for said services, the sum of one dollar and twelve and one half cents on each grant. Therefore,

SECTION I. *Be it enacted by the General Assembly of the State of Tennessee*, That the secretary of state, shall not hereafter demand and receive on any grant

Secretary's fee on grants.

issued under the authority of this state, any other or further fee than the sum of twelve and one half cents, in full for his services in issuing the same.

Sec. 2. *Be it enacted*, That it shall be the duty of the Secretary of state, to affix the state seal to all grants which may be made out by either of the registers of the land office in this state, and shall receive no other fee for the same, and for all services by him done, appertaining to said grant, and for making a memorandum in his office of said grant, such as is required by law, than said sum of twelve and one half cents.

JOHN TIPTON,

Speaker of the House of Representatives.

JOSEPH M. MINN,

Speaker of the Senate.

April 20, 1809.

CHAP. XXXVI.

AN ACT to authorize sheriffs or their deputies, to administer oaths in certain cases.

Be it enacted by the General Assembly of the State of Tennessee, That from and after the passing of this act, it shall and may be lawful for the different sheriffs or their deputies, to administer the necessary oaths of qualification to those who are or may be appointed to act as judges and clerks, to superintend the election of governor, members to congress, members to the general assembly, electors to elect a president and vice president of the United States, and militia officers; and the said judges and clerks so qualified, are hereby empowered to act as such, as fully as if the oaths of qualification had been administered by any judge or justice of the peace in this state; any law, usage or custom to the contrary, notwithstanding.

JOHN TIPTON,

Speaker of the House of Representatives.

JOSEPH M. MINN,

Speaker of the Senate.

April 20, 1809.

CHAP. XXXVII.

AN ACT to amend an act, entitled, "an act making provision for the payment of jurors to the county courts. Passed December 4th, 1807.

SECTION I. *Be it enacted by the General Assembly of the State of Tennessee*, That from and after the passing of this act, it shall be discretionary with the just- Laying tax for payment of jurors, interest

ary with the
county courts.

tices of the several courts, or a majority of them, to lay a tax making compensation to jurors according to the act, this act is intended to amend.

Repealing clause

Sec. 2. *Be it enacted*, That so much of the above recited act, as comes within the provision and meaning of this act, is hereby repealed and made void.

JOHN TIPTON,
Speaker of the House of Representatives.

JOSEPH M-MINN,
Speaker of the Senate.

April 20, 1809.

CHAP. XXXVIII.

AN ACT to repeal the ninth section of an act, authorising and establishing Overton county. Passed at Knoxville, one thousand eight hundred and six; and for other purposes.

Repealing clause

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the ninth section of an act authorising the establishment of Overton county, passed at Knoxville, September the 12th, 1806, be and hereby is repealed.

County court of
Overton to be
held at Munro
after the first of
June next.

Sec. 2. *Be it enacted*, That the courts of pleas and quarter sessions in and for the county of Overton, shall, from and after the first day of June next, be held in the town of Munro, in said county of Overton, at the times heretofore appointed by law for holding courts in Overton county, and under the same rules, regulations and restrictions, as are prescribed for holding courts of pleas and quarter sessions in this state.

Commissioner
of Munroe ap-
pointed.

Sec. 3. *Be it enacted*, That John Coon's, be, and he is hereby appointed a commissioner for laying off and regulating the town of Munro, in place of Henry Ragin resigned, and is hereby vested with full power and authority to act as such.

JOHN TIPTON,
Speaker of the House of Representatives.

JOSEPH M-MINN,
Speaker of the Senate.

April 20, 1809.

CHAP. XXXIX.

AN ACT for the present relief of John Estes and Thomas Henderson.

Preamble.

WHEREAS it is represented to this General Assembly,

that by the failure and delinquency of Ambrose Tancey, late clerk of Grainger county, John Estes and Thomas Henderson, his securities, are subjected to pay into the treasury of this state, a considerable sum of money, to wit: Three hundred and seventeen dollars and thirty seven cents, the amount of the revenue due from the clerk of Grainger county, from the first day of October, one thousand eight hundred and six, until August one thousand eight hundred and eight; and as the aforesaid Ambrose has no property, either real or personal, whereof the money can be made, and the aforesaid securities have petitioned this General Assembly, praying that they may be allowed a reasonable time to pay the aforesaid sum of money, and stating that it will greatly distress themselves and families to be compelled to pay the same at this time.

Be it enacted by the General Assembly of the State of Tennessee, That the said John Estes and Thomas Henderson, shall be allowed until the first day of October, one thousand eight hundred and eleven, and that no execution shall issue for the aforesaid sum of three hundred and seventeen dollars thirty seven cents, against said securities, until the said first day of October, one thousand eight hundred and eleven: *Provided*, that the said Thomas Henderson and John Estes shall, at the next term of the superior court of Hamilton district, give security, that may be approved of by said court, for said sum, and the interest due thereon; which security shall confers judgment accordingly, and on giving said security, execution shall stay for the time aforesaid, and on failing to pay said judgment at the expiration of the time aforesaid, the clerk of said court shall issue execution against said Thomas Henderson, John Estes, and their securities, for said sum, and all interest thereon that may be due; any law to the contrary notwithstanding.

JOHN TIPTON,
Speaker of the House of Representatives.

JOSEPH M-MINN,
Speaker of the Senate.

April 20, 1809.

CHAP. XL.

AN ACT for the relief of those persons who have not obtained deeds for their lots in the town of Carthage.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Robert Allen, John Asher, and William Porter, be, and hereby are appointed commissioners to fill the vacancy occasioned by the resignation of Willis Jones, Wilson Cage and Benjamin Johns; which said commissioners are hereby vested with full power

Further time al-
lowed John Es-
tes and Thomas
Henderson, to
pay a judgment
in behalf of the
state against
them.

On their giving
security, &c.

Mode of pro-
ceeding if the
money is not
paid.

New commis-
sioners appoint-
ed.

To execute deeds for lots.

and authority to execute deeds of conveyance to those who have purchased lots in the town of Carthage; which deeds, so executed, shall be as good and valid to all intents and purposes, as if executed by any other or former commissioners; any law to the contrary, notwithstanding.

JOHN TIPTON,
Speaker of the House of Representatives.

JOSEPH M'MINN,
Speaker of the Senate.

April 20, 1809.

CHAP. XLI.

AN ACT to amend an act, entitled, "An act for the inspection of tobacco." Passed October 26th, 1799. And also, to amend an act, entitled, "An act to prevent the exportation of unmerchantable commodities." Passed November 14th, 1801.

Inspection established in Wilson county.

BE it enacted by the General Assembly of the State of Tennessee, That a public inspection for all the articles mentioned in both the above recited acts, be, and the same is hereby established on the south side of Cumberland river, immediately below Burford's Gap, in Wilson county; and the said inspection shall in all respects, be conducted under the same regulations and restrictions, under which other public inspections in this state are conducted.

JOHN TIPTON,
Speaker of the House of Representatives.

JOSEPH M'MINN,
Speaker of the Senate.

April 20, 1809.

CHAP. XLII.

AN ACT authorising three separate elections in the county of Bedford.

Three separate elections to be held in Bedford county, viz. One at the house of B. M. Garner. One at the house of J. Walker.

And one at the house of Wm. Adams.

SECTION 1. BE it enacted by the General Assembly of the State of Tennessee, That it shall be the duty of the sheriff of Bedford county, by himself, deputy or coroner, on the constitutional days of holding elections, to open and hold three separate elections, at the places hereinafter mentioned, viz: One at the house of Brice M. Garner, near the mouth of Crane creek of Elk river; and one other at the house of Joseph Walker, esquire, on the waters of Duck river; also, one other, at the house of William Adams, at or near the Fishing ford on Duck river, for the pur-

pose of electing a governor, members to congress, electors to elect a president and vice president, and members of the state legislature, which said elections shall be held and conducted under the same rules and restrictions as similar elections in this state.

Sec. 2. BE it enacted, That it shall be lawful for any person living within the bounds of Bedford county aforesaid, who is constitutionally authorized to vote at such elections, to give in his vote at the place of holding court for said county, or at either of the aforesaid places of holding separate elections, as may best suit his convenience. Provided nevertheless, that if any person shall vote at more than one place, in any election, he shall on conviction thereof, forfeit and pay the sum of ten dollars, recoverable by action of debt before any jurisdiction having cognizance thereof, to the use of any person who may sue for the same.

Elections in Bedford county may vote at the court house, or at either of the above places.

Penalty for voting at more than one place.

Sec. 3. BE it enacted, That at the close of said election, it shall be the duty of the judges and returning officer, to count out said votes, and on the succeeding day, make a return to the sheriff of Bedford county, of the number of votes received at said election for each candidate: which return shall be received as a part of the election of Bedford county.

Duty of judges and returning officers.

JOHN TIPTON,
Speaker of the House of Representatives.

JOSEPH M'MINN,
Speaker of the Senate.

April 20, 1809.

CHAP. XLIII.

AN ACT to authorize and establish the time for holding regimental and battalion musters, in the counties of Rhea and Bedford.

SECTION 1. BE it enacted by the General Assembly of the State of Tennessee, That the regiment of infantry of Rhea county, shall hold regimental musters at the place of holding court in said county of Rhea, on the second Thursday in October next, and in each and every year, and hold regimental courts martial, under the same rules, regulations and restrictions, as is heretofore established by law for holding regimental courts martial in this state.

Time and place of holding regimental musters in Rhea county. And regimental courts martial.

Sec. 2. BE it enacted, That the battalions composing the said regiment of Rhea county, shall hold their battalion and company musters at the same time and under the same rules, regulations and restrictions as heretofore established by law, for holding battalion and company musters, and the same rules, regulations and restrictions, as is established by law for holding courts martial within this state.

And battalion and company musters.

Regimental musters and courts martial in Bledsoe county when and where to be held.

Battalion and company musters and courts martial in Bledsoe county when and where to be held.

Sec. 3. *Be it enacted*, That the regiment of infantry of Bledsoe county, shall hold their regimental musters at the place established by law, for holding court in said county, on the third Thursday of October in each and every year, and hold regimental courts martial under the same rules, regulations and restrictions, as is heretofore prescribed by law, for holding regimental courts martial in this state.

Sec. 4. *Be it enacted*, That the battalions composing the said regiment of the county of Bledsoe aforesaid, shall hold their battalion and company musters at the same time, and under the same rules, regulations and restrictions, as is heretofore prescribed by law for holding battalion and company musters within this state; and shall hold their said battalion and company courts martial, under the same rules, regulations and restrictions, as is heretofore authorized and prescribed by law for holding battalion and company courts martial within the state aforesaid.

Sec. 5. *Be it enacted*, That this act shall be in force from and after the passage thereof.

JOHN TIPTON,

Speaker of the House of Representatives

EDWARD DOUGLASS,

April 12d, 1809.

Speaker of the Senate, pro tem.

CHAP. XLIV.

An ACT to fix the time for holding Regimental and Battalion Musters in the counties of Maury and Bedford.

Place of holding regimental musters in Maury county.

SECTION 1. *BE it enacted by the General Assembly of the State of Tennessee*, That the regiment of infantry of Maury county, shall hold a regimental muster at the town of Columbia, in said county, on the third Thursday in October, in each and every year, and hold regimental courts martial under the same rules and regulations as heretofore established by law for holding regimental courts martial in this state.

And battalion musters.

Sec. 2. *Be it enacted*, That the battalions composed of the said regiment of Maury, shall hold their musters at the same time, and under the same rules and regulations, as heretofore established by law for holding battalion musters and courts martial in the different battalions in this state.

Regimental musters in Bedford, when and where to be held.

Sec. 3. *Be it enacted*, That the regiment of infantry, of the county of Bedford, shall hold a regimental muster at the court house of said county, on the second Thursday in October, in each and every year, and hold regimental courts martial under the same rules and regulations as heretofore established by law for holding regimental courts martial in this state; and that the battalions composed of the said regi-

Battalion musters &c.

ment of Bedford, shall hold their musters at the same time, and under the same rules and regulations, as heretofore established by law for holding battalion musters and courts martial in the different battalions in this state.

JOHN TIPTON,

Speaker of the House of Representatives

JOSEPH M. MINN,

Speaker of the Senate

April 20, 1809.

CHAP. XLV.

An ACT to fix the time of holding Regimental and Battalion Musters in the county of Hickman.

SECTION 1. *BE it enacted by the General Assembly of the State of Tennessee*, That the regiment of infantry of Hickman county, shall hold regimental musters at the court house of said county of Hickman, or place of holding court, as the case may be, on the fourth Thursday in October, in each and every year; and hold regimental courts martial under the same rules and regulations as heretofore established by law for holding regimental courts martial in this state.

Sec. 2. *Be it enacted*, That the battalions composed of the said regiment of Hickman, shall hold their musters at the same time, and under the same rules and regulations as heretofore established by law for holding battalion and company musters, and courts martial in other counties.

JOHN TIPTON,

Speaker of the House of Representatives

JOSEPH M. MINN,

Speaker of the Senate

April 20, 1809.

CHAP. XLVI.

An ACT to authorize David Shelby and Christopher Stump, to build a toll bridge over Cumberland River.

WHEREAS the aforesaid David Shelby and Christopher Stump, have petitioned this General Assembly to pass a law authorizing them to build a toll bridge across Cumberland River at Nashville, at a place known by the name of Stump's ware house; and it appearing to the satisfaction of this Assembly, that the petitioners own the land on both sides of said river, at the place where said bridge is intended to be erected. Therefore,

Bridge when & how to be built.

Provide.

Ferry may be kept with consent of the county court.

Toll allowed for crossing said bridge.

Penalty for receiving more than legal toll.

Commence-ment of this act.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That it shall be lawful for the said David Shelby and Christopher Stump, and their heirs and assigns, to build a bridge from their land at Nashville, at the place commonly called and known by the name of Stump's ware-house, across Cumberland river, and abut the same to the land on the opposite side of said river, the property of said David Shelby and Christopher Stump. *Provided,* the same be completed within five years from and after the first day of January, eighteen hundred and ten. *And provided,* that the said bridge shall be so constructed, that it shall not obstruct the passage of any vessel in ascending or descending said river.

Sec. 2. *Be it enacted,* That for and during the period of time said Shelby and Stump are engaged in carrying on the work for the completion of said bridge, it shall and may be lawful for them, the said David Shelby and Christopher Stump, to keep a ferry at the place where said bridge is intended to be erected. *Provided,* the county court of Davidson shall sanction the same; and the rates of ferrage shall be fixed by the county court of Davidson, as in similar cases.

Sec. 3. *Be it enacted,* That so soon as said bridge shall be completed, it shall be lawful for the said David Shelby and Christopher Stump, their heirs and assigns, to demand and receive the following tolls and rates for the passage of any person or thing, that is to say: For a man and horse, six and one fourth cents; for every led or loose horse, three and one eighth cents; a waggon and team, fifty cents; for every coach, chariot, or other four wheel carriage of pleasure and the driver thereof, fifty cents; for every cart and load, twenty five cents; for every two wheel chaise, chair, or other carriage of pleasure, twenty five cents; for every hoghead of tobacco, twelve and one half cents; for every head of neat cattle, one cent; every sheep, goat or lamb, one cent; and for every hog, one cent, and no more, until the legislature shall again think proper to regulate the said tolls.

Sec. 4. *Be it enacted,* That if the collector of tolls at said place, shall demand and receive from any person greater rates than are hereby allowed for the passage of any thing whatever, he, for every such offence, shall forfeit and pay to the party grieved, not only the toll demanded and received, but the further sum of fifty dollars to be recovered before any jurisdiction having jurisdiction thereof.

Sec. 5. *Be it enacted,* That this act shall commence and be in force from and after the first day of January next.

JOHN TIPTON,
Speaker of the House of Representatives.
EDWARD DOUGLASS,
Speaker of the Senate, pro tem.

April 22, 1809.

CHAP. XLVII.

AN ACT to authorize Richard Cureton of Greene county, to receive toll at a certain bridge therein mentioned.

WHEREAS it is represented to this General Assembly, *Principally by the memorial of many of the inhabitants of Greene county,* that Richard Cureton has heretofore erected a useful bridge on Lick creek, near Warrensburg, in said county. Therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That it shall be lawful for the said Richard Cureton, his heirs, assigns or legal representatives, to demand and receive of each passenger or person crossing said bridge, the following toll, to wit: For each man and horse, six and one fourth cents; every horse and chair, or gig, twenty five cents; every four wheeled pleasure carriage, including the horses that draw the same, fifty cents; for every cart and horse, or horses, twenty five cents; every waggon and team, fifty cents; every led horse or work ox, three and one eighth cents; each head of neat cattle, one cent; each head of hogs or sheep, one cent.

Sec. 2. *Be it enacted,* That the said Richard Cureton, his heirs, assigns or legal representatives, shall have and possess the exclusive right and benefit of said bridge, so long as he or they may keep up the same in good repair.

Sec. 3. *Be it enacted,* That the said Richard Cureton, before he demands or receives any toll, shall enter into bond payable to the chairman of Greene county court, for the time being, with security to be approved of by the court of said county, in the sum of two thousand dollars, conditioned for the keeping said bridge in repair; which bond shall be lodged with the clerk of said court, for the benefit of any person who may sue on the same, and it shall not be void on the first recovery, but shall remain for the benefit of any person aggrieved, until the whole sum may be recovered.

Sec. 4. *Be it enacted,* That the said Richard Cureton, his heirs, &c. shall keep said bridge in good repair, and be answerable on his bond for all damages that may be incurred by any person or persons, by reason of said bridge being out of repair.

Sec. 5. *Be it enacted,* That all persons being obliged to attend regimental, battalion or company matters, or any public election, as well as jurors to the county courts, shall not be required or compelled, in going to, or returning from the same, to pay any toll for their passage over said bridge.

JOHN TIPTON,
Speaker of the House of Representatives.
EDWARD DOUGLASS,
Speaker of the Senate, pro tem.

April 22, 1809.

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CHAP XLVIII.

An ACT to establish the dividing line between the surveyors of the third and fourth districts in this State; and for other purposes.

Section 1. **BE** it enacted by the General Assembly of the State of Tennessee, That the line run and marked by the surveyor of the fourth district, as the boundary line between the third and fourth districts, shall be taken, and is hereby declared to be the true line of division between said districts.

Fees to surveyor for searching for lost land.

Sec. 2. *Be it enacted,* That each surveyor who may be employed in searching for lost land, for the purpose of enabling any person to procure a certificate, shall be entitled to demand and receive of the person applying to him to make such search, the same fees which he would be entitled to receive for making a survey of the same quantity of land, which he may so be in search of, in full compensation for such search, and all other services relative thereto; and such surveyor shall not receive any other or greater fees or compensation whatever.

JOHN TIPTON,
Speaker of the House of Representatives,

EDWARD DOUGLASS,
Speaker of the Senate, pro tem.

April 22, 1809.

CHAP XLIX.

An ACT to amend an act, entitled, "An act to authorize Isaac Baker and Thomas Willson, to erect a turnpike on a certain road therein mentioned." Passed at Knoxville, the seventh day of November, eighteen hundred and seven.

Gate may be removed.

Section 1. **BE** it enacted by the General Assembly of the State of Tennessee, That the said Isaac Baker, by the consent of the said Thomas Willson, shall have the privilege of removing the turnpike gate, from the place where it now stands, at the house of Thomas Willson, to the plantation where Aquilla Sherill formerly lived, known by the name of Sherill's Old Place, now the property of said Isaac Baker, on the road leading from the said Baker's ferry, to the Warm Springs, on French Broad river, up Sherill's Cove, and across Paint Mountain. *Provided,* the said Isaac Baker, keep up, agreeably to the road laws of this State, three miles of the aforesaid road, beginning at said plantation called Sherill's Old Place, and running northwardly towards said Baker's ferry, on Nolichucky river, for the distance of three miles as aforesaid. *Provided,* that no person shall be

Revised.

compelled to pay toll at said gate so removed and established at said last mentioned place, other than such persons as would be bound by said act, which this is intended to amend, to pay toll at the gate at said place from which it is so removed by this act.

JOHN TIPTON,
Speaker of the House of Representatives,

EDWARD DOUGLASS,
Speaker of the Senate, pro tem.

April 22, 1809.

CHAP. L.

An ACT to amend the first section of an act, entitled, "An act for erecting a court house and prison in the town of Clarksville, for the district of Robertson." Passed the eleventh of September, one thousand eight hundred and six.

WHEREAS Hugh F. Bell has removed from the said district of Robertson,

Framble

Section 1. **BE** it enacted by the General Assembly of the State of Tennessee, That Joseph Woolfalk, of Montgomery county, be, and hereby is appointed a commissioner in the room of said Hugh F. Bell, and he is hereby vested with all the powers which the said Hugh F. Bell was vested with, in and by said act.

Commissioner appointed.

Sec. 2. *Be it enacted,* That in case any of said commissioners mentioned in said act, or in this act, shall die or remove out of the district, or their appointment by any other means become vacant, that it shall be the duty of the remaining commissioners, immediately to proceed to elect some suitable person in said district, to fill such vacancy; and, upon any person being thus elected, he shall possess and enjoy, and be considered vested with all the powers, which the person whose vacancy he was elected to fill, was vested with.

Vacancies how to be supplied.

JOHN TIPTON,
Speaker of the House of Representatives,

JOSEPH M. MINN,
Speaker of the Senate.

April 20, 1809.

CHAP. LI.

An ACT authorizing the Clerk to the Commissioner of West Tennessee, to rectify a mistake made by the Clerk to the first Board of Commissioners of said West Tennessee, in issuing a certificate to John Morgan.

Preamble.

WHEREAS the said first Board of Commissioners for West Tennessee, did direct, agreeably to law, a certificate to issue for three hundred and eighty acres of land, from grant No. 2176, in the name of John Moran, of five hundred and three acres; and by mistake, the clerk of said board, did issue said certificate for three hundred and eighty acres, in the name of John Morgan, when in truth and in fact it ought to have issued to John Moran. For remedy whereof;

Error to be rectified.

SECTION I. **B**E it enacted by the General Assembly of the State of Tennessee, That the commissioner for West Tennessee is hereby authorized and directed to cause his clerk to rectify said error, by granting a certificate to John Moran, for three hundred and eighty acres, agreeably to the endorsement made on the grant issued to said John Moran, by James Winchester, president of the board of commissioners of West Tennessee; and the said clerk shall write error, in the face of the certificate issued to John Morgan, and file the same in his office. *Provided nevertheless*, that said commissioner shall, before he authorizes any such certificate to issue, be fully satisfied that the error above complained of, does exist, by legal evidence.

JOHN TIPTON,

Speaker of the House of Representatives.

JOSEPH M. MINN,

Speaker of the Senate.

April 20, 1809.

CHAP. LII.

AN ACT supplementary to an act, entitled, "An act for the regulation of the town of Franklin." Passed the eleventh day of September, one thousand eight hundred and six.

Patrols to be appointed, and their duty.

SECTION I. **B**E it enacted by the General Assembly of the State of Tennessee, That from and after the passage of this act, it shall be lawful for the commissioners of the town of Franklin, to appoint a patrol, for the purpose of searching and patrolling the streets and disorderly houses in said town; and it shall be the duty of said patrol, so appointed, to take any white person found in the night time in company with any slave or slaves, unless he or she shall give a satisfactory account of him or herself, and carry him or her before some justice of the peace, to be dealt with as the law in use heretofore directs; and farther, it shall be lawful for said patrols, on finding any slave in the streets of said town, at any time strolling about in a disorderly manner, or absenting him or herself from the service of his or her

master or mistress, without a pass from his or her master or mistress, to give said slave any number of stripes, not exceeding fifteen, at the discretion of said patrol.

JOHN TIPTON,

Speaker of the House of Representatives

EDWARD DOUGLASS,

April 22d, 1809.

Speaker of the Senate, pro tem.

CHAP. LIII.

AN ACT for the relief of Vance Greer.

WHEREAS it has been satisfactorily made appear to this general Assembly, that Vance Greer, esquire, deputy Sheriff of Bedford county, did collect eighty eight dollars, as part of the state tax due from said county, and that the same was feloniously stolen from him. *Preamble.* Therefore,

BE it enacted by the General Assembly of the State of Tennessee, That the said Vance Greer, and the principal Sheriff of the county aforesaid, be allowed the further time of one year, to pay the said money into the public treasury, from and after the same became due and payable. *Further time allowed for payment of certain money due for taxes.*

JOHN TIPTON,

Speaker of the House of Representatives.

EDWARD DOUGLASS,

Speaker of the Senate, pro tem.

April 20, 1809.

CHAP. LIV.

AN ACT for the relief of Samuel Turbville.

WHEREAS Samuel Turbville, heretofore took up and posted according to law, as an estray, a horse branded with the letters L. M. and made return thereof to the ranger of Davidson county. *Preamble.* And whereas, it hath been made appear to this general assembly, that a certain John Marr, hath claimed said horse as his property, and without the knowledge or consent of said Samuel, did take away said horse from said Samuel, without doing, or enabling Samuel to do what the law in such cases would require to be done, to exonerate said Samuel from paying the appraised value of said horse. And whereas, it hath been further made appear, that the horse so taken, was the property of said John Marr, and that the trustee of Davidson county has recovered a judgment against said Samuel, for the appraised value of said horse. — For remedy whereof,

H

Relief granted. **BE** it enacted by the General Assembly of the State of Tennessee, That it shall be the duty of the trustee of Davidson county, to release and discharge said Samuel Turbville, from said judgment so recovered against him by said trustee. *Provided*, said Samuel shall pay all costs of suit, and Ranger's fees.

JOHN TIPTON,
Speaker of the House of Representatives
JOSEPH M. MINN,
Speaker of the Senate.

April 20, 1809.

CHAP. LV.

AN ACT to authorise the Register of West Tennessee to make out a Grant in the name of John Locke.

Preamble. - **WHEREAS** the said John Locke did, on the twenty third day of April, one thousand seven hundred and eighty-four, make an entry with John Armstrong, then entry clerk of western lands; and by virtue of said entry, said Armstrong issued a warrant for two thousand acres, No. 1789; and by virtue of said entry and warrant Robert Workley, deputy surveyor under Colonel William Pink did make a survey of said two thousand acres, on the fifth day of February, one thousand seven hundred and eighty-five, and did cause two plats, agreeably to law, to be filed in the secretary's office of North Carolina; and it does appear, that no grant has ever been made out and put on record in said secretary's office, notwithstanding one of said plats is there filed with the warrant; a copy of said plat of survey is here shown. For remedy whereof,

Register to make out a grant in the name of John Locke.
SECTION 1. **BE** it enacted by the General Assembly of the State of Tennessee, That the register of the land office of West Tennessee, is hereby authorised and directed to make out a grant, for and in the name of said John Locke, by virtue of, and strictly in conformity to the survey made by said Robert Workley, and the plat here shown, certified by William White, Secretary of North Carolina, to be a true copy of the original deposited in the secretary's office, shall be the guide in making said grant, together with the duplicate of the warrant above recited, No. 1789, for two thousand acres; and the grant so made out, shall vest in the said John Locke, and his legal representatives, as good a right and title as would have been, provided a grant had issued by the authority of North Carolina, on the original warrant and plat of survey; any law to the contrary, notwithstanding. *Provide nevertheless*, that nothing in this act contained,

Effect thereof.

Proviso.

shall injure the right or title of any other person who may have a claim for said tract of land, or any part thereof, under the laws of this state, which would be good and valid in law before the passing of this act.

JOHN TIPTON,
Speaker of the House of Representatives.
JOSEPH M. MINN,
Speaker of the Senate.

April 20, 1809.

CHAP. LVI.

AN ACT concerning Thomas Dixon of Robertson county.

Preamble. **WHEREAS** it has been represented unto this general assembly, that the above named Thomas Dixon is unable to labor for the support of himself and a large family, owing to the misfortune of having lost one of his legs. And whereas, the said Thomas Dixon, when he moved to this state, brought with him a small quantity of merchandize, not with a view of commencing trade in the mercantile way, but of bartering the same for articles necessary for the subsistence of his family, which he has been prevented from doing, owing to the taxes imposed on the retailers of merchandize. Therefore, for the relief of said Thomas Dixon,

SECTION 1. **BE** it enacted by the General Assembly of the State of Tennessee, That it shall be lawful for the said Thomas Dixon, or his representatives, to dispose of, or sell to much of said merchandize as he may now have on hand, so as aforesaid brought with him to this state, without taking out a licence, or paying any tax whatever, for the privilege of so doing.

Sec. 2. *Be it enacted*, That this act shall be in force from and after the passing thereof.

T. Dixon exempted from tax on licence for retailing goods.

JOHN TIPTON,
Speaker of the House of Representatives.
JOSEPH M. MINN,
Speaker of the Senate.

April 20, 1809.

CHAP. LVII.

AN ACT to provide for the payment of the Members, Clerks, and Door-Keepers of the present General Assembly; and other purposes.

SECTION 1. **BE** it enacted by the General Assembly of the State of Tennessee, That each member

Compensation of members.

shall receive the sum of two dollars and fifty cents for each day he has attended this general assembly, and a like sum for every twenty five miles travelling to and from the same.

Of clerks.

Allowance to clerks for stationary.

Allowance to door keepers.

Allowance to children.

To John B. Hood, for printing.

To J. Bright, jailer of Knox county.

To secretary of state for stationary, postage, &c.

Sec. 2. *Be it enacted*, That the clerks of the legislature, both principal and assistants, shall each receive the sum of four dollars fifty cents, for each day he may have attended the same; and that Joseph M. Anderson, principal clerk of the senate, be allowed the further sum of forty one dollars twenty five cents, for stationary furnished this legislature; and that Jacob Peck, principal clerk to the house of representatives, be allowed thirty five dollars for stationary by him furnished this general assembly.

Sec. 3. *Be it enacted*, That each door keeper of this general assembly be allowed the sum of two dollars and fifty cents, for each day he may have attended the same; and that John Rhea, door keeper to the house of representatives, be allowed the further sum of five dollars, for sundry articles furnished the house of representatives; and that Andrew Rhea be allowed the sum of twelve dollars for his services as assistant door keeper to the house of representatives during the present session; and that John Bright be allowed the further sum of five dollars, for fire-wood and candles furnished this general assembly.

Sec. 4. *Be it enacted*, That Stephen Childress, esquire, sheriff and collector of the public taxes for Williamson county, be allowed the sum of forty four dollars sixty three cents and six mills, as being the sum by him paid into the treasury of his district, the amount of public taxes wherewith he stood charged, over and above what he had in his power to collect for the years eighteen hundred and four, eighteen hundred and five, and eighteen hundred and six, owing to the lands on which the same accrued, having been released from the payment of taxes by the court of said county, or not being sold when offered for sale, for the want of bidders.

Sec. 5. *Be it enacted*, That the treasurer of East or West Tennessee, shall pay to John B. Hood, the sum of thirty five dollars, in full compensation, for his account of printing for the use of the state, which has been presented to this general assembly.

Sec. 6. *Be it enacted*, That there shall be paid to John Bright, jailer in Knoxville, by either of the treasurers, the sum of one hundred and four dollars and fifty cents, in full for that part of his claim presented to this general assembly, which has been reported reasonable by the committee of claims.

Sec. 7. *Be it enacted*, That Robert Houston, esquire, secretary of state, be allowed the sum of ninety dollars thirteen cents, by him expended in purchasing stationary, and postage paid on packets for the use of this state, over and above the

sum of fifty dollars heretofore allowed him in advance; which sum of ninety dollars and thirteen cents, shall be paid him by either of the treasurers.

Sec. 8. *Be it enacted*, That Andrew M. Lusk, clerk to the commissioner of East Tennessee, be allowed the sum of ninety two dollars, by him expended for stationary, &c. for the use of said commissioner's office; which sum shall be paid him by either of the treasurers.

Sec. 9. *Be it enacted*, That John N. Gamble be allowed twenty dollars for adding marginal notes to the laws of the session of eighteen hundred and six; which sum, shall be paid him by either of the treasurers, upon his satisfying such treasurer that the same hath not been heretofore paid.

Sec. 10. *Be it enacted*, That Stephen Majors, register of Sullivan county, be allowed the sum of twelve dollars and fifty cents, for well bound books by him furnished in transcribing the records of his office.

Sec. 11. *Be it enacted*, That Isaac M. Pherson, be allowed the sum of twelve dollars, for services by him performed, in conveying Thomas Correll, a prisoner, from Roane county, to the district jail of Hamilton; and that the said Isaac M. Pherson, is entitled to receive of the public treasurer of this state, or either of them, the sum aforesaid.

Sec. 12. *Be it enacted*, That Basil Shaw, jailer of Smith county, be allowed the sum of sixty seven dollars and seventy five cents, for keeping prisoners in the jail of Winchester district; and that Thomas Hopkins be allowed the sum of twenty five dollars, for conveying transcripts from Knoxville to Nashville, at the request of the commissioners of East Tennessee; and that Edward Hobbs, jailer of Davidson county, be allowed the sum of sixty seven dollars and fifty cents, for boarding sundry prisoners, &c.; which shall be paid by either of the public treasurers of this state, for which they shall be allowed in the settlement of their accounts.

Sec. 13. *Be it enacted*, That William Bradley, be allowed the sum of ten dollars, in full for his services as a commissioner appointed by law to superintend the erecting a lock or slope in the dam across the North Fork of Holston river.

Sec. 14. *Be it enacted*, That George Wilson, be allowed the sum of twenty six dollars twenty five cents, for sundry public printing by him done for the state.

Sec. 15. *Be it enacted*, That John Adams, register of Washington county, be allowed the sum of twenty two dollars, it being the amount of two books furnished the state, for transcribing the grants in the register's office of said county, in obedience to an act of assembly in such case made and provided.

Whereas it is represented to this general assembly, that a considerable sum of money has been paid into the hands of the treasurer of Washington and Hamilton districts, which

To A. M. Lusk, clerk to the commissioner of E. Tennessee

To John N. Gamble.

To Stephen Majors.

To Isaac M. Pherson.

To Basil Shaw, jailer of Smith county.

To Thomas Hopkins.

To Edward Hobbs, jailer of Davidson county.

To William Bradley.

To G. Wilson for printing.

To John Adams

Preamble.

proceeded from the sale of occupant claims, appropriated to the use of colleges. And whereas, no part of said money has been drawn out of said treasury, by the commissioners heretofore appointed. Therefore,

Sec. 16. *Be it enacted*, That it shall be the duty of Thomas M. Corry, John Crozier and Thomas Emerson, to loan out to any individual or individuals, the whole, or any part of said monies, which have been, or may hereafter be paid into said treasury, for the use of said colleges, at any rate of interest they can contract for, not exceeding the rate of fifteen per centum per annum, and not less than the rate of six per centum per annum.

Sec. 17. *Be it enacted*, That it shall be the duty of said Thomas M. Corry, John Crozier and Thomas Emerson, in every case where they loan any part of said money, to take from the borrower or borrowers, of any part of said money, good and sufficient security, payable to the governor and his successors in office, that such borrower or borrowers shall repay the said sum of money so loaned, within six months after the time that such borrower or borrowers shall be by them notified that the said repayment is required; and in the mean time, to pay at the expiration of each six months, after the time of such loan, the interest agreed upon; the one moiety of such interest to the treasurer of East Tennessee College, the other moiety thereof, to the treasurer of Cumberland College.

Sec. 18. *Be it enacted*, That if such borrower or borrowers of any such monies, shall, at any time fail to pay up the interest that may be due thereon, that it shall then be the duty of said Thomas M. Corry, John Crozier and Thomas Emerson, to take the most speedy and effectual mode of collecting said principal monies, & interest due thereon; and such principal money when so recovered, shall be paid into the hands of said treasurer; and the interest so recovered, shall be paid, one moiety to the treasurer of East Tennessee College, and the other moiety to Cumberland College.

Sec. 19. *Be it enacted*, That George Willson be allowed the sum of five dollars, in full compensation for printing one hundred copies of an act providing for the election of representatives to congress, &c. passed at the present session; to be paid by either of the treasurers of this state.

Whereas it is doubtful whether William Moore, who was, at the last session of this general assembly, elected public printer, for and during the term of two years from the time of such election, will attend at the seat of government in this state, to do the duties of public printer. Therefore,

Sec. 20. *Be it enacted*, That if said William Moore, doth not attend at Knoxville, the printing of the laws and journals of the present session of the general assembly, within two days after the rise of the present session, that then, and

Money received for college lands to be loaned.

Rate of interest.

Security to be taken from borrowers.

When to be repaid.

Interest to be paid half yearly.

Mode of proceeding in case of failing to pay the interest.

Allowance to be given for printing.

Preamble.

Secretary to contract for printing the

in that case, it shall be the duty of the secretary of this state, laws and journals to employ some person to print the laws and journals of the next present session; which person, so employed, and doing said business, shall receive the same compensation for such printing, that the public printer would by law have been entitled to, if he had attended and performed such services.

JOHN TIPTON,

Speaker of the House of Representatives.

JOSEPH M. MINN,

Speaker of the Senate.

April 22, 1809.

ERRATA.

Page 11, chap. 3, 10th line from top, for "exterior," read "interior."

Page 35, chap. 29, 3d line from the bottom, for "thereof," read "in said county."

Page 39, chap. 31, 27th line from top, for "remedy," read "remove."

Page 42, chap. 36, 13th line from top, for "December," read "September."

A COPY,

ATTEST,

ROBERT HOUSTON,

SECRETARY OF STATE.

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 1794 Aug. sess. 1 pl, viii, [3]-101 p.1.
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 -----*
 1795* June 2nd sess. 31 p.
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Unit 2

1796 Mar. 1st Ass'y. 1st sess. 78 p.
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 -----*
 1796* July 1st Ass'y. 2nd sess. 13 p.
 1797 Sept. 2nd Ass'y. 1st sess. 120 p.
DLC *MHL

Unit 3

1798 Dec. 2nd Ass'y. 2nd sess. 70 p.
 1799 Sept. 3rd Ass'y. 1st sess. 136 p.
 p. 114 is mutilated; p. 135-136 are missing.
 -----* p. 21-24, 30-31 are missing.
DLC *MHL

Unit 4

1801* Sept. 4th Ass'y. 1st sess. 203, xxxvi p.
 1803 Sept. 5th Ass'y. 1st sess. 143, xi p.
 1804** July 5th Ass'y. 2nd sess. 71 p.
DLC *MHL **T

Unit 5

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 1806 July 6th Ass'y. 2nd sess. 113, iv p.
 1807 Sept. 7th Ass'y. 1st sess. 180, ii p.
 1809 Apr. 7th Ass'y. 2nd sess. 63, vi p.
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