

Law Office
Tenn
1813

ACTS, &c.

CHAP. I.

An act to repel the invasion of the state of Tennessee by the Creek Indians, and to afford relief to the Citizens of the Mississippi Territory and other purposes.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee,* That of the militia of said state, the Governor is hereby authorized to organize and march immediately any number not exceeding three thousand five hundred men, in such proportions of Infantry, Rifle-men, Cavalry, Artillery and mounted Infantry, as the Governor and the commanding General deem proper, for the public service, to any place in the Creek nation of Indians or in the Mississippi Territory where said troops may give relief to the citizens of said territory, and repel the invasion of the state of Tennessee by said Indians and their allies.

Governor
authorized
to march
3,500 men a-
gainst the
Creek In-
dians.

SEC. 2. *Be it enacted,* That the Governor of Tennessee be and he is hereby authorized to contract for and supply said troops with provisions, ammunition, and arms, at the expence of said state until the General Government make provision for said troops, and to draw on the treasurers of said state for the money, or borrow the same of either of the banks in Tennessee, or any other source at a rate of Interest usual in said bank.

Governor
to supply
troops with
provisions,
&c.

SEC. 3. *Be it enacted,* That in the event the General Government refuse to pay the aforesaid troops for their services as other similar troops are paid by the said Government, then and in that event said troops shall be paid by the state of Tennessee in the same manner the United States pay similar troops.

Pay of the
troops

Borrow money to defray expenses

SEC. 4. *Be it enacted*, That each or either of the banks in Tennessee are hereby authorized to lend to the Governor, any sum or sums of money not exceeding three hundred thousand dollars to be used in supplying the aforesaid troops, or for their pay or the purchase of ammunition or arms.

Revenue of the state pledged to pay the money borrowed

SEC. 5. *Be it enacted*, That any sum the Governor may borrow under the provisions of this act, the revenue of this state shall be pledged to the lenders for the same, and the interest, and in the event the General Government do not pay the debts contracted by the Governor, at the next session of the Legislature of this state, a tax shall be laid on the taxable property of this state, sufficient to raise the sum and the interest thereon, which may be borrowed by the Governor.

Governor's warrant, a voucher for money borrowed

SEC. 6. *Be it enacted*, That the Governor's warrant on the Treasury of this state, for the sum or sums he may borrow and the interest thereon shall be sufficient and conclusive evidence of such debts, and shall entitle the lenders to draw interest, on the sum or sums by them advanced, from the time advanced until said sum or sums be repaid, and that the interest shall be paid half yearly agreeably to the rate of interest, mentioned in the second section of this act.

TH. CLAIBORNE,

Speaker of the House of Representatives.

ROBERT C. FOSTER,

Speaker of the Senate.

September 24, 1813.

CHAP. II.

An act to suspend all proceedings at law against the militia of this state whilst in actual service.

Proceedings at law suspended against volunteers

SEC. 1. *Be it enacted by the General Assembly of the state of Tennessee*, That all proceedings at law, either against the person or property of any person that shall be mustered into service of the militia of this state either as an officer or soldier during the present War with Great Britain, her dependencies, the

British Indians, or any other nation of Indians, shall may take up arms against the United States during the present contest, be suspended, until he or they are mustered into service shall serve the period prescribed by law for militia to serve in performing one tour of duty, abandon the service, or be regularly discharged therefrom, and that the statute of limitation, shall not be considered as running from the time he or they shall enter into the service until they are regularly discharged.

From time mustered to service

SEC. 2. *Be it enacted*, That if any suits are now pending or shall be commenced before the march of any one of said officers or soldiers in which he or they may be interested, either as plaintiff or defendant, said suit shall stand continued until his regular discharge from said service, unless by consent of his agent or attorney.

Suits continued until return of volunteers

SEC. 3. *Be it enacted*, That in any causes which may be depending in any courts of law or equity in this state where any witness or witnesses either for plaintiff or defendant, may be engaged in the performance of their tour of duty on said expedition, said cause or causes shall be continued unless by consent, until the said witness or witnesses are regularly discharged and no forfeiture shall be entered up against any such witness or witnesses in any of said courts, who shall fail to attend—provided that no suits shall be continued on account of the absence of such witness when neither of the parties thereto have gone into such service, unless the party applying for a continuance shall file an affidavit as in other cases, and such party shall in no case be liable for the costs of such continuance, if it shall appear to the court that the testimony of such absent witness would be material for him on the trial of said suit.

Suits where witnesses volunteers continued also

SEC. 4. *Be it enacted*, That the real and personal property of such officer or soldier, or so much thereof as may be sufficient, shall be held bound to satisfy all debts by them justly created before the time such officer or soldier may have entered into said service, and all sales or transfers of the property

Property held liable to pay the debt

of such officer or soldier, or any part thereof, made after the time he may have entered into such service, shall be void, as against bona fide creditors.

TH. CLAIBORNE,

Speaker of the House of Representatives.

ROBERT C. FOSTER,

Speaker of the Senate.

October 8, 1813.

CHAP. III.

An act to authorize a separate Election in the county of Anderson.

Separate election in Anderson County.

House of Jacob Weaver.

Who to vote at it.

Boundary.

SEC. 1. *Be it enacted by the General Assembly of the state of Tennessee.* That it shall be the duty of the sheriff of Anderson county by himself or deputy, or by the coroner in case of vacancy of the office of sheriff, to open and hold a separate election in the county of Anderson aforesaid, at the house of Jacob Weaver living in the big Valley for the purpose of electing a Governor, members to Congress, electors to elect a President and Vice President, and members of the State Legislature, and field officers of the militia, which said elections are to be held under the same rules, regulations and restrictions as similar elections in this state.

SEC. 2. *Be it enacted,* That it shall and may be lawful, for any persons residing in Anderson, who are constitutionally authorized to vote at such election, to vote at the court house in Clinton or at the other place of holding separate election, who reside in the upper battalion of said County and not below the following line (to wit :) beginning on Campbell county line, running west so as to include the plantations whereon John Miller, Powell Herman and James Leach live, thence to Cole creek, thence down said creek, to where it falls into the river Clinch; but those who reside below said line, and not within the said upper battalion shall not have the privilege

of voting at said separate election by the law.

SEC. 3. *Be it enacted.* That at the next separate election it shall be the duty of the returning officers to count on the succeeding day make a return to the judges of Anderson county in the town of Anderson of the number of votes received at said election by each candidate, which said return shall be received as part of the election of Anderson county, and the judges of said election, or the judges at the court house (as the case may be) shall have power to swear each voter, that he has not voted at any other place, nor at that at which he is about to vote in said election, and if any person shall refuse to take such oath who is about to vote being thus requested, it shall preclude him from a vote at such election.

How return shall be made.

TH. CLAIBORNE,

Speaker of the House of Representatives.

ROBERT C. FOSTER,

Speaker of the Senate.

October 4, 1813.

CHAP. IV.

An act to authorize a separate Election in the County of Rhea.

SEC. 1. *Be it enacted by the General Assembly of the state of Tennessee.* That it shall be the duty of the sheriff of Rhea county by himself, deputy or by the Coroner on the constitutional days for holding elections, to open and hold a separate election at the house of John Sapp, residing at the Ford of Piney River, where the road leading from the town of Washington to Kingston called the river road crosses said Piney river, for the purpose of electing a Governor, members to Congress, electors to elect a President and Vice President, and to elect members of the State Legislature, and military officers, which

Separate election in Rhea county.

House of John Sapp.

and elections shall be held in the same place as the regulations and restrictions in similar elections in this District.

Who to vote at it. Sec. 2. *Be it enacted,* That it shall and may be lawful, that for any person living in Rhea County who are constitutionally authorized to vote at such election to give in his vote at the Court house in Washington or at the place of holding said separate election, as may best suit his convenience.

Returns how made. Sec. 3. *Be it enacted,* That at the close of said separate election, it shall be the duty of the Judges, and returning officers to count out said votes, and on the succeeding day make a return to the Sheriff of Rhea County in the Town of Washington of the number of votes received at said separate place of holding election for each candidate which return shall be considered and received as part of the election of Rhea County, and the Judges of said election or the Judges at Washington (as the case may be) shall have power to swear each voter that he has not voted at the other place in said county than that at which he is about to vote, and if any such voter shall refuse to swear being thus requested it shall be sufficient to preclude him from a vote at such election.

TH. CLAIBORNE,

Speaker of the House of Representatives

ROBERT C. FOSTER,

Speaker of the Senate

October 4th, 1815.

CHAP. V.

An act providing for the holding of such Courts as by law are directed to be held in the Town of Nashville.

Sec. 1. *Be it enacted by the General Assembly of the state of Tennessee,* That the presiding Judge of the fourth judicial circuit and the presiding justices

of the county Court of Davidson, shall and they are hereby vested with power to adjourn the next circuit court and county court, to be holden for the county of Davidson from the court house in the Town of Nashville to any other house in the town aforesaid, which he or they may think proper for and during the said term or terms, any law to the contrary notwithstanding.

Sec. 2. *Be it enacted,* That all writs, process, returns or proceedings, to be made to the said next process returned legal term or terms of said courts respectively, shall be returned to the said court, or courts (as the case may be) at the house to which the judge or justices aforesaid may adjourn, in the same way, and under the same rules and regulations as heretofore, which shall be as effectual to all intents and purposes, as if the same had been made at and to the court-house in the town of Nashville aforesaid.

Sec. 3. *Be it enacted,* That this act shall take effect from and after the passage thereof.

TH. CLAIBORNE,

Speaker of the house of Representatives

ROBERT C. FOSTER,

Speaker of the Senate

October 4th, 1815.

CHAP. VI.

An act to make provision for electing Aldermen for the Town of Nashville.

Be it enacted by the General Assembly of the state of Tennessee, That it shall be the duty of the Sheriff of the county of Davidson, by himself or deputy, to open and hold an election in the town of Nashville, at the market house, on the fourth Saturday of October eighteen hundred and thirteen, for the purpose of electing seven persons to act as Aldermen of the Corporation of the town of Nashville, until the period fixed by law for the next election of

Election at the market house for the Aldermen

B

Aldermen. And said election shall be held and conducted under the same rules, and said persons to be elected, shall have the same qualifications and be vested with the same power in every respect, as if said election had been held and conducted, at the time heretofore directed by law.

TH. CLAIBORNE,

Speaker of the House of Representatives.

ROBERT C. FOSTER,

Speaker of the Senate.

October 7th 1813.

CHAP. VII.

An act to provide for a separate election in the county of Humphreys.

Separate election in Humphreys county. SEC. 1. *Be it enacted by the General Assembly of the state of Tennessee,* That it shall be the duty of the sheriff of Humphreys county, by himself, his deputy or the coroner of said county, on the lawful days for holding elections to open and hold a separate election at the house of captain James Craig, in said county, on Blue creek, for the purpose of electing electors to vote for President and Vice-President of the United States, Governor, Representatives to Congress, members to the state Legislature and field officers, which said election shall be held and conducted under the same rules, regulations and restrictions that similar elections are held in this state.

Who to vote at it. SEC. 2. *Be it enacted,* That it shall and may be lawful for any person who shall be constitutionally entitled to vote in Humphreys county, to vote at said election as may best suit his or their convenience.

Judges to wear voters. SEC. 3. *Be it enacted,* That it shall be lawful for the judges of said election to swear any voter whether or not he has voted at any other place in said election, and any person refusing so to swear, shall be sufficient cause to exclude him from voting.

SEC. 4. *Be it enacted,* That in all elections for field officers, the returning officer of said election

shall meet the returning officer of the election at the court house in the town of Reynoldsburg, the succeeding day and there compare the said votes.

SEC. 5. *Be it enacted,* That in all elections to elect electors to vote for President and Vice President of the United States, Governor, Representatives to Congress, and members to the state Legislature, the sheriff of said county of Humphreys shall make return of the votes taken at said elections, on such time and at such place, as he is heretofore by law directed. returns how made

SEC. 6. *Be it enacted,* That this act shall take effect from and after the passage thereof.

TH. CLAIBORNE,

Speaker of the House of Representatives.

ROBERT C. FOSTER,

Speaker of the Senate.

October 9th, 1813.

CHAP. VIII.

An act to authorize the county court of Anderson to lay an additional tax for the purpose of building a court house and prison for the use of said county.

SEC. 1. *Be it enacted by the General Assembly of the state of Tennessee,* That two thirds of the acting justices in the county of Anderson, are hereby authorized at any court they may think it expedient to appoint a sufficient number of commissioners, who shall give bond with sufficient security to the chairman of said court, in the sum of five thousand dollars, for the faithful discharge of their duties as commissioners, whose duty it shall be to contract for and superintend the building of a court house and prison for the use of said county.

SEC. 2. *Be it enacted,* That two thirds of the acting justices in said county, are hereby authorized when they deem it expedient to lay a tax on all polls

Tax to be laid to build a Court House.

What pro-
perty liable
to pay it.

and property in said county, that are liable to taxation, which shall not be exceed the state tax in any case, which may be continued from year to year until a sufficiency is raised for the completion of said buildings; and the sheriff is hereby authorized and required to collect, account with, and pay over to said commissioners or a majority of them, under the same restrictions and emoluments as he collects other taxes, and the court is hereby authorized, to allow said commissioners a reasonable compensation out of said money for their services aforesaid.

TH. CLAIBORNE,

Speaker of the House of Representatives,

ROBERT C. FOSTER,

Speaker of the Senate,

October 11th 1813.

CHAP. IX.

An act to secure the free navigation of Elk River.

Navigation
on Elk Ri-
ver secured
to Bradley's
Creek.

SEC. 1. *Be it enacted by the General Assembly of the state of Tennessee,* That Elk River from the mouth of Bradley's creek in Franklin county, to the Southern boundary of this state, shall be kept open and unobstructed by any dam or obstacle, which might impede the passage of boats, rafts or other vessels or crafts navigating the same.

No mill or
fish dam to
be built on
the deepest
part of the
stream.

SEC. 2. *Be it enacted,* That if any person or persons have heretofore erected, or may hereafter erect any mill dam, or fish dam on said river he or they shall open or leave open in the deepest part of the channel of said river where such dam is or may be erected, one half of the width of said channel and keep the same open.

For such
obstructions
to forfeit one
hundred dol-
lars.

SEC. 3. *Be it enacted,* That any person or persons who shall erect or place any dam, or other obstruction in said river between the mouth of said creek, and the southern boundary of this state so as to impede the navigation thereof, shall forfeit and pay the

sum of one hundred dollars for every month such dam or obstruction shall remain, the one half thereof to the use of this state, the other half to the use of any person who shall sue for the same, to be recovered by action of debt before any tribunal having cognizance thereof.

SEC. 4. *Be it enacted,* That all and every person or persons, navigating said river between the points aforesaid, shall be justifiable in removing any obstructions found therein, contrary to the foregoing provisions of this act.

Persons
may remove
obstructions.

SEC. 5. *Be it enacted,* That an act passed on the eleventh day of November in the year, 1811, entitled an act to secure the navigation of Duck and Elk river's, be and the same is hereby repealed, so far as respects said Elk river.

Previous
act repealed.

SEC. 6. *Be it enacted.* That this act shall be in force from and after the first day of January next.

Operation.

TH. CLAIBORNE,

Speaker of the House of Representatives,

ROBERT C. FOSTER,

Speaker of the Senate,

Oct. 11th, 1813.

CHAP. X.

An act authorizing Abraham Hendry and John Miller, of Carter county, to raise a sum of money by Lottery for the purpose of enabling them to procure Salt.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Abraham Hendry, and John Miller, in Carter county be, and they are hereby vested, with full power to make and proceed to the drawing and concluding of a lottery, for the purpose of procuring Salt; and the said Abraham Hendry, and John Miller, are hereby authorized to draft and publish a scheme of a lottery on such plan as they shall deem proper, either in one, two, three

Lottery to
raise funds
to dig for
salt authori-
zed.

or four classes, for the purpose of raising a sum of money not exceeding twelve hundred dollars for the use and benefit of said Abraham Hendry and John Miller.

Scheme to
be published

SEC. 2. *Be it enacted*, That the said Abraham Hendry, and John Miller, shall previous to publishing said scheme enter into a bond with good security, in double the sum of the capital in said scheme, to the chairman of the county court of Carter for the true and faithful payment of the prizes when drawn, and for the ready and punctual application of the money arising from said lottery, according to the true intent and meaning of this act, or in case of failure to draw the lottery to return to such person or persons, such sum or sums, of money they have advanced for tickets, when called on, which bond when executed shall be filed in the clerk's office of said court.

Give bond
and security.

To com-
mence draw-
ing after gi-
ving notice.

SEC. 3 *Be it enacted*, That when said Abraham Hendry and John Miller, have sold such proportion of the tickets as would in their opinion authorize the commencement of the drawing of said lottery, they shall proceed to the same, under such rules and regulations, as they shall have made known in their scheme, giving notice in some Gazette of the time and place they shall commence; which notice shall be at least twenty days previous to the commencement of said drawing.

SEC. 4. *Be it enacted*, That when the drawing said lottery, or either class is completed, it shall be the duty of the said Abraham Hendry and John Miller, to meet and make the managers and clerks of said lottery a reasonable compensation for their services, out of the money raised by the said lottery, and the balance of said money shall immediately be applied to the purpose of procuring salt, out of their well or lick, and for erecting works for making salt.

SEC. 5. *Be it enacted*. That the money so raised by virtue of this act shall be expended in and about the said well, lick or works within three years after the passage of this act, and the said Abraham Hendry and John Miller, are hereby required to make report to the county court, shewing how much money has been appropriated for the use and benefit of procu-

ring salt; and if any money shall remain in the hands of said Abraham Hendry and John Miller after the expiration of three years, it shall be the duty of the said Abraham Hendry and John Miller, to pay the same to the trustees of Duffield Academy in said county, for the use of the same, and in case the said Abraham Hendry and John Miller refuse to pay the said sum of money that may remain in their hands, it shall be the duty of the trustees of said Academy, and they are hereby required and authorized to sue for the same in any Judicial tribunal, in said county having cognizance thereof.

SEC. 6. *Be it enacted*, That George Duffield, William Carter, Charles Reno, Henry M'Cray, Nathan Shipley, Elkanah R. Dulany, and John Punch, be and they are hereby appointed managers to carry this act into effect: and they of a majority of them, shall have full power and authority for the same: *Provided*, that each of the aforesaid managers shall previous to his entering on the discharge of the duties of his appointment, take an oath faithfully and impartially to discharge the duties incumbent on them as managers aforesaid.

Who to
be man-
agers

TH. CLAIRBORNE,

Speaker of the House of Representatives

ROBERT C. FOSTER,

Speaker of the Senate,

October 5th, 1813.

CHAP. XI.

An act to authorize the commissioners of the town of Clinton, to make deeds to lots sold by the former commissioners to purchasers of lots in said town in certain cases.

SEC. 1. *Be it enacted by the General Assembly of the state of Tennessee*, That the acting commissioners of the town Clinton in the county of Anderson shall

and may at all times hereafter when requested execute deeds to purchasers, who have not yet received their deeds for their lots purchased in said town, and the same shall be good and valid in law, as if the former commissioners had conveyed the same to the purchasers, any law, usage or custom to the contrary notwithstanding.

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

TH. CLAIBORNE,

Speaker of the House of Representatives.

ROBERT C. FOSTER,

Speaker of the Senate.

October 16 1818.

CHAP. XII.

An act to provide for holding separate elections in the counties of Overton and Jackson.

SEC. 1. *Be it enacted, by the General Assembly of the State of Tennessee*, That the separate election authorized to be held at the house of Henry Reagins, in Overton County, shall hereafter be held at John Thurmons' mills on Wolf River, any law to the contrary notwithstanding.

Separate
election in
Overton
county.

SEC. 2. *Be it enacted*, That it shall be the duty of the sheriff of Overton county, by himself, his deputy or Coroner, on the days appointed by law for holding elections to open and hold a separate election at the house of William Donnelson on Obeds' River, for the purpose of electing a Governor, members to Congress, electors to elect a President and Vice-President of the United States, members of the state Legislature and field officers, which said election shall be conducted under the same rules, regulations and restrictions as other similar elections are held.

Who to
vote.

SEC. 3. *Be it enacted*, That it may be lawful for any person entitled to a vote residing in the bounds of captain Willis's company, captain Tar-

let's company and Captain McConnell's company, to vote either at Monroe or Donaldson, as may best suit his convenience.

SEC. 4. *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 the officer holding said election shall make a return to the Sheriff of Overton County in the town of Monroe, of the number of votes given to each candidate which return shall be received as part of the election of Overton county, and the judges of said election shall have power to swear each voter that he has not voted at any other place in said election, than that at which he is about to vote, and if any such refuse to swear being thus requested it shall preclude him from a vote at said election.

Count
votes at
Monroe

SEC. 5. *Be it enacted*, That the sheriff of Jackson county, shall by himself, deputy or coroner open and hold an election at the house of David Johnson, at or near the mouth of Blackburn's fork of Roaring river on the days appointed by Law for holding elections to elect a governor, members to the general Assembly, members to Congress, and electors to elect a President and Vice-President of the United States and field officers, and all those living within the bounds of captain Braden's company and all that part of captain Lock's company which lies on the south side of Cumberland river and a part of captain Hollinsworth's company may vote at said election or at Williamsburg, as may best suit their convenience.

Separate
election in
Jackson
county.

SEC. 6. *Be it enacted*, That said election shall be held and conducted under the same rules and regulations as other elections in this state. And the Judges of said election shall have power to swear each voter that he has not voted at any other place during said election, and if any person refuses to swear being so requested it shall preclude him from a vote at said election, and the sheriff or returning officer of said election, shall on the succeeding day carry the polls of said election to the court house at

Who
votes at

Williamsburg which shall be added and become a part of the poll of said county.

TH. CLAIBORNE,

Speaker of the House of Representatives

ROBERT C. FOSTER,

Speaker of the Senate

October 11, 1818.

CHAP. XL

An act to provide for separate Elections for Field officers in the county of Jefferson.

Separate election in Jefferson county.

SEC. 1. *Be it enacted by the General Assembly of the state of Tennessee,* That from and after the passing of this act, there shall be separate elections held in the county of Jefferson, whenever field officers are to elect in said county, at the places pointed out by law for elections of Governor, members to Congress, and members to the General Assembly.

How to be held.

SEC. 2. *Be it enacted,* That it shall be the duty of the sheriff, by himself or deputy, to hold and conduct said elections, under the same rules, regulations and restrictions, as are prescribed for elections throughout this state.

Who to etc.

SEC. 3. *Be it enacted,* That the captain's companies which compose the second Battalion, shall be authorized to vote at the aforesaid separate election, and it shall be the duty of the returning officer of said separate election to return a statement of the poll on the succeeding day to the town of Dandridge, which shall be received and taken as a part of the election of said county.

TH. CLAIBORNE,

Speaker of the House of Representatives,

ROBERT C. FOSTER,

Speaker of the Senate

October 5th, 1818.

CHAP. XII

An act to establish a separate election in the County of Hickman.

Separate election of Hickman city.

SEC. 1. *Be 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 Zebulon Hassell, on the waters of Lick creek of Duck river on the days appointed by law for holding elections to elect a Governor, members of the General Assembly, Representatives to Congress and electors to elect a President and Vice-President of the United States and Field officers.

Penalty of persons voting twice.

SEC. 2. *Be it enacted,* That said election shall be held and conducted under the same rules and regulations, 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 said county of Hickman, which shall be added and become a part of the poll thereof.

SEC. 3. *Be it enacted,* That this act shall be in force from and after the first day of January next.

TH. CLAIBORNE,

Speaker of the House of Representatives

BARKLEY MARTIN,

Speaker of the Senate pro-tem

CHAP. XIII

An act for the regulation of the town of Murfreesborough.

SEC. 1. *Be it enacted by the General Assembly of the state of Tennessee,* That the following persons

Names of the Commissioners of Murfreesborough. to wit. Joel Childress, Joel Dyer, John M. Telford, Abraham Thompson, Alexander Carmichael, Burwell Ganaway, and Blackman Coleman, be and they are hereby appointed commissioners for the regulation of the town of Murfreesborough.

How vacancies are supplied. SEC. 2. *Be it enacted,* That a majority of said commissioners shall constitute a quorum to do business, and whenever a vacancy or vacancies shall happen by death, resignation or otherwise it shall be the duty of said board to appoint another in his place, who shall be a resident and freeholder in said town.

How organized. SEC. 3. *Be it enacted,* That said commissioners shall choose from their own body a suitable person to preside at their meetings, who shall be known by the name of Chairman, they shall also appoint a treasurer and clerk, and said treasurer shall keep a regular and just account of all monies received and paid out by him in a bound book, to be kept by him for that purpose which said book with the money then in the treasury, and other papers appertaining to said office, he shall deliver up to his successor, and the clerk shall keep in a bound book kept for that purpose, a true and regular account of the proceedings of said commissioners; and shall advertise the rules, and regulations by them adopted whenever they may deem it necessary, and said treasurer and clerk shall receive such compensation as said commissioners may conceive adequate to their services.

To appoint overseer and duties. SEC. 4. *Be it enacted,* That said commissioners shall have power to call on all the inhabitants of said town who would be liable to work on roads, to work on and keep in repair the streets of said town, to appoint an overseer thereof, who shall collect such fines from those who refuse or neglect to work as are directed in similar cases respecting roads to prevent encroachments on the streets or public square, and abate or remove all nuisances, whatever at the expense of the party occasioning them.

Tax on town property. SEC. 5. *Be it enacted,* That said commissioners shall have power, and are hereby directed to lay a tax annually on each hundred dollars worth of town property not exceeding twenty five cents, on each white poll, not exceeding twenty five cents, on each black poll, not exceeding fifty cents, on each stud

horse kept for mares not exceeding five dollars which tax shall be collected by warrant, under the hand and seal of the Chairman, and clerk and directed to the collector whom they may appoint, who is to be governed by the rules established by law for collecting and accounting for the state tax.

SEC. 6. *Be it enacted,* That said commissioners shall annually appoint one of their own body to receive lists of taxable property and polls on the first Saturday in January in each and every year at the court house in said town, and as soon as may be after taking such list, they shall appoint three or more proper and disinterested person to assess the value of such property as given in, in said list, and any person failing or neglecting to give in to said commissioners so appointed to receive, lists upon his reporting the same, the delinquent shall be liable to the fines and penalties, directed by law in similar cases for the collection of the state tax.

SEC. 7. *Be it enacted,* That no appropriations of money shall be made by said commissioners, except for the benefit or improvement of said town agreeably to the directions of this act, or for defraying the expenses necessary for carrying the same into execution—and it is not to be understood that said commissioners are to receive any compensation for their services.

SEC. 8. *Be it enacted,* That said commissioners shall have power to enclose by post and railing or otherwise such part of the public square, including the court house and public well, as they may deem necessary; and also have power to cause six feet on each side of every street to be paved with brick or stone, and defended by post and railing for the use and convenience of foot passengers.

SEC. 9. *Be it enacted,* That the commissioners of said town shall have power to prevent all free persons of colour or negroes who may hire their time from their owners, from keeping any tipling shop within said town, and also appoint two or more persons as Patrols for said town.

SEC. 10. *Be it enacted,* That the inhabitants of said town are hereby exempted from working on public

List of property to be taken every year

No money to be laid out for the benefit of town.

Enclose the public square &c.

Tippling houses and public places.

roads any law, usage or custom, to the contrary notwithstanding.

TH. CLAIBORNE,

Speaker of the House of Representatives

ROBERT C. FOSTER,

Speaker of the Senate

October 14, 1818.

CHAP. XIV.

An act to fix the seat of justice of Bledsoe county.

Election for ascertaining the choice of the people where the seat of justice of Bledsoe county shall be.
Sec. 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the sheriff of Bledsoe county shall by himself, deputy or by the coroner, open and hold an election at the usual places of holding elections of said county, on the second Thursday and succeeding day of December next, where all persons who are constitutionally authorized to vote for Governor, members of the State Legislature, &c. may vote for the place where the permanent seat of justice of Bledsoe county is to be fixed (viz.) whether it shall remain at Madison the present seat of justice of said county, or be removed within the following bounds (to wit) within parallel lines crossing Sequachee Valley at right angles, one through the lower end of Philip Thurman's plantation, and the other line through the upper end of John Hunters' plantation, where the most eligible scite may be procured.

Places to be put in nomination
SEC. 2. *Be it enacted,* That the sheriff of Bledsoe county shall put the Town of Madison, and the bounds aforesaid in nomination for the permanent seat of Justice for said county, and on counting out the votes, on the second day of said election, if the bounds aforesaid shall have a majority of fifty votes, then and in that case the permanent seat of justice of Bledsoe county, shall be fixed some where within the bounds aforesaid where the most eligible scite can be procured and that the said election shall be conducted under the same rules, regulations and

restrictions as other elections are in this state.

Sec. 3. *Be it enacted,* That if the scite be settled by a majority of fifty votes as aforesaid then and in that case Jesse M'Kinney, Reuben Brown, Charles Hatchison, John Skillern, Joseph M'Reynolds, Jesse Walker and Alexander Lamb, be and they are hereby appointed commissioners who or a majority of them shall as soon as the nature of the case will permit, proceed to fix on a place within the bounds aforesaid. Commissioners appointed

Sec. 4. *Be it enacted,* That when the scite is thus found to be within said bounds contained within the lines aforesaid, said commissioners shall procure at least thirty acres of land for which they shall procure a deed or deeds to be made to them or their successors in office, with general warrantee, on which they shall cause to be laid off a town with necessary streets and alleys reserving at least one acre for a public square on which to erect a court house prison and stocks, in a convenient part of the town which town shall be known by the name of Pikeville. Bounds of town

Sec. 5. *Be it enacted,* That those who reside in that tract of country to which the Indian title is not extinguished shall be precluded from voting at this or any election in said county, and that Philip Thurmon, William Robertson, James Standifer, Jacob Meek and James Devers, be and they are hereby appointed managers to conduct said election, or any three of them, under the same rules, regulations and restrictions, that other elections are in this state.

Sec. 6. *Be enacted,* That when the town shall have been thus laid off; the said commissioners shall advertise in the Knoxville Gazette, the time when the lots shall be sold, at least thirty days before the sale shall take place, and shall proceed to sell said lots on a credit of twelve months, taking bond with good security for the purchase money, and shall make deeds to the purchasers in *Fee Simple*. Commissioners in the Knoxville Gazette sale of lots

Sec. 7. *Be it enacted,* That it shall be the duty of said commissioners or a majority of them to contract with suitable workmen to build a court house, prison, and stocks, and the money arising from the sale of said lots, shall be applied to the payment of building the same after paying for the purchase of the land, so to be procured by said commissioners. To contract for suitable buildings

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 Sec. 8. *Be it enacted*, That if the money arising from the sale of Lots be insufficient to pay for building said court house, prison and stocks, it shall and may be lawful for the county court of said county, provided a majority of the acting justices be present to lay a county tax, not to exceed the state tax, which tax may be continued from year to year until a sufficient sum be raised to pay for said buildings, which tax shall be collected by the sheriff under the same rates and regulations as other taxes, and shall by him be paid over to said commissioners for said purpose, and if the sheriff shall fail to pay over the same he shall be liable to judgment on motion against him and his securities, in the name of said commissioners, in the same manner as for failing to pay over other taxes.

Sec. 9. *Be it enacted*, That before said commissioners shall proceed on the duties of their office they shall enter into bond to the Governor, for the time being and his successors in office, in the penal sum of six thousand dollars conditioned for the faithful discharge of the duties of their office, which bond shall be filed with the clerk of the county court and by him be recorded.

Sec. 10. *Be it enacted*, That so soon as said court house shall be erected and received by said commissioners, the justices of the county court for said county, shall adjourn said court, and all proceedings therein to said place, and from thence forth the same shall be the seat of justice of said county, and that all and every part of said act entitled an act to fix on seats of justice in the counties of Rhea and Bledsoe, and for the appointment of commissioners to superintend the same, passed the twenty third of November eighteen hundred and nine, so far as respects the seat of justice of Bledsoe county be and the same is hereby repealed so soon as said court house shall be erected and received by said commissioners.

TH. CLAIBORNE,

Speaker of the House of Representatives.

ROBERT C. FOSTER,

Speaker of the Senate.

October 14 1813.

CHAP. XV.

An act appointing additional commissioners to settle with the persons heretofore appointed in the county of Carter, to contract for the public buildings and the regulation of the town of Elizabethton.

Sec. 1. *Be it enacted by the General Assembly of the state of Tennessee*, That George Duffield, Abraham Hendry, Samuel Tipton, Leonard Bowers and Charles Reno, are hereby appointed commissioners to settle with the persons heretofore appointed in the county of Carter to contract for the public buildings and the regulation of the town of Elizabethton, and they are hereby invested with the same powers as those heretofore appointed for that purpose.

TH. CLAIBORNE,

Speaker of the House of Representatives.

ROBERT C. FOSTER,

Speaker of the Senate.

October 20, 1813.

CHAP. XVI.

An act to amend an act entitled an act for the better regulation of the towns of Shelbyville and Fayetteville in the counties of Bedford and Lincoln.

Sec. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the commissioners appointed agreeably to the provisions of the before recited act, or which may hereafter be appointed shall be fully authorized and empowered to pass any ordinance or ordinances which they may deem necessary and proper for the better regulation of said town or towns, and that all provisions and penalties annexed to said ordinances shall be as binding and shall be enforced in the same manner as the laws of the state.

D

manner that similar provisions are enforced in this state and before any jurisdiction having cognizance thereof: *Provided*, said ordinances be not inconsistent with the constitution and existing laws of this state.

Allowance
to assessors.

SEC. 2. *Be it enacted*, That the persons who may be appointed agreeably to the provisions of the before recited act for the purpose of assessing the value of town property and also the person appointed to take a list of taxable property in said town or towns shall be allowed by said commissioners, such compensation as they may deem reasonable for said services.

Property
liable to pay
tax to be gi-
ven in.

SEC. 3. *Be it enacted*, That it shall be the duty of the collector of taxes appointed by said commissioners at their first meeting after the first day of January in every year to make a report to said commissioners of such town lots and other property in said towns liable to taxation, on which the tax may remain due and unpaid, also of all such town lots and other taxable property in said towns and which may not have been given in for taxes in said towns and which is liable to taxation, which report shall be entered on the journal of said commissioners, a duplicate of which report to be made out by the clerk shall be returned by said collector to the first county court after the first day of January next, which report shall be proceeded on in the same manner as reports made by sheriffs and collectors of public taxes.

Collectors
to sell by dis-
tress.

SEC. 4. *Be it enacted*, That it shall be the duty of the collector of taxes appointed by said commissioners to expose to sale said property by him so reported as aforesaid, at the time and place appointed by law for the sale of property for taxes.

Elections
when held.

SEC. 5. *Be it enacted*, That if the sheriffs of the counties of Bedford and Lincoln should neglect to hold elections at their respective court houses on the first Saturday in January in each and every year for the purpose of electing five suitable persons in the towns of Shelbyville and Fayetteville, to act as commissioners for said towns it shall be lawful for the sheriffs of said counties to hold elections on the se-

cond Saturday in January in each and every year for the purposes aforesaid.

TH. CLAIBORNE,

Speaker of the House of Representatives

ROBERT C. FOSTER,

Speaker of the Senate

October 20th 1813.

CHAP. XVII.

An act to defray the contingent expences of the secretary of State's office.

SEC. 1. *Be it enacted by the General Assembly of the state of Tennessee*, That W. G. Blount, secretary of state, be allowed the sum of ninety five dollars, by him expended for office rent, and in defraying other accounts against the state. Expences of
secretary's of-
fice.

SEC. 2. *Be it enacted*, That the receipt of the said W. G. Blount to either of the Treasurers of this state shall be to either of them a good and sufficient voucher. His receipt
sufficient vouch-
er.

TH. CLAIBORNE,

Speaker of the House of Representatives

ROBERT C. FOSTER,

Speaker of the Senate

October 20th 1813.

CHAP. XVIII.

An act to extend an act entitled an act for the relief of John C. McLeMORE and others.

SEC. 1. *Be it enacted by the General Assembly of the state of Tennessee*, That the provisions of an act for the relief of John C. McLeMORE and others passed at Nashville at the called session in eighteen hundred and twelve of the last General Assembly, shall be

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further extended until the end of the next general assembly, and the said John C. M. Lemoire and others shall be entitled to the same privileges they had under the former law and under the act of the general Assembly passed at Knoxville the sixth of November eighteen hundred and eleven in behalf of said persons, until the end of the next stated session of the general assembly of this state, any law to the contrary in any wise notwithstanding.

TH. CLAIBORNE,

Speaker of the house of Representatives.

ROBERT C. FOSTER,

Speaker of the Senate.

October 20, 1813.

CHAP. XIX.

An act for the better regulation of the town of M'Minnville in the county of Warren.

Commissioners of M'Minnville.
SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee,* That John A. Wilson, Andrew Buchannon, Joseph Colville, James M. Ewin, Pleasant Henderson, James Wilson, John Starnit and William White be, and they are hereby appointed commissioners for the purpose of regulating said town, and before entering upon the duties of said appointment, shall take an oath well and truly to demean themselves as commissioners of said town agreeably to this act.

Vacancy how supplied.
SEC. 2. *Be it enacted,* That a majority of said commissioners shall constitute a quorum to do business, and whenever a vacancy or vacancies may happen by death, resignation, refusal to act or otherwise, it shall be the duty of said commissioners or any three of them to appoint another person to fill such vacancy, who shall take the same oath as above required.

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SEC. 3. *Be it enacted,* That said commissioners shall choose one of their own body a Chairman to preside at their meetings, and shall also choose a treasurer and clerk, said treasurer shall keep a fair and regular account of all monies by him received and expended, and before he enters upon the duties of his appointment, shall give bond and security to the Chairman of the court, in the sum of five hundred dollars for the faithful performance of all the duties appertaining to said appointment, and said clerk shall keep a fair and regular account of all the proceedings of said commissioners and an account current with the treasurer who shall also give bond and security as aforesaid, and shall advertise the rules of their proceedings whenever a majority of said board shall deem it right, and said clerk and treasurer, shall be entitled to receive such compensation for their services as said commissioners may deem just.

SEC. 4. *Be it enacted,* That said commissioners shall have power to compel all the inhabitants of said town, who are liable to work on public roads, to work on and keep in repair the streets and alleys of said town, in such manner as they may direct, and shall appoint an overseer thereof, who shall be bound to serve one year, under the same rules, liabilities and restrictions, as overseers of public roads are bound, and who shall have the same power to compel delinquents to work thereon, and to pay fines as overseers of public roads have in similar cases; and also shall have power to abate or remove nuisances at the expence of the party occasioning the same, and if necessary said commissioners shall cause said town to be resurveyed agreeably to the original plan, and shall designate the lots by fixing a stone or stake of some lasting wood at the corner of each lot, and to enable said commissioners to carry this act into effect, they shall have power to lay a tax annually on each hundred dollars worth of town property, not exceeding twenty-five cents, on each slave not exceeding fifty cents, on each white poll not exceeding twelve and a half cents, on each merchant, pedlar or hawker, not exceeding five dollars; which said tax shall be collected by a town Constable, who shall be appointed by said commissioners

People to work streets.

Remove nuisances.

Tax on town property.

Town Constable.

for that purpose, and whose duty it shall be to collect the same under the same rules and restrictions as collectors of public taxes are bound by, and shall account for the same to said commissioners, under similar restrictions.

Tax how
paid.

SEC. 5. *Be it enacted*, That said commissioners shall annually appoint one of their own body to receive lists of taxable property and polls, in said town who shall immediately thereafter proceed to take such lists of taxable property and polls as contemplated by this act, and shall return the same to said commissioners, who shall then proceed to appoint three disinterested free holders to ascertain the value of said town property returned as aforesaid, who shall value the same on oath, and shall report all delinquents failing to return lists as aforesaid, for which services said commissioners shall allow them a reasonable compensation, which shall be paid out of said tax, and such delinquents so failing to return their taxable property and polls as aforesaid shall be liable to pay a double tax.

Money to
be expended
only on town.

SEC. 6. *Be it enacted*, That no appropriation of money shall be made by said commissioners except for the benefit or improvement of said town agreeably to the directions of this act, and for the defraying the expences necessary for carrying the same into effect as aforesaid.

SEC. 7. *Be it enacted*, That where recoveries are not provided for in this act, it shall be lawful for said commissioners to sue for the same before any competent authority having cognizance thereof in the name of the chairman of said commissioners.

Make rules
and regula-
tions.

SEC. 8. *Be it enacted*, That said commissioners shall be authorized to make such other rules and bye laws, for the regulation of said town, as shall appear necessary, not contrary to the constitution and laws of the state, and cause their clerk to place the same on the door of the court house.

SEC. 9. *Be it enacted*, That the inhabitants of said town shall be exempted from working on any public road without the limits of said town, and no person not residing in said town shall be compelled to

work on any public road or part thereof leading through said town within the limits thereof.

TH. CLAIBORNE,

Speaker of the House of Representatives.

ROBERT C. FOSTER,

Speaker of the Senate.

October 20, 1813.

CHAP. XX.

An act to authorize the drawing of a lottery for the benefit of Geneva Academy in the County of Smith.

SEC. 1. *Be it enacted by the General Assembly of the state of Tennessee*, That Nathaniel W. Williams, Robert Allen, Archibald W. Overton, Charles Boulton, Arthur S. Hogan, John Gordon, and Lee Sullivan be and they are hereby appointed trustees of a lottery for the benefit of Geneva Academy.

Names of
trustees

SEC. 2. *Be it enacted*, That the trustees aforesaid are hereby authorized to draft and publish a scheme of a lottery on such plan as they shall think proper either in one, two, three, or four classes for the purpose of raising a sum of money not exceeding four thousand dollars.

Trustees to
draft scheme

SEC. 3. *Be it enacted*, That said trustees previous to their publishing said scheme, shall enter into bond in double the amount of the capital in said scheme to the chairman of the court of Pleas and Quarter sessions of Smith county, for the faithful payment of the prizes when drawn, and applying the money arising therefrom to the use of said Academy, or in case of failure to draw said lottery to return to such person or persons such sum or sums of money, as they may have advanced for tickets, which bond when executed shall be filed in the clerk's office of said court.

Scheme to
be published

Payment of
prizes

SEC. 4. *Be it enacted*, That when said trustees have sold such a portion of the tickets as would in

Drawing of
lottery

their opinion authorize the commencement of the drawing of said lottery: they shall proceed to the same under such rules and regulations, as they shall have made known in their scheme, giving notice of the time and place they will commence, at least twenty days previous to the commencement, in the public newspapers printed in said county.

Compensation to the managers, clerks &c.

Sec. 5. *Be it enacted*, That when the drawing of said lottery or either class is completed, it shall be the duty of the board of trustees of Geneva Academy, to make to the trustees, managers or clerks, of said lottery, a reasonable allowance for their services, to be paid out of the amount of money made by said lottery; and the residue of money so made shall be paid into the hands of the treasurer of said board of trustees for said Academy.

Trustees may hold tickets

Sec. 6. *Be it enacted*, That the trustees of said lottery may be purchasers of tickets if they think proper: *Provided*, they satisfy the managers or persons who superintend the drawing that there is no fraud or advantage taken or intended to be taken in consequence thereof

TH. CLAIBORNE,
Speaker of the House of Representatives.
ROBERT C. FOSTER,
Speaker of the Senate.

October. 18th 1813.

CHAP. XXI.

An act to alter the names of the persons therein mentioned.

Names altered.

Sec. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That William Cowan, and Lewis Cowan of Sumner county the illegitimate issue of Margaret Cowan, and William White, shall from and after the passage of this act be called and known by the names of William White and Lewis White.

TH. CLAIBORNE,
Speaker of the House of Representatives.
ROBERT C. FOSTER,
Speaker of the Senate.

October 13, 1813.

CHAP. XXII.

An act respecting the improvements of land.

Sec. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That hereafter when an action of ejectment shall be brought in any of the courts in this state, where the defendant or tenant in possession in such suit shall have colour of title to the premises in dispute, or any part thereof either by grant, deed of conveyance, founded upon a grant or entry for the same lying in any part of this state, or obtain by occupancy and pre-emption in the section of country south of French Broad, and Holston rivers, and West of Big Pigeon and East of Tennessee rivers—such defendant or tenant in possession may file at the time he files his plead notice to the lessor or lessors of the plaintiff that on the trial of the cause he or they will prove what improvements he or they may have made on the said land in dispute and the value thereof, after which notice being filed the said lessor or lessors of the plaintiff may at the same term, file a notice to the said defendant or tenant in possession, that in like manner he or they will prove the amount of the mesne profits of said premises, and it shall be the duty of such court upon the trial of such action of ejectment to permit such defendant or tenant in possession to prove to the jury empanelled to try such ejectment every thing appertaining to the nature and value of his improvement on the land in dispute, and shall also permit such lessor or lessors in like manner to prove the amount of the mesne profits of such premises—provided that no improvement shall be taken into the valuation and allowed for, that shall have been made after the execution of the original writ in such suit or after the lessor or lessors of the plaintiff, his or their agent or attorney shall have served said defendant or tenant in possession with a written notice, that he or they claim title to the said land, specifying in the notice the nature of his claim, neither shall any mesne profits be valued and recovered unless such as shall have accrued after the commencement of suit or notice given as aforesaid.

Tenant to give lessor notice of making effect.

E

Verdict of
the jury, va-
lue of men,
profit & im-
provements.

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Sec. 2. *Be it enacted,* That when the Jury shall find a verdict in favour of the plaintiff in such action they shall also find the value of the improvements in favour of such defendant or tenant in possession, proved in manner aforesaid, and further shall find the amount of the mesne profits proved to have accrued as aforesaid, and if the value of the improvements should exceed the amount of the mesne profits the balance or overplus thereof shall be found by the jury and such plaintiff or plaintiffs shall not have his writ of possession awarded or issued against the defendant or defendants until he or they shall have deposited with the clerk of such court the full amount of the balance or overplus which the value of the improvements is found to exceed the mesne profits as aforesaid and if the mesne profits as aforesaid shall exceed the value of the improvements as aforesaid the Jury aforesaid shall find the amount of such balance or overplus against the defendant or tenant in possession, and such court may on motion enter up judgment and issue execution accordingly.

TH. CLAIBORNE,

Speaker of the House of Representatives.

ROBERT C. FOSTER,

Speaker of the Senate.

October 18th, 1813.

CHAP. XXIII.

An act to incorporate the Stock-holders of the Iron factory company in the counties of Greene and Cocke.

Preamble.

Whereas John Shields and others have associated themselves for the purpose of making Wrought and Cast iron and for manufacturing the same into useful implemtns of Husbandry, and in order to enable themselves the more effectually to carry their intentions into effect have presented a petition to this General Assembly to be incorporated, Therefore.

Sec. 1. *Be it enacted by the General Assembly of the state of Tennessee,* That John Shields, Henry

Stock hol-
ders of Iron
company.

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Stephens, Charles Lewen, and Henry Gragg of Cocke county, and John Easterly, Stephen Brooks, Josiah Clawson, John Gragg, Philip D. Merony, and William Gragg of Greene County, and all other persons who have associated, or who may associate with them, for the purposes aforesaid, shall be and are hereby ordained constituted and declared to be a body corporate and politic in fact, and in name, by the name and style of the "Iron factory Company" and by that name they and their successors shall and may be known and have succession, and shall have power and be capable of suing and being sued, pleading and being impleaded, answering and being answered unto defending & being defended in all courts, judicatures and places whatsoever, and wheresoever in all manner of actions, suits, complaints, matters and causes whatsoever, and also of contracting and being contracted with relative to the purposes and business for which the said corporation is hereby created as hereafter declared, and that the said corporation, may have a common seal, and may alter the same at pleasure, and also that the said corporation shall be in law capable of purchasing holding and conveying any real or personal estate for the public use of the said corporation.

May pass
bye-laws &c.

Sec. 2. *Be it enacted,* That said corporation shall have and are hereby vested with full power and authority to pass such byelaws and enter into such regulations for governing and managing the concerns of the same, as they may think proper, and shall have power of appointing any number of their own body to conduct their business and declare when and how dividends of the profits arising from their joint stock shall be made, and appoint such times and places for holding general meetings as they may deem right and shall moreover have power to pass any byelaws they may think conducive to their interest, provided the same be not inconsistent with the laws and constitution of this state.

Transfer of
stock.

Sec. 3. *Be it enacted,* That no transfer of stock shall be valid or effectual until such transfer

shall be entered or registered on the book or books to be kept by the trustees for that purpose.

TH. CLAIBORNE,

Speaker of the House of Representatives,

ROBERT C. FOSTER,

Speaker of the Senate,

October 25, 1813.

CHAP. XXIV.

An act to alter the titles of the treasurers of this state.

Titles of
treasurers
altered

Sec. 1. *Be it enacted by the General Assembly of the state of Tennessee,* That the treasurer of Washington and Hamilton Districts shall hereafter be known by the name of the treasurer of East Tennessee, and the treasurer of Winchester, Meri and Robertson Districts, by the style of the treasurer of West Tennessee.

TH. CLAIBORNE,

Speaker of the House of Representatives,

ROBERT C. FOSTER,

Speaker of the Senate,

Oct. 25th, 1813.

CHAP. XXV.

An act to regulate the town of Sparta in the county of White.

Commission-
ers of Sparta

Sec. 1. *Be it enacted by the General Assembly of the state of Tennessee,* That Wesley W. Keais, William Glenn, Jacob A. Lane, Thomas Harbert, George Ailsworth, David Smith and Lawson Nourse, be and they are hereby appointed commissioners for the purpose of regulating the town of Sparta in the county of White.

Sec. 2. *Be it enacted,* That a majority of said commissioners shall form a Quorum to do business, and whenever a vacancy or vacancies shall happen by death, resignation, refusal to act or otherwise, it shall be the duty of said commissioners, or any three of them to fill such vacancy.

Sec. 3. *Be it enacted,* That said commissioners shall elect from their own body a president to preside at all their meetings, and also elect a treasurer and clerk, and it shall be the duty of said treasurer to keep a fair and regular account of all monies received and expended, and before he enters upon the duties of his appointment, shall give bond and security to the president of the said board of commissioners, in such sum as the said board, or a majority of them shall think sufficient for the faithful performance of all the duties appertaining to said appointment, and it shall be the duty of said clerk to keep a true and perfect record of all the proceedings of said commissioners, and an account current with the treasurer, and shall give bond and security as aforesaid, and shall advertise the rules and regulations for the improvement and order of said town by them adopted whenever a majority of said board may deem it necessary, and the said clerk and treasurer, shall be entitled to receive such compensation for their services as said commissioners shall deem just.

Sec. 4. *Be it enacted,* That said commissioners shall have power to compel all the inhabitants of said town who are liable to work on public roads, to work on and keep in repair the streets and alleys of said town in such manner as they may direct, and shall appoint an overseer thereof, who shall be bound to serve one year under the same rules regulations and restrictions as overseers of public roads, and shall have the same power to compel the attendance of the hands to him assigned by said board, that overseers of public roads have by law, and the said board of commissioners shall have power to resurvey said town, and designate the bounds of the lots thereof by fixing a stone at their corners, to lay off foot ways and improve them, to remove nuisances at the expence of the party occasioning the same,

and to enable the commissioners to carry this act into effect, they shall have power to lay a tax annually on each hundred dollars worth of town property not exceeding fifty cents, on each slave not exceeding fifty cents, on each white poll not exceeding twenty five cents, on each pedlar or hawker not exceeding five dollars, which tax shall be collected by a town constable, who shall be appointed for that purpose, and whose duty it shall be to collect the same under the same rules and regulations as other officers collecting public money, and shall account for the same to the said commissioners, under similar restrictions.

To raise taxable property.

SEC. 5. *Be it enacted*, That said commissioners shall annually appoint one of their body receive taxable property and polls in said town, who shall immediately proceed to take such lists of taxable property and polls, and shall return the same to the said board of commissioners who shall thereupon proceed to appoint three disinterested free holders to assess the value of said town property returned as aforesaid, who shall value the same upon oath, and shall report all delinquents failing to return lists of their taxable property as aforesaid, and the value thereof, which delinquents shall be liable to double tax, for which service the commissioners shall allow them a reasonable compensation to be paid out of said tax.

Money to be only appropriated for the town.

SEC. 6. *Be it enacted*, That no appropriation of money shall be made by said commissioners except for the benefit or improvement of said town agreeably to the provisions of this act, and for defraying the expence necessary to carry the same into effect as aforesaid.

Recoveries how had.

SEC. 7. *Be it enacted*, That all recoveries authorized by this act shall be sued for and recovered in the name of the president of said board of commissioners before any tribunal having jurisdiction thereof and said commissioners or a majority of them shall have full power to pass such bye laws for the regulation of said town, as to them shall seem right and necessary, not inconsistent with the laws and constitution of this state and enforce their observance.

Sec. 8. *Be it enacted*, That the inhabitants of said town shall not be compelled to work on any public road out of the limits of said town, neither shall any citizen of the county of White residing out of the bounds of said town be compelled to work on said streets.

TH. CLAIBORNE,

Speaker of the House of Representatives

ROBERT C. FOSTER,

Speaker of the Senate.

Oct. 12th, 1813.

CHAP. XXVI.

An act to appoint an additional trustee for Porter Academy in the county of Blount.

Sec. 1. *Be it enacted by the General Assembly of the state of Tennessee*, That William Aylett be, and he is hereby appointed an additional trustee for Porter Academy in the county of Blount, and he is hereby vested with the same powers and privileges subject to the same rules, regulations and restrictions as those heretofore appointed.

Trustee of Porter Academy.

TH. CLAIBORNE,

Speaker of the House of Representatives.

ROBERT C. FOSTER,

Speaker of the Senate.

Oct. 18th, 1813.

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CHAP. XXVII.

An act making compensation to the Registrar of East Tennessee for books furnished for the public use.

Sec. 1. *Be it enacted by the general Assembly of the state of Tennessee,* That Edward Scott register of East Tennessee, be allowed the sum of one hundred and thirty eight dollars and fifty cents for books furnished for the use of the public.

Allowance to
Edward
Scott.

Sec. 2. *Be it enacted,* That the aforesaid sum shall be paid to the said Edward Scott out of any monies in the treasuries of East or West Tennessee not otherwise appropriated, and that the receipt of said Edward Scott, shall be a sufficient voucher for either of the treasuries in the settlement of their accounts.

TH. CLAIBORNE,

Speaker of the House of Representatives.

ROBERT C. FOSTER,

Speaker of the Senate.

Oct. 25th, 1842.

CHAP. XXVIII.

An act appointing commissioners to settle with William Clay and others, commissioners of the town of Rutledge in the county of Grainger.

Sec. 1. *Be it enacted by the General Assembly of the state of Tennessee,* That David M. Annally, Thomas Gill and Henry Hawkins, be and they are hereby appointed commissioners to settle with William Clay and others, commissioners of the town of Rutledge, in the county Grainger, with full power to call upon and bring before them all such persons and papers as they may deem necessary to a full and

Commission-
ers to settle
with William
Clay & others

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fair investigation of all the amount of sales of lots of monies received or due, of all costs or expenditures as to them shall appear just and reasonable, and shall make a fair statement thereof and report the same to the court of Grainger county, and if such report is confirmed by said court, such court shall have power to lay a tax to reimburse the said William Clay or others (if it shall appear by said report that they have paid out more money than they have received) or to enter judgment against said commissioners or either of them for any balance that may be due to the county of Grainger, and remaining in his or their hands.

Sec. 2. *Be it enacted,* That the aforesaid commissioners before entering on the duties of their appointment, shall take an oath to do equal and impartial justice between William Clay and others commissioners of the town of Rutledge and the county of Grainger, according to the evidence and vouchers that may come before them.

Sec. 3. *Be it enacted,* That witnesses who may necessarily attend the said commissioners, shall be entitled to receive the same compensation as witnesses attending county courts, to be paid by the county of Grainger, on certificate of the commissioners, and the said commissioners shall receive the sum of one dollar and fifty cents each; for each and every day they shall be employed on said business.

Sec. 4. *Be it enacted,* That this act shall be in force from and after the passage thereof.

TH. CLAIBORNE,

Speaker of the House of Representatives.

ROBERT C. FOSTER,

Speaker of the Senate.

October. 25th 1842.

F

CHAP. XXIX.

An act authorizing verdicts heretofore rendered in the old Superior and county courts of this state to be given in evidence.

Sec. 1. *Be it enacted by the General Assembly of the state of Tennessee,* That all verdicts heretofore rendered in any of the old superior and county courts in this state and recoveries had thereon, and where it appears that such verdicts have been acquiesced in by the parties, notwithstanding the clerks may have neglected to enter the judgment of the court formally thereon, that a copy of such verdict or verdicts certified by the clerk shall be admitted as evidence, and shall have the same effect in any court in as full and ample a manner to all intents and purposes, as though the judgment of the court had been entered up at the time it ought to have been done, any law to the contrary notwithstanding.

TH. CLAIBORNE,

Speaker of the house of Representatives.

ROBERT C. FOSTER,

Speaker of the Senate.

October 12, 1813.

CHAP. XXX.

An act to establish a Female Academy in Maryville in the county of Blount.

Names of trustees. SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Andrew Thompson, David Caldwell, James Berry, John Montgomery, John Gardiner, James Houston, William Aylett and Isaac Anderson, be and they are hereby constituted a body politic and corporate by the name of the trustees of the *Maryville Female Academy*, and by that name shall have perpetual succession and

a common seal, and said trustees and their successors by the name aforesaid shall be capable in law to purchase, receive and hold to themselves and their successors forever or for any less estate, any lands tenements, goods or chattels which shall be granted or devised to them or purchased by them for the use of said Academy, and to use and dispose of the same in such manner as to them shall seem most advantageous for the use of said Academy, and said trustees and their successors by the name aforesaid, may sue and be sued, plead and be empleaded in any court of law or equity of this state or elsewhere.

Sec. 2. *Be it enacted,* That the said trustees and their successors shall have power to hold a meeting whenever convened by any two of said trustees at any place said trustees may appoint; but not less than five members may constitute a board, which board or a majority of them shall have power to fill all vacancies which may happen by death, resignation, removal or refusal, to act of any trustee or trustees, to appoint a president and secretary of said board and to transact all business of every description relating to the interest, government and management of said Academy, in such manner as to them shall seem expedient and necessary, provided said trustees shall not have power to make any bye laws, rules or regulations which may be inconsistent with the laws of this state.

Trustees to fill vacancies.

TH. CLAIBORNE,

Speaker of the House of Representatives.

ROBERT C. FOSTER,

Speaker of the Senate,

October 18, 1813.

CHAP. YXXI.

An act for the relief of those who have failed to return their plats and certificates for lands South of French broad and Holston within the time limited by law.

SEC. 1. *Be it enacted by the General Assembly of the state of Tennessee,* That the further time of twelve months, from and after the passage of this act

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Be allowed for those persons who have failed to return their plats and certificates on their occupant claims south of French Broad and Holston as afore said, and it shall and may be lawful for them to return their plats and certificates to the register's office at any time previous to the expiration of said term of twelve months hereafter, and shall be as good and valid as if they had been returned within the time heretofore prescribed by law, any law to the contrary notwithstanding.

TH. CLAIBORNE,

Speaker of the House of Representatives.

G. WILSON.

Speaker of the Senate pro-tempore.

October 28th 1813.

CHAP. XXXII.

An act authorizing the county court of Carter to appoint a person to put in repair the road leading from James Peoples's up Doe river, to the state line on the Yellow mountain, and to erect a turn-pike thereon.

Road from Peoples's to Doe river.
Sec. 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the county court of Carter is hereby authorized at their next or any subsequent session, to appoint a suitable person or persons to repair and put in good order the road leading from James Peoples's up Doe river to the state line; on the Yellow Mountain, and keep the same in such order as is required by the existing laws of this state for and during the term of ten years.

Free holders to view the situation.
Sec. 2. *Be it enacted,* That the said court when notified for that purpose shall appoint three respectable free holders near said road, whose duty it shall be to view the same and report its situation to the court, and if said court is satisfied, the road is in such repair as is required by the laws of this state,

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they shall grant to the person or persons, his or their heirs or assigns, who may have been appointed to put the same in repair a licence to erect a turn-pike on said road at such place as he or they may think proper, during the term he or they are required by this act to keep the same in repair.

Sec. 3. *Be it enacted,* That the person or persons after receiving licence as aforesaid may and he or they are hereby authorized to demand and receive under the direction of said court not exceeding the following rates of toll, (to wit,) for each waggon and team fifty cents, for each cart or other two wheeled carriage of burden twenty five cents, for each four wheeled pleasurable carriage, one dollar, for each chair, gig or other two wheeled pleasurable carriage fifty cents, for each man and horse, six and a fourth cents, for each loose or led horse six and a fourth cents, for each head of cattle hogs or sheep one cent, for each slave six and a fourth cents.

Rates of toll

Sec. 4. *Be it enacted,* That the person or persons so authorized shall in all respects be liable to the same mode of proceeding and subject to the same penalties and forfeitures to which overseers of roads are or may be liable.

Penalties & forfeitures

TH. CLAIBORNE,

Speaker of the House of Representatives.

G. WILSON.

Speaker of the Senate pro-tempore.

Oct. 28th 1813.

CHAP. XXXIII.

An act to compel plaintiff's or defendant's who plead in any of the courts of this state that obligations or instruments of writing under which they claim a benefit are lost, to make oath of the truth of such pleading.

Sec. 1. *Be it enacted by the General Assembly of the state of Tennessee,* That from and after the passage of this act, no declaration, plea, replication, etc. which sets forth or states any obligation or instrument of writing under seal, under which such

party claim a benefit, and which is alleged to be lost, and not in the power of the party to produce said instrument or obligation in court, shall be received in any of the courts of this state, unless such party make oath of the truth of such statement in his declaration, plea, replication, etc. as the case may be.

TH. CLAIBORNE,

Speaker of the House of Representatives.

G. WILSON,

Speaker of the Senate. pro tempore.

October 28th 1813.

CHAP. XXXIV.

An act for the relief of Robert Jarmon.

SEC. 1. *Be it enacted by the General Assembly of the state of Tennessee,* That the Governor of said state, be and he is hereby authorized to loan to Robert Jarmon, the sum of one thousand one hundred and twenty two dollars and eighty six cents, in addition to the sum of fifteen hundred dollars heretofore loaned him without interest, until the general Government pay said Jarmon for provisions and ammunition furnished the expedition commanded by General Thomas Johnson in 1812. Said Jarmon entering into bond with sufficient security to hold said sum at the future disposition of the Legislature of said state; said sum to be drawn from either of the treasurers of this state by warrant of the Governor.

TH. CLAIBORNE,

Speaker of the House of Representatives.

G. WILSON,

Speaker of the Senate. pro-tempore.

October 28, 1813.

CHAP. XXXV.

An act to authorize the drawing of a lottery for the benefit of Anderson Academy in the county of Cocke.

SEC. 1. *Be it enacted by the General assembly of the state of Tennessee;* That William Garrett, Francis Jackson Carter, Charles T. Porter, John Shields, Thomas Fowler, Henry Stephen, and William Silard, be and they are hereby appointed trustees of a lottery for the benefit of Anderson Academy in the county of Cocke. Names of managers.

SEC. 2. *Be it enacted,* That said trustees are hereby authorized and empowered to draft and publish a scheme of a lottery on such plan as shall to them seem most eligible either in one, two, three, or four classes, for the purpose of raising a sum not exceeding five thousand dollars. Scheme to be published.

SEC. 3. *Be it enacted,* That said trustees previous to their publishing said scheme, shall enter into bond in double the sum of the capital in said scheme, to the Chairman of the court of said county, conditioned for the faithful payment of the prizes when drawn, and for the faithfully applying the money arising from the same to the use of said Academy, or in case of failure to draw said lottery, to return such person or persons, such sum or sums of money as they may have advanced for tickets, which bond when executed shall be by them filed in the Clerk's office of said county. Bond to be given.

SEC. 4. *Be it enacted,* That when said trustees have sold such a portion of the tickets as would in their opinion authorize the commencement of the drawing of said lottery, they shall proceed to draw the same, under the same rules and regulations, as they shall have made known in their scheme, giving notice of the time and place they will commence drawing, at least twenty days previous to the time, in the Knoxville Gazette. Rules of drawing.

SEC. 5. *Be it enacted,* That when the drawing of said lottery, or either class is completed, it shall be the duty of the trustees of Anderson Academy, to Allowances to trustees made agents &c.

meet and make a reasonable allowance to the trustees, managers and clerks for their services performed, and after deducting such allowance from the amount of money made by said lottery, to pay the residue of the money made by the same to the treasurer of the board of trustees of said Academy.

SEC. 6. *Be it enacted*, That the trustees may purchase tickets if they think proper, provided they satisfy the managers, or superintendants of the drawing that there is no fraud or advantage intended to be taken in consequence thereof.

TH. CLAIBORNE,

Speaker of the House of Representatives

G. WILSON,

Speaker of the Senate, pro-tempore.

October 28, 1813.

CHAP. XXXVI.

An act to authorize the drawing of a lottery for the benefit of Nancy Academy in Sevier County.

SEC. 1. *Be it enacted by the General Assembly of the state of Tennessee*, That Robert Wier, Josiah Rogers, James P. H. Porter, Isaac Love, Alexander Preston, Thomas Price and William Mitchell, be and they are hereby appointed trustees of a lottery for the benefit of Nancy Academy.

SEC. 2. *Be it enacted*, That the trustees aforesaid, or a majority of them, are hereby authorized to draft and publish a scheme of a lottery, on such plan as they shall think proper either in one, two, three, or four classes for the purpose of raising a sum of money not exceeding six thousand dollars.

SEC. 3. *Be it enacted*, That said trustees previous to their publishing said scheme, shall enter into bond in double the amount of the capital in said scheme, to the Chairman of the court of pleas and quater ses-

sions of Sevier county, for the faithful payment of the prizes when drawn, and for faithfully applying the money arising from said lottery to the use of said Academy, or in case of failure to draw the lottery, to return to such person or persons, such sum or sums of money as they may have advanced for tickets, which bond when executed, shall be filed in the Clerk's office of said court.

SEC. 4. *Be it enacted*, That when said trustees have sold such a proportion of the tickets, as would in their opinion, authorize the commencement of the drawing of said lottery, they shall proceed to the same, under such rules and regulations as they shall have made known in their scheme: giving notice of the time and place they will commence, at least twenty days previous to the commencement in the Knoxville Gazette.

SEC. 5. *Be it enacted*, That when the drawing of said lottery, or either class is completed, it shall be the duty of the board of trustees of the Nancy Academy, to meet and make to the trustees, managers and clerks of said lottery, a reasonable allowance for their services, and after deducting such allowance from the amount of money made by said lottery, it shall be the duty of the trustees of said lottery, to pay the amount of money made by the same to the treasurer of the board of trustees for said Academy.

SEC. 6. *Be it enacted*, That the trustees of said lottery may also be purchasers of tickets if they think proper, provided they satisfy the managers or persons who superintend the drawing, that there is no fraud or advantage taken, or intended to be in consequence thereof.

SEC. 7. *Be it enacted*, That John Sharp be appointed a trustee of Nancy Academy in the county of Sevier, and that he be vested with the same powers as the acting trustees for said Academy, and under the same rules and restrictions.

TH. CLAIBORNE,

Speaker of the House of Representatives.

G. WILSON,

Speaker of the Senate pro-tempore.

Oct. 28th, 1813.

CHAP XXXVII

An act to incorporate the Nashville Library company.

Nashville library company organized.
Sec. 1. *Be it enacted by the General Assembly of the State of Tennessee.* That all such persons as now are or may hereafter become share-holders in the Nashville Library company, shall be and are hereby ordained, constituted and declared to be from time to time a body corporate and politic in fact and in name, by the name of the Nashville library company, and by that name they and their successors shall and may have continual succession, and shall be persons in law capable of suing and being sued, pleading and being impleaded, answering and being answered unto, defending and being defended in all courts and places whatsoever in all manner of actions, suits and causes.

To be managed by seven directors.
Sec. 2. *Be it enacted,* That the Nashville Library company shall be managed by seven directors, a majority of whom shall constitute a sufficient number to do any act which by law may be done by the said directors, which said directors shall hold their appointments for one year, and until successors shall have been elected in the manner by this act prescribed.

When elected.
Sec. 3. *Be it enacted,* That the share-holders of said company shall meet at the court house in Nashville on the first monday in July, 1814, and on the first monday in every July thereafter, to elect seven fit persons, all of whom shall be share-holders, to be directors of the said company for the ensuing twelve months, and in case of the death, resignation or removal of any of the directors aforesaid, the balance of such directors may fill the vacancy or vacancies occasioned thereby.

Provision in case no elections.
Sec. 4. *Be it enacted,* That in case it should at any time happen, that an election of directors should not be made at the time prescribed by this act, the said corporation shall not be dissolved, but it shall and may be lawful to hold an election for directors in such manner as shall be regulated by the bye-laws of said corporation.

Directors to choose librarian &c.
Sec. 5. *Be it enacted,* That the said directors shall have the power to choose a librarian, clerk and treasury, all of whom shall continue in office until the said directors shall think proper for good cause to remove them, and the said directors shall have power to raise such monies by assessments on the several shares in said Library, as they may judge necessary for preserving and encreasing of the same, to make bye-laws for the due regulation of its concerns, not repugnant to the laws and constitution of this state, and to annex and recover penalties for any breach of such bye-laws.

Temporary directors.
Sec. 6. *Be it enacted,* That until such time as directors shall be elected under the directions of this act, John Dickinson, Wilkins Caneshill, Duncan Robertson, James Trimble, Robert Searcy, William W. Cooke & Washington L. Hannum shall act as directors of the Nashville Library company, in case no election takes place on the first monday in July 1814, as is by this act contemplated, the above named persons shall continue to act as directors until their successors shall be regularly appointed.

Laws to regulate mode of transferring shares.
Sec. 7. *Be it enacted,* That the amount of each share and the mode of transferring the same, shall be fixed and regulated by the laws of said corporation.

Sec. 8. *Be it enacted,* That no person shall be considered as a member of said corporation, or be subject to the regulations prescribed by this act, unless he shall after the same takes effect subscribe himself as such in a book to be kept for that purpose by the clerk.

Members to subscribe their names.
Sec. 9. *Be it enacted,* That this act shall take effect and be in force from and after the passage thereof.

TH. CLAIBORNE,

Speaker of the House of Representatives.

G. WILSON,

Speaker of the Senate pro-tempore.

October 28, 1813.

732
CHAP. XXXVIII.

An act supplementary to an act to authorize
Sheriffs or their deputies to administer oaths
in certain cases, passed the 20th day of April
one thousand eight hundred and nine.

Sheriffs, to
administer
oaths.

Sec. 1. *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 jurors of view, to review and lay off public roads, and the said jurors 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.*

TH. CLAIBORNE,

Speaker of the House of Representatives.

ROBERT C. FOSTER,

Speaker of the Senate.

Oct. 7th, 1813.

CHAP. XXXIX.

An act to authorize the commissioners of the
Town of Monroe to sell part of the public
square.

Commission-
ers to sell
part of the
public square
in Mon. Co.

Sec. 1. *Be it enacted by the General Assembly of the state of Tennessee, That the commissioners for the town of Monroe in the county of Overton, be and they are hereby authorized to sell at private sale, at a fair and reasonable price, part of the public square laid off in said town, not exceeding thirteen feet wide adjoining, and in front of the different lots bounded by said square, to be occupied in no other manner than by pavements, palisados, pales or piazzas, and*

said commissioners are authorized and required to make deeds of conveyance therefor, to such persons as shall purchase the same, provided such commissioners shall not sell to any person not owning the adjoining ground.

Sec. 2. *Be it enacted, That said commissioners shall be authorized to credit for any term not exceeding nine months, on the purchaser's giving bond with sufficient security for the payment of the consideration money; and the commissioners aforesaid shall collect and account for said money, in the same manner, and under the same restrictions, that they are bound to collect, and account for the proceeds of the sales of the lots in said town heretofore sold.*

To give nine
months credit
on bond.

TH. CLAIBORNE,

Speaker of the House of Representatives.

ROBERT C. FOSTER,

Speaker of the Senate.

October 12th, 1813.

CHAP. XL.

An act to authorize the drawing of a lottery
for the benefit of Union Academy.

Sec. 1. *Be it enacted by the General Assembly of the state of Tennessee, That Arthur Crozier, John Lieb, John M'Adoo, Quin Morton, John Underwood, John Parks, Charles Y. Oliver and Robert Dew, Esquires, be and they are hereby appointed trustees of a lottery for the benefit of Union Academy.*

Trustees of
Union Academy.

Sec. 2. *Be it enacted, That the trustees aforesaid are hereby authorized to draft and publish a scheme of a lottery on such plan as they shall think proper, either in one, two, three or four classes, for the purpose of raising a sum not exceeding two thousand dollars.*

To publish
scheme of
lottery.

Sec. 3. *Be it enacted, That said trustees previous to their publishing said scheme, shall enter into*

To give bond
to county
court.

bond in double the amount of the capital in said scheme, to the chairman of the court of Anderson county, for the faithful payment of the prizes when drawn, and for faithfully applying the money arising from said lottery to the use of said Academy, or in case of failure to draw the lottery, to return to such person or persons such sum or sums of money, as they may have advanced for tickets, which bond when executed shall be filed in the clerk's office of said county court.

To commence
drawing
when tickets
sold.

SEC. 4. *Be it enacted*, That when said trustees have sold such a proportion of the tickets as would in their opinion authorize the commencement of the drawing of said lottery, they shall proceed to the same, under such rules and regulations as they shall have made known in their scheme, giving notice of the time and place they will commence, at least thirty days previous to the commencement in Wilsons Knoxville Gazette.

Pay man-
agers &c. for
trouble.

SEC. 5. *Be it enacted*, That when the drawing of said lottery or either class is completed, it shall be the duty of the board of trustees of Union Academy, to meet and make to the trustees, managers and clerks of said lottery, a reasonable allowance for their services, of the money made by said lottery, deducting such allowance from the amount of money made by said lottery; it shall be the duty of the trustees of said lottery to pay the amount of money made by the same to the treasurer of the board of trustees for said Academy.

Trustees may
purchase

SEC. 6. *Be it enacted*, That the trustees of said lottery may also be purchasers of tickets, if they think proper, provided they satisfy the managers, or the persons who superintend the drawing, that there is no fraud or advantage taken, or intended to be taken in consequence thereof.

TH. CLAIBORNE.

Speaker of the House of Representatives.

ROBERT C. FOSGER,

Speaker of the Senate.

October 12th 1813.

CHAP. XL

An act to authorize drawing a lottery to raise a Masonic Hall in Nashville.

SEC. 1. *Be it enacted by the General Assembly of the state of Tennessee*, That Elihu S. Hall, Wilkins Tannehill, William Tait, Josiah Nichol, Robert Searey, David Irwin and Duncan Robertson, be and are hereby authorized to draft a scheme of a lottery, and superintend the drawing of the same, for the purpose of raising a sum of money not exceeding five thousand dollars, to be employed in building a masonic Hall in the town of Nashville, by the members of Cumberland lodge.

Directors to
Lottery for
Masonic hall

SEC. 2. *Be it enacted*, That said trustees or a majority of them, before they proceed with said lottery, shall enter into bond with good security, before the chairman of the court of Davidson county court, in double the whole amount of the capital in said scheme, for the faithful payment of the prizes when drawn, or in case of failure to draw said lottery, for the re-payment to such persons as have purchased tickets, of the sums by them advanced, which bond when executed, shall be filed with the clerk of said court.

To give bond
to county
court.

SEC. 3. *Be it enacted*, That said trustees or a majority of them, when about to proceed to the drawing of said lottery, shall in the presence and under the inspection of two justices of the peace for Davidson county, put into the boxes, the numbers, prizes and blanks contemplated by the scheme, and shall appoint two clerks to keep a regular account of the numbers drawn, and of the blanks and prizes, who shall take an oath faithfully, truly and impartially to keep an account of the drawing of said lottery.

The numbers
&c to be put
in boxes.

SEC. 4. *Be it enacted*, That said trustees or a majority shall have power to make sale of tickets, to take bonds from such persons, as they may sell tickets to, or from such persons as they may deposit tickets with for sale, and in case of failure to comply with the terms of said bonds, they are hereby authorized to sue for and recover on the same in their names as trustees of said lottery, and to do and trans-

To sell tick-
ets, &c

not all things necessary and proper, to carry the same into effect, and the proceeds of said lottery when finished they are hereby directed to pay over to Cumberland lodge of free masons, to be employed as aforesaid, after paying the necessary expenses of drawing said lottery.

TH. CLAIBORNE,

Speaker of the House of Representatives.

G. WILSON,

Speaker of the Senate pro-tempore.

CHAP. XLII.

An act for the better regulation of the town of Winchester in the county of Franklin.

Commission-
ers of Win-
chester.

Sec. 1. *Be it enacted by the General Assembly of the state of Tennessee,* That Ralph Crabb, Jonathan Speaker, James S. McWhorter, James Estill, and Jas. Russel be, and they are hereby appointed commissioners for the purpose of regulating said town, and before entering upon the duties of said appointment, shall take an oath well and truly to demean themselves as commissioners of said town agreeable to this act.

Majority to
be a quorum.

Sec. 2. *Be it enacted,* That a majority of said commissioners shall constitute a quorum to do business, and whenever any vacancies may happen by death, resignation, refusal to act or otherwise, it shall be the duty of said commissioners or any three of them, to appoint another person to fill such vacancy who shall take the same oath as above required.

Choose a
Chairman.

Sec. 3. *Be it enacted,* That said commissioners shall choose one of their own body as Chairman to preside at their own meetings, and shall also choose a treasurer and clerk; said treasurer shall keep a fair and regular account of all monies by him

received and expended, and before he enters upon the duties of his appointment shall give bond and security to the chairman of the court in the sum of five hundred dollars for the faithful performance of all the duties appertaining to said appointment, and said clerk shall keep a fair and regular account of all the proceedings of said commissioners and an account current with the treasurer who shall also give bond and security as aforesaid, and shall advertise the rules of their proceedings whenever a majority of said board shall deem it right, and said clerk and treasurer shall be entitled to receive such compensation for their services as said commissioners may deem just.

Sec. 4. *Be it enacted,* That said commissioners shall have power to compel all the inhabitants of said town who are liable to work on public roads to work on and keep in repair the streets and alleys of said town, in such manner as they may direct, and shall appoint an overseer thereof, who shall be bound, to serve one year, under the same rules and restrictions as overseers of public roads are bound, and who shall have the same power to compel delinquents to work thereon and to pay fines as overseers of public roads have in similar cases and also shall have power to abate or remove nuisances at the expence of the party occasioning the same, and if necessary said commissioners shall cause said town to be resurveyed agreeably to the original plan, and shall designate the lots by fixing a stone or stake of some lasting wood at the corner of each lot; and to enable said commissioners to carry this act into effect they shall have power to lay a tax annually on each hundred dollars worth of town property not exceeding twentyfive cents, on each slave not exceeding fifty cents, on each white poll not exceeding twelve and one half cents, and on each merchant, pedlar or hawker, not exceeding five dollars, which said tax shall be collected by a town constable, who shall be appointed by said commissioners for that purpose, and whose duty it shall be to collect the same under the same rules and restrictions as collectors of public taxes are bound by, and

Compel the
inhabitants
to work on
streets and
alleys.

shall account for the same to said commissioners under similar restrictions.

To receive
tax list.

SEC. 5. *Be it enacted*, That said commissioners shall annually appoint one of their own body to receive lists of taxable property and polls in said town, who shall immediately thereafter proceed to take such lists of taxable property and polls as contemplated by this act, and shall return the same to said commissioners, who shall then proceed to appoint three disinterested free holders to ascertain the value of said town property returned, as aforesaid, who shall value the same on oath, and shall report all delinquents failing to return lists as aforesaid, for which services said commissioners shall allow them a reasonable compensation, which shall be paid out of said tax; and such delinquents so failing to return their taxable property and polls as aforesaid, shall be liable to pay a double tax.

monies to be
appropriated
for town

SEC. 6. *Be it enacted*, That no appropriation of money shall be made by said commissioners except for the benefit or improvement of said town agreeable to the directions of this act, and for the defraying the expences necessary for carrying the same into effect as aforesaid.

Suits in the
name of the
chairman.

SEC. 7. *Be it enacted*, That where recoveries are not provided for by this act it shall be lawful for said commissioners to sue for the same before any competent authority having cognizance thereof, in the name of the chairman of said commissioners.

SEC. 8. *Be it enacted*, That said commissioners shall be authorized to make such other rules and bye laws for the regulation of said town, as shall appear necessary, not contrary to the constitution and laws of this state, and cause their clerk to place the same on the door of the court house.

SEC. 9. *Be it enacted*, That the inhabitants of said town shall be exempted from working on any public road without the limits of said town, and no person not residing in said town shall be compelled to work on any public road or part thereof leading through said town, within the limits thereof.

SEC. 10. *Be it enacted*, That the commissioners of the town of Fayetteville shall and are hereby authorized to lay a tax on each retail store, hawker or pedler in the county of Lincoln not exceeding five dollars.

Commissioners of Fayetteville to lay tax

TH. CLAIBORNE,

Speaker of the House of Representatives.

G. WILSON,

Speaker of the Senate pro-tempore.

October 28th 1813.

CHAP. XLIV.

An act to annex the Militia company commanded by Captain John Brock, in the county of Claiborne to the first Battalion of the ninth regiment in said county.

SEC. 1. *Be it enacted by the General Assembly of the state of Tennessee*, That the Militia company commanded by Captain John Brock, be annexed to and make a part of the first Battalion of the ninth regiment of militia of the state of Tennessee in the county of Claiborne, any law to the contrary notwithstanding.

Capt. Brock
militia company.

TH. CLAIBORNE,

Speaker of the House of Representatives.

ROBERT C. FOSTER,

Speaker of the Senate.

Oct. 5th, 1813.

CHAP. XLV.

An act to authorize Samuel Smith to build a toll bridge across Red river at said Smith's Ferry.

SEC. 1. *Be it enacted by the General Assembly of the state of Tennessee*, That Samuel Smith of

Montgomery county, he and he is hereby authorized to erect a toll Bridge across Red river at his ferry thereon provided he does not thereby obstruct the navigation nor ford in said river.

SEC. 2. *Be it enacted*, That the rates of Toll shall be the same, as the rates of Ferriage allowed by the county court of Montgomery for crossing said river.

TH. CLAIBORNE,

Speaker of the House of Representatives.

R. C. FOSTER,

Speaker of the Senate.

Oct. 8th, 1818.

CHAP. XLVI.

An act for the benefit of Joseph A. Montgomery and others.

Sec. 1. *Be it enacted by the General Assembly of the state of Tennessee*, That from and after the passage of this act Joseph A. Montgomery shall be privileged to retail all kinds of merchandize and spirituous liquors within the county of Rutherford, without paying any state or county tax, or obtaining licence for the same, and shall give bond and security as other Inn Keepers, any law to the contrary notwithstanding.

Sec. 2. *Be it enacted*, That Abraham Carlock of the county of Overton, shall be privileged to retail merchandize of any description throughout the bounds of this state without paying any state or county tax, or obtaining licence for the same. And Rebecca Watson, shall be authorized to retail spirituous liquors within the county of Overton, free from the payment of any state or county tax therefor, and shall give bond and security as other Inn Keepers do. And that William G. Evans be, and is hereby authorized and permitted to Hawk and Peddle, through-

Allowing
Joseph A.
Montgomery
and others
to retail spir-
ituous liquors

out the counties of West Tennessee, without in any manner being or being subject to the payment of any state or county tax therefor.

TH. CLAIBORNE,

Speaker of the House of Representatives

ROBERT C. FOSTER,

Speaker of the Senate.

October 26th, 1818.

CHAP. XLVIII.

An act to authorize William E. Cocke to build a Toll bridge over Powell's river at or near the Shallow Ford in Claiborne county.

SEC. 1. *Be it enacted by the General Assembly of the state of Tennessee*, That William E. Cocke be authorized to erect a toll bridge over Powell's river, at or near the Shallow Ford on said river in Claiborne county, at the most eligible place not exceeding one half mile from said ford, provided said William E. Cocke does not in any manner, obstruct or injure said ford.

Allow Wm
E. Cocke to
build a toll
bridge.

SEC. 2. *Be it enacted*, That the said William E. Cocke be authorized, to demand and receive the following rates of toll, to wit, for each waggon and team, sixty two and one half cents, for each pleasurable four wheeled carriage seventy five cents, for each two wheeled pleasurable carriage fifty cents, for each cart thirty one and a fourth cents, for each horse and rider twelve and one half cents, for each loose or led horse six and one fourth cents, for each foot passenger over the age of twelve years, six and one fourth cents, for each head of cattle three cents, for each head of hogs, or sheep one cent.

Rate of toll.

SEC. 3. *Be it enacted*, That said William E. Cocke before he receives the toll above mentioned

shall put the road leading from the Kentucky road to said bridge in good and sufficient repair.

TH. CLAIBORNE,

Speaker of the house of Representatives

ROBERT C. FOSTER,

Speaker of the Senate

October 5, 1818.

CHAP. XLVII.

An act authorizing separate elections in the county of Lincoln.

SEC. 1. *Be it enacted by the General Assembly of the state of Tennessee*, That it shall be the duty of the sheriff of Lincoln county by himself or deputy, on the constitutional days for holding elections to open and hold separate elections at the house of Samuel Isaacs on Mulberry creek, and at the house of William M. Millan, on Swan creek, for the purpose of electing a Governor, members of Congress, electors to elect President and Vice President, members of the state legislature, and military officers, which said elections shall be held and conducted under the same rules and regulations as similar elections in the state.

SEC. 2. *Be it enacted*, That it shall and may be lawful for all persons who are constitutionally authorized to vote in Lincoln county, to give in his vote either at the place of holding court for said county, or at either of the other places of holding a separate election, as may best suit his convenience.

SEC. 3. *Be it enacted*, That at the close of said separate elections 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 Lincoln county in the town of Fayetteville, of the number of votes received at said elections for each candidate which return shall be received as part of the election of Lincoln county.

Election at
William M.
Millan.

SEC. 4. *Be it enacted*, That any person who shall vote at more than one of said places of election, shall forfeit and pay the sum of ten dollars to any person who will sue for the same.

SEC. 5. *Be it enacted*, That if there should be no sheriff in said county it shall be the duty of the Coroner, by himself and two other persons by him appointed for that purpose to hold said elections and make return of the same, subject to the same rules and regulations as elections held by the sheriff in similar cases.

TH. CLAIBORNE,

Speaker of the House of Representatives

ROBERT C. FOSTER,

Speaker of the Senate

October 12th, 1818.

CHAP. XLIX.

An act to establish the town of Morganton at the mouth of Baker's creek in the county of Blount, and to appoint commissioners therefor.

SEC. 1. *Be it enacted by the General Assembly of the state of Tennessee*, That a town heretofore laid off on the land of Hugh and Charles Kelso at the mouth of Baker's creek on the Tennessee river, in the county of Blount by the name of *Portsville*, be and the same is hereby established, as laid out by the original plan of said town by the name of Morganton.

To establish
Morganton

SEC. 2. *Be it enacted*, That William Lowry, James J. Greene, John Eakin, Richard Dearman, Matthews Wallace, James Wyly, John Lambert, senr. and Joseph Duncan, be and they are hereby appointed commissioners of said town, and the said commissioners or a majority of them shall have power

Commissioners
are named.

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 or to purchase any number of acres of the adjacent land not exceeding twenty acres, and procure a title to the same in fee, and when purchased to lay off or add to said town any number of lots of equal size of those in the original plan of said town, not exceeding fifty, and when said lots shall be laid off by the commissioners in manner aforesaid, said lots shall compose a part of said town, and may be sold by said commissioners or a majority of them, provided said trustees shall before entering upon the duties of their office, take an oath well and truly to discharge the duties of said appointment.

TH. CLAIBORNE,

Speaker of the House of Representatives

ROBERT C. FOSTER,

Speaker of the Senate.

October 25, 1813.

CHAP. L.

An act granting further indulgence to the citizens south of French Broad and Holston and other purposes.

SEC. 1. *Be it enacted by the General Assembly of the state of Tennessee,* That the citizens residing south of French Broad and Holston, and between the rivers Big-Pigeon and Tennessee, be and they are hereby authorized and permitted to retain in their own hands, the whole sum or sums due from them respectively to the state as interest on any or either of the instalments, the price of the lands by them respectively claimed, under the provisions of the several acts of the General Assembly heretofore passed by said state, providing for the sale of lands in said section of country, until the first day of November, one thousand eight hundred and fifteen.—*Provided* nothing herein contained shall prevent any citizen or citizens within said section of country from paying into the treasury of East Tennessee the whole or any part of the principal, or interest by them respectively due, or to become due to said state for said lands.

Allowing in
 indulgence to
 the citizens
 South of
 French
 Broad and
 Holston.

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 Sec. 2. *Be it enacted,* That from and after the passage of this act, no interest shall accrue to the state, on account of any instalments now due, or hereafter to become due for the land in said section of country, until the expiration of the time mentioned in the first section of this act.

No interest
 shall accrue
 by instalments.

TH. CLAIBORNE,

Speaker of the House of Representatives

ROBERT C. FOSTER,

Speaker of the Senate.

October 26th, 1813.

CHAP. LI.

An act for the relief of persons that have lost their Grants before being registered by the register of the land office.

SEC. 1. *Be it enacted by the General assembly of the state of Tennessee,* That all persons that have lost their Grants before being registered, by the Register of the land office, may apply to said Register and receive a duplicate Grant for the same.

TH. CLAIBORNE,

Speaker of the House of Representatives

ROBERT C. FOSTER,

Speaker of the Senate.

October 30, 1813.

CHAP. LII.

An act for the relief of Thomas Shute.

WHEREAS heretofore the board of commissioners established for the adjudication of land claims for

Thomas Shute relieved.

West Tennessee did adjudge Warrant No. 3993 for six hundred and forty acres of land, issued by the state of North Carolina unto Robert Barge, and by him assigned to Joseph Searlock, and by said Joseph Searlock unto Thomas Shute, to be invalid on the grounds that the same had been issued to Joshua Hadley, and whereas it has been represented, and made appear to this General Assembly, that no Grant had issued from the state of North Carolina unto the said Joshua Hadley, at the time of the adjudication aforesaid, upon military warrant number three thousand nine hundred and ninety three.

Commissioner to adjudge the validity of said warrant.

Therefore, — Sec. 1. *Be it enacted by the General Assembly of the state of Tennessee.* That the commissioner of East or West Tennessee, as the case may be, and it is hereby made his duty, when thereto required, to proceed to adjudge the validity of said warrant, as though the same had never been adjudged or acted upon by the board of commissioners aforesaid, and the adjudication of said commissioner shall and is hereby declared to be good and valid, both in law and equity, in the same manner as though said warrant had never heretofore been declared or adjudged invalid by said board of commissioners, any law to the contrary notwithstanding.

TH. CLAIBORNE,

Speaker of the House of Representatives

ROBERT C. FOSTER,

Speaker of the Senate.

Oct. 29th 1813.

CHAP. LIII.

An act for the better regulation of a separate election in the county of Robertson, at the house of Charles Kilgore.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee,* That it shall be the da-

of the sheriff of Robertson county, by himself, deputy or coroner to conduct the separate election, held at the house of Charles Kilgore on Harrington's fork of Red river, under the same rules, regulations and restrictions as are prescribed by law, for holding and conducting a separate election at the house of Henry Hide in said county, either as respects time, mode or privileges, any law to the contrary notwithstanding.

TH. CLAIBORNE,

Speaker of the House of Representatives

ROBERT C. FOSTER,

Speaker of the Senate.

November 1, 1813.

CHAP. LIV.

An act for the better regulation of the town of Columbia in the county of Maury.

Sec. 1. *Be it enacted by the General Assembly of the State of Tennessee,* That it shall be the duty of the sheriff of Maury county, by himself or his deputy, to hold an election at the court house in the town of Columbia on the first Saturday in January, in each and every year, for the purpose of electing five suitable persons, who shall be citizens and freeholders in said town, to act as commissioners for said town, who shall hold their appointments for twelve months, or until the next succeeding election for said purpose.

Election of commissioners for the town of Columbia.

Sec. 2. *Be it enacted,* That all citizens of said town, who are by law authorized to vote for members of the General Assembly, shall be entitled to a vote in said election, and a majority of said commissioners when so elected, shall constitute a quorum to do business, and if by death, resignation or removal, vacancies shall happen, it shall be lawful for the balance of said commissioners of said town

Vacancies to be filled.

when such vacancies shall happen, to meet and appoint a suitable person or persons to fill such vacancies.

*Appoint-
ment of treas-
urers, clerk
&c.* Sec. 3. *Be it enacted.* That the commissioners of said town at their first meeting after the election, annually shall appoint a chairman from their own body, and shall also annually appoint a treasurer and clerk, which treasurer shall keep a regular and just account of all money by him received and paid out by him in a book by him to be kept for that purpose, which said book with the money then in said treasury, and all the papers appertaining to said office, he shall deliver up to his successor, and the clerk shall keep a correct account of the proceedings of said commissioners, and advertise the rules by them adopted when they may deem proper, who shall receive such compensation together with the treasurer, as said commissioners shall deem adequate to their services and expenditures.

*Compel inhab-
itants to
work on the
streets
&c.* Sec. 4. *Be it enacted.* That the said commissioners shall have power to compel the inhabitants of said town that are liable to work on roads, to work on and keep in repair, the streets in said town, and to appoint an overseer thereof, who shall collect such fines from those who refuse or neglect to work thereon, as are directed in similar cases in respect to roads, to prevent encroachments on the streets, and to remove any nuisance whatsoever, at the expense of the party occasioning the same, and if necessary procure a surveyor to survey said town, agreeably to the original plan—they shall also have power to lay a tax annually on each hundred dollars worth of town property, not exceeding twenty five cents, on each white poll not exceeding twelve and one half cents, on each black poll not exceeding twenty five cents, which said tax may be collected by warrant under the hand and seal of any justice of the peace of said county, in the name of the chairman of said board for the use of said board, by a collector by the said board appointed for that purpose, which said collector shall have such compensation for his services as the said board may deem sufficient, which collector shall be governed by the rules established

by law for collecting and accounting for the state tax, and in case of non-residents, who have no personal property, shall report to the county court in the same manner, the sheriff in similar cases is bound to do, which said county court of Maury is hereby authorized to enter up judgment, and award execution in the same manner, and under the same rules that judgment is entered up against the property of non-residents, for the collection of the state and county tax, and the sheriff of said county of Maury is hereby authorized to sell said property under the same rules he doth sell for the collection of state and county tax, which said sale shall be as good as other sales for taxes under the laws of this state.

*Receive list
of taxable
property.* Sec. 5. *Be it enacted.* That the commissioners of said town shall appoint one of their own body to take a list of taxable property in the town aforesaid, annually in the month of January, who shall return the same to said board of commissioners at the next meeting thereafter.

*Money laid
out on town
only.* Sec. 6. *Be it enacted.* That no appropriation of money shall be made by said commissioners except for the benefit or improvement of said town agreeably to the directions of this act, or for defraying the expense necessary for carrying the same into effect.

*Three suit-
able persons
to value
property.* Sec. 7. *Be it enacted.* That the commissioners of said town shall appoint three suitable persons of their own body in said town to assess the value of said town property, whose duty it shall be to assess said property annually, and make return thereof annually on oath to said board of commissioners at the first meeting after said assessment is made.

TH. CLAIBORNE,

Speaker of the House of Representatives.

ROBERT C. FOSTER

Speaker of the Senate.

Oct. 29, 1813.

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CHAP. LV.

An act making the beating of any slave or slaves the property of another, an indictable offence.

SEC. 1. *Be it enacted by the General Assembly of the state of Tennessee,* That if any person or persons shall wantonly and without sufficient cause beat or abuse the slave or slaves of another person, such offence shall be an indictable one, and any person or persons so offending shall be subject to indictment in the court of the county where such offence may be committed under the same rules, and subject to the same pains and penalties as for the commission of similar offences on the body of any white person.

TH. CLAIBORNE,

Speaker of the House of Representatives

ROBERT C. FOSTER

Speaker of the Senate.

Nov. 1, 1813.

CHAP. LVI.

An act for the relief of the heirs of John Webb, deceased.

Whereas it appears to this General Assembly that on the twenty fifth day of May, seventeen hundred and eighty four, John Webb made two entries in John Armstrong's office for two thousand five hundred acres each, one of number two thousand five hundred and forty five, and the other of number two thousand five hundred and forty eight, both in Greene county on the waters of the Mississippi river, for which entries the consideration money was fairly paid and warrants issued thereupon, on the twelfth day of January seventeen hundred and eighty five—and whereas it appears that the above recited warrants have been so lost or mislaid, that the rightful owners thereof cannot derive any benefit from said

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warrants and as by a reference to the books, it will clearly appear that no grant or grants have ever issued on the before mentioned warrants. Therefore

SEC. 1. *Be it enacted by the General Assembly of the state of Tennessee,* That the commissioner of East Tennessee is hereby directed to issue to George and Joseph Greenway, the only heirs and legal representatives of the said John Webb deceased, duplicate land warrants to the amount of five thousand acres, in such parts and parcels as they may direct, expressing in the face of said duplicate warrants the same are to be satisfied in the tract west and south of the congressional reservation.

SEC. 2. *Be it enacted,* That this act shall not in any wise affect the title of any person or persons claiming or to claim as assignee or assignees of said John Webb, deceased, or of his legal representatives in virtue of said original warrants or either of them.

TH. CLAIBORNE,

Speaker of the House of Representatives

ROBERT C. FOSTER,

Speaker of the Senate

November 1st, 1813.

CHAP. LVII.

An act authorizing a separate election in the county of Dickson.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee,* That it shall be the duty of the sheriff of Dickson county, by himself, deputy or coroner, on the days appointed by law for holding elections to open and hold a separate election at the house of Minor Bibb, on the waters of Turnball for

the purpose of electing a governor, members to Congress, electors to elect a President and Vice President of the United States, members of the state legislature and militia officers, under the same rules, regulations and restrictions as are prescribed by law for holding a separate election at the house of James Norris in said county.

TH. CLAIBORNE,

Speaker of the House of Representatives.

ROBERT C. FOSTER,

Speaker of the Senate.

November 1st, 1813.

CHAP. LVIII.

An act to ratify and confirm the official acts of the persons therein named.

SEC. 1. *Be it enacted by the General Assembly of the state of Tennessee,* That all the official acts of Jacob Binkly of Robertson county, of William Williamson of Blount county, and of Henry M. Hudson of Rutherford county, since the time of their qualification as justices of the peace, be and the same are hereby declared to be good and valid in law as though their commissions had issued in their proper names, and that the Governor forthwith commission them justices of the peace for the counties aforesaid, any law to the contrary notwithstanding.

TH. CLAIBORNE,

Speaker of the House of Representatives.

ROBERT C. FOSTER,

Speaker of the Senate.

Oct. 29th, 1813.

CHAP. LIX.

An act to protect the improvers of land south and west of the congressional reservation line.

SEC. 1. *Be it enacted by the General Assembly of the state of Tennessee,* That in the event of any person or persons instituting any action or actions for any lands south and west of the congressional reservation line claimed by virtue of any Grant that has or may issue from the state of North Carolina, after the 28th day of July 1805, it shall be the duty of the jury who try the issue, to find the additional value of said land by reason of any improvements existing thereon, in case they should find a verdict for the plaintiff or plaintiffs, and said plaintiff or plaintiffs shall not be permitted to take out a writ of possession for said land, until he or they deposit in the clerk's office, where he may obtain such a verdict, the full amount of the value assessed by the jury for said improvements.

Protect the improvers of land South and West of the reservation line.

SEC. 2. *Be it enacted,* That no writ of possession in such cases shall prevent such defendant or defendants from taking away the crop growing or standing at the time of the execution thereof, nor shall such defendant or defendants be liable to any action for rents or mesne profits.

TH. CLAIBORNE,

Speaker of the House of Representatives.

ROBERT C. FOSTER,

Speaker of the Senate.

Nov. 1st, 1813.

CHAP. LX.

An act to authorize the drawing of a lottery for the benefit of Priestly Academy.

SEC. 1. *Be it enacted by the General Assembly of the state of Tennessee,* That Wesley W. Keair, Names of

Isaac Thomas jr. Anthony Debbrel, William Glenn, Jacob A. Lane, and Lawson Nourse, be and they are hereby appointed trustees of a lottery for the benefit of Priestly Academy in the county of White.

Scheme to be published.

SEC. 2. *Be it enacted*, That the trustees aforesaid are hereby authorized to draft and publish a scheme of a lottery on such plan as they shall deem advisable for the purpose of raising a sum not exceeding five thousand dollars for the use and benefit of the Academy aforesaid.

Bond to be given.

SEC. 3. *Be it enacted*, That the trustees previous to their publishing said scheme, shall enter into bond in the amount of fifty thousand dollars to the chairman of the county court of White, for the faithful payment of the prizes when drawn, and for faithfully applying the money arising out of said lottery to the use of said Academy, or in case of failure to draw the lottery to refund to such person or persons such sum or sums of money which they may have advanced for tickets, and the bond when executed as aforesaid shall be filed in the clerk's office of said court.

SEC. 4. *Be it enacted*, That when said trustees have sold such a porportion of the tickets as would in their opinion authorize the commencement of the drawing of said lottery, they shall proceed to the same under such rules and regulations as they shall have made known, giving notice of the time and place they will commence, at least twenty days previous thereto in some public paper printed in this state.

Allowance to be made to commission-ers clerks &c

Sec. 5. *Be it enacted*, That when the drawing of said lottery is completed it shall be the duty of the board of trustees of Priestly Academy to meet and make to the managers and clerks of said lottery a reasonable compensation for their services, and after deducting such allowance or compensation from the amount of money made by said lottery, it shall be the duty of the trustees of said lottery to pay the amount of money made by the same to the treasurer of the board of trustees for said Academy.

Sec. 6. *Be it enacted*, That the trustees of said lottery may be purchasers of tickets if they think proper, provided they satisfy the managers or persons who superintend the drawing, that there is no fraud or advantage intended to be taken in consequence thereof.

Allowing trustees to purchase tickets.

Sec. 7. *Be it enacted*, That Isaac Thomas jr. be appointed a trustee for Priestly Academy, in place of John M. Garrick deceased, and the said trustees shall have and possess equal powers with those of the trustees heretofore appointed.

Isaac Thomas appointed trustee

TH. CLAIBORNE,

Speaker of the house of Representatives.

ROBERT C. FOSTER,

Speaker of the Senate.

October 29, 1813.

CHAP. LXL

An act appointing additional commissioners for the town of Elizabethton in the county of Carter.

Sec. 1. *Be it enacted by the General Assembly of the state of Tennessee*, That Charles Reno, Robert Blackmore and William B. Carter be appointed commissioners to act with the acting commissioners for the town of Elizabethton in the county of Carter, and that they be vested with the same powers as those heretofore appointed.

Names of Commissioners.

Sec. 2. *Be it enacted*, That five of the acting commissioners shall form a quorum to do business, and any three of them shall have power to appoint a suitable person or persons to fill all vacancies that may happen by death, removal, resignation or refusal to act, as the case may be.

Fill Vacancies.

TH. CLAIBORNE,

Speaker of the House of Representatives.

ROBERT C. FOSTER,

Speaker of the Senate.

Oct. 29th, 1813.

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CHAP. LXIII

An act to amend an act entitled an act to amend the law now in force for selling under execution, passed at Knoxville in the year 1805.

And to be
repealed.

SEC. 1. *Be it enacted by the General Assembly of the state of Tennessee*, That the provisions of the before recited act, be and the same is hereby amended, so as to authorize the friend or friends of the person or persons whose lands heretofore have been sold (and not redeemed) or which hereafter may be sold, to redeem such lands or to pay the taxes of the lands reported to be sold, in the same manner, and under the same rules and regulations which the said recited act authorizes the owner, his heirs, executors or administrators to redeem such land, any law to the contrary notwithstanding.

SEC. 2. *Be it enacted*, That if any sheriff shall fail to pay over to the purchaser, on application, the money by him received in redemption of land sold for taxes, he shall be liable to pay the rate of fifty per cent per annum interest on the sum by him received from the time such failure may happen until paid.

TH: CLAIBORNE,

Speaker of the House of Representatives.

ROBERT C. FOSTER,

Speaker of the Senate.

November 1st. 1813.

CHAP. LXIII.

An act for the relief of John Dabney.

John Dabney
believed.

Whereas it is represented to this General Assembly, that the state of North Carolina on the sixteenth day of August seventeen hundred and eighty five, issued to a certain Joseph Skeeter a land warrant for six hundred and forty acres of land, which has by several assignments come into the hands of a certain Daniel Wilbourne, who sold and conveyed

the land appropriated by virtue of said warrant to a certain Peter Edwards, whose title, right, and interest, in and to two hundred and thirty one acres thereof was sold by virtue of an execution to John Dabney.

And whereas in making the original entry on said warrant it was made by mistake in the name of the heirs of Jacob Skeeter, instead of the heirs of Joseph Skeeter, by reason of which mistake said Dabney, cannot as the law now stands, obtain a grant for his land. For remedy whereof.

SEC. 1. *Be it enacted by the General Assembly of the state of Tennessee*, That the Register of West Tennessee, be and he is hereby authorized and required to issue to John Dabney a grant, for two hundred and thirty one acres of land according to the meets and bounds prescribed to said Dabney by virtue of his purchase of the lands of Peter Edwards, under the sheriff's sale heretofore made, it being so much of a six hundred and forty acre tract of land heretofore entered, in the name of the heirs of Jacob Skeeter, by virtue of a warrant issued by the state of North Carolina, on the sixteenth day of August, seventeen hundred and eighty five, to Joseph Skeeter, the said entry having been made by mistake in the name of the heirs of Jacob Skeeter instead of the heirs of Joseph Skeeter.

Grant to be
given John
Dabney.

SEC. 2. *Be it enacted*, That nothing in this act contained shall defeat the right, title, interest or claim of the said heirs of Jacob Skeeter, if such persons exist, or the right, title or interest of any person or persons claiming by, through under them or any of them; but they shall in all respects be secured in their rights should they hereafter appear, notwithstanding the issuance of said grant to said John Dabney.

TH. CLAIBORNE,

Speaker of the House of Representatives

ROBERT C. FOSTER,

Speaker of the Senate

November 2, 1813.

CHAP. LXII.

An act more effectually to punish the crimes of forgery and counterfeiting.

WHEREAS the laws heretofore of force in this state, have been found insufficient to restrain and punish the crimes of forgery and counterfeiting, in consequence whereof these offences have become common to the great loss of individuals and diminution of public credit, and whereas these offences are highly criminal, inasmuch as they lessen the confidence of the people in the public securities of the nation, whilst they tend to the corruption of morals, to the injury of commerce, and the prejudice of that paper medium which facilitates the transmission of money, and increases the active capital of our country.

SEC. 1. Be it enacted by the General Assembly of the state of Tennessee, That if any person or persons after the passage of this act, shall within the limits of this state, forge, counterfeit, make, prepare, engrave, stamp, print, sign, pass, utter, buy, sell, exchange, pay, barter, or tender in payment, the counterfeit resemblance, or imitation of any bank bill or bills, note or notes, or other bill or bills, note or notes of any bank or banks, insurance company or companies, or other corporation or corporations, or of any paper or papers, falsely purporting to be a bill or bills, note or notes of any bank or other corporation, whether such bank or corporation really exist or not, and whether such note or notes, bill or bills may be termed bank bills or notes, notes promissory or of credit, or are called by any other name or names whatsoever, and likewise whether the same be payable to any person or persons, or his, her or their order, or to any person or persons, or the bearer, or to the bearer generally, every such person or persons so forging, counterfeiting, making, preparing, engraving, stamping, printing, or signing such counterfeit bill or bills, note or notes, or any of them, or causing, procuring, assisting, aiding, abetting or being concerned in the forging, counterfeiting, making, preparing, engraving, stamping or printing the same, whether such counterfeit bill or bills, note or notes, or any

of them be complete and filled up with the number, date, names of the President and Cashier and payee, or any of them, or whether the same be in blank without such number, date, names or signature, or any of them, all and every such person or persons so offending, being thereof duly convicted, shall be adjudged Felons, and shall suffer death by hanging without the benefit of clergy; and all and every such person or persons so passing, uttering, buying, selling, exchanging, paying, bartering or tendering in payment, such counterfeit bill or bills, note or notes, or any of them (knowing them to be such) their aiders and abettors being thereof duly convicted, shall likewise be adjudged Felons, and shall suffer death by hanging without the benefit of clergy, and if any person or persons after the passage of this act shall knowingly have kept, possess, hide conceal or secrete or aid, assist, or be concerned in the having, keeping, possessing, hiding, concealing or secreting such counterfeit bill or bills, note or notes or any of them, or who knowing the same to be, or to have been, had, kept, possessed, hid, concealed or secreted, shall not discover the same, or his, her or their knowledge thereof to some judge or justice of the peace within one month after such fact or facts comes to his, her or their knowledge, every such person or persons so offending shall be fined not less than fifty nor more than five hundred dollars, and shall moreover be publicly whipped with not less than ten nor more than thirty nine lashes, and imprisoned for not less than one nor more than twelve months, provided always that such person or persons shall not be held, taken, deemed or adjudged guilty within the meaning of this clause, of any of the offences therein mentioned, if he she or they had kept, possessed, hid, concealed or secreted, or aided, assisted, or was concerned in the having, keeping, possessing, hiding, concealing or secreting of such counterfeit bill or bills, note or notes, innocently, ignorantly, and without knowing their use or nature, or who (knowing the same to be or to have been, had, kept, passed, hid, concealed or secreted) shall not discover the same, or his, her or their knowledge thereof, as aforesaid, through innocence, ignorance and want of knowledge

Penalty

Passing counterfeit notes &c. prohibited.

Penalty

Proviso.

Forgery, &c. of bank notes & prohibi.

of their use and nature, and provided also that this clause shall not be held, taken, deemed or adjudged to extend to officers of justice, into whose hands or possession any such counterfeit bill or bills, note or notes, may come, or who may have, keep or possess the same in the due and regular execution of the duty of his or their office.

Altering &c.
of bank notes
&c. prohibi
ed.

Sec. 2. *Be it enacted*, That if any person or persons after the passage of this act shall alter or erase any genuine bill or bills, note or notes of any bank or banks, or of any insurance companies or other corporation, or corporations, whether such note or notes, bill or bills are made payable to any person or persons, or his, her or their order, or to any person or persons, or to the bearer generally, or if any person or persons after the passage of this act, by any cunning, device, slight or trick whatsoever, shall change or alter the value, sum or denomination of the said genuine bill or bills, note or notes, or any of them, whether by changing the old figures or substituting or adding new ones, by discharging the ink from the said note or notes, bill or bills, by means of any chemical preparation or process, and then writing or printing upon the same, anew or by any other manner or means whatsoever, with intent to increase the value of such bill or bills, note or notes, or the sum therein mentioned or due thereupon, or with intent to defraud the said bank or banks, insurance company or companies, or other corporation or corporations, or any of them, or any private person or persons whatsoever, all and every such person or persons, so altering, erasing or otherwise changing the said bill or bills, note or notes, or any of them, their sum, amount, value or denomination with intent aforesaid, their aiders and abettors being thereof duly convicted, shall be adjudged Felons, and shall suffer death by hanging without the benefit of clergy; and all and every person or persons who after the passage of this act shall pass, utter, buy, sell, exchange, pay, barter or tender in payment, such bill or bills, note or notes, or any of them so altered, erased or otherwise changed as aforesaid (knowing them to be such) all and every such person and persons, their aiders, and abettors being thereof duly convicted, shall likewise be adjudged Felons, and

Penalty &c.
offenders.

felony, and if any person or persons after the passage of this act shall knowingly alter or erase any genuine bill or bills, note or notes of any bank or banks, or of any insurance companies or other corporation, or corporations, whether such note or notes, bill or bills are made payable to any person or persons, or his, her or their order, or to any person or persons, or to the bearer generally, or if any person or persons after the passage of this act, by any cunning, device, slight or trick whatsoever, shall change or alter the value, sum or denomination of the said genuine bill or bills, note or notes, or any of them, whether by changing the old figures or substituting or adding new ones, by discharging the ink from the said note or notes, bill or bills, by means of any chemical preparation or process, and then writing or printing upon the same, anew or by any other manner or means whatsoever, with intent to increase the value of such bill or bills, note or notes, or the sum therein mentioned or due thereupon, or with intent to defraud the said bank or banks, insurance company or companies, or other corporation or corporations, or any of them, or any private person or persons whatsoever, all and every such person or persons, so altering, erasing or otherwise changing the said bill or bills, note or notes, or any of them, their sum, amount, value or denomination with intent aforesaid, their aiders and abettors being thereof duly convicted, shall be adjudged Felons, and shall suffer death by hanging without the benefit of clergy; and all and every person or persons who after the passage of this act shall pass, utter, buy, sell, exchange, pay, barter or tender in payment, such bill or bills, note or notes, or any of them so altered, erased or otherwise changed as aforesaid (knowing them to be such) all and every such person and persons, their aiders, and abettors being thereof duly convicted, shall likewise be adjudged Felons, and

Guilty
felony
&c.

Innocent
ignorant per
sons prot
ted.

Sec. 3. *Be it enacted*, That if any person or persons after the passage of this act shall wilfully and

Penalty of passing &c. of bank notes.

If complete notes or not.

Penalty the same if informing of the baseness of note &c.

knowingly, vend, sell, buy or purchase, as goods merchandise, or shall exchange, barter, traffic, or pass, pay, or tender in payment, or hire or procure, or assist, or be concerned in the vending, selling, buying, purchasing, exchanging, bartering, trafficking, uttering, passing, paying or tendering in payment, the counterfeit resemblance upon paper of any of the bill or bills, note or notes, of any of the bank or banks, insurance company or companies, or other corporation or corporations, embraced, included in, referred or alluded to in the two preceding sections of this act, or of any such paper or papers, falsely purporting to be a bill or bills, note or notes of any bank or other corporation, though no such corporation shall really exist, whether the said counterfeit, resemblance or imitation upon paper, of the said bill or bills, note or notes, or any of them, be perfect or incomplete, whether they or any of them be filled up with the number, date, payees name and signature of the President and cashier, or whether the same be in blank, without such number, date, name or signatures, and likewise, whether such person or persons, say and acknowledge at the time of vending, selling, buying, purchasing, exchanging, bartering, trafficking, uttering, passing, paying or tendering the same in payment, that they or any of the same are counterfeit or not, every such person or persons so wilfully and knowingly, vending, selling, buying, purchasing, exchanging, bartering, trafficking, uttering, passing, paying or tendering in payment, or aiding, abetting, hiring, procuring, assisting or being concerned in such vending, selling, buying, purchasing, exchanging, bartering, trafficking, uttering, passing, paying or tendering in payment of such counterfeit bill or bills, note or notes, (knowing the same to be such) whether the same be in blank, and notwithstanding, the same be said or acknowledged to be counterfeit at the time, with intent to defraud the said bank or banks, insurance company or companies, or other corporation or corporations, or any private person or persons, such person or persons so offending, being duly convicted of the said offences or any of them, shall be adjudged Felons, and shall suffer death by hanging without the benefit of clergy.

Sec. 4. Be it enacted, That if any person or persons after the passage of this act shall engrave, imprint, stamp, dot, etch or otherwise mark, or so present, or shall begin or command engraving, imprinting, stamping, dotting, etching, or otherwise marking or representing upon copper or other metal, or upon any other substance, the imitation or resemblance, whether perfect or incomplete of any of the bill or bills, note or notes of any bank or banks, insurance company or companies, or other corporation or corporations, or of the paper or papers, falsely purporting to be the bill or bills, note, or notes of any bank or other corporation, whether such bank or corporation really exist or not, in any of the preceding sections of this act, embraced, included, mentioned, alluded or referred to (whether the said engraving, imprinting, stamping, dotting, etching, marking, or representation be finished or not) except by order and for the use of the particular bank or banks, insurance company or companies, or other corporation or corporations, whose bill or bills, note or notes are imitated or resembled by such plate, engraving, etching or other representation, or if any person or persons shall aid, abet, assist, hire, procure or be concerned in such engraving, imprinting, stamping, dotting, etching or other marking, or representation except by such order and for such use as aforesaid, every such person or persons being thereof duly convicted, shall be adjudged Felons, and shall suffer death by hanging, without the benefit of clergy.

And if any person or persons after the passage of this act shall knowingly have, keep, possess, use, hide, conceal, or secrete, or aid, assist, procure, hire or be concerned in having, keeping, possessing, using, hiding, concealing, or secreting, such plate or plates, engraving or engravings, dotting or dottings, etching or etchings, or other representation or representations aforesaid or of any of them, or who knowing the same to be or to have been, had, kept, possessed, used, hid, concealed or secreted, shall not discover the same, or his, her or their knowledge thereof to some judge or justice of the peace within one month after such fact or facts come to his, her or their knowledge, every such person or persons so offending,

Concealing, or engraving on copper, &c. provided against.

being thereof duly convicted, shall be fined not less than fifty nor more than five hundred dollars, and shall likewise be whipped with not less than ten nor more than thirty nine lashes, and imprisoned for not less than one nor more than twelve months, provided always that such person or persons shall not be held, taken, deemed or adjudged guilty within the meaning of this clause of any of the offences therein mentioned, if he, she or they had, kept, possessed, used, hid, concealed or secreted, or aided, assisted, procured, hired or was concerned in having, keeping, possessing, using, hiding, concealing or secreting such plate or plates, engravings or engravings, dotting or dottings, etching or etchings, or other representation or representations aforesaid, ignorantly, innocently and without knowing their use or nature, or who (knowing the same to be or to have been had, kept, possessed, used, hid, concealed or secreted) shall not discover his, her or their knowledge thereof as aforesaid, through ignorance, innocence and want of knowledge, of their use or nature, and provided also that this clause shall not be held, taken, deemed or adjudged to extend to officers of justice, into whose hands or possession such plate or plates, engraving or engravings, etching or etchings, or other representation or representations, may come, or who may have, keep or possess the same, or any of them in the due and regular execution of the duties of his or their office or offices.

SEC. 5. *Be it enacted*, That if any person or persons after the passage of this act shall sign, complete or fill up the blanks in any counterfeit imitation or imitations, of any note or notes, bill or bills of any bank or banks, insurance company or companies, or other corporation or corporations, in any of the four preceding sections of this act embraced, included in, mentioned referred or alluded to, whether by forging or signing in writing or otherwise, any name or names, in imitation of and purporting to be the signature or signatures name or names of the president or presidents, cashier or other officer or officers of any bank or banks, insurance companies, or other corporations, or whether by forging or signing, by writing or otherwise, the name of the payee, or the date

Concealing
etc. inno-
cently and
ignorantly,
provided for.

signing &c
bills pro-
vided a-
gainst.

and number to any such counterfeit bill or bills, note or notes which were before in blank, every such person or persons so offending—and every person or persons concerned in aiding, abetting, assisting, hiring or procuring such offences, or any of them to be done or committed, being thereof duly convicted shall be adjudged felons, and shall suffer death by hanging without the benefit of Clergy.

SEC. 6. *Be it enacted*, That if any person or persons after the passage of this act shall manufacture make, prepare, vend, sell, buy, purchase, barter, exchange, or assist or be concerned, in manufacturing, making, preparing, vending, selling, buying, purchasing, bartering, or exchanging, or shall hire, or procure another or others to manufacture, make, prepare, vend, sell, buy, purchase, barter, or exchange any paper of that description which is used for bank bills, or notes, and which shall contain the water mark or other private mark used upon the bill or note paper of any bank, insurance company or other corporation in any of the preceding sections of this act mentioned, embraced, included, in, referred or alluded to, or which shall be in imitation or resemblance of the bill or note paper of any bank or banks, insurance company or companies, or other corporation or corporations, though without such water mark or other private mark, or if any person or persons shall manufacture, make, mend or assist in manufacturing, making or mending the paper moulds or other necessary machines or instruments commonly used in the process of manufacturing or preparing, paper of that kind or shall hire or procure another or others to manufacture, make or mend the same, or if any person or persons shall knowingly keep, hide, conceal, use, possess or secrete or assist, or be concerned in keeping, hiding, concealing, using, possessing or secreting any paper of the description aforesaid or any paper moulds or other machines or instruments, commonly used in the manufacture or preparation, of such paper or any machines, or instruments commonly used in the making or mending of such moulds, or other instruments for the manufacture or preparation of such paper as aforesaid, or who knowing such paper or such

Making
Bank paper
&c. provided
against.

Secreting
of moulds for
paper &c.
provided a-
gainst.

moulds, machines or instruments or any of them to be or to have been kept hid, concealed, used, possessed or secreted shall not discover the same or his her or their knowledge thereof, to some judge or justice of the peace within one month after such fact or facts comes to his, her or their knowledge, all and every such person or persons so offending being duly convicted of the said offence, offences or any of them shall be fined not less than fifty, nor more than five hundred dollars, and shall moreover be imprisoned for not less than one, and not more than twelve months, and whipped with not less than ten nor more than thirty nine lashes: *Provided always*, that such person or persons shall not be deemed, held, taken or adjudged guilty within the meaning of this clause of any of the offences mentioned therein, if he she or they manufactured, made, prepared, vended sold, bought, purchased, bartered, exchanged, mended kept, hid, concealed, used, possessed, secreted or not discovered, or aided, assisted, abetted, hired, procured in or was concerned in the manufacturing, making preparing, vending, selling, buying, purchasing, bartering, exchanging, mending, keeping, hiding, concealing, using, possessing or secreting, such paper, paper moulds, or other instruments, or machines before mentioned innocently, ignorantly and without knowing their use or nature, or by the order and for the use of that particular Bank, Insurance company, or other corporation whose genuine paper, such paper resembles or imitates or the imitation or resemblance of whose genuine paper, such paper moulds or other machines or instruments is or are calculated to produce and provided also that this clause shall not be held taken, deemed, or adjudged to extend to officers of justice into whose hands or possession such paper, paper moulds or other machines instruments may come or who may have, keep or possess the same or any of them in the due and regular execution of the duties of his or their office or offices.

SEC. 7 *Be it enacted*, That if any person or persons after the passage of this act, shall wilfully and knowingly, manufacture, make, mend, use, possess, conceal, hide or secrete, or shall aid, assist, hire, procure or be concerned in the manufacturing, ma-

Punish-
ment for
concealment

Proviso.

Innocence
& ignorance
provided for.

Proviso.

Making
moulds, &c.
provided a-
gainst.

king, mending, using, possessing, concealing, hiding or secreting, any punch, die, stamp, mould, milling instrument or other machine, or instrument used, designed intended or calculated for the forging or counterfeiting doubloons, johannas, guineas, half guineas, Spanish milled dollars, half dollars, or quarter dollars or any such pieces of gold or silver coin, current, or which shall become current in this state, or who knowing such punch, dies, stamps, moulds, milling, instruments, or other machines, or instruments aforesaid, or any of them to be or to have been manufactured, made, mended, used, possessed, concealed, hid or secreted shall not discover the same, or his, her or their knowledge thereof to some judge or justice of the peace, within one month after such fact or facts comes to his, her or their knowledge, all and every such person or persons so offending, being duly convicted of the said offences or any of them, shall be fined not less than fifty, nor more than one thousand dollars, and shall moreover be imprisoned not less than one, nor more than twelve months and be publicly whipped on his, her or their bare back or backs with a whip or cowskin with not less than ten nor more than thirty nine lashes: *Provided always*, That such person or persons aforesaid, shall not be held, taken, deemed or adjudged guilty, within the meaning of this clause of any of the offences therein mentioned, if he, she or they manufactured, made, mended, used, possessed, concealed, hid, secreted or aided, assisted, hired, procured or was concerned in manufacturing, making, mending, using, possessing, concealing, hiding, or secreting such punches, dies, stamps, moulds, milling machines or other machines or instruments aforesaid or any of them, innocently, ignorantly, and without knowing their use or nature, or who knowing the same to be or to have been manufactured, made, mended, used, possessed concealed, hid or secreted, shall not discover the same or his, her or their knowledge thereof as aforesaid, through *innocence ignorance*, and want of knowledge of their use or nature, provided also that this clause shall not be held, taken, deemed or adjudged to extend to any officer or officers of justice into whose hands or possession such punches,

Penalty
for not in-
forming of
any base coin
concealed

Proviso.

Innocent
and ignorant
persons pro-
vided for.

dies, stamps, moulds, milling machines, or other machine or instruments aforesaid, or any of them may come or who may have, keep or possess the same in the due and regular execution of the duty or duties of his or their office or offices.

Making, &c.
of metal, &c.
provided as
aforesaid.

SEC. 8. *Be it enacted*, That if any person or persons after the passage of this act, shall manufacture, make, gild, plate, silver, lacquer or otherwise colour, keep, possess, conceal, hide or secrete, or cause, procure, hide, aid, assist or be concerned in manufacturing making, gilding, plating, silvering, lacquering or otherwise colouring, keeping, possessing, concealing, hiding or secreting any piece or pieces of base metal of the size, shape, form or similitude, or intended, designed or calculated to be of the size, shape, form or similitude of any piece or pieces of the gold and silver coin, which now is or which hereafter may become current in this state, whether such piece or pieces of base metal so manufactured, made, gilt, plated, silvered, lacquered or otherwise coloured, kept, possessed, concealed, hid or secreted, be stamped, struck, impressed or imprinted in imitation of any genuine gold or silver coin, or whether such piece or pieces of base metal, be in blank without such stamp or impression, every such person or persons, so offending being duly convicted of the said offences, or any of them, shall be fined not less than fifty nor more than one thousand dollars, imprisoned for not less than one nor more than twelve months, and whipped on the bare back with a whip or cow-skin, with not less than ten nor more than thirty-nine lashes, provided always that such person or persons shall not be held, taken, deemed or adjudged guilty within the meaning of this clause, of any of the offences therein mentioned, if he, she or they manufactured, made, gilt, plated, silvered, lacquered, or otherwise coloured, kept, possessed, hid, concealed, secreted or assisted, aided, or was concerned in manufacturing, making gilding, plating, silvering, lacquering or otherwise colouring, keeping, possessing, hiding, concealing or secreting such piece or pieces of base metal aforesaid innocently, ignorantly and without knowing their use or nature, provided also that

Punishment
of offenders

this clause shall not be held, taken, deemed or adjudged to extend to officers of justice, who shall have, keep or possess such piece or pieces of base metal in the due and regular execution of the duties of his, or their office or offices.

SEC. 9. *Be it enacted*, That the President or Presidents, Cashier or Cashiers, and all and every other officer and officers of all and every of the banks, insurance companies or other corporations in any of the preceding sections of this act, mentioned, referred or alluded to, and all and every other person or persons, injured or attempted to be injured by any of the offences in the preceding sections of this act, enumerated or described, shall be, and are hereby declared to be good, competent and sufficient witnesses or witnesses in law, against any offender or offenders who shall or hereafter may be indicted, presented, tried or arrested by virtue of this act, for any of the offences herein enumerated or described.

Bank officers
good witnesses

TH. CLAIBORNE,

Speaker of the House of Representatives

ROBERT C. FOSTER,

Speaker of the Senate

November 18th, 1818.

CHAP. LXV.

An act for the better regulation of the town of Washington in the county of Hhea.

SEC. 1. *Be it enacted by the General Assembly of the state of Tennessee*, That Thomas J. Campbell, James Rogers, Daniel Rayburn, George Conville, Carson Caldwell and John H. Rhodes, be and they are hereby appointed additional commissioners

Commissioners
of Washington

90
to act with those who are appointed by law for the regulation of said town.

Vacancies to be filled,
SEC. 2. *Be it enacted*, That a majority of said commissioners shall constitute a quorum to do business, and whenever a vacancy or vacancies may happen, by death, resignation or otherwise, it shall be the duty of three or more of said commissioners to appoint a fit person or persons to fill such vacancy or vacancies.

Compensation to clerks, treasurers &c.
SEC. 3. *Be it enacted*, That said commissioners shall choose from their own body, a suitable person to preside at their meetings, who shall be known by the name and appellation of Chairman, they shall also appoint a treasurer and clerk, and said treasurer shall keep a regular and just account of all monies received and paid out by him, in a book to be kept for that purpose, which said book with the money then in the treasury, and all papers appertaining thereto, when he goes out of office he shall deliver up to his successor, and the clerk shall keep a true and regular account of all the proceedings of said commissioners, and shall advertise the rules by them adopted, whenever they may deem it necessary, and said treasurer and clerk shall receive such compensation for their services as shall be thought adequate to their services and expenses.

Inhabitants to work on streets.
SEC. 4. *Be it enacted*, That said commissioners shall have power to call on all inhabitants of said town that are liable to work on roads, to work on and keep in complete repair, the streets of said town, to appoint an overseer thereof, who shall collect such fines from those who fail or refuse to labour on said streets as are directed in similar cases respecting roads, to prevent encroachments on the streets, to abate or remove any nuisances whatsoever, at the expence of the party occasioning the same, and if necessary to procure a surveyor to re-survey said town, agreeably to the original plan of said town, and designate the lots by fixing a stone or stake of lasting wood at the corner of each lot.

SEC. 5. *Be it enacted*, That the inhabitants of

91
the town aforesaid shall be exempted from working on any road out of the bounds of said town.

SEC. 6. *Be it enacted*, That said additional commissioners shall before they enter upon the duties of their office, give bond and security in the same manner that those heretofore appointed as commissioners for said town have given, and that they shall have power to make any bye-law or laws that may be necessary for the regulation of said town, that may not be contrary to the constitution of this state, and to enable the said commissioners more effectually to carry this act into execution.

Town property taxed.
SEC. 7. *Be it enacted*, That the said commissioners shall have power, and they are hereby directed to lay a tax annually on each hundred dollars worth of the property of said town, not exceeding fifty cents, on each black poll not exceeding one dollar, on each white poll not exceeding twenty cents, on each merchant, pedlar or hawker not exceeding five dollars, which said tax shall be collected by warrant, under the hand and seal of the said treasurer and clerk, directed to the collector, whom they may appoint, who shall be governed by the rules prescribed by law for collecting and for accounting for the state tax.

Town property valued.
SEC. 8. *Be it enacted*, That said commissioners shall annually appoint one of their body to receive lists of taxable property as before mentioned, on the first Saturday in January in each and every year in said town, and as soon as practicable after taking such lists, shall appoint three or more discreet and disinterested persons to ascertain the value of said town property as returned in said list, and any failing or refusing to give in their property as by this act required, upon his reporting the same shall be liable to double tax as in other cases.

Commissioners' expences.
SEC. 9. *Be it enacted*, That no appropriation of money shall be made by said commissioners, except for the benefit or improvement of said town, agreeable to the directions of this act, or for defraying the expence necessary for carrying the same into execution, and that the said commissioners shall receive

not exceeding one dollar and fifty cents per day as compensation for their services.

TH. CLAIBORNE,

Speaker of the House of Representatives,

ROBERT C. FOSTER,

Speaker of the Senate,

November 8th, 1843.

CHAP. LXVI.

An act to prevent the prosecuting separate Suits against joint or joint and several obligors and for other purposes.

Only one action against one obligor.

Sec. 1. *Be it enacted by the General Assembly of the State of Tennessee,* That in all suits hereafter to be commenced on any joint or joint and several notes, bills, bond or obligation, it shall not be lawful for the payee, obligee or assignee or assignees, or holder of said bill, bond or obligation to commence or institute at the same time, more than one action against one or more of said obligors, provided the plaintiff or holder of such notes or obligations may in such action, institute his suit either joint or several, or against so many of said obligors as he may think proper.

Sue maker before endorser.

SEC. 2. *Be it enacted,* That where the obligors or makers of any note, bill, bond or obligation reside in different counties, it shall be lawful for the plaintiff or plaintiffs to institute a suit against all or as many of the obligors as he may think proper, and it shall be lawful for the clerk of the court in which such suit shall be instituted to make out a separate writ or writs against the person or persons residing in a different county, directed to the sheriff of the county or counties where said person or persons reside, and endorse on such writ that it is the com-

part of the writ issued where such suit is commenced.

Sec. 3. *Be it enacted,* That an act passed at Nashville the 20th day of October 1842 to prevent the holders of promissory notes or other negotiable instruments from suing an endorser before the maker is sued, and for other purposes, be and the same is hereby repealed.

Sec. 4. *Be it enacted,* That all laws and parts of laws repealed by the above recited act, be and the same are hereby revived.

TH. CLAIBORNE,

Speaker of the House of Representatives,

ROBERT C. FOSTER,

Speaker of the Senate,

November 8th, 1843.

CHAP. LXVII.

An act to authorize a separate election in the county of Maury.

Separate election at Andrew Kennedy's.

Sec. 1. *Be it enacted by the General Assembly of the state of Tennessee,* That it shall be the duty of the sheriff of Maury county, by himself or deputy, on the days appointed by law for holding elections, to open and hold a separate election at the house of Andrew Kennedy on Cathey's creek, for the purpose of electing a Governor, members of Congress, electors to elect a President and Vice President, and members of the state legislature, which election shall be held and conducted under the same rules and restrictions that similar elections are in this state.

Sec. 2. *Be it enacted,* That it shall and may be lawful for any person or persons who reside in said county and who are by the constitution authorized

Judges to make returns of votes.

to vote at said elections to vote at said house of Andrew Kennedy

Sec. 3. *Be it enacted*, That at the close of said elections, 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 said county of Maury in the town of Columbia of the number of votes received at said election for each candidate which return shall be received as part of the election in Maury county, and the judges of said election shall have power to swear each voter that he has not given his vote in said election at any other place, than that at which he proposes to vote, and if any such shall refuse to swear, being thus requested, it shall preclude him from a vote at said election.

TH. CLAIBORNE,

Speaker of the House of Representatives.

ROBERT C. FOSTER,

Speaker of the Senate.

November 10, 1813.

CHAP. LXVIII.

An act for the benefit of Henry West.

Sec. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Henry West be and he is hereby authorized to Peddle and Hawk throughout the counties of West Tennessee without being subject to the payment of any tax therefor, any law to the contrary notwithstanding.

TH. CLAIBORNE,

Speaker of the House of Representatives.

ROBERT C. FOSTER,

Speaker of the Senate.

November 10th 1813.

CHAP. LXIX.

An act altering the place of holding elections and printing two orders in the county of Rutherford.

Sec. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the law authorizing an election to be held at the Black Foxes Camp in the county of Rutherford be, and is hereby repealed, and that hereafter it shall be held at the court house in the town of Murfreesboro, and that the polls from the different parts of holding elections in said county shall hereafter be completed in said town.

Sec. 2. *Be it enacted*, That it shall be the duty of the sheriff of Rutherford county, by himself or deputy, or by the coroner in case of vacancy of the office of sheriff, to open and hold two separate elections, one at Readyville, and the other at the house of James Johnson, both in the county of Rutherford, for the purpose of electing a governor, members of Congress, electors to elect a President and Vice President, members of the state legislature, and field officers of their regiment, under the same rules, regulations and restrictions as in similar elections in this state.

TH. CLAIBORNE,

Speaker of the House of Representatives.

ROBERT C. FOSTER,

Speaker of the Senate.

Nov. 5, 1813.

CHAP. LXX.

An act to annex part of Franklin county to the county of Warren.

Sec. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That from and after the passage of this act the dividing the

Election to be held at Murfreesboro rough.

Places of holding elections.

Annex part of Franklin to Warren.

ties of Franklin and Warren shall be continued from the place where the present dividing line between the counties crosses the main road leading from Winchester to Mt. Minville, near Henry Evans, in a direct course, and it strikes Bedford again at the place where said Bedford county intersects the old Nicklax trace, thence the boundary line of Warren county, shall run with the boundary line of Bedford and Bathurst counties until it intersects the present boundary line of Warren county, and all that part of Franklin county situated on the before mentioned lines shall be attached to and become a part of Warren county: *Provided*, That nothing herein contained shall be so construed as to prevent the sheriff of Franklin county from collecting any arrearages of taxes which may be due to the county of Franklin within the before described bounds.

Alexander
Perryman, to
run said line.

Sec. 2. *Be it enacted*, That Alexander Perryman, is hereby appointed to run and plainly mark out said dividing line agreeably to the course described in the first section of this act, who shall be allowed the sum of three dollars per day, for each day he may be necessarily employed in said service by the county court of Franklin county, and paid by the trustees of said county who shall be allowed a credit for the same on the settlement of his accounts.

TH. CLAIBORNE,

Speaker of the House of Representatives.

ROBERT C. FOSTER,

Speaker of the Senate.

November 9, 1813.

CHAP. LXXI.

An act for the relief of the undertakers of the public buildings in the county of Rhea.

SEC. 1. *Be it enacted by the General Assembly of the state of Tennessee*, That the county court of Rhea county is hereby authorized and empowered

(two thirds of the acting justices being present) to authorize and require the commissioners appointed to lay off the town of Washington, or their successors in office, to pay to either of the undertakers of the public buildings any sum or sums of money not otherwise specially appropriated out of any moneys remaining in the hands of said commissioners when either of the undertakers shall produce an order under the hand and seal of the chairman of the court authorizing them to receive any sum specially set forth in said order.

Sec. 2. *Be it enacted*, That nothing in this act, shall be so construed as to authorize said commissioners to pay either of the undertakers of the Public Buildings any money thus appropriated, until said commissioners shall have received the Public Buildings and reported them finished.

Public
Buildings
be finished

TH. CLAIBORNE,

Speaker of the House of Representatives.

ROBERT C. FOSTER,

Speaker of the Senate.

Nov. 16, 1813.

CHAP. LXXII.

An act authorizing the commissioner of West Tennessee to issue a warrant on grant number two thousand and thirty two, granted to Benjamin McCulloch by the state of North Carolina.

Be it enacted by the General Assembly of the state of Tennessee, That the commissioner of West Tennessee is hereby authorized to issue a warrant to Benjamin McCulloch, on a grant issued

Issue war-
rant to Benj.
McCulloch.

N

by the state of North Carolina by number two thousand and thirty two upon said grant being duly surrendered, any law to the contrary notwithstanding. *Provided*, said commissioner shall be satisfied on examination of said claim that no other grant has issued on said warrant, and that the same is a good and valid claim against the state.

TH: CLAIBORNE,

Speaker of the House of Representatives.

ROBERT C. FOSTER,

Speaker of the Senate.

November 4, 1813.

CHAP. LXXIII.

An act making compensation to the Register of West Tennessee for books furnished for the public use.

Registe compensated SEC. 1. *Be it enacted by the General Assembly of the state of Tennessee*, That David McGavock register of West Tennessee, be allowed the sum of one hundred and forty one dollars twelve and one half cents for books furnished for the public use.

How paid SEC. 2. *Be it enacted*, That the aforesaid sum shall be paid to said David McGavock out of any money in the treasury of West Tennessee not otherwise appropriated, and that the receipt of the said David McGavock shall be a sufficient voucher for the treasurer in the settlement of his accounts.

TH. CLAIBORNE,

Speaker of the House of Representatives.

ROBERT C. FOSTER,

Speaker of the Senate.

Nov. 18th, 1813.

CHAP. LXXIV.

An act to provide for the more equal and equitable apportionment of the direct tax laid upon the state of Tennessee by an act of the Congress of the United States at the last session amongst the counties in this state.

Assessors SEC. 1. *Be it enacted by the General Assembly of the state of Tennessee*, That the principal assessors of assessment districts appointed by virtue of the said act of congress after the assessments have been made and lists returned to them, and immediately after hearing all appeals that may come before them as provided for by said act, shall all meet at the then seat of government of this state, and shall apportion the quota of the direct tax laid by said act of congress on this state, amongst the different counties thereof, agreeably to the value of the property in each county subject to the direct tax, compared with the whole property in this state subject to said tax, as found by the assessments, to be made agreeably to the said act of congress.

TH. CLAIBORNE,

Speaker of the house of Representatives.

ROBERT C. FOSTER,

Speaker of the Senate.

November 16, 1813.

CHAP. LXXV.

An act to amend an act for the regulation of the town of Lebanon, in Wilson county.

Assessors SEC. 1. *Be it enacted by the General assembly of the state of Tennessee*, That the overseer of the *how governed* streets of said town when appointed agreeable to *ed.*

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said act shall be governed by the rules established by law for the regulation of overseers of Public roads.

Sec. 2. *Be it enacted*, That the commissioners of said town shall annually appoint one of their body to receive lists of taxable property and polls in said town, who shall proceed to take the same at any time previous to the first day of March in each and every year first giving ten days previous notice writing at the court house in said town.

Sec. 3. *Be it enacted*, That said commissioners shall have power hereafter to lay a tax annually on each retail store in said town not exceeding five dollars, which shall be collected and accounted for in the same manner as other taxes in said town.

Sec. 4. *Be it enacted*, That this act shall be in force from and after the first day of January next, and such part or parts of the before recited act as comes within the purview of this act are hereby repealed.

TH. CLAIBORNE,

Speaker of the House of Representatives.

ROBERT C. FOSTER.

Speaker of the Senate.

Nov. 16th, 1818.

CHAP. LXXVI.

An act to authorize subscriptions for erecting a Penitentiary in Tennessee.

Sec. 1. *Be it enacted by the General Assembly of the state of Tennessee*, That from and after the first day of January next, it shall be the duty of the clerks of the several courts of this state to keep a subscription paper for the purpose of permitting the citizens of this state to subscribe any amount or a-

101
mounts, they may think proper for the purpose of erecting a Penitentiary or Work House, as a place of punishment of criminals or offenders against the criminal laws of this state.

Sec. 2. *Be it enacted*, That said subscription shall be made payable to the governor of the state of Tennessee and his successors in office for the purpose aforesaid, and shall be paid semiannually, the first payment not to be made before the first day of January 1816, and the second in six months thereafter, and it shall be the duty of the aforesaid clerks in this state to receive no subscribers but such as they deem good and of ability to defray the sums by them subscribed when called on, and it shall moreover be the duty of each and every the aforesaid clerks to return a true copy of their subscription papers with the sums subscribed to the next stated session of the General Assembly of this state within six days after the meeting thereof, under the penalty of five hundred dollars for each failure, to be recovered before any tribunal having cognizance thereof, one half to the use of the state, the other to the use of the person suing for the same.

TH. CLAIBORNE,

Speaker of the House of Representatives.

ROBERT C. FOSTER

Speaker of the Senate.

Nov. 8, 1818.

CHAP. LXXVII.

An act increasing the Jurisdiction of the circuit courts and for other purposes.

Sec. 1. *Be it enacted by the General Assembly of the state of Tennessee*, That the circuit courts of this state shall have concurrent jurisdiction with the court of pleas and quarter sessions in all civil courts.

except appeals from justices of the peace or secretaries granted by justices of the peace out of court.

Sec. 2. *Be it enacted*, That in all causes determined in the county courts when either party shall be dissatisfied with the judgment of said court, on application the party so dissatisfied shall be entitled to an appeal in the nature of a writ of error to the supreme court of errors and appeals, both parties consenting, or to the circuit court of the county under the same rules and regulations that appeals are granted to supreme courts from the circuit courts.

When in force. Sec. 3. *Be it enacted*, That the circuit courts from and after the first day of January next, shall have concurrent original jurisdiction of all causes in equity, of which the courts of errors and appeals now have, and that the said circuit courts shall be governed in the exercise of said jurisdiction by the same rules and regulations by which the courts of errors and appeals are now governed in equity causes.

Sec. 4. *Be it enacted*, That the clerks of the circuit courts shall exercise and perform the duties of the clerks and masters in equity.

TH. CLAIBORNE

Speaker of the House of Representatives,

ROBERT C. FOSTER,

Speaker of the Senate,

Nov. 19th, 1843.

CHAP. LXXVIII.

An act to render more easy the probate of deeds made by *Femes Covert*.

Preamble.

WHEREAS by the laws now in force and use, prescribing the mode for *Femes Covert*, to convey their estates in land, it is requisite that the deed from husband and wife must be proved or acknow-

ledged before the court of the county where the land lieth, before any examination of the *Feme Covert* can be taken, whether she executed the same freely, or before any commission can issue authorizing her examination to be taken out of court, and owing to the remote distance, at which such persons frequently live, from the county in which the land lieth, it is extremely inconvenient to procure the grantors to attend at the court of said county, or to procure the witnesses to attend them, which is necessary before a commission can issue to take the private examination of the *Feme Covert* in case her personal attendance cannot be procured.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That it shall and may be lawful to take the probate or acknowledgment of deeds made by husband and wife for the sale and transfer of land belonging to the wife, before any court of record in this state, and when said grantors reside beyond the limits of this state, before any court of record in another state or territory, and for such court to examine a part from her husband, such *Feme Covert*, whether she executed the same freely and voluntarily, and if such *Feme Covert* shall be aged or infirm, or from any cause cannot attend any such court of record, then it shall and may be lawful for any court of record in which said deed may be proved or acknowledged by said husband to issue a commission to any two or more commissioners to receive the acknowledgement of such *Feme Covert* of any such deed, for passing title to lands, tenements or hereditaments, and such deed, acknowledged before them, after they shall have examined her separate and apart from her husband, touching her consent, and certified to such court to which the commission shall be returnable which commission and return annexed to said deed or deeds, with the certificate of private examination as the case may be, certified under the seal of said court shall be registered in the county where said land lies, and shall be good and effectual in law and equity to pass said estate of such *Feme Covert* in the same manner, as if

How and signments by *Femes Coverts* to be made.

such acknowledgment or probate, and private examination had taken place in the court of the county where said land lies.

SEC. 2. *Be it enacted*, That the form of the commission to be issued, shall be in substance the same with that described in the fourth section of the third chapter of an act passed at Newbern in the year 1751, entitled "an additional act to an act entitled *Femas Covert* how to pass lands.

TH. CLAIBORNE,

Speaker of the House of Representatives

ROBERT C. FOSTER,

Speaker of the Senate.

Nov. 1, 1813.

CHAP. LXIX.

An act to authorize the Governor of this state to draw on either of the treasurers of this state for such sums of money as will be sufficient to defray the expence of expresses.

SEC. 1. *Be it enacted by the General Assembly of the state of Tennessee*, That it shall and may be lawful for the Governor of this state to draw on either of the treasurers of this state for such sums of money as may be necessary to defray the expence of all expresses, which it may be necessary for him to dispatch, and that all warrants by him drawn for the purpose aforesaid shall be to either of the treasurers of the state, a good and sufficient voucher.

TH. CLAIBORNE,

Speaker of the House of Representatives.

ROBERT C. FOSTER,

Speaker, of the Senate.

November 16, 1813.

CHAP. LXXX.

An act to continue in force for a limited time, an act passed October 24th, 1811, entitled an act to afford further time for the proving and registering grants, deeds of conveyance and other instruments required by law to be registered.

SEC. 1. *Be it enacted by the General Assembly of the state of Tennessee*, That the above recited act be and the same hereby is continued in force until the end of the next stated session of the General Assembly.

SEC. 2. *Be it enacted*, That the registration of the deed from John Gray and Thomas Blount heretofore made in the register's office of the county of Davidson to George Marshall, shall be as good and effectual both in law and equity as if the same had been regularly proven and registered, according to the laws and usages then in force in this state.

TH. CLAIBORNE,

Speaker of the House of Representatives.

ROBERT C. FOSTER,

Speaker of the Senate.

November 19th 1813.

CHAP. LXXXI.

An act to extend the charter of the Nashville bank and for other purposes.

SEC. 1. *Be it enacted by the General Assembly of the state of Tennessee*, That the charter of the Nashville bank shall be and the same is hereby prolonged.

ged and extended until the end of the year eighteen hundred and thirty eight.

Two more
directors au-
thorized.

SEC. 2. *Be it enacted*, That the stock-holders of said bank shall be privileged at their annual election to elect two additional directors, to the number at present authorized by the act of incorporation.

Capital in-
creased.

SEC. 3. *Be it enacted*, That the capital stock of said bank may be increased from two to four hundred thousand dollars, which additional capital stock of two hundred thousand dollars hereby allowed, may be subscribed for, and paid in at such periods, and under such rules and regulations as a majority of the board of directors, for the time being, may from time to time order and direct.

TH. CLAIBORNE,

Speaker of the House of Representatives.

ROBERT C. FOSTER.

Speaker of the Senate.

November 16th, 1843.

CHAP. LXXXII.

An act to amend an act "entitled an act to bring into one view the several acts of Assembly relative to the correction of errors in grants, meane conveyances or bills of sale and to amend the same.

Errors
grants in
corrected

SEC. 1. *Be it enacted by the General Assembly of the state of Tennessee*, That whenever there has heretofore been or hereafter may be an error or mistake made in any deed of conveyance, either in courses, distances or names, the person who is liable to an injury by such mistake, may prefer his petition to the circuit court of the county, in which the land is situated, setting forth the nature of the mistake, dis-

tingly, and all and singular the matters relative thereto, and the said court shall examine such testimony as the petitioner may produce, and whenever it shall appear evident from such testimony that there was an error committed in drawing out said deed of conveyance, it shall be the duty of the court to order such mistake to be rectified so as to comport with the intention of the parties; and further order the register of the county in which the land is situated to register the same agreeably thereto.

SEC. 2. *Be it enacted*, That before any petition shall be heard and determined, the petitioner shall advertise in some news-paper published in the judicial circuit, in which the land is situated, and if no news-paper shall be published in such circuit, then in some paper in the next adjoining circuit, setting forth the substance of his petition, and the term at which he will make application for a hearing, three weeks in succession, at least thirty days before the said petition shall be heard, and the clerk of such court shall receive the same fees as are by law allowed for his services in rectifying mistakes in grants, to be paid by the petitioner.

Persons ap-
posing recti-
fying mis-
takes.

SEC. 3. *Be it enacted*, That when any person chooses to oppose the granting any petition filed under this act, he may enter himself defendant, and each party shall give security for costs, and the cause shall then stand for hearing as other argument causes, and if either party shall be dissatisfied with the judgment of such court, he shall have a right to an appeal or writ of error under the same rules and restrictions as in other cases.

SEC. 4. *Be it enacted*, That when any person heretofore hath or hereafter may purchase any public land which may have been sold by virtue of any legal authority for a valuable consideration, and there has been or may hereafter be an error in surveying the same, the party liable to be injured thereby may prefer his petition and cause the same to be rectified in the same manner and under the same conditions.

Errors in
public sales,
how rectified.

that grants are corrected by virtue of the act this is intended to amend.

TH. CLAIBORNE,

Speaker of the House of Representatives.

ROBERT C. FOSTER,

Speaker of the Senate.

November 10th 1843.

CHAP. LXXXIII.

An act to prescribe the duties of the different surveyors in this state in particular cases.

Duty of surveyors

SEC. 1. *Be it enacted by the General Assembly of the state of Tennessee,* That all entries for land heretofore made in either of the principal surveyors offices within this state, shall be surveyed by the lawful surveyor, within one year from the passage of this act, and it shall be the duty of the different enterers to make application to such surveyor within six months from the passage of this act, whose duty it shall be to proceed without delay to survey said applicant's entry under the same rules and regulations as heretofore pointed out by law, and it shall be the duty of such enterer or enterers by themselves or agents to superintend the surveying the same.

Entries must be surveyed

SEC. 2. *Be it enacted,* That all entries for lands hereafter made in either of the principal surveyors offices aforesaid shall be surveyed within six months at furthest from the date of such entry, under the same rules and regulations as are provided by the first section of this act, provided that this act shall not extend to minors under the age of twenty one years, but they shall be allowed twelve months after said disability is or shall be removed to make the surveys required by this act.

SEC. 3 *Be it enacted,* That if the surveyor in whose district any entry shall be made, shall pro-

vide a legal copy of the location, and shall notify the owner of said land or the locator, that he is about to survey said land, and if the owner or locator does not attend at the time said surveyor shall appoint, he shall proceed to survey the said land agreeable to the location, having due regard to the advantage of the enterer.

Entries not surveyed for failed.

SEC. 4. *Be it enacted,* That any person or persons not complying with the provisions of this act, and failing to have their entries surveyed as aforesaid, the same shall be considered as vacant land, and liable to be entered by any person as other vacant land in this state.

TH. CLAIBORNE,

Speaker of the House of Representatives.

ROBERT C. FOSTER,

Speaker of the Senate.

November 12th, 1843.

CHAP. LXXXIV.

An act authorizing certain monies hereafter named, to be paid the commissioners of the town of Murfreesborough in Rutherford county.

Certain to be paid over

Be it enacted by the General Assembly of the State of Tennessee, That the court of Rutherford county shall pay all the balance of money arising from the sales of lots in the town of Murfreesborough, after making settlement with the commissioners for establishing permanently the seat of justice in said county, agreeably to an act of Assembly passed one thousand eight hundred and eleven, to the commissioners of the town of Murfreesborough for the use and benefit of said town.

TH. CLAIBORNE,

Speaker of the House of Representatives.

ROBERT C. FOSTER

Speaker of the Senate.

November 19th, 1843.

An act to authorize the drawing of a lottery for the purpose of rebuilding the public prison in the county of Franklin and for other purposes.

Whereas it hath been represented to this General Assembly, that a sufficient public prison hath been built in the town of Winchester the permanent seat of justice for the county of Franklin by the proceeds of the sales of lots in said town, and that the same hath been burnt down by accident: Therefore,

SEC. 1. Be it enacted by the General Assembly of the state of Tennessee. That Wallis Estill, William Russell senior, col. James Lewis, Christopher Bulard, James S. M'Whorter and Thomas Eastland, or any three of them, be and they are hereby appointed Commissioners, and fully authorized to draft and publish a scheme of a lottery, on such plan as to them shall seem most proper, in one, two, three or four classes for the purpose of raising a sum of money not exceeding fifteen hundred dollars for the purpose of rebuilding the public prison in said town and other purposes herein mentioned.

SEC. 2. Be it enacted, That said commissioners before publishing said scheme, shall in the county court of said county enter in bond in double the amount of the capital of said scheme, to the chairman of said court, conditioned for the faithful delivery of the prizes when drawn, and the punctual payment of the money arising from said lottery when drawn to the commissioners appointed by law to lay off said town and erect the public buildings therein, or in case of failure to draw said said lottery to refund to such person or persons the sum or sums of money by them paid for tickets. and said bond when executed shall be filed in the office of the clerk of said court.

SEC. 3. Be it enacted, That when said commissioners shall have sold such proportion of the tickets as shall in their opinion authorize the drawing of said lottery, they shall proceed to the same under such rules and regulations as they may have made known

in their scheme, giving notice at the court house and other public places in the county (and in some circulating news paper of the state if they should deem it necessary) at least thirty days previous to the time of drawing said lottery.

SEC. 4. Be it enacted. That said commissioner shall be authorized to take bonds and security to themselves from such persons as they may sell tickets to, or deposit tickets with for sale, and in case of failure to comply with said bonds it shall be their duty to sue for and recover the same in their own names as commissioners of said lottery.

SEC. 5. Be it enacted, That said commissioners or a majority of them when about to proceed to the drawing of said lottery, shall in the presence, and under the inspection of three or more of the commissioners appointed by law to lay off said town and some justice of the peace of Franklin county put into the boxes the number of prizes and blanks contemplated in said scheme, and shall appoint a clerk to keep a regular account of the numbers drawn and of the blanks and prizes, who shall take an oath faithfully truly and impartially to keep an account of the drawing of said lottery.

SEC. 6. Be it enacted, That said commissioners of the lottery may become purchasers of tickets in said lottery provided they shall satisfy the aforesaid commissioners of the town of Winchester that no fraud or advantage will be occasioned by their purchase.

SEC. 7. Be it enacted, That monies raised by the drawing of said lottery shall be punctually paid over to the said commissioners of the town of Winchester, whose duty it shall be to allow the commissioners and clerk of said lottery a reasonable compensation for their attention and services in and about the management of said lottery.

SEC. 8. Be it enacted, That it shall be the duty of the aforesaid commissioners of said town upon reception of said monies to proceed to rebuild the public prison in said town, erect stocks, and finish the work of the court house therein, by the appropriation of said monies thereto, in the same manner and under

the same rules and regulations as they have heretofore been directed by law, and if money sufficient to complete the business aforesaid should not be raised by said lottery, against the first county court in said county after the first day of January 1815, in that event it shall then be the duty of the justices of court, a majority being present, to lay a tax on the taxable property in said county, sufficient to finish the work of the court house of said county, which shall be collected and paid over to the aforesaid commissioners of the town of Winchester, under the same rules and restrictions that other county taxes are collected and paid over, and it shall be the duty of the commissioners of said town to appropriate the same for the purpose aforesaid, in the same manner heretofore required by law.

TH. CLAIBORNE,

Speaker of the House of Representatives

ROBERT C. FOSTER,

Speaker of the Senate.

Nov. 8, 1813.

CHAP. LXXXVI.

An act appointing an additional commissioner for the town of Monroe.

Be it enacted by the General Assembly of the state of Tennessee, That James Whiteside be, and he is hereby appointed an additional commissioner for the town of Monroe in the county of Overton, and the same James Whiteside is hereby vested with all privileges, powers and authority that the commissioners heretofore appointed by law for said town possess.

TH. CLAIBORNE,

Speaker of the House of Representatives.

ROBERT C. FOSTER,

Speaker of the Senate.

November 18, 1813.

CHAP. LXXXIX.

An act to amend an act entitled an act laying a tax on shows, passed at Knoxville, October the twenty second, one thousand eight hundred and eleven.

Sec. 1. *Be it enacted by the General Assembly of the State of Tennessee,* That any person or persons exhibiting or wishing to exhibit such shows as are contemplated in the above recited act shall after the first day of January next, pay to the clerks of the county courts ten dollars and that so much of said act as requires five dollars to be paid be and the same is hereby repealed.

Sec. 2. *Be it enacted,* That so much of the second section of the act herein referred to, as expresses a forfeiture in default of twenty five dollars be repealed, and in lieu thereof the forfeiture shall be fifty dollars.

Sec. 3. *Be it enacted,* That the clerks of the several county courts and all justices of the peace are charged with the execution of this act as well as the act to which this is intended as an amendment.

TH. CLAIBORNE,

Speaker of the House of Representatives.

ROBERT C. FOSTER

Speaker of the Senate.

November 19th 1813.

CHAP. XC.

An act to incorporate the Nolichucky navigation company.

Sec. 1. *Be it enacted by the General Assembly of the state of Tennessee,* That David Deadrick, John McAlister, John Kennedy, Jacob Brown, William

Mitchell, Isaac Wilson and Thomas Brabson of Washington county; Allen Gillaspie, Henry Earnest, William Dickson, Valentine Sevier, John Farnsworth, Hugh D. Hale, John Easterly and William Conway of Greene county; Joseph Hamilton, Baldwin Harle and Augustine P. Fore of Jefferson county, and all such other persons as they may permit to associate with them, to improve the navigation of Nolichucky river, from the Sluice Hill in Washington county to the mouth of said river in Jefferson county, shall be, and are hereby created a body corporate and politic, in fact and in name, by the name and style of the President, Directors and Company of the Nolichucky Navigation company, and by that name they and their successors shall have continual succession, and shall be persons capable in law of suing and being sued, pleading and being empled, answering and being answered unto, defending and being defended in all courts and places whatsoever.

Sec. 2. Be it enacted, That the said corporation be and are hereby authorized and empowered to draft and publish a scheme of a lottery on such plan as to them or a majority of them shall seem most eligible, either in one, two, three or four classes for the purpose of raising a sum not exceeding four thousand dollars to be employed in the improvement of the navigation of the river Nolichucky, between the points named in the preceeding section.

Sec. 3. Be it enacted, That said corporation or a majority of them shall have power to appoint trustees of their own body to act as managers in the drawing and conducting said lottery, who shall before they enter on the duties of such appointment take and subscribe the following oath: I A, B, do swear or affirm (as the case may be) that I will faithfully and truly keep an account of the drawing of this lottery without partiality or prejudice; so help me God.

Sec. 4. Be it enacted, That said corporation shall have full power and authority to appoint such other officers as may be deemed necessary, and to make reasonable allowance for their services, and to make

all other bye laws and regulations necessary for carrying the aforesaid object into full and complete effect.

Sec. 5. Be it enacted, That the aforesaid corporation shall previous to the publishing said scheme enter into bond in double the amount of the capital in said scheme, to the chairman of the county court of Greene county for the true and faithful payment of the prizes when drawn, and for the ready and punctual application of the monies arising from said lottery according to the true intent and meaning of this act, or in case of failure to draw the lottery, to return to each person or persons, the sum or sums of money they have advanced for tickets which bond when executed shall be filed in the clerk's office of said court.

Sec. 6. Be it enacted, That the said corporation are hereby authorized to appoint a suitable person or persons at such places as they may think proper for the purpose of receiving subscriptions in addition to funds to be raised by lottery, for the purpose aforesaid, under such regulations as they may deem right.

Sec. 7. Be it enacted, That the said corporation are hereby authorized and directed to lay out the money or property so raised, either by lottery or subscription or both as the case may be in the most economical manner for improving and facilitating the navigation of the aforesaid river between the points aforesaid.

TH. CLAIBORNE,

Speaker of the house of Representatives.

ROBERT C. FOSTER,

Speaker of the Senate.

November 15, 1813.

CHAP. XCI.

An act for the benefit of Richard Banks.

Whereas it is represented to this General Assembly that a land warrant number three thousand nine

hundred and four issued to Gilbert Matthews by the state of North Carolina, which by assignment became the property of Richard Banks, and on which the said Banks made an entry, but the surveyor made the certificate of survey in the name of Robert Banks instead of Richard Banks, in which name a grant issued for one hundred and eighty two acres which cannot be identified and owing to the grant issuing in the wrong name the commissioner refuses to issue a duplicate warrant thereon: Wherefore,

a duplicate
to Richard
Banks

SEC. 1. *Be it enacted by the General assembly of the state of Tennessee,* That the commissioner of West Tennessee is hereby directed to issue to Richard Banks a duplicate warrant, on warrant number three thousand nine hundred and four, issued to Gilbert Matthews by the state of North Carolina.

TH: CLAIBORNE,

Speaker of the House of Representatives.

ROBERT C. FOSTER,

Speaker of the Senate.

November 16, 1813.

CHAP. XCII.

An act for the benefit of Joseph Brown.

Whereas it appears to this General Assembly that Joseph Brown, Sheriff of Washington county, did pay into the treasury of Washington and Hamilton districts the sum of thirty three dollars and thirteen and one half cents more than by the certificate of the clerk of the aforesaid county he was bound to pay for remedy whereof.

Allowance
to Joseph
Brown.

Be it enacted by the General Assembly of the state of Tennessee, That the treasurer of East Tennessee be, and he is hereby authorized to reimburse to Joseph Brown, sheriff and collector of Washington county the sum of thirty three dollars thirteen and an half cents in the event it satisfactorily appears

to him that the said Joseph has paid the aforesaid sum over and above what he was bound to pay by a list of taxable property furnished by the court.

TH. CLAIBORNE,

Speaker of the House of Representatives.

ROBERT C. FOSTER,

Speaker of the Senate.

Nov. 16th, 1813.

CHAP. XCIII

An act for the further adjudication of land claims.

SEC. 1. *Be it enacted by the General Assembly of the state of Tennessee,* That the commissioners of East and West Tennessee shall from and after the passage of this act continue to keep their offices open for the purpose of filing and adjudicating of land claims, until the first day of January one thousand eight hundred and fifteen under the same rules, regulations and restrictions, heretofore prescribed by law, and shall be entitled to demand and receive from each and every person or persons previous to filing such claim, like fees for similar services as is prescribed by an act of Assembly, passed at Knoxville on the twenty second day of October in the year of eighteen hundred and eleven.

Commissioners keep offices open.

Sec. 2. *Be it enacted.* That the commissioner of East Tennessee and the commissioner of West Tennessee shall open their offices for the purpose of adjudicating of land claims and keep the same open from day to day, Sundays excepted, until the expiration of the time as prescribed by act, for the adjudication of land claims, and in all other respects shall be governed as heretofore provided for by law relative to land claims, and all claims not filed within the time herein mentioned shall be considered forever barred.

Rectify this
Sec. 2. *Be it enacted,* That whenever it shall appear to the commissioner of the land office that a mistake has or may hereafter happen by a surveyor in running out lands to ascertain interferences between adverse claimants and the said commissioner shall have issued a duplicate warrant for the amount so reported to be lost, the said commissioner shall nevertheless upon proper proof of such mistake, shewing that the duplicate issued for less land than was or may be really lost, proceed to issue another duplicate for the amount of said balance so appearing to be lost.

TH. CLAIBORNE,

Speaker of the House of Representatives

J. C. ISAACKS,

Speaker of the Senate pro-tem.

Nov. 17th, 1813.

CHAP. XCIV.

An act to provide for clearing out Harpeth from Franklin to the mouth thereof, and to prevent future obstructions to the navigation of said river.

SEC. 1. *Be it enacted by the General Assembly of the state of Tennessee,* That Harpeth from Franklin to the mouth of said river, shall be hereafter a public highway, free for the navigation and use of all citizens who may feel a disposition to embark thereon.

company for opening Harpeth organ- ized.
SEC. 2. *Be it enacted,* That when any number of persons shall form themselves into a company and by subscription create a stock of five thousand dollars in shares of fifty dollars each, said company shall be and are hereby made a body corporate, to be styled the Harpeth navigation company, and shall be authorized to elect directors, not exceeding five, who shall at the time of their election, enter into bond with approved security to said company, in the sum of six thousand dollars for the faithful application of

all monies by them received, to the accomplishment of the objects embraced within the purview of this act, and immediately proceed to the collection of the first instalment, not to exceed ten dollars on each share, and the remainder of said shares in such instalments and at such stated periods as will in the discretion of said directors, embrace the interest of said company, and effect the objects contemplated by this act.

SEC. 3. *Be it enacted,* That immediately after the receipt of the first instalment, said directors shall proceed to employ hands to have the stooping timber, cut off the banks, the shoals sluiced and the logs, loose rock, and other impediments, removed out of the channel of said river, also around one end of each of the mill dams already erected to cut a canal and erect locks with gates, one at the upper, another at the lower end of each canal, or to build slopes with locks and gates in said dams, and whether the former or latter be preferred, all the works to be of such dimensions and strength as to ensure the easy and safe passage around and over said dams, of all such flat bottomed and keel boats, barges and other water craft as can be navigated in said river, in other places below Franklin, *Provided,* that in no instance more of said dams, or any of them shall be removed, than may be necessary for effecting the safe passage of boats as in this section explained, and the directors for the services by them rendered, shall receive a reasonable compensation, to be allowed by said company.

SEC. 4. *Be it enacted,* That any person or persons hereafter building or causing to be built on said river below the town of Franklin aforesaid, any mill dam or other dam for the establishment of any manufacturing machinery, shall at the time of building such dam, erect a slope with a lock and gates, or cut a canal, and erect locks and gates of such dimensions and strength, as will admit of the easy and safe passage over said dam of all boats and other craft that can descend or ascend in other parts of said river below Franklin, and to keep the said slope locks and gates in good repair, so long as said dam

slopes &c. to be erected

directors to employ hands to remove obstructions

shall stand, under the penalty of fifteen hundred dollars to be recovered by the directors of the Harpeth navigation company, in any court having competent jurisdiction thereof, one half for the use of said company and the other for the use of the state.

channel to be kept open. **SEC. 5.** *Be it enacted,* That any person or persons hereafter erecting or causing to be built any dam or other obstruction across said river, between Franklin and the mouth thereof, shall leave at least one third part of the channel in the deepest part thereof, clear and open, for the free and uninterrupted passage of all such boats and other craft, as may from time to time descend or ascend said river, under the penalty of fifty dollars for every week any such obstruction contrary to the provision of this act, shall remain; to be recovered by any person who will sue for the same in any court, having competent jurisdiction thereof, one half to the person suing therefor, and the other for the use of the company.

toll to be received. **SEC. 6.** *Be it enacted,* That when the said river Harpeth shall have been so cleared out and improved, as to admit of the free passage of boats and other craft as contemplated by this act, the directors of said company, or an agent employed for that purpose, shall be authorized to receive from the owner or commander of each boat or other craft ascending or ascending said river, a toll not to exceed six cents for every hundred weight of produce or merchandize, that may be conveyed in any boat or craft descending or ascending as aforesaid.

former act repealed. **SEC. 7.** *Be it enacted,* That an act entitled an act to encourage the building of mills on Big Harpeth river in the counties of Williamson and Davidson, passed the twenty second of November eighteen hundred and nine, be and the same is hereby repealed, any law, usage or custom to the contrary notwithstanding.

company liable for certain damages. **SEC. 8.** *Be it enacted,* That if the owner or owners of any mill or mills, already built should sustain any damage or damages by the cutting of canals, erecting of slopes or locks as contemplated by this act, in such event the aforesaid Harpeth navigation company shall be deemed liable and subject to all such damage or damages whatsoever.

SEC. 9. *Be it enacted,* That if the said company be incorporated under this act, shall not within six years from and after the passage of this act, have completed the subscription for said company, and shall also actually have commenced the clearing out the obstructions in said river by the employment of a sufficient number of hands for that purpose, this act of incorporation shall in all respects cease and determine, and be no longer in force, but the said river shall thereafter be subject to have mills built thereon as before the passage of this act.

SEC. 10. *Be it enacted,* That in all cases where any suit or suits may be brought by the owner or owners of mills, against the said Harpeth navigation company, that in no event shall the cost or costs of such suit or suits, be more than the damage assessed by the jury trying the same.

T. H. CLAIBORNE,

Speaker of the House of Representatives.

ROBERT C. FOSTER

Speaker of the Senate.

Nov. 17, 1818.

CHAP. XCV.

An act to authorize the drawing a lottery for the benefit of the town of Franklin.

SEC. 1. *Be it enacted by the General Assembly of the state of Tennessee,* That Charles M. Alister, James Gordon, Robert E. Curran, Hinchey Pettway, and William Smith are hereby constituted and appointed managers. *Names of managers.* managers to form and publish a scheme of a lottery to consist of one, two or three classes at their discretion, and sell tickets for the purpose of raising any sum not to exceed three thousand dollars, to be appropriated for paving the main street and public square in the town of Franklin.

SEC. 2. *Be it enacted,* That previous to entering on the discharge of the duties by the above section en- Give bond,

Joined, the said managers shall enter into bond with approved security in the sum of four thousand dollars, payable to the Governor or his successor in office, conditioned, provided they carry said scheme into effect, for the faithful application of all monies arising therefrom, for the improvement of the main street and public square of the town of Franklin as above provided for, otherwise to reimburse all sums by them received for tickets, which bond shall be deposited with the clerk of the county court of Williamson.

Sec. 3. *Be it enacted*, That so soon as the drawing of the first class of said lottery shall be finished, the said managers shall employ hands to carry into effect the above specified improvements.

TH. CLAIBORNE,

Speaker of the House of Representatives

ROBERT C. FOSTER.

Speaker of the Senate.

Nov. 18, 1813.

CHAP. XCVI.

An act for the relief of John Hunt and others

SEC. 1. *Be it enacted by the General Assembly of the state of Tennessee*, That the commissioner for East Tennessee issue a duplicate of the land warrant which issued on Carter entry, number twelve hundred and seventy eight for one hundred acres, with all the assignments on the same as on said original, provided a certified copy of said original be produced, on examination of said claim from the secretary of North Carolina, notwithstanding the same may have been heretofore adjudged invalid.

SEC. 2. *Be it enacted*, That the said commissioner be, and he is hereby authorized to issue to Aaron Lewis a duplicate land warrant for one hundred and fifty acres proceeding from Carter's entry, number seven hundred and eleven dated the nineteenth day of December 1778, provided that the said Aaron Lewis produce a certified copy of the original warrant

Issue a warrant to Aaron Lewis.

from the secretary of North Carolina, and a certificate that no grant has issued on said warrant nor a duplicate thereof.

TH. CLAIBORNE

Speaker of the House of Representatives

ROBERT C. FOSTER

Speaker of the Senate.

Nov. 18th, 1813.

CHAP. XCVII.

An act to attach part of Jackson county to the county of White.

WHEREAS it appears to this General Assembly that the citizens residing in the south east corner of the county of Jackson labour under great inconvenience in consequence of their remote situation from the seat of justice in said county; for remedy whereof,

SEC. 1. *Be it enacted by the General Assembly of the state of Tennessee*, That all that part of Jackson lying east and south of the following lines to wit: beginning where the eastern boundary line of Jackson county, and the northern boundary line of White county intersect each other on the Walton road at the White Plains, thence westwardly along the dividing ridge that divides the waters of Roaring river and Falling water, until it strikes the main branch of Cane creek, thence down said creek including the dwelling house of Smith Hutchins in White county, to where the dividing line between Jackson and White crosses the same, leaving said Walton's road and all the waters of Roaring river in Jackson county, and that the same is hereby stricken off the county of Jackson, and is hereby attached to, and shall become a part of the county of White: *Provided* nothing herein contained shall deprive Jackson county of its constitutional limits.

Dividing line between the counties of Jackson and White.