

# COMMISSIONERS,

x

Of Bean's Station turnpike com- pany, not to alter the road additional appointed	349 ib.
Of Lawrence county, when dis- charged	352
<b>CORONER'S</b> duty as to persons suspected of carrying arms	16
to summon by-standers	ib.
neglect of these duties a misdemeanor (see sheriffs)	17
To be notified before persons who come suddenly to their death are buried	31
When juror summoned fails to attend to forfeit five dollars to be recovered by the coroner	ib.
Of Humphreys county, not to take a writ of capias ad satisfaciendum on a judgment against the sheriff and others jointly	32
<b>CORPORATION</b> , of Kingsport limited	147
power of	ib.
of Fayetteville revived	ib.
officers of, how long to continue	ib.
bounds of	148
of Springfield	200
finer in, how collected	201
Justices of Robertson to issue warrants for	ib.
Of Salem academy, may pass by-laws and choose a recorder	217
of Lawrenceburg, how to be regulated	270
of Jasper	278
powers of	279
laws of, on whom obligatory,	ib.
finer of, how recovered	ib.
election of aldermen for when to be held who entitled to vote and who may be aldermen	280
What number of, to constitute a quo- rum	ib.
Of Reynoldsburg, when their elections to be held	306
bounds of	ib.
power of	307
Of Jackson academy of Lawrenceburg, may pass by-laws	346
trustees of when elected	ib.
who may be	347

xi

powers of successors of present board	ib. ib.
<b>COSTS</b> , to be paid by person for whose use action is brought	25
who to pay in an action on guardian bond.	48
<b>COURTS, SUPREME</b> , governor to appoint special jud- ges	113
judges to notify the governor	ib.
Eighth and ninth rules of, re- pealed	116
Rules of, in future to have no ef- fect	ib.
to be held at Reynoldsburg	27
What causes and from what cir- cuits to be taken up	ib.
What causes may be transferred thither	ib.
<b>CHANCERY</b> , to be held at Paris	28
At Carthage, try Cherry exec- utors, &c.	116
When to be held at Franklin, c. 6, s. 1	4
manner of making returns	ib.
At Franklin, on second Monday December	22
Process to said court, when re- turnable.	ib.
To have jurisdiction where the land lies, tho' neither party re- sides in the district	12
To entertain injunction bills in the district within which the judgment at law was obtained	ib.
How to decree in case of sol- diers or heirs,	118
Judge to be incompetent when he has been employed or con- sulted as an attorney and has given an opinion	60
At Jackson, to be held on the 4th Mondays of March and Sept.	331
Of sixth district, to have jurisdic- tion of the petition of J. B. Lockart and others	312
how to make a decree	ib.
How to divide the money arising from sale.	213

## COURTS,

May appoint a commissioner to to sell	218
Of fifth district, may decree the sale of certain lands	ib.
SPECIAL, in Washington county	150
in Marion county	176
clerk of, to issue executions	177
right of, appeal preserved	ib.
judge to order sheriff to summon ju- ry	ib.
no original writ returnable to	178
in Hawkins county	225
at Carthage	218
witnesses now summoned to attend	219
Duty of clerk	ib.
No original writ returnable to	ib.
To be appointed in Maury county by judge of sixth circuit	305
CIRCUIT have jurisdiction whenever the bank of the State of Tennessee is plaintiff	331
of Fentress when to be held	198
clerk of, to be appointed by judge of third circuit	ib.
Of Franklin to be held on the second Mondays of January and July	7
Process, when returnable	ib.
Of Stewart to continue two weeks for two terms	181
of Lawrence to continue two weeks	ib.
When held in McNairy, Hardiman, Fayette, Shelby, Tipton, Haywood and Madison	330
In Henry, Weakley, Obion, Dyer and Gibson	ib.
Bonds and recognizances to said courts good	331
writs when returnable	ib.
Of Bledsoe to have cognizance of James Wilson's case	343
of Williamson when held	348
of Rutherford when held	ib.
of Monroe to be held at Tillico	142
Of Fayette county to be held in Som- erville	151
COUNTY of Shelby and Fayette may lay a tax to improve wolf river	146

COURTS, COUNTY, may appoint commissioners	146
To have jurisdiction wherever the bank of the State of Tennessee is plaintiff	331
With mother's consent to bind out children abandoned by their fa- ther	49
To appoint commissioners to exam- ine clerk's settlements	53
Of Washington to appoint jurors for special circuit court	149
may elect a standard keeper	198
Of Davidson may lay a tax to erect a court house	193
May be holden in any house in Nashville	ib.
And Rotherford to appoint over- seer's of Stone's river	258
Of Warren, White, Overton, Fen- tress and Jackson when held	198 & 199
Of Robertson may lay a tax to build a jail	222
of Lincoln when held	7
Of Marion may lay a tax to build a court house	224
Of Hawkins to order twenty-six ju- rors to be summoned for special circuit court	225
Of Robertson may order the sale of John Johnson's land	286
Of Perry to make allowance to com- missioners of Perryville	302
May lay a tax to pay for public buildings	325
Of Cocke and Jefferson to pay com- missioners for running a line be- tween Cocke and Jefferson	321
Of Cocke authorised to make an a- greement for opening a turnpike road	320
Of Lawrence county to appoint commissioners	352
Of Tipton may lay a tax to erect public buildings	345
Of Monroe county to be held at Til- lico	142
Of Fayette county to be held in Sommerville	151
When held in McNairy, Hardi- LA	



man, Fayette, Shelby, Tipton, Haywood, Madison, Hender- son, Carroll, Henry, Gibson, Dyer, Obion and Weakley 330 &	331
bonds and recognizances good writs when returnable	ib. ib.
County trustee neglecting to make settlement liable to indictment	56
Court house in Davidson county to be built	198
commissioners to superintend	ib.
Collector of tax for building, to give bond	ib.
<b>COLLEGES</b> of east and West Tennessee to receive one third of the amount of certificates sold and in what proportion	40
lands of, to be valued by commission- ers	119
see commissioners	
<b>CONSTABLE'S</b> duty as to persons carrying arms	16
to summon bystanders	ib.
To prosecute such as refuse obedience to summons	17
Neglect of these duties a misdemeanor	ib.
To return process in forty days where clerk issues execution on a justices judgment	20
To have judgment by motion on indem- nity bond	48
Not compelled to levy and sell without indemnity bond	44
No longer exempted from working on roads	50
<b>COTTON</b> gins allowed to be erected for private use	30
to be inclosed to exclude stock	ib.
<b>DAM</b> of John and Joseph Greer to be inspected by commissioners	354
alteration of, to be inspected	355
To be kept by owners as reported by commission- ers	ib.
compensation of commissioners	ib.
may be built by J. G. M. Ramsey	143
may be built in Nolichucky	282
William Graham may keep up	143
may be built by William Gilbreath for factory	162
damages to adjacent proprietors how ascertained	163
may be built by Peter Buram	182
<b>DUCK RIVER</b> , navigation of, not to be obstructed	163
Dyer R. H. may borrow \$3,000	301

Daniel Isaac	278
Dupriest Randal to peddle without license	269
Dougherty George, his representatives	389
Dorell Anthony, may enter 3000 a- cres in Hiwassee, c. 8,	5
Dike Christian	161
Doyle Eve	162
Deaderick Fielding and Geo. M.	221
Dyer Joseph and others may build a fish trap	199
Dyer Philemon	273
Donohoo Charles to have a credit	192
Douglass Joseph	206
Dickson Wm. and others	277
Davis William	283
Davis John	ib.
Deavenport T. D. may withdraw an entry	294
Decree in cases of claimants of military land warrants how to be made, s. 14	42
Deeds when offered in evidence under 4th section of act of Nov. 23 1809 may be received without proving the residence of the grantor c. 61,	70
Doorkeeper assistant to take care of public furniture	376
Doorkeepers to be paid	356
Death of defendant when suggested, plaintiff may elect to proceed to trial if there be no representative or have his cause continued from term to term for two terms in order to revive, s. 2.	74
Depositions how taken in case of soldiers, &c. vs. presi- dent and trustees, ch. 72.	117
Duty of Washington county court	149
as to a road	168
<b>DIVORCE</b> of John Chawning, provided for	278
of Joseph Henderson jr. facilitated	308
of Sarah Elliot from Amos Elliot	155
of Sophia Williams how to be obtained	265
of Edmond R. Anderson from Eliza An- derson	211
of James J. Maxwell, provided for	274
of Nancy B. Formwalt on what terms to be made	262
of Juliana Buckner	264
<b>ELECTIONS</b> for field officers in Lincoln county	155
at Farmington in Bedford	178
a separate, at Anthony's in Rutherford	173
a separate, at Bell's works in Lawrence	174
Edmondson Katy and William	180

Still Wallis to be paid for building court house in Marion	234
Evans William may make void an entry	285
Enloe Isaac released from the payment of a fine	295
Ellis Wm. T. and N. Potter	297
<b>EXECUTOR'S SECURITIES</b> may be released as under s. 5, c. 119, 1813, c. 62	70
Or administrators of joint plaintiff may revive by motion with the survivors, s. 3	74
Where sole executor or administrator dies, how revived	75
<b>ENTRIES</b> , in different counties, how to be surveyed, c. 28	24
May be made for less than a quarter section, c. 34, s. 1	29
May be made at one cent an acre north and east of the congressional line, for not less than twenty-five nor more than six hundred and forty acres	73
To be subject to former acts and regulations, s. 3	ib.
vacated	288
Entry, forcible and detainer, penalty for repossession, s. 3	72
<b>EVIDENCE</b> , papers and records of Cherokee agency certified by the agent or sub-agent	276
Plats and certificates of reservees registered	ib.
<b>EJECTMENT</b> , change of demise in provided for, c. 29, s. 2	25
Consent in writing required before any person's name can be used, s. 2	ib.
In ejectment, name of another person cannot be used without a power of attorney, c. 63	71
Judgment may be entered when the name is struck out for costs against the plaintiff who signed the bond, s. 2	72
<b>ENTERERS</b> of land for manufacture of lead to have it on certain conditions, c. 8, s. 3	6
Of land ceded to Kentucky, to receive from the Bank of the State of Tennessee the amount of money paid with interest, c. 38, s. 1	33

To produce affidavit of two respectable citizens and affidavit of enterer, c. 38, s. 2	33 & 34
<b>ENTRYTAKERS</b> , bond to be taken before five justices, s. 4	59
When sued on bond, compelled to produce entry-books and a correct account of monies received, c. 53, s. 1	58
Successor to produce books and accounts in like manner, c. 53, s. 2	ib.
What shall be evidence against s. 3	59
To make quarter yearly returns of all monies received to cashier of the bank at Knoxville, c. 49	50
Of Hiwassee District to permit A. Dibrell to enter 3,000 acres of land	5
To appoint five persons to value it, and enterer to have it by paying valuation, s. 4	6
To suffer entries for less than a quarter section to be made, c. 34, s. 1	29
to receive John Clayton's entry	296
Where land has been ceded to Kentucky, to issue a certificate on due proof for the amount of money paid by the enterer with interest, to record certificates in a book, &c. s. 3	34
fees fifty cents, s. 3	ib.
Neglecting his duty a misdemeanor, s. 7	36
Of Bledsoe county, may keep his office at his own house	302
To permit tavern keepers on Simpson's turnpike to enter stands on the new turnpike	325
<b>ENUMERATION</b> of the free male inhabitants in this State to be taken by the justices of the peace, c. 50, s. 1	51
Emancipation of Lethy and Ben	175
<b>EXECUTION</b> , where an order of sale has been made for land levied on under a justices execution, where the debt and costs are not made, may be issued again by the	1A2



clerk, c. 66	77
<b>FAGAN</b> , Eleanor to have the rights of a feme sole	154
Her property not to be sold for her husband's debts	ib.
Not to be hereby prevented from getting a divorce	ib.
<b>Frazier</b> Eleanor A.	206
<b>Fields</b> Timothy	225
<b>Formwalt</b> Nancy B. to be relieved	261
<b>Foster</b> Lot	295
<b>Farmer</b> John	309
<b>FENTRESS COUNTY</b> , Wm. Gore appointed to ascertain the center of, by survey	332
Commissioners appointed to view the center of, and make report to Fentress county court	ib.
County court of, to appoint commissioners to buy the site fixed on	ib.
Commissioners so appointed to lay off a town	333
to advertise and sell	ib.
To contract for public buildings	ib.
<b>Fayetteville</b> , corporation of	147 & 148
<b>FRANKLIN</b> , when court of chancery to be held at, c. 6, s. 1	4
County circuit court, when held, c. 9, s. 1	7
(See c. 15)	20
<b>Fish trap</b>	190
<b>Fish traps</b>	171
<b>Fish trap</b>	180
<b>Fish trap</b>	181
<b>Fish traps</b>	251
<b>FEES</b> , of register of Washington county, c. 18, s. 5	15
Of secretary of State for copies of plans of first, second and third surveyor's districts or parts thereof, s. 2	23
of clerks of county and circuit court	61, 62, 63
of sheriff, s. 3	ib.
of registers of county, s. 4	64
of justices	122
<b>FERRIES</b> , private regulated, c. 44	47
For an illegal re possession where dispossessed by forcible entry and detainer, s. 3	72
<b>Franklin and Marion</b> , boundary between	214

<b>Franklin county</b> , clerks and sheriffs of, where they may advertise	278
<b>FOUNTAIN LIBRARY</b> company incorporated	309
To be managed by seven directors	310
when directors elected	ib.
To regulate their own elections	ib.
who entitled to vote	ib.
Temporary trustees appointed	311
How to become a member of	ib.
<b>Forbes</b> Edy, made lawful heir of Wm. O'Neal	339
<b>Fleming</b> Wm.	385
<b>Frost</b> Julian	387
<b>Garner</b> Thomas Grant	367
<b>Goodall</b> Parker	176
<b>Gordon</b> George	196
<b>Green</b> John S. and W. B. Simms	277
<b>Gardenhire</b> Adam and Martendale released from a judgment	184
<b>Graham</b> William Carroll	189
<b>Graham</b> William may keep up a dam	143
<b>Gilbreath</b> William may raise head water for his factory judgment against for damages	102
Where an exclusive right is claimed how to be determined	164
<b>Gibson</b> S. E. act for turnpike repealed	ib.
<b>Gamble</b> Richard	168
<b>Gillespie</b> John	234
<b>GRANTS</b> , to issue for islands in Hiwassee District	309
Two years time allowed to perfect, north & east of congressional reservation line, c. 2	1
South of Walker's line and one and a quarter miles north of the line run by Steele and others, to be filed with the secretary, s. 9	2
<b>Grand juries</b> , when not to present, c. 14	36
<b>GUNS</b> , pressed during the war, to be paid for by treasurer of East Tennessee	12
to be paid for	186 & 187
<b>Ginners</b> not required to take out license where their machine is erected only for private use, c. 35, s. 2	255
<b>GUARDIAN BONDS</b> to be made payable to the chairman of the county court and his successors, and how to be prosecuted, c. 45	30
Heretofore executed, how to	47



be prosecuted, s. 2	48
Where the chairman of the court becomes executor or administrator, may be sued on by the person interested in his own name. s. 7	ib.
<b>GOVERNOR</b> to appoint special judges	118
To have permanently the powers of making these appointments	ib.
To fill vacancies, if any of commissioners appointed to value college and academy lands should die to be paid	120 204
To appoint reviewers to examine the road from Nashville to Columbia, and on their report, to authorise by his certificate, the erection of gates	230
To appoint solicitor on certificate of judge	291
To correspond with the governor of Alabama	330
May appoint commissioners to meet commissioners of Alabama	ib.
To give information concerning school lands	362
to appoint	360
To transmit memorial to our senators and representatives and governor of Alabama	377
Gibsonport changed to Trenton	184
Guardians of heirs of John Jones may sell land and make a good title to purchaser	188
Grainger county, sheriff of, allowed another deputy	306
<b>HIWASSEE DISTRICT</b> , islands in to be granted, c. 1	1
Entrytaker to permit 3000 acres to be entered for encouragement of the manufacture of lead. c. 8, s. 2,	5 & 6
Register's office established in	24
Sales, purchasers at allowed the privileges of c. 24, Aug. 22, 1822, until Jan. 1827, c. 35	60
Houser Charles A. to receive certain documents	367
Howe Robert, heirs of to have a grant	330
Hamby Isaac	306

Hodge Philemon	874
Hadley Joshua	385
<b>HAYWOOD</b> John, to hold the chancery court at Franklin on second Monday of December relieved	23 234
Harris Joseph to be exempt from the penalty for gaming	311
Huntsman E. and John Hill, to have a certificate to lay it before the commissioner	293 ib.
Hill Wm. to file a certain grant with the commissioner	294
Henderson Joseph to be divorced, and on what terms	308
Houston Robert and Nathan	309
Hendrix Wm. and George D. Randell may build a mill privilege of to certain land	312 ib.
Holt Joel, may build a fish trap	251
Harrison Audly, restored to privileges of citizenship	194
Harris Joseph, clerk of Overton county court, relieved	169
Humphreys Moses	264
Hicks James, clerk of Henry county	148
<b>HOPKINS</b> Thomas, to have injunction or superseas	152
not to be proceeded against 366, 368 &	386
may consolidate his suits	152
Hardin Benjamin, act for relief of	281
Hodge John and James, may erect a dam in Watauga	160
Howel Wm. may vacate his entry	283
<b>HOARD</b> Stanwix, to be paid four hundred and fifty-two dollars	191
to have a grant when he produces receipts	ib.
Harris Alfred M. and Tyree Rodes	281
Harvy Musica and Leander	205
Harmon William, to have a grant	337
Huff Elizabeth	206
Hodges Phillip and James	221
Hawarth Richard	245
Hands Elkins	250
Humphreys county commissioners	169
jurors of, exempted from ferriage	296
<b>HARDIN COUNTY</b> , citizens of, to vote for seat of justice	335
Duty of sheriff of, if a majority wish to fix the permanent seat of justice on Tennessee river	336
Penalty on sheriff, for failure in his duty	337
Householders good jurors on change of venue	131
<b>INSPECTOR</b> general to be appointed by the governor	135
assistant by maj. general	ib.
Returns how made of tobacco	136 304



of tobacco at Kelly and Prices' ferries	150
<b>IRON WORKS</b> , owners of to have 3000 acres laid off at half a cent an acre, c. 58 s. 1	66
Same privilege extended to those who have commenced iron works	67
To forfeit their land if the iron works are not carried on s. 4	ib.
Where quantity of land deficient how remedied s. 8	68
Privileges of act of 1824 concerning, extended	309
Isbell John & Joshua Parsons	325
Islands in the Hiwassee District to be granted, c. 1	1
Injunction bills to be prosecuted in the district where the judgment at law was obtained c. 22 s. 2	19
Illegitimate children, bonds for maintainance remain in force, although the children are made legitimate c. 30	26
Inhabitants south of French Broad how relieved	40
Insolvent debtors bonds to be made payable to plaintiff	66
<b>JAIL</b> of Robertson county to be built	201
commissioners to contract for building	202
may let it out to the lowest bidder	ib.
in Rhea county to be built	222
commissioners appointed to contract for building	ib.
oath of commissioners	ib.
tax how collected and accounted for	228
old, to be sold	ib.
tax how levied and collected	224
Jailer may sell runaway slave after twelve months' imprisonment	123
<b>JASPER</b> incorporated	278
Powers of incorporation	279
laws of against whom to be in force	ib.
election of Alderman	280
number necessary to do business	ib.
<b>JUROBS</b> , Grand when not to present c. 14	12
For the counties of Humphreys, Perry and Roane	296
for the trial of slaves to be slaveholders c. 24, s. 1	21
Summoned by coroners, for failure forfeit five dollars	31
For a special court in Washington how appointed	150
for a special court in Marion to be paid	177
Jobe Nathan and James Robertson	308
<b>JONES JOHN</b> , of Giles county land may be sold by the guardians of his heirs	188
Not to sell real estate, unless guar-	

dians of his heirs give bond	286
To be sold at auction	ib.
Jones James M.	205
Jackson Thomas, heirs of	219
John Johnson's land may be sold by order of c'ty. court	285
<b>JUDGMENTS</b> not to be affected by the repeal of the right of redeeming negroes c. 43 s. 3	46
On guardian bonds no bar against another action	48
<b>JUDGE</b> to envelope and seal bills of injunction	116
To certify when solicitors reside out of their solicitorial district	291
of the third circuit court may appoint a clerk for Fentress county	109
may appoint a special court in Overton	ib.
may empanel a grand jury of bystanders	200
To hold a special court at Carthage	218
may order the sheriff to summon a jury duty of, as to Joseph Colville clerk	ib.
Of circuit court of White county to certify the taxation of cost in the case of Nathan Smith	344
Of first circuit, to hold a special court in Hawkins county	225
Of Rutherford circuit court, to permit James J. Maxwell to file his petition for divorce of seventh and third circuits, to interchange of fourth and sixth	274
of fifth and ninth	291
Of sixth circuit, to appoint an additional term in Maury county	ib.
to try chancery suits at said term	305
Of supreme court, to hold a court at Reynoldsburgh, c. 31, s. 1	ib.
to appoint a clerk, s. 4	27
to hold a chancery court at Paris, c. 32, s. 1	ib.
to appoint a clerk, c. 32, s. 2	28
To notify governor when special judge is necessary	ib.
special pay	115
Jackson and White line between	ib.
Jackson, office of register to be kept at c. 11 s. 2	398
Jefferson county, sheriff of, may have an additional deputy	8
Justices' fees	221
<b>JUSTICES OF PEACE</b> , where persons are brought before them on good grounds of suspicion that they intend to raise a riot to be bound over one year c. 19 s. 1	125
Where persons are suspected	16



<b>JUSTICES OF PEACE</b> , on reasonable cause of being armed to commit a breach of the peace, to cause such offender to be arrested s. 2	16
To take bonds payable to chairman of the county court and his successors and to be filed in clerks office s. 3	ib.
To commit such as refuse to give bond s. 5	17
Where dead removed or resigned, clerk to issue execution on unsatisfied judgments c. 23	20
When notified of sudden death of any person shall cause a jury of seven to be summoned who shall give their opinion; and if the deceased was murdered the coroner must be notified and hold his inquest c. 36 s. 4	31 & 32
To take the enumeration when taking lists of taxable property c. 50 s. 1	51
Appointed to take lists of free male inhabitants refusing to act dieing or removing, vacancy, how supplied	52
For taking list of free male inhabitants allowed 3 dollars per hundred s. 5	52
To interrogate persons whether they have been heretofore enumerated under this act s. 6	ib.
To be fined fifty dollars for refusing to comply with the requisitions of this act s. 7	ib.
To hold elections for company officers	100
To certify all elections by them held	101
Jurisdiction of chancery court c. 22	19
<b>KINGSPORT</b> corporation of, how limited	147
Power of	ib.
Killingsworth Mary, may enter a quarter section in Hiwassee	353

her estate therein	354
Kennedy John and others	277
Kennedy B. O.	391
Kirkpatrick Alexander, heirs of, relieved	172
Kelly John and Wm. M. Quisenberry, surveyors, to run the line between Franklin and Marion	215
<b>KELLY</b> John, released from keeping part of a road in repair	220
to have exclusive right in a certain road	ib.
May build a bridge across Sequatchee and take toll	ib.
Keith William	221
<b>KENNEDY</b> Walter, may borrow from the New Bank one thousand dollars	284
not to be curtailed for two years	ib.
Kittrell Solomon A. legatees of, relieved	292
Lawrence county, a separate election in	174
<b>LOTTERY</b> for the benefit of the Shelbyville Female Academy	179
trustees of, appointed	ib.
if they resign, vacancy how supplied	ib.
to draft a scheme	ib.
to give bond	ib.
may sell tickets	ib.
how to be drawn	180
to appoint clerks	ib.
may buy tickets	ib.
for Nashville Female Academy	206
how to be drawn	207
trustees to give bond	ib.
to sell tickets	ib.
for Pulaski Female Academy	ib.
For the town of Franklin, in order to buy a clock	237
To open and make navigable Sequatchee river	238
how to be drawn	239
managers of, to give bond	ib.
to sell tickets	ib.
how to resign	240
Vacancies by death or resignation of managers, how filled	ib.
for Charlotte Female Academy	241
trustees of, to give bond	ib.
to sell tickets and take bond	ib.
how to be drawn	ib.
Vacancies of trustees to be filled by county court	242
To build a masonic hall at Clarksville	ib.
JA	



<b>LOTTERY</b> , to remove obstructions in Red river	243
to build an academy at Dover	ib.
For benefit of the creditors of David J. Robinson	316
Robinson to convey to trustees and give bond that the title is good	317
Trustees of, to divide property into lots and draft a scheme	ib.
To give twenty days notice of the time of drawing	ib.
person drawing prize is entitled to it	ib.
proceeds of tickets, how to be distributed	ib.
If not drawn, trustees of, to reconvey and refund	318
to build a masonic hall in Shelbyville	327
trustees appointed	ib.
how to be governed	328
<b>LIBRARY COMPANY</b> in Maury county incorporated	309
to be managed by 7 directors	310
when to elect directors	ib.
regulating election of directors	ib.
who may vote in elections	ib.
trustees of appointed	311
how to become a member of	ib.
<b>LINES</b> between Jackson and White	198
between Cocke and Jefferson	321
of Overton county, to be re surveyed	342
<b>LANDS</b> south of French Broad and Holston, time for redeeming enlarged	120
Lately ceded to Kentucky, to be valued by two respectable citizens, and their statements to be filed with clerk of circuit court, s. 5	35
Granted to owners of iron works, when forfeited, s. 4	67
deficiency of, how remedied, s. 8	68
Three thousand acres may be entered for the use of lead mine, c. 8 s. 2	5 & 6
To be paid for in two years or revert to the state, s. 4	6
timber on, to be used for no other purpose, s. 5	7
In Hiwassee district, entered at or under 12 1/2 cents, how the taxes arising on to be appropriated, c. 34, s. 3	30
<b>LEAD</b> , manufacture of encouraged, c. 8.	5
Where found, county court to appoint five commissioners to lay off 3,000 acres	6
act to encourage manufacture of, repealed	196

Life estate reservees, purchasers of, to have fee simple, c. 12	10
<b>LIEN</b> , c. 21	18
to mechanics on buildings, c. 37, s. 1	32
Limited to one year and the determination of any suit instituted within that time, c. 37, 1	33
Laws, revision of, c. 60	69
Lewis William B. to have a grant for 640 acres	158
Low Isaac and others, may build a fish trap	171
Lockart James B. and others	212
Lyons Thomas, to peddle without license	269
Leech Benjamin	283
Love Isaac	309
Lincoln J. authorised to open a turnpike road	322
Long John	375
Lord William	394
Land warrants, military claimants to file a bill against treasurer of West Tennessee, s. 14	42
<b>LAND CLAIMS</b> , to be examined by secretary of State	124
Time allowed to file for interferences	125
how to be adjudicated	ib.
Vacant within five miles of Caney fork and Stone Fort, may be entered	132
<b>MILITIA.</b>	
<b>ADJUTANTS</b> duty and pay,	91
to keep a record, receive returns &c.	98
duty, and to call the roll,	112
<b>APPEAL</b> right of,	93
<b>APPRENTICES</b> ,	112
<b>ARREST</b> , causes of,	93
mode of procuring,	96
<b>ARMS</b> and equipments, not liable to execution,	104
how to be drawn for and distributed,	112
<b>BRIGADE</b> , eleventh part of third division,	3
First,	78
Second,	ib.
Third,	79
Twelfth	80
Fourth,	ib.
Fifth,	81
Sixth	81
Eleventh	ib.
Eighth	82



Ninth	83
Tenth	ib.
Thirteenth	84
Fourteenth	ib.
Inspector's duty,	111
BRIGADIER GEN. when to appoint officers to raise companies of cavalry	ib.
Duty of, if an additional battalion should be made in the seventh regiment	327
Brigade surgeon	136
Battalion additional, if made in seventh regiment when to muster	327
CAVALRY,	107
how to be equipped,	108
captain of, to make annual returns	ib.
when to enrol a private,	ib.
privates in, not to withdraw,	110
To be called on by companies,	ib.
when to be considered mounted gun-men.	ib.
how to be raised	111
eighth brigade of	136
Senior capt. of seventy-eighth regiment to have command on battalion muster days,	269
Camp drills	141
Colonels now in commission to command	114
COMPANY in Cade's Cove,	204
to have their own musters	ib.
Excused for two years from battalion and regimental musters	ib.
To consist of what number	103
of volunteer infantry permitted	104
of volunteer riflemen	105
To be numbered by their regiments and how detailed	ib.
not to withdraw from, in five years	ib.
not to be reduced below lawful number	ib.
uniform of volunteers	106
of cavalry	107
how to be equipped	108
captain of cavalry to make annual returns	ib.
when to enrol a private	ib.
Commissions, form of	106
COMMANDANTS of companies, on what evidence to discharge persons under them	87
To furnish lists of non-commissioned officers	88

to make annual company returns	88
how to be made	ib.
to report delinquents	112
to make rosters of their companies	90
to receive substitutes	97
of regiments duty,	91
To make detail on companies,	97
To certify to clerk the number of captains' companies,	114
COURTS MARTIAL	91 & 92
general	94
brigade	ib.
regimental	ib.
A majority of officers may proceed in	ib.
members of, may be challenged	ib.
sentence of, how to be approved	ib.
Not to be set aside for want of form	95
how to be appealed from	ib.
how organized	ib.
may adjourn or postpone trial,	96
in the seventh regiment	326
may divide the regiment,	ib.
Or establish an additional battalion	327
of inquiry	96
DELINQUENTS noted	86
may make affidavits for courts martial	113
in making returns	89
Divisions	85
DRILL MUSTERS, when held	114
of officers in each county	113
when held in certain counties	136
Drum and fife major's duty and pay	91
DUTY OF persons issuing writs of election	101
Brigade inspector	111
ELECTION of major general	99
of brigadier general	ib.
for field officers, when held	100
Of company officers, where and how held	ib.
how to be contested	102
writs of, who to issue	100
in Lincoln county, ch. 107	155
FINES, for neglect of duty	89
who to be exempt from	103



FINES where paid	106
manner of collecting	ib.
how applied	108
Governor, (see officers)	
INSPECTORS GENERAL, to be appointed by governor	135
Assistant, may be appointed by major general	136
returns of, how made	ib.
JUSTICES OF PEACE, to hold company elections	100
To certify returns to commanders of regiments	101
JUDGE ADVOCATE	87
to take an oath and give bond	ib.
duties of	ib.
to make settlement annually	90
pay of	91
to issue execution,	92
for special courts martial,	93
of cavalry, to issue execution,	111
MILITIA, laws to be printed	378
twelfth brigade of, attached to the first division	2
who shall compose	78
who exempt from militia duty	ib.
to serve six months when called out	98
Eleventh brigade of, attached to the third division, c. 4	3
MUSTERS, battalion	86
in Hawkins county	268
regimental, when to be held,	110
drill, when held	114
of officers in each county	118
Order of rank	98
OFFICERS, governor, commander in chief	85
his staff	ib.
requisition of, evidence of invasion	97
to call out and discharge	98
to commission officers of cavalry	109
general, (major)	85
his staff	ib.
to make requisitions	96
brigadier and staff	85
to make detail on regiments	97
To issue his writ to fill vacancies in new regiments	104
When to appoint officers to raise com-	

OFFICERS, companies of cavalry	111
Duty of, if an additional battalion should be made in 7th regiment	327
of regiment	85
of company	ib.
oath of	101
how elected	86
in each county to be drilled	113
of infantry, to be drilled	86
non-commissioned to serve three years	88
duty	91
To be tried in different court martials, according to grade	95
may act on certificate	101
Of cavalry, allowed three months to equip	109
Provost martial	87
for special courts martial	93
Privilege of persons attending musters	104
PENALTY for misbehaviour on parade	90
for not appearing when called out	99
for not attending regimental musters	110
Parents and guardians, when to be liable for their children and wards	90
Privates, how to be armed	104
not to withdraw from company, if cavalry	110
Quartermaster's duty	98
REGIMENTS, how to be divided	ib.
to consist of how many companies	102
New, how to be mustered and where to muster	107
of cavalry, may choose their uniform	100
how commissioned	ib.
ninety-sixth established in Rhea county	136
Removal, causes for	102
Resignation, penalty for	101
to whom made	ib.
RETURNS of company, how made	88
regimental, how made	ib.
brigade, how made	ib.
division	89
penalty for neglect to make	108
Rights of volunteer companies	98
Subaltern's duty	91
SHERIFF's duty as to holding elections for field officers	90
where to hold elections for general officers	100



to certify all elections by him held	100
to collect amount of executions	132
Tour of duty, who entitled to credit for	103
UNIFORM of officers	105
of volunteer companies	106
VOLUNTEER COMPANIES of infantry permitted	104
of riflemen	105
uniform	106
may have by-laws	107
WRITS OF ELECTION, who to issue for lieutenant	
colonels and second lieutenants	114
who to issue	100

## END OF INDEX TO THE MILITIA LAW.

Monroe county, seat of justice in, not to be paid for at the rate of one dollar per acre	318
MARION COUNTY attached to seventh solicitorial district, c. 3	2
a special court in, authorised	176
and Franklin, boundary between	214
Married women, when abandoned by their husbands, protected in the property they may then acquire, c. 10	3
MASONIC HALL, at Clarksville	242
at Shelbyville	327
MECHANICS to have a lien on the buildings by them completed, c. 37, s. 1	32
limited in their lien, and how long, s. 2	33
Members of Assembly to be paid four dollars per day	356
Money arising from entering vacant land, how distributed	120
Matlock Charles, heirs of, to file their claim for adjudication	298
McAlister John, and others	277
Maxwell James, act for relief of	167
Mead Edward, act for relief of	185
McFeld, Jesse, to have a grant on certain terms	191
McGeer George W. to be paid	204
Millican Alexander, may finish collecting taxes	236
McLean, C. D. to be paid	259
McCan John, to peddle without license	269
Mahan Henry	271
Melloy Thomas, and John Baker	273
McDonald Alexander	281
Meck Samuel	282
McLemore John G.	392

McNeal E. appointed to run certain county lines in place of John H. Bills	346
McNamee Peter	389
Mulherrin James	ib.
McDowell James, to be paid five dollars	357
Martin J. D. to be paid \$64	ib.
Martin H. C. to be paid \$84	ib.
Muncher John, restored to his privileges	142
McKinley Robert	149
McCardle Sina, privileges	151
Martindale John and A. Gardenhire, released	184
Masterson Thomas, act for the relief of the heirs of	255
McCraw Gabriel	192
Mitchell Grief S.	205
Mulattoes when not to inherit, c. 15	18
Military land warrants, claimants of, to file a bill against treasurer of West Tennessee	42
McDaniel's papers as a justice of Carroll county, may be taken & deposited by any body with the clerk, s. 5	76
MILL on the middle fork of Obion	235
on north fork of Forked Deer river	ib.
on the middle fork of Obion	312
MILL DAM authorised in Nolichucky	232
to be extended in Nolichucky	ib.
MORGAN COUNTY, seat of, to be permanently fixed	287
Commissioners appointed to select a site	ib.
to advertise lots for sale	ib.
to contract for public buildings	ib.
to give bond	268
vacancies of, how filled	ib.
NASHVILLE TURNPIKE Company incorporated	226
Commissioners of to receive subscriptions	ib.
to mark out the best route	228
Subscribers to elect directors	227
Power of the President and directors of	ib.
To sue delinquent subscribers	ib.
Five directors may do business	228
Damages done to individuals to be ascertained	ib.
President and directors of, may buy land, dig, cut,	



# xxxiv

NASHVILLE TURNPIKE	quarry, or take from the lands of any person on paying therefor	229
	To give an account at each annual meeting of shareholders	230
	Shareholders to meet annually	ib.
	tolls of	231
	who to be exempt from road when out of repair	231
	At what distance to have their toll gates	233
	not to issue notes	ib.
North Carolina claims, see c. 39		37
NEGROES, right of redemption repealed c. 43 s. 1.		46
	Rights of parties not to be effected by this law, s. 2.	ib.
	Not to operate on judgments heretofore rendered s. 3.	ib.
	when to take effect, s. 4.	ib.
	free, (see persons of color)	
	Leethy and Ben may be emancipated	175
	Lott and Esannah	353
NAME of another person cannot be used in ejectment without showing a power of attorney, and if used without authority, it may be struck out by the court, c. 63.		71.
	names altered	205 & 206
Norvell Joseph to be paid \$18 75		357
OWNERS OF LAND	to be paid where a road is desired through their land before road is established c. 17	13
	Of 160 acres not to have preference of occupancy c. 39 s. 3	38
	Of slaves may challenge jurors c. 24 s. 2	21
	may superintend trial c. 24 s. 3	ib.
	May give bail for appearance of his slave unless for capital offence c. 34 s. 4	ib.
	may take an appeal s. 3	ib.
	liable for costs s. 6	ib.
	Of private ferries regulated c. 44	47
	Of iron works to have 3000 acres of land laid off at half a cent per acre	66

# xxxv

OWNERS OF LAND	Same privilege extended to persons who have commenced iron works	67
	Of salt works to have the same privileges	68
	Of runaway slave may redeem him in two years	128
OCCUPANTS in Hiwassee district	allowed a preference of twelve months from the first of January next c. 34 s. 2	29
	Privilege of, where he enters less than 100 acres s. 10	40
	right of, saved	127
	Near Stone Fort and Caney Fork to have preference	132
	In the Western district who shall reside there on or before the first of May next to have a preference until the first of June 1826 c. 39 s. 3	38
	Owning less than 160 acres to have a preference s. 16	42
OVERTON COUNTY,	commissioners appointed to settle with trustees of, and report a statement to the county court	320
	To settle annually and forfeiture in case of failure	ib.
	lines of to be surveyed	342
	Plats and certificates time for returning prolonged c. 16	13
	Parsons Joshua & John Isbell	325
	Pope John	390
	Pardom (Elisha) administrators of, may sell Bell tavern	145
	And make a good title	ib.
	Porter Robert, entry taker may keep his office at his own house	302
	Parker Elizabeth to have the privilege of a feme sole	165
	notto be hereby preveted from getting a divorce	166
	Portlask Caleb	391
	Payne Caroline R.	205
	Petty Wm. H. entry of, made void with liberty to re-enter	375
	Paulling Wm. K.	261
	Plumley John	282
	Price William	392
	Pennington John	283
	Parrot Benjamin, act for relief of	328
PEDLARS WITHOUT LICENSE,	John McCan	269
	Randal Dupriest	ib.
	Thomas Lyons	ib.



Isaac Daniel	272
Smith Charles	274
Paper-makers, law exempting, from working on roads repealed, c. 5.	3
Private Ferries, owners of regulated, c. 44.	47
Persons who have commenced Iron works may have 3000 acres of land laid off s. 2.	67
Persons of color may record their free papers in any court of record	128
Property of married women when protected from the debts of their husbands, c. 10.	8
Presentments by Grand Jury limited, c. 14.	12
Prison rules what shall be their bounds	131
PERJURY, persons swearing falsely to obtain the benefits of c. 38. guilty of s. 7.	35
Preference to occupants in the Western district c. 39 s. 3.	35
To those who own less than 160 acres s. 16.	42
Perry county, jurors of, exempt from ferriage	296
<b>PRESIDENT AND TRUSTEES</b> of the University North Carolina to receive one third of the amount of certificates derived from warrants filed by them	40
Their assent required s. 13	41
Quisenberry Wm. M. & J. Kelly surveyors	215
Ross Reuben, may build a bridge over main Caney Fork	181
Robinson John	314
Ramsey Doctor J. G. M. may build a dam	143
Roach John W.	314
Roper David	144
Rodes Tyree may enter six acres of land	274
Royal James may exhibit shows without tax	165
Rogers Jubilee and others may have a mill on Obion	235
Rud James	371
Rail Richard for the benefit of	238
Read James may vend merchandise without tax	185
Redin Rebecca	256
Robinson David	316
<b>REVISAL</b> of the laws	69.
two persons appointed, and to report to the next session	ib.
how to be paid for	70
Rushing John	393
Right of redemption as to Negroes repealed c. 49 s. 1.	46

<b>RIGHTS</b> of parties not to be affected, s. 2	49
nor judgments, s. 3	ib.
this act to take effect 1st of Aug. 1826	ib.
<b>REGISTER</b> of West Tennessee, to correct a grant	367
to issue a grant to R. H. Dyer	373
to issue a grant to Philemon Hodge	374
to issue a grant to W. B. Lewis	155
To issue a grant to the heirs of T. Fields	223
to issue a certificate to Wm. Chilton	293
to issue a grant to James Hicks	304
to issue grants to Aaron Anglin	313
to issue a grant to James Whitsitte	314
to issue a grant to Wm. Harmon	337
To issue a grant to the heirs of Robert Howe	338
To issue a grant to Willis and Dennis Rushing	340
to issue a grant to Jacob Shaver	363
to issue a grant to J. Hamby	365
to issue a certificate	384
To correct errors in grants issued under the act of 1823, c. 52, s. 1	57
To make the correction without fee if he committed the error, if not, entitled to fifty cents, c. 52, s. 2	ib.
Action on the case may be brought against, where he refuses to correct, s. 3	ib.
Alterations, void if inconsistent with the plat and certificate, s. 4	58
of counties, fees, s. 4	64
books to be paid for, s. 5	65
taking greater fees a misdemeanor, s. 6	ib.
To issue grants to owners of iron works, s. 3	67
To issue a grant to John Clift on a certain plat of survey	184
To issue a certificate warrant to David Thwing	197
to issue grants to W. P. Anderson	289
To issue certificate warrants for rem-nants	370
Of Washington county, to receive papers of surveyor of sixth district, c. 18	14
to give copies, s. 2	ib.
To deliver plats and warrants, and record them when necessary, s. 3	14 & 15
To issue copies of entries on which the county surveyor may make his survey,	



<b>REGISTER</b>	and return plats, &c. s. 4	15
	fees of, s. 5	ib.
	North and east of congressional boundary, to issue grants where assignments are lost, on affidavit, c. 47	40
	Of East Tennessee, to issue a grant to Thomas Smith on filing a plat and certificate	289
	To issue a certificate to E. Huntsman and John Hill	293
	To issue a grant to S. Hoard, on certain terms	191
	To issue grants to purchasers of islands in the Hiwassee District, c. 1	1
	to issue a grant to Moses Humphreys	264
	What kind of money to be received for certificates	120
	fees	ib.
	To issue a certificate to E. Mead, for 55 1 2 acres	185
	to issue a grant to Robert Williams	188
	to issue a grant to Jesse Mayfield	191
	To issue a grant to William T. Ellis and N. Potter	297
	To issue a grant to A. Crocket and S. Hardy	ib.
	To issue a grant to Robert Snodgrass, John White and Esrom Liten	341
	to collect a debt loaned to E. Embrie	371
	To permit copies to be taken of all papers relating to land titles in the Hiwassee District	372
	Of Western District, after 1st September, 1826, to sell certificates at auction, c. 15	42
	to keep a book, s. 17	ib.
	to give bond in 50,000 dollars	48
	to give bond and take oath, c. 11, s. 1	8
	to keep his office at Jackson, s. 2	ib.
	To be governed by the same rules as the registers of the land offices for East and West Tennessee, s. 3	ib.
	To open his office on first of January, s. 4	ib.
	To collect secretary's fees and send them with the grants to the secretary, s. 5	ib.
	To assign certificates issued by the secretary of State to occupants at fifty cents per acre, s. 3	38

<b>REGISTER</b>	Not to sell certificates to any but occupants until after the first day of July, 1826	38 & 39
	After first day of July, 1826, may sell certificates to any one at one dollar an acre, but not less than 150 acres to be entered or sold	39
	To deposit in the New Bank at Nashville, quarterly, the monies received from sale of certificates, to credit of treasurer of West Tennessee, s. 6	ib.
<b>REGISTER'S</b>	office in Hiwassee District established, c. 27, s. 1	24
	To issue grants on all land in said district not heretofore granted, c. 27, s. 2	ib.
	Entitled to the same fees and liable to the same penalties as other registers, s. 2	ib.
	to open his office on 1st Jan. 1826	ib.
	To issue grants for all lands to be granted in that district	297
	Rutherford county circuit court, when held	348
<b>RESOLUTION</b>	appointing a committee to inquire in to the situation of the New Bank	365
	Directing the printing of a certain act	378
<b>RESOLUTIONS</b>	about receiving gen. Jackson, and that the speakers deliver him an address	363
	concerning land claims,	381 to 396
<b>RESERVEES'</b>	plats and certificates to be registered	276
	act for the benefit of, revived, c. 12 s. 1	10
	May enter less than the whole reservation, s. 2	ib.
	Commissioners appointed to settle with c. 41, s. 1	44
	(See commissioners)	
	Reservation of entries removed from Stone Fort and Ca- ney Fork	131
	Rent, a lien on the crop for three months, c. 21	18
	Rutherford county, a separate election in circuit court in, when held	173
	Rangers of Humphreys, Perry and Hardin, where they may advertise	348
	Rhea, John, and others	175
	Rodes Tyree, and Alfred M. Harris	277
	Rawlings Sarah E. may make void an entry	381
	Roane county, jurors of exempt from ferrriage	354
<b>ROADS</b>	papermakers no longer exempt from working on, c. 5	296
		3



<b>ROAD,</b> not to be established through any persons land until the damages are paid, c. 17	18
Of Nashville company, when out of repair, how remedied	232
old, not discontinued	233
Between Kingston and Sparta, to be reviewed	364
From Grassy Cove in Bledsoe, to near the mouth of Cane creek	368
On which S. E. Gibson was authorised to make a turnpike, to be reviewed by commissioners	168
(See turnpikes)	
Reynoldsburg, a supreme court to be held at, on the second Monday of March, c. 31	29
<b>RIVERS,</b> South Fork of Forked Deer, declared navigable	250
Squatchee made navigable by a lottery	238—9 & 40
Ohio may have a mill	235
Sandy declared navigable	174
Wolf, navigation of, to be improved	146
Caney Fork, bridges over	182
North Fork of Forked Deer, navigable	186
Red, declared navigable, and every dam must have a slope	195
Duck, may have a bridge over it	203
Stone's, obstructions in, removed	253
overseers to be appointed by the county court	ib.
penalty for obstructing the navigation of	ib.
forfeitures to be laid out in improving	254
Elk, may have a bridge over it	260
navigation of, not to be obstructed	ib.
Holston commissioners of, to remove obstructions	290
To give notice to owners of traps, dams, and obstructions	ib.
To give reasonable time for removal of obstructions	300
Persons failing to remove obstructions in, after notice, to forfeit \$10 a day	ib.
Forked Deer, a canal from, to Mississippi	301
<b>RULES</b> of supreme court (eighth and ninth) repealed	146
Not to take effect until confirmed by legislature	ib.
of prison, what shall be	131
<b>SCIRE FACIAS</b> to be issued on bonds for good behaviour	16
against bail when to issue	33

<b>SCIRE FACIAS</b> against representatives of deceased defendant	74
<b>SECRETARY</b> of State, to issue certificates for such parts of grants as have become void by the late cession to Kentucky, on affidavit of the person filing and two respectable persons	36
To adjudicate military land warrants, not exceeding 105,000 acres	37
To issue certificates of 25 acres each, directed to surveyors south and west of congressional reservation line, and deliver them over to the register of the Western District, and take his receipt therefor	37
To lay before the General Assembly lists of free male inhabitants	52
May give copies of the general plan in his office to the first, second, and third surveyor's districts, or any part thereof	28
Such copies to be read in evidence, as if the original plan was produced	ib.
see	ib.
fees	41
to examine and adjudicate land claims	124
To adjudicate all claims provided for by law	ib.
To give information concerning school lands	134
To procure two sets of Scott's Revisal for the clerks of Fayette county	167
to adjudicate S. Buchanan's claim	182
to adjudicate certain military warrants	272
to issue a certificate to John Sutton	188
To issue a duplicate certificate to B. Hawarth	245
to issue a warrant to W. K. Paulling	261
To adjudicate certificate of heirs of O. Matlock	298
to adjudicate George Crocket's claim	307
to adjudicate Wm. Chilton's claim	294
to adjudicate Wm. Hill's claim	ib.
Interference with J. Hicks by better title referred to	304
rent of his office to be paid	356
<b>SCHOOL FUND</b> from entering vacant land, how distributed	126
Interest to be paid to commis-	



<b>SCHOOL FUND</b>	sioners	128
	lands to be sold	132
	leases of, not to be made in future	134
<b>SLAVES,</b>	how to be tried, c. 24	20
	jurors must be slave holders	24
	owners of, allowed to challenge	ib.
	may superintend trial and take an appeal	ib.
	may give bail for slave's appearance	ib.
	Liable to pay costs of appeal unless the charge is frivolous or malicious	ib.
	In prosecutions on appeal, no exceptions allowable to proceedings below	22
	runaway, to be sold in twelve months	128
	may be redeemed by the owner in two years	ib.
<b>Soldiers</b>	and their heirs, how to take depositions	117
<b>Solicitorial district,</b>	7th, to include Marion	2
<b>Solicitor of 7th district,</b>	to attend Marion	ib.
<b>SOLICITORS,</b>	to call on clerks for receipts of treasurer and trustee	54
	Not entitled to salary unless he makes affidavit that he has called on the clerks for their receipts	55
	Failing to perform duties enjoined by c. 51, liable to indictment	56
	fee, if clerk is convicted, \$15	ib.
	To reside within their solicitorial districts	291
<b>SHERIFF,</b>	to arrest persons suspected of carrying arms to commit a breach of the peace and bring them before some justice	16
	to summon bystanders	ib.
	to prosecute such as fail to attend	17
	neglect of these duties a misdemeanor	ib.
	duty where execution issues by clerk on justices judgment	20
	fee for executing such process	ib.
	To take judgment by motion on indemnity bond	48
	not obliged to levy & sell unless indemnified	44
	fees	63
	penalty for taking greater fees	65
	how to take bonds of insolvent debtors	66
	duty as to the election of field officers	99
	where to hold election	100
	to certify all elections by him held	ib.
	to collect amount of executions	111
<b>Of Lincoln,</b>	to hold election for officers of Fayetteville corporation	147
<b>Of Bedford,</b>	to hold an election at Farm-	

ington	198
of Franklin, where to advertise	278
<b>Of Humphreys, Perry and Hardin,</b> may advertise in the newspaper printed in Jackson	175
<b>Of Marion,</b> to summon jurors for special court	177
to summon talismen	178
of Jefferson to have an additional deputy	251
<b>Smith Charles,</b> may hawk and peddle in Hardin county	374
<b>Shaver Jacob,</b>	363
<b>Shannon Thomas,</b> excluded from the corporation of Jackson	173
<b>Simpson George,</b> may hawk and peddle	165
<b>Sieber Frederick,</b> to be paid	258
<b>Sutton John</b> to have a certificate warrant	183
<b>Summers John</b>	205
<b>Sullivan Albert G.</b>	206
<b>Smith John H.</b>	206
<b>Scudder Harriet Payne</b>	210
<b>Sevier James</b> may build an office	ib.
<b>Sneed Achilles</b> (heirs of)	213
<b>Sampson Jacob</b> may have two fish traps	251
<b>Smith Henry</b>	255
<b>Simms Walter B. &amp; John S. Green</b>	277
<b>Stuart Montgomery</b>	282
<b>Smith Thomas</b> to have a duplicate plat and certificate	289
<b>Simms Walter,</b> legatees of	298
<b>Stuart Thomas,</b> guardian of his heirs to pay the interest on a tract of land to treasurer of East Tennessee	316
<b>Sublets G. A. &amp; A. C.</b> to be paid	356
<b>Swanson Peter</b>	360
<b>Sommerville</b> (commissioners of) appointed	181
<b>Springfield</b> incorporated	200
<b>Surgoinville</b>	178
<b>SURVEYS,</b> time for making, and returning plats, and certificates prolonged 12 months	12
Two years allowed to return certificates of entry make surveys and obtain grants	46
<b>SURVEYOR</b> to give information concerning school lands	134
To divide school land into tracts of 160 acres	135
of tenth district to survey Oliss entry	184
To run the line between Marion and Fran- klin	214
to alter the lines of Lot Foster	285
Of sixth district to issue a duplicate and certificate	289



<b>SURVEYORS</b> , to hand over papers to the register of Washington county	14
Of ninth district to make void certain entries &c.	270
Of second district R. P. Harrison to be paid by commissioner of common schools in Bedford county	303
Allowed 25 cents for transmitting plats & certificates of second district	309
Of eighth district to permit an entry to be made void	209
Of ninth district duty	215
Of seventh district to make void certain entries and re-enter the same so as to cover improvements of eighth district	283
Of eleventh district to permit S. E. Rawlings to make void her entry	303
West of congressional line to make new plans of their districts c. 20, s. 1 to file away old plans	380
To be paid by the treasurer of West Tennessee	354
Offices to remain open till 1st January 1827 county to make surveys &c.	17
How to make survey where entry lies in different counties	18
Of Jackson county to run the line between White and Jackson	ib.
To be paid by Jackson county court	41
<b>STANDARD KEEPER</b> for Washington county to be elected	15
may seal measures	25
<b>SUITS</b> (costs of) brought in the name of one for the use of another, to be paid by the person for whose use it is brought	25
Not to abate by death	26
Not to abate by death of one or more of several defendants	74
May be revived against representatives of deceased defendant by scire facias at law or bill of revivor in equity	ib.
<b>TOBACCO</b> , inspections	150
Inspectors to pass first, second and third rate	304
Time of two years allowed to perfect grants north and east of the congressional reservation line, c. 2	2
Time of two years allowed to return certificates of entry,	

make a survey and obtain grants, c. 42,	47 & 48
Timber on land entered to encourage manufacture of lead, not to be used for any other purpose under penalty of \$100, c. 8, s. 5	7
<b>TAX</b> , on the nine pence land now loaned out	123
On lots in Burgoinville	173
State, how disposed of	129
Authorized to improve Wolf river	148
Arising from lands in Hiwassee district entered at or under twelve and a half cents, appropriated to the use of common schools, c. 34, s. 3.	30
<b>TREASURER</b> , not to receive returns of clerks unless verified on oath, s. 3.	54
To institute suit against delinquent clerks and the copy of clerk's bond and the schedule of the commissioners to be good evidence, subject however to be disputed by the clerk, s. 6.	55
Upon what terms to make sale of school lands	135
To pay Frederick Seiler	258
Of West Tennessee, to pay over one third of the money arising from the sale of certificates to the University of North Carolina, one third to the trustees of East Tennessee and Cumberland colleges, and one third to be appropriated to the use of common schools	40
To have school lands divided and sold	132
To pay for two sets of Scotts Revisal, if purchased by Secretary	167
To pay Thomas Taylor if he has received the fine	172
To repay A. Wilkins, if he has received his state tax	182
To pay W. S. Willeford and G. W. McGehee	204
the order of the Governor	204
To pay for Gen. La Fayette's reception	209
to refund to Clouston	221
to pay C. D. McLean	250
To loan R. H. Dyer \$2,000 to cut a canal	301
To pay the costs in the case of Nathan Smith	44



Of East Tennessee, may receive interest on tract of land of heirs of T. Stewart	316
May collect the principal when the heirs arrive at full age	ib.
To give information respecting college and academy lands	362
To pay Haywood G. Bennett for his services	319
to have school lands divided & sold	193
When lands have been leased when to be sold	ib.
to pay David Raper \$24	144
to pay for various guns	186 & 187
to pay Henry Bradford \$90 96 1 4	187
to pay Stanwix Hoard	191
Jos. Callaway	191
to give C. Donohoo a credit	192
to pay Gabriel M. Crow	192 & 193
to pay Henry Smith & Wm. Cruze	255
to pay Wm. Finley	263
to pay Wm. A. Hankins	ib.
To pay into bank if necessary \$1000 academy money	284
John Webb Roach	314
John Robinson	ib.
<b>TRUSTEES</b> , of Paris, Perryville, Huntingdon, Dresden, Centerville and Dover academies incorporated	267 & 268
duty of	268
of Campbell academy appointed	272
of Bledsoe county to pay certificate of the circuit court to James Wilson	343
Tipton county court may lay a tax to erect public buildings	345
<b>TURNPIKE</b> , road to be opened by Joshua Parsons and John Isbell from Abram's creek to North Carolina line	325
commissioners on	326
From Baxters plantation to the North Carolina line may be opened by Eli Mc'Mahons upon entering into an agreement with the court of pleas of Cocke county	329
Across paint mountain may be opened by William Raynolds	342
Commissioners of, to report to Greene county court if out of repair one month and remedy	349

proprietor of, to give bond and security	350
commissioners	ib.
to keep the road in repair 20 years	351
oath of	ib.
pay of	ib.
Remedy against proprietor for damage	ib.
Thomas Taylor exonerated from a fine	172
Tolls Oliver restored to citizenship	195
Towing D. to have a certificate warrant	197
Thompson Thomas A. representatives of, relieved	266
Administrators of, to produce a correct account of taxes	ib.
Templeton James and John	282
Thompson James	309
Taylor Isaac, to re-survey Overton county lines	342
to be paid by private subscription	ib.
to take on oath	ib.
<b>UNIVERSITY</b> of North Carolina, claims of, c. 29	37
to give its assent to the terms proposed in c. 39, s. 13	41
<b>VENUE</b> in criminal cases may be changed where a jury cannot be obtained by reason of disqualification	77
Affidavits for change of, must be supported by other affidavits	127
<b>WARRANTS</b> in part granted (in the western district) to be sent to the register of West Tennessee, c. 11	16
Military claimants of, how to proceed	42
Warrant military of R. Barney Cascle	272
heirs to be adjudicated	ib.
of N. Waller	ib.
Whites creek may have a bridge across it	196
Wilson Jas. how to apply for pay for running county line	343
May appeal from county court of Bledsoe	ib.
White John, R. Snodgrass and Esrom Liten	341
Williams Sophia may file her petition	339
Williams Robert to have a grant	188
Wayne county, bounds of to include the plantation of Henry Mahan	271
Williamson county circuit when held	18
Waynesborough, act establishing repealed	75
Writs of error may be granted in prosecutions against slaves, c. 24 s. 5	21
Witnesses attending special court in Marion to be paid	178
Whyte Robert to hold the chancery court at M'Minnville	371
Wilker Henry may build a fish trap	180
Wilkins Alexander exonerated from paying \$50 if he has paid it, to be repaid	189
	190



Wentworth William to be paid	21
Westington John K.	20
Wheeler Betsy H. &c.	16
Warrington Woolsey	215
Woods William	210
Watson J. may build a mill on a branch of the north fork of Forked Deer river	25
Walton James and others to have a preference	25
Woods James, act for relief of the heirs of	157
Williams Sophia may file her petition for divorce	253
Wendell David to be paid \$445 94	356
Williams Thomas	374
Wilson Lewis, D. attorney of A. J. Dane	248
Willers Thomas	375
Young William indulged	355

DANIEL GRAHAM,  
Secretary of State.

MURFREESBOROUGH, March 1826

JUL 8 1947



ACTS

AT THE EXTRA SESSION

OF THE LEGISLATURE

OF THE STATE OF PENNSYLVANIA

1889

BY THE SENATE

AND THE HOUSE OF REPRESENTATIVES

OF THE LEGISLATURE

OF THE STATE OF PENNSYLVANIA

OF THE YEAR 1889

OF THE

"GENERAL" OFFICE

OF THE

LEGISLATURE

OF THE

STATE



# CAPTIONS

OF THE

## PUBLIC ACTS OF 1826.

	Page.
AN ACT, to legalize returns made to the Secretary's office since the first of September, 1826, of the free male inhabitants of this State.	3
To repeal the first section of an act making it the duty of the Judges of certain judicial circuits to interchange their ridings and for other purposes, passed the 1st of December, 1823.	4
To appportion the Representation in the General Assembly of Tennessee.	ib.
Supplemental to an act, entitled "An Act, to establish offices for receiving entries for the vacant land in the several counties in this State north and east of the congressional reservation line, and north of the Tennessee river," passed 23d November, 1823.	9
To repeal the laws now in force respecting cotton gins.	5
To authorize the Judges of the supreme court to certify bills of cost in certain cases.	10
To further provide for the occupants south and west of the congressional reservation line.	11
Directing the collection of academy monies loaned by the Treasurers.	13
To continue in force the provisions of an act passed at the last session of the General Assembly.	15
To repeal an act, entitled "An Act, to revive an act for the benefit of certain reserves," passed August 21, 1822.	16
To authorize the Treasurer of East Tennessee to receive certain monies.	ib.
For the relief of the citizens of the county of Sevier residing between the river Holston and Bay's mountains.	17



# CAPTIONS

OF THE

## PUBLIC ACTS OF 1826.

	Page.
AN ACT, to legalize returns made to the Secretary's office since the first of September, 1826, of the free male inhabitants of this State.	3
To repeal the first section of an act making it the duty of the Judges of certain judicial circuits to interchange their ridings and for other purposes, passed the 1st of December, 1825.	4
To appportion the Representation in the General Assembly of Tennessee.	ib.
Supplemental to an act, entitled "An Act, to establish offices for receiving entries for the vacant land in the several counties in this State north and east of the congressional reservation line, and north of the Tennessee river," passed 23d November, 1823.	9
To repeal the laws now in force respecting cotton gins.	10
To authorize the Judges of the supreme courts to certify bills of cost in certain cases.	11
To further provide for the occupants south and west of the congressional reservation line. Directing the collection of academy monies loaned by the Treasurers.	13
To continue in force the provisions of an act passed at the last session of the General Assembly.	15
To repeal an act, entitled "An Act, to revive an act for the benefit of certain reserves," passed August 22, 1822.	16
To authorize the Treasurer of East Tennessee to receive certain monies.	ib.
For the relief of the citizens of the county of Sevier residing between the river Holston and Bay's mountain.	17



AN ACT, to repeal part of the second section of an act, entitled "An Act, supplemental to an act to amend an act to condense and bring into one view the revenue laws of this State, and to amend the same," passed at Knoxville, Nov. 22, 1817	18
To prohibit clerks of the superior or inferior courts of law or equity of this State from becoming security to suits determinable in the courts to which they act as clerks respectively	19
To amend an act, entitled "An act to amend an act entitled an act, supplemental to an act, to dispose of the lands lying between the rivers Hiwassee and Tennessee, and north of Little Tennessee river," passed November 23, 1825	ib
To amend an act, entitled "An Act requiring the clerks and trustees and other officers of the several counties in this State to perform certain duties	20
To entitle persons to receive pay who are summoned as garnishee	21
To amend an act, entitled "An Act, to revise and amend the Militia Laws of this State."	22
To amend the practice in chancery suits	29
To amend "an act to dispose of the lands lying between the rivers Hiwassee and Tennessee and north of the Little Tennessee," passed November 15, 1819	ib
To compel entry takers to pay over monies, and for other purposes	30
Revising and amending the laws prohibiting the introduction of slaves into this State, as articles of merchandise	31
Regulating the duty of the clerks and sheriffs of the different counties, in relation to receiving and counting the votes for or against a Convention, at the next general election, and for other purposes	34
Authorizing clerks to issue commissions to take depositions	ib
To amend an act, passed at Murfreesborough, 1825, entitled "An Act, to make it the duty of the Registers of this State to correct errors committed in the issuance of certain grants,"	35

AN ACT, to incorporate the subscribers to the Nashville Insurance Company, in the State of Tennessee	36
Concerning cost in certain cases	42
To diminish costs of suits	ib
Requiring security to be given in suits by motion	43
To confirm and make good, all grants issued by the State of North Carolina on entries and warrants made west of Brown's line	ib
Explanatory of an act passed at the present session of the General Assembly	44
To make lawful grants and entries to lands within five miles of the falls of Cany Fork	ib
For the relief of those citizens in the Hiwassee district who are sued by Indian reserves for their land	45
To amend an act, entitled "An Act, supplemental to an act, entitled an act, to settle the claims of North Carolina and for the benefit of the occupants of the western district," passed at the last session of the General Assembly, chap 73	46
To suspend the sale of the school lands and collect the rents	47
To prescribe the duty of commissioners hereafter to be appointed by the county courts south and west of the congressional line, in receiving and reporting a list of taxable property therein named	49
To prevent nuisances in the water courses of this State	ib
Authorizing suit to be brought against one of several executors or administrators in certain cases, and for other purposes	50
For the benefit of common schools	51
For the relief of securities in certain cases	52
To prevent the depreciation of the Nashville bank paper, in the hands of the good people of this State	53
For the benefit of persons having fractions of warrants or certificates heretofore filed in the principal surveyor's office for the sixth district	54
To regulate the sitting of some of the courts in the Western District	55



AN ACT, to repeal an act, entitled "An Act, directing certain papers to be read in evidence in suits concerning reservations taken under the late treaties with the Cherokee Indians," passed, 30th November, 1825.	57
To regulate the duties of jailors and to ameliorate the condition of prisoners.	ib
To amend the penal laws of this State.	58
Providing further time to make surveys and return plats and certificates.	59

## CAPTIONS

TO THE

### PRIVATE ACTS OF 1826.

AN ACT, to annex Marion county to the eleventh. Solicitorial district.	Page: 3
For the relief of the second battalion of the fifth regiment of militia in this State.	ib
To amend the act passed twentieth of October, one thousand eight hundred and twenty one, entitled "An act to incorporate the inhabitants of Winchester, in [the] county of Franklin."	4
To provide for the trial of civil causes on the docket of the county court of Monroe county.	5
For the relief of the citizens of Hawkins county who have purchased land from Thomas Johnson, it being a part of two grants to James King, 40,400 of which, is within the bounds of said county.	7
Relative to land sold for taxes due in eighteen hundred and twenty-four, in the Western district.	8
To alter the time of holding the county courts for the counties of Lincoln and McNairy.	9
Supplemental to an act for the relief of Thomas Taylor, passed October 29, 1825.	10
To incorporate the inhabitants of the town of Brownsville, in the county of Haywood.	11
For the relief of the Representatives of John Carter.	35

AN ACT, to alter the name of the person therein named.	16
For the relief of Andrew Donovan.	ib
To authorize the county court of Hardeman county, to lay a tax to complete the building of a court house in the town of Bolivar.	17
For the relief of captain Crawford, of Maury county.	18
To establish academies in the counties of Marion and Bledsoe.	ib
For the benefit of Jacob Rich, of Franklin county.	21
Supplemental to an act, entitled "An Act, to annex a part of Marion county to the county of Franklin, passed November the 18th, 1825.	ib
For the benefit of Alexander Campbell, a cripple of Dickson county.	22
To authorize Reuben Ross to open a turnpike road.	ib
To authorize the drawing of a lottery for the benefit of Samuel Hogg.	23
Directory to the entry taker of the Hiwassee district.	25
Authorizing the building of a new jail in and for the county of Lincoln.	26
For the relief of John Pavat of Humphreys county.	27
For the relief Joshua Hadley.	28
To amend an act passed on the 4th day of October, 1825, entitled "An Act for the relief of the heirs of Eliza Purdom, deceased."	ib
For the relief of Jonathan Buchanan.	29
To authorize the clerks of the county and circuit courts of Morgan county, to keep their offices at their own houses.	ib
To legalize the official acts of John Hannah, senior, as a justice of the peace for the county of Hardin.	30
To cause cases now pending in the circuit court of Marion county, for lands lying in Franklin county, to be transferred to the Franklin circuit court.	ib
For the relief of William P. Cobb, and others, owning fish traps and dams in Holston river, in the counties of Knox and Grainger.	31
To authorize James Rogers, to open a turnpike road.	32

AN ACT, to authorize a lottery for the benefit of Cumberland college.	34
For the relief David Nowlen.	35
For the benefit of Thomas Powers and others.	36
For the benefit of Jesse Gallaway, of Roane county.	37
To regulate elections for field officers in the county of Dickson and other counties.	ib
To authorize the drawing of a lottery for the benefit of the Shelbyville Dickson Academy, in the county of Bedford.	ib
For the relief of A. H. Douglass.	38
To provide for the better regulation of the town of Dover, in the county of Stewart.	39
For the relief of Thomas G. Watkins.	40
For the relief of Joel H. Dyer, executor, &c.	41
For the relief of James Littleton.	42
For the benefit of the sheriff of Claibourn county.	ib
Supplemental to an act, entitled "An Act, to authorize Samuel Terry, Peter Hoodenpile and William Raney, to open and establish turnpike roads;" passed November 19th, 1817.	43
Authorizing a lottery for improving the navigation of the Forked-Deer river.	44
For the relief of Jesse Mayfield, of McMinn county.	45
To amend the laws respecting Cumberland college.	ib
For the benefit of John, the reputed son of John Stafford, of Jackson county, and others.	46
For the benefit of David Richardson, clerk of the court of Campbell county.	47
For the relief of William Scott.	48
For the relief of William Young.	ib
To make legal certain proceedings and elections in the county of Dyer.	49
To alter the names of the persons therein mentioned.	ib
For the relief of Polly B. Caperton, of Franklin county.	50
For the benefit of Early Benson, and George Bowers.	51
To authorize the court of Pleas, &c. of Anderson county, to build a house for the accommodation of the poor, and for other purposes.	52

AN ACT, directing the register of the Western District to issue grants in certain cases.	54
To repeal a part of an act, relating to the navigation of Red river, passed 1825, and for other purposes.	55
For the benefit of Samuel Buchanan and John Sutton.	57
Directing certificate to issue in lieu of warrant No. 365.	58
To encourage the building of rails in the Western District.	ib
Vesting particular powers in the county court of Monroe county.	60
To incorporate the town of Somerville in the county of Fayette.	61
For the benefit of Sime Grabbs.	62
For the relief of Rachael Huston, and Judeth B. Long.	63
To exempt a certain piece of land on which Mount Pleasant meeting-house stands, from taxes, in Hickman county.	64
For the relief of Richard C. Harris.	ib
For the relief of Laban B. Williams, of Sullivan county.	65
To establish annual musters in the regiment of cavalry attached to the 4th brigade.	ib
For the benefit of John H. Bills.	67
To authorize the treasurer of West Tennessee to pay to John Haywood and Robert L. Cobbs, the sums of five hundred dollars each.	ib
For the relief of Jason Thompson.	ib
For the relief of Joseph Callaway.	68
For the relief of Charles Miles, assignee of Thomas Brown.	69
To amend an act, entitled, "An Act, to fix permanently the seat of Justice in Hardin county, passed 5th December, 1825.	70
Concerning the Winchester light infantry company, and for other purposes.	ib
For the relief of the solicitor of the eighth solicitorial district, and other purposes.	71
To regulate the county courts of Maury and other counties.	73
For the benefit of Ann Young.	ib
To authorize the drawing of a lottery for the benefit of Richard Jones, Junr. of Robertson county.	75



AN ACT, to authorize the drawing of a lottery to build a Masonic Hall in the town of Knoxville.	75
To provide for building or repairing a jail in Montgomery county.	76
To provide for defraying the expense of removing the public property and records from Murfreesborough to Nashville.	77
For the benefit of the citizens of Hawkins and Sullivan counties, and other purposes.	ib
Authorizing William Forbean to continue, raise and extend, his mill-dam.	78
To authorize the court of pleas and quarter sessions for Gibson county to lay a tax for the purpose of building a court house and jail for said county.	79
To appoint a commissioner for the town of Newport.	ib
For the benefit of James Jones, of Knox county.	80
To authorize the drawing of a lottery to enable Jeremiah Dial, William Knott, Farwick Frazier, Erasmus Ragsdale and William Sample to make salt in the county of Bedford.	ib
To alter the time of holding the Chancery court in Greeneville.	81
To authorize a certain deed of conveyance being registered.	ib
For the relief of Pollard Wisdom, and others.	82
For the relief of the devisees of Walter Sims, deceased.	83
For the benefit of Samuel McAnimy.	84
To repeal an act entitled "An Act, for the relief of owners of lots in the town of Alexandria, in the county of Smith,	ib
For the relief of Marius Oury.	85
For the relief of John Preachett and for other purposes.	ib
To legalize the acts of John Bricker, deputy sheriff of Washington county.	86
For the benefit of Samuel McConnell.	ib
To authorize the county court of Humphreys to lay an additional tax to repair the court house of said county, and to build a bridge across Cypress creek.	87
To appoint additional trustees for East Tennessee College.	ib
To authorize the laying off a town by the name of Shippensburg.	88

AN ACT, for the relief of John Keenan.	88
For the benefit of Jourden Harris and others.	89
For the relief of Nancy W. Carver, of Wilson county.	ib
To legalize the official acts of justices of the peace therein named.	90
For the relief of Reuben Smith and James N. Smith, of Maury county.	91
To authorize Jesse Lincoln to open a turnpike road.	ib
Authorizing a drawing of a lottery, for the purpose of removing the obstruction in the Caney Fork.	92
To incorporate the Hiwassee Canal company.	94
To authorize Jesse Savage and Benjamin Cannon, to open and keep in repair a turnpike road.	101
To incorporate Bolivar Academy, in the county of Hardeman.	ib
For the relief of Jane Reynolds, of Shelby county.	104
For the relief of Alice S. Wilson.	ib
To authorize the drawing of a lottery in the county of Henderson.	105
For the encouragement of Moses Fisk.	107
For the relief of Robert Gullet of Maury county, in the State of Tennessee.	108
To authorize James Strut and Alexander Strut to build a mill on Duck river, in Bedford county, near the Maury county line.	108
To revive an act passed, August 23, 1822, entitled, "an act, for the relief of Valentine and Charles Sevier."	ib
For the benefit of Francis Moore and Robert O. Davis.	109
For the benefit of Mark P. Duncan.	ib
For the benefit of James Bradford, sheriff of Jefferson county.	110
To authorize Wyly Ledbetter to hawk and peddle without license.	ib
To enlarge the provisions of an act, entitled "an act to authorize the drawing of lotteries in the counties of Dickson and Montgomery" passed Nov. 24, 1825.	111
For the relief of Charles McCormick, of Anderson county.	112
To regulate the mode of taxing Lots in Milton, Rutherford county.	ib
For the benefit of Noah Parker.	113

AN ACT, to change the name and style of the Centerville Domestic Blues.	113
To legitimate Eliza Gay.	114
For the relief of Elizabeth Hammond.	ib
To apply the navigation tax of the counties of Weakly and Obion, to cutting and bridging roads, and for other purposes.	ib
To authorize Elijah Tifford and others, to hawk and peddle without paying for a license.	116
For the benefit of Jacob Sugraves and the heirs of Neil Hutson.	ib
For the relief of the Murfreesboro' Sentinels, and other companies therein named.	117
For the relief of Banks M. Burrow, of Carroll county.	118
For the relief of Wilson Cagle.	119
To encourage domestic manufactures.	ib
For the relief of the person therein named.	120
For the relief of Richard Belcher.	121
For the relief of William Phillips, late sheriff of Hickman county, and others.	ib
For the relief of William Gano, of Perry county.	122
To appoint counsel and an agent, to attend to all suits brought by Indian reservees, or their assignees, against purchasers of land in the Hiwassee district.	ib
For the relief of C. F. M. Goddard.	124
Authorizing the drawing of a lottery to build a bridge over Cypress creek, in Humphreys county, and for other purposes.	125
To incorporate the town of Memphis, in Shelby county.	126
To authorize the county court of Overton county to lay a tax for certain purposes.	127
For the relief of Andrew Taylor, late sheriff of Carter county.	128
For the relief of Robert Craig.	ib
For the benefit of Frederick A. Ross, of Hawkins county.	129
To alter the time of holding the courts therein mentioned.	130
For the relief of Robert L. Cobbs and others.	131
To authorize Reuben Moss to enter certain lands.	132
To establish the lines between the counties of White and Blount.	133
Concerning a well to be dug in the town of Lawrenceburg, in the county of Lawrence.	ib

AN ACT, to authorize Thomas McBath to hawk and peddle without license.	134
For the benefit of Isaac and Elizabeth Pearce, and others.	134
To authorize George Sharp and others to build a fish-trap in Powell's river.	135
For the relief of the heirs of John Weems.	136
To authorize the payment of certain expenses.	ib
To establish a third battalion in the ninth regiment of Tennessee militia.	137
To amend an act, entitled "An Act to incorporate the inhabitants of the town of Nashville."	138
For the relief of Philip Maury.	139
To authorize raising a rifle company in the 14th and 95th regiments of Tennessee militia.	ib
Concerning the public highways of Tipton county.	140
For the benefit of Jesse Williams.	141
For the relief of John Parks.	ib
To authorize Matthew W. Wright to build a toll bridge.	142
Authorizing a re-survey of Overton county.	143
For the relief of Michael Reed and Franklin Whitaker and John Gee.	144
To extend the limits and incorporate the town of Covington, in the county of Tipton.	145
To repeal an act, entitled "An Act, for the relief of certain purchasers of land in the Hiwassee district," and for other purposes.	147
For the benefit of John P. Dix.	148
To authorize John Brown and Robert Burke to open and keep in repair a turnpike road.	148
For the benefit of A. Crockett.	153
For the relief of the sheriff of Carroll county, and for other purposes therein mentioned.	153
To incorporate the Mount Cumberland academy, in the county of Fentress.	155
For the relief of Abram P. Maury and John Fitzgerald.	158
To repeal an act, entitled "An Act, to extend the town of Galesburg, [Gallatin,] in the county of Sumner," passed at Murfreesborough November 16, 1821.	159
To legalize the proceedings of William Tyrrell, who was appointed a justice of the peace for Obion county.	ib



AN ACT, to repeal part of an act authorizing Reuben Ross to build a bridge across the Caney Fork.	150
For the relief of the Nashville Bridge Company.	160
For the relief of Dempsey Adam the only heir and legal representative of Lewis Adam, deceased	ib
To authorize Nathan Haggard and James McKinley, to open a turnpike road.	161
For the benefit of the corporations of Blountsville and Kingsport.	162
To revive an act, entitled "An Act, to provide for running the line between the counties of Jackson and White," passed at Murfreesboro' December 3, 1825.	163
To establish an academy at Covington in the county of Tipton.	ib
To establish the town of Russellsvill, in the county of Jefferson	164
For the relief of A. N. Montgomery.	165
Authorizing the creation of a volunteer company of artillery in the town of Paris.	166
Supplemental to an act, entitled "An Act, to authorize Charles Gamble, Crispian E. Shelton and John Witt to open and establish a turnpike road."	ib
Concerning a mill dam which [has] been unlawfully built across Elk river, by Stephen Cole.	167
To amend an act, entitled "An Act to incorporate a company for opening a turnpike road from Nashville to Columbia," passed November 19th, 1825.	169
To incorporate the town of Trenton in the county of Gibson	170
For the benefit of William B. Claitor.	ib
For the relief of Philip J. Smith.	171
To fix permanently the place of holding the circuit and county courts of Shelby county, and for other purposes.	ib
As alter the time of holding the circuit court of the county of Rutherford.	172
To amend a supplemental act passed October 5th, 1824, entitled "an act, for the encouragement of Iron Works.	ib
Making appropriation of money to defray the expense of the second session of the 16th General Assembly.	173

---

**Public Acts.**



**PASSED IN THE YEAR 1826.**

---



# Public Acts

OF THE

## STATE OF TENNESSEE,

PASSED AT THE EXTRA SESSION, WHICH WAS BEGUN AND HELD AT NASHVILLE, IN DAVIDSON COUNTY, ON MONDAY, THE SIXTEENTH DAY OF OCTOBER, ONE THOUSAND EIGHT HUNDRED AND TWENTY-SIX.

WILLIAM CARROLL, Governor; DANIEL GRAHAM, Secretary of State; R. C. FOSTER, Speaker of the Senate; WM. BRADY, Speaker of the House of Representatives.

---

### CHAPTER I

*AN ACT, to legalize returns made to the Secretary's office since the first of September, 1826, of the free male inhabitants of this State.*

*Be it enacted by the General Assembly of the State of Tennessee, That any returns that have, or may be made, to the Secretary's office of this State, by the Clerks of the several county courts, and made in pursuance of an act passed November 26, 1825, providing for taking the enumeration of the free male inhabitants of this State, be received and taken as legally made, notwithstanding said returns were made to said office since the first of September, 1826, and said returns of said clerks shall be as good evidence of the number of voters in their respective counties, as if they were or had been made, previous to the first of September, 1826, as provided by said act of 1825.*

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

October 20, 1826:

## CHAPTER II.

*AN ACT, to repeal the first section of an act making it the duty of the Judges of certain Judicial circuits to interchange their ridings and for other purposes, passed the 1st of December, 1825.*

**SECTION 1.** *Be it enacted by the General Assembly of the State of Tennessee, That the first section of the above recited act be, and the same is, hereby repealed; Provided, said repeal shall not affect the judgments, orders or decrees of any of said Judges who may hereafter hold any term or terms out of their own circuits, in pursuance of the directions contained in said section.*

**SEC. 2.** *Be it enacted, That whenever any of the Judges of the respective circuits of this State, for personal convenience, or on account of causes in which they are incompetent, shall interchange with each other, such interchange may take place either for one county or term, or part thereof, or only for the trial of such special case or cases of incompetency, and all the orders, judgments and decrees of said Judges so partially interchanging, shall be as good and binding as if said interchange was general.*

**JNO. H. CAMP,**

Speaker of the House of Representatives, P. T.

**R. C. POSTER.**

Speaker of the Senate.

November 2, 1826.

## CHAPTER III.

*AN ACT, to apportion the Representation in the General Assembly of Tennessee.*

Senatorial  
Districts in  
West Tennessee.

Warren and  
Franklin

White, &c

**SECTION 1.** *Be it enacted by the General Assembly of the State of Tennessee, That until the next enumeration of the taxable inhabitants of this State, the Senate shall be composed of Twenty Senators; that the counties of Warren and Franklin shall compose one election district, and elect one Senator.*

*The counties of White, Overton, Jackson and Fentress shall compose one election district, and elect one Senator.*

*The counties of Smith and Sumner shall compose one election district, and elect one Senator.*

*The county of Wilson shall compose one election district, and elect one Senator.*

*The county of Davidson shall compose one election district, and elect one Senator.*

*The county of Maury shall compose one election district, and elect one Senator.*

*The counties of Rutherford and Williamson shall compose one election district, and elect one Senator.*

*The county of Bedford shall compose one election district, and elect one Senator.*

*The counties of Robertson, Montgomery and Dickson shall compose one election district, and elect one Senator.*

*The counties of Lincoln and Giles shall compose one election district, and elect one Senator.*

*The counties of Stewart, Humphreys, Perry and Henderson, shall compose one election district, and elect one Senator.*

*The counties of Henry, Weakly, Obion, Carroll, Gibson and Dyer shall compose one election district, and elect one Senator.*

*The counties of Hickman, Lawrence, Wayne, Hardin and McNairy shall compose one [election] district, and elect one Senator.*

*The counties of Haywood, Madison, Tipton, Hardeman, Fayette and Shelby, shall compose one election district, and elect one Senator.*

**SEC. 2.** *Be it enacted, That the counties of Carter, Sullivan and Hawkins shall compose one election district, and elect one Senator.*

*The counties of Washington, Greene, Cocke and Sevier shall compose one election district, and elect one Senator.*

*The counties of Jefferson, Grainger, Claiborne and Campbell shall compose one election district, and elect one Senator.*

*The counties of Knox and Anderson shall compose one election district, and elect one Senator.*

*The counties of Blount, Monroe and McMinn shall compose one election district, and elect one Senator.*

*The counties of Roane, Morgan, Rhea, Hamilton, Bledsoe and Marion shall compose one election district, and elect one Senator.*

**SEC. 3.** *Be it enacted, That the number of*



**Its Districts.** Representatives hereafter to be elected to represent this State in the General Assembly, shall be forty; and that,

**Warren, &c.** The counties of Warren, Franklin, Bedford, Lincoln, Giles, Maury, Davidson, Wilson, Robertson and Montgomery shall send one Representative each.

**Rutherford, &c.** That the county of Rutherford and the county of Sumner, at the election to be held in August, 1827, shall elect and return two Representatives each; the counties of Williamson and Smith, one Representative each. At the election to be held in August, 1829, the counties of Williamson and Smith, shall elect and return two Representatives each, and the counties of Rutherford and Sumner one Representative each. That at the election to be held in August, 1831, the counties of Rutherford and Sumner shall elect and return two Representatives each, and the counties of Smith and Williamson one Representative each. That at the election to be held in August, 1833, the counties of Smith and Williamson shall elect and return two Representatives each, and the counties of Sumner and Rutherford shall elect one Representative each.

**Overton and Jackson.** That the counties of Overton and Jackson shall elect one Representative jointly.

**White and Fentress.** That the counties of White and Fentress shall elect one Representative jointly.

**Dickson and Hickman.** That the counties of Dickson and Hickman shall elect one Representative jointly.

**Lawrence, &c.** That the counties of Lawrence, Wayne and Hardin shall elect one Representative jointly.

**Stewart, &c.** That the counties of Stewart, Humphreys and Perry shall elect one Representative jointly.

**Henry and Weakly.** That the counties of Henry and Weakly shall elect one Representative jointly.

**Carroll, &c.** That the counties of Carroll, Gibson, Dyer and Obion, shall elect one Representative jointly.

**Henderson, &c.** The counties of Henderson, Madison and Haywood shall elect one Representative jointly; and

**McNairy, &c.** The counties of McNairy, Hardeman, Fayette, Shelby and Tipton shall elect one Representative jointly.

**Hawkins, &c.** **Sec. 4. Be it enacted,** That the counties of Hawkins, Washington, Greene, Jefferson, Grainger, Blount, Monroe and McMinn shall elect and return one Representative each.

**Sullivan and Carter.** The counties of Sullivan and Carter one Representative jointly.

The counties of Cocke and Sevier shall elect one Representative jointly.

The counties of Claiborne and Campbell one Representative jointly.

The counties of Knox and Anderson one Representative jointly.

The counties of Roane and Morgan, one Representative jointly.

The counties of Rhea and Hamilton, one Representative jointly; and

The counties of Bledsoe and Marion one Representative jointly.

**Sec. 5. Be it enacted,** That in those districts which are composed of more than one county, the sheriff, coroner or returning officer, as the case may be, within each election district, after having counted the votes as is pointed out by law, shall meet on the Monday succeeding the election, at the following places, to compare the votes; the person having the greatest number of which, shall be elected and certified, under the hands and seals of such returning officers.

The returning officers for the district of Carter, Sullivan and Hawkins, shall meet at Kingsport.

The returning officers of the district of Carter and Sullivan shall meet at Blountville.

The returning officers of the district of Washington, Greene, Cocke and Sevier, shall meet at Greeneville.

The returning officers of the district of Cocke and Sevier, shall meet at the house of Jacob Bird.

The returning officers of the district of Jefferson, Grainger, Claiborne and Campbell, shall meet at Rutledge.

The returning officers of the district of Knox and Anderson, shall meet at Knoxville.

The returning officers of the district of Blount, Monroe and McMinn, shall meet at Tellico.

The returning officers of the district of Roane, Morgan, Rhea, Hamilton, Bledsoe and Marion, shall meet at Washington.

The returning officers of the district of Claiborne and Campbell, shall meet at the house of William Boman, sen'r. Claiborne county.

The returning officers of the district of Roane and Morgan, shall meet at Kingston.

The returning officers of the district of Rhea and Hamilton, shall meet at Washington.

Duty of returning officers.

Where to meet.

The returning officers of the district of Bledsoe and Marion, shall meet at Mount Airy.

The returning officers for the district of Franklin and Warren, shall meet at Hillsborough.

The returning officers of the district of Jackson, White, Fentress and Overton, shall meet at White Plains.

The returning officers of the district of Sumner and Smith, shall meet at Hartsville.

The returning officers of the district of Jackson and Overton, shall meet at White Plains.

The returning officers of the district of White and Fentress, shall meet at White Plains.

The returning officers of the district of Robertson, Montgomery and Dickson, shall meet at Thomas Williams's in Montgomery.

The returning officers of the district of Rutherford and Williamson, shall meet at Mrs. Hills, cross roads, Williamson county.

The returning officers of the district of Lincoln and Giles, shall meet at John Kennedy's, in Giles county.

The returning officers of the district of Hickman, Lawrence, Wayne, Hardin and McNairy, shall meet at Waynesborough.

The returning officers of the district of Dickson and Hickman, shall meet at Charlotte and Centreville alternately, commencing at Charlotte.

The returning officers of the district of Lawrence, Wayne and Hardin, shall meet at Waynesborough.

The returning officers of the district of Stewart, Humphreys, Perry and Henderson, shall meet at Reynoldsburg.

The returning officers of the district of Stewart, Humphreys and Perry, shall meet at Reynoldsburg.

The returning officers of the district of Henry, Carroll, Weakly, Gibson, Obion and Dyer, shall meet at Trenton.

The returning officers of the district of Henry and Weakly, shall meet at Paris.

The returning officers of the district of Carroll, Gibson, Dyer and Obion, shall meet at Trenton.

The returning officers of the district of Henderson, Madison and Haywood, shall meet at Jackson.

The returning officers of the district of Madison, Haywood, Tipton, Hardeman, Fayette and Shelby, shall meet at Bolivar.

The returning officers of the district of McNairy, Hardeman, Fayette, Shelby and Tipton, shall meet at Bolivar.

WM. BRADY,

Speaker of the House of Representatives.

R. C. FOSTER,

Speaker of the Senate.

November 10, 1826.

#### CHAPTER IV.

*AN ACT, supplemental to an act, entitled "An Act, to establish offices for receiving entries for the vacant land in the several counties in this State north and east of the congressional reservation line and north of the Tennessee river," passed 22d November, 1823.*

**SECTION 1.** *Be it enacted by the General Assembly of the State of Tennessee, That it shall and may be lawful for any person or persons to enter any vacant and unappropriated land lying within five miles of the Stone Fort, by paying into the county entry taker's office, one cent per acre for every acre he or they may so enter, together with the fees of office, heretofore prescribed by law.*

Stonewall  
Stone Fort.

**SEC. 2.** *Be it enacted, That any vacant lands within five miles of the falls of the Cany Fork, in the counties of Warren and White, may be entered at the same rates.*

Falls  
Cany Fork.

WM. BRADY,

Speaker of the House of Representatives.

R. C. FOSTER,

Speaker of the Senate.

November 8, 1826.

#### CHAPTER V.

*AN ACT, to repeal the laws now in force respecting Cotton Gins.*

*Be it enacted by the General Assembly of the State of Tennessee, That all laws and parts of laws, heretofore enacted by the General Assembly*



on the subject of cotton gins, be, and the same are, hereby repealed, except so much as compels owners of cotton gins to keep them enclosed.

WM. BRADY,

Speaker of the House of Representatives.

R. C. FOSTER,

Speaker of the Senate.

November 15, 1826.

## CHAPTER VI.

*AN ACT, to authorise the Judges of the supreme courts, to certify bills of cost in certain cases.*

**SECTION 1.** *Be it enacted by the General Assembly of the State of Tennessee, That when an appeal or writ of error hath been, or hereafter shall be, taken to the courts of errors and appeals, by a defendant who hath been convicted in any of the circuit courts of this State of a criminal offence and a change of venue shall have been granted in said prosecution and the judgment of the circuit court hath heretofore or hereafter shall be affirmed, the Judges, or any one of them presiding upon the final trial of said prosecution, shall be authorized and required to examine and certify the correctness of the bill of cost, both in the circuit court and court of appeals, in the same way now authorized by law, in similar cases, in the circuit court and by the circuit Judge presiding upon the trial of prosecutions, and the Treasurer is hereby directed to pay the amount of such costs certified as aforesaid under the same rules and regulations as is prescribed by law in relation to the payment of cost in like cases certified by a circuit Judge.*

**SEC. 2.** *Be it enacted, That the clerks of the courts of errors and appeals in this State be, and they are, authorized to charge and receive the same and no greater fees for copies of records in law cases as are allowed to the clerks of the circuit courts by the act of eighteen hundred and twenty five.*

WM. BRADY,

Speaker of the House of Representatives.

R. C. FOSTER,

Speaker of the Senate.

November 21, 1826.

## CHAPTER VII.

*AN ACT, to further provide for the occupants south and west of the Congressional reservation line.*

**SECTION 1.** *Be it enacted by the General Assembly of the State of Tennessee, That all persons who may have settled, and were actually residing upon vacant and unappropriated land south and west of the congressional reservation line, on or before the first day of May, eighteen hundred and twenty-six, may have any quantity, not more than two hundred acres, nor less than twenty-five acres, unless confined by lines of land already appropriated of said vacant land so as to include his or her improvement, surveyed in an oblong or square, not to be more than twice as long as broad, except where they may be confined by lines of land already appropriated, or in the possession of some resident occupant, which survey, so as aforesaid made, such occupant may have spread on the general plan of the district where the land lies; and it is hereby made the duty of the different surveyors to receive such survey and spread the same on the general plan of the district.*

**SEC. 2.** *Be it enacted, That no surveyor shall receive, or permit any entry or location of any land warrant or certificate to be made on the occupant piece or parcel of land of any of said occupants, unless it be done by the occupant himself; and should any entry or location be made contrary to the provisions of this act, such entry or location shall be null and void, and any grant or grants founded on such entry or entries, shall also be null and void, and shall not be read as evidence of title in any court in the State of Tennessee.*

**SEC. 3.** *Be it enacted, That where any occupant provided for by this act, shall have procured a land warrant or certificate, or certificates, legally adjudicated, of the proper size, and shall desire to enter the same on his occupancy, it shall and may be lawful for any of said surveyors to receive his or her location and entry for such occupancy, not exceeding two hundred acres, agreeably to the laws heretofore in use and force in such cases, and where several occupancies lie adjoining each other, and the occupants owning the same, shall tender a*

Occupants may enter 200 acres

Entries void unless made by occupants

Entries, how to be made.

Supreme Judge to certify costs as heretofore by Circuit Judge.

Clerks fees same as in circuit court.

joint location, accompanied with a suitable warrant, certificate or certificates, legally adjudicated as aforesaid, corresponding with the subject of said occupancies, the said surveyors shall receive such location and entry as heretofore provided by law in such cases: *Provided*, nothing herein contained shall prevent an entry to cover the improvement of any occupant herein provided for, where the land warrant, certificate or certificates adjudicated as aforesaid, shall be less than twenty five acres: *And provided*, that nothing in any part of this act contained shall, under any pretext whatever, be so construed as to authorize the division of land warrants or certificates, or separate entries to be made thereon in any of said offices south and west of said reservation line.

Land war-  
rant not to be  
divided.

Interferen-  
ces, how set-  
tled.

Sec. 4. *Be it enacted*, That where there may be an interference between occupants, it shall be the duty of the surveyor of the district where the land lies, to appoint three disinterested persons to go with him on the land, and divide the land between the different claimants in such manner as may seem just, regarding quantity and quality, for which service the surveyor shall receive the sum of two dollars per day, to be paid equally by the parties concerned.

No one to  
oppose occu-  
pant's claim

Sec. 5. *Be it enacted*, That where any person may have settled on any vacant land on or before the first day of May, eighteen hundred and twenty six, and may have designated his occupant claim by having the same surveyed or may hereafter designate his occupant claim in manner aforesaid, it shall not be lawful for any other person or persons to settle on the same, and should any other person settle on the same, the first occupant may turn him out by process of forcible entry and detainer, before any two justices of the peace of the county where the land lies.

Sec. 6. *Be it enacted*, That where any occupants may have had their occupant piece of land surveyed under the act of eighteen hundred and twenty five, such survey shall be good, and supersede the necessity of a re survey.

Faulty for  
violation  
this act

Sec. 7. *Be it enacted*, That should any of the surveyors whose districts lie south and west of the congressional reservation line, permit an entry to be made in their respective offices contrary to the provisions of this act, he shall forfeit and pay to

the party injured, the sum of twenty thousand dollars, to be recovered by action of debt in any court of this state having jurisdiction thereof.

Sec. 8. *Be it enacted*, That where any of said occupants may wish to have their lands laid down on the general plan as before directed, they shall file with the surveyor a location in legal form for the same, and it shall be the duty of the surveyor to record the same in a book to be kept by him for that purpose.

Sec. 9. *Be it enacted*, That where a joint entry shall be made by several occupants under this act, it shall and may be lawful for the surveyor to make out separate plats and certificates for each occupancy on which grants shall issue, as in other cases.

Separate  
plats where  
entries are  
joint.

WM. BRADY,

Speaker of the House of Representatives.

R. C. FOSTER,

Speaker of the Senate.

November 20, 1826.

## CHAPTER VIII.

*AN ACT, directing the collection of Academy monies loaned by the Treasurers.*

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That it shall be the duty of either of the Treasurers of this State, who may have loaned any of the Academy monies to individuals to have the same collected, and when collected to deposit the same in the Bank of the State of Tennessee in such proportions in East and West Tennessee, as directed by the act of 1825: *Provided*, nevertheless, that any person or persons who may be owing any of the monies aforesaid, upon giving their notes to the Bank aforesaid, with good security, such as shall be approved by the Directors of said Bank or its Branch, payable and renewable every six months, and upon he or they producing a certificate of the Cashier to either of said Treasurers, that he or they have paid, or secured to be paid to the Bank or its Branch, the monies aforesaid by persons or individuals owing the same, it shall be the duty of the Treasurer to desist from the collection thereof.

To be col-  
lected & depo-  
sited in Bank  
of the State.

May be se-  
cured by deb-  
tors themselves  
by an arrange-  
ment with the  
Bank.



and if suit is commenced to desist from prosecuting the same, upon the defendant's paying all costs and interest accrued thereon.

How to be collected when of the Directors of said Bank or its Branch, upon renewed in any such debtor or debtors offering to said Bank approved bond and security for any debt owing for Academy money aforesaid, loaned by the Treasurer, to permit such debtor or debtors to renew said notes upon payment of the interest and such proportion of the principal every six months, as shall not be contrary to the interest and prosperity of said Bank, and upon receiving said bond or note as aforesaid, may and shall give to such debtor or debtors a certificate thereof, and receipt to the Treasurer of the amount as Academy monies, and said Bank shall be chargeable for the same to the Academies aforesaid: *Provided*, that nothing in this act shall be so construed [as] to prevent the Directors of said Bank from collecting said monies or such proportions thereof, as the interest of said Bank may require; and *Provided also*, that it shall be the duty of said Directors to call at least one tenth of the principal due, exclusive of interest, at each renewal, and more if they deem it advisable.

SEC. 3. *Be it enacted*, That any monies belonging to Academies, loaned to citizens living in East Tennessee, shall be considered and taken as part of the East Tennessee Academy fund. The sums of said fund loaned to citizens of West Tennessee shall be considered and taken as part of the West Tennessee Academy monies: *Provided*, said sums loaned does [do] not exceed the proportion due each section of the State.

Loans in East and West Tennessee, how to be considered, respectively.

SEC. 4. *Be it enacted*, That it shall and may be lawful for the Treasurer of East Tennessee to continue to Elijah Embree the loan heretofore made him of Academy and College monies, and for the recovery of which, suit has been brought: *Provided nevertheless*, that said Elijah Embree shall give bond with good security, which shall be approved by said Treasurer of East Tennessee, renewable every six months; *Provided*, it shall be deemed necessary by said Treasurer; and *Provided also*, that said Embree or his securities, shall pay all interest now due on said loan, and at each of the two first six months or renewals, pay five percent. of the principal, and at every subsequent

Money now due from E. Embree, how to be collected.

renewal ten per cent. of the principal, exclusive of interest; and *Provided also*, if said Embree or his securities fail to comply with this act, it shall be the duty of said Treasurer to institute suit for the whole of said debt; and *Provided also*, that said Embree and securities pay all costs of the suit commenced, and the fee of Counsel incurred by the State in instituting said suit heretofore; and *Provided also*, that after two years from the passage hereof, the said debt shall be liable to any other or further call or provision as shall be thought advisable and expedient.

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

November 23, 1826.

## CHAPTER IX.

*AN ACT, to continue in force the provisions of an act passed at the last session of the General Assembly.*

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the provisions of an act passed at the last session of the General Assembly of this State, Chapter 77, be, and the same are hereby revived and continued in force until the first day of April next; after which day, no claim of any description whatever, shall be received or adjudicated.

Commissioner's office continued open until first of April, 1827.

SEC. 2. *Be it enacted*, That no claim shall be adjudicated or received on file, except such as may be referred to the commissioner by an act or resolution of the present session.

West county adjudicated.

SEC. 3. *Be it enacted*, That the Surveyors offices South and West of the Congressional line be opened, and that said Surveyors be authorized and are required to receive entries on good and valid Warrants, until the 10th day of July, 1827; from and after said date said offices shall be closed as to making entries forever.

Surveyors of State to be continued open until July 10, 1827.

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

November 24, 1826.

## CHAPTER X.

*AN ACT, to repeal an act, entitled, "An Act to revive an act for the benefit of certain reserves," passed August 22, 1822.*

*Act for the benefit of Hiwassee reserves repealed.*  
**SECTION 1.** *Be it enacted by the General Assembly of the State of Tennessee, That the act of the General Assembly, passed at Murfreesborough on the 24th day of October, eighteen hundred and twenty-five, entitled, "An Act to revive an act entitled, an act for the benefit of certain reserves," passed at Murfreesborough, August 22d, 1822, be, and the same is, hereby repealed.*

**WM. BRADY,**

Speaker of the House of Representatives.

**R. C. FOSTER,**

Speaker of the Senate.

November 23, 1826.

## CHAPTER XI.

*AN ACT, to authorize the Treasurer of East Tennessee to receive certain monies.*

*Hiwassee and French Broad Holston debtors may make separate payments on parts of grants.*  
**SECTION 1.** *Be it enacted by the General Assembly of the State of Tennessee, That the Treasurer of East Tennessee is hereby directed to receive from the citizens, south of French Broad and Holston and East of Hiwassee River, any sum or sums of money they may respectively owe, agreeable to their different conveyances from the original grants.*

*How & when liable for the sum yet due on the whole tract.*  
**SEC. 2.** *Be it enacted, That where any citizen in the section of country above mentioned, shall produce to the Treasurer of East Tennessee a certified copy of a deed of conveyance or other instrument in writing, vesting in him the right of such quantity of land therein called for, certified by the clerk of the county court where the land lies, it shall be his duty to receive the same and record it, for which he shall receive fifty cents for his services, and the said tract shall not be liable until the residue of the original tract will not produce the sum yet due and unpaid, but in that case*

*the whole original tract shall be liable, as heretofore prescribed by law.*

**WM. BRADY,**

Speaker of the House of Representatives.

**C. FOSTER,**

Speaker of the Senate.

November 23, 1826.

## CHAPTER XII.

*AN ACT, for the relief of the citizens of the county of Sevier, residing between the River Holston and Bay's Mountain.*

**SECTION 1.** *Be it enacted by the General Assembly of the State of Tennessee, That all marriages celebrated by the authority of licences obtained from a Clerk's office, kept either in the county of Jefferson or Knox, authorizing the marriage of any person or persons, supposed to be residing in the counties of Knox or Jefferson, but who in fact did live in the said county of Sevier, shall be considered, and is hereby declared to be, to all intents and purposes, as good and valid in law as if the license had been issued by the proper officer, and the marriage ceremonies had been performed by Justices of the Peace or Ministers of the Gospel legally authorized by said license to perform said marriage ceremonies.*

*Marriages declared to be valid.*

**SEC. 2.** *Be it enacted, That all entries of lands heretofore made by said citizens of the said county of Sevier residing between Bay's mountain and the river Holston either in the entry taker's office of Knox county or of Jefferson county, describing the said lands as lying in either of said counties last mentioned, where in truth they lay in the said county of Sevier, and all surveys made thereon, and all grants obtained from the same, describing them as lying either in the said county of Jefferson or Knox as the case might be, where in truth and in fact, said lands or any part of them lay in the said county of Sevier, shall to all intents and purposes whatsoever, be as good and valid as if the entries had been made in the proper county, the surveys by the proper officer, and the lands had been described in said entry and survey, and*

*Entries, surveys &c. tracts made good.*



also in the grant as lying and being in the said county of Sevier.

**Sec. 3.** *Be it enacted*, That all deeds and probates and registrations of deeds made in either of the said counties of Knox or Jefferson, which purport to convey titles to land described as being in either of said counties, but which in fact lies in the said county of Sevier shall, to all intents and purposes be as good and valid in law and equity as if the said probate and registration had been made in the county where the land lies and its locality had been truly shown in said deeds, probates and registrations.

**WM. BRADY,**

Speaker of the House of Representatives.

**R. C. FOSTER,**

Speaker of the Senate.

November 26, 1826.

### CHAPTER XIII.

*AN ACT*, to repeal part of the second section of an act entitled "An Act supplemental to an act to amend an act to condense and bring into one view the Revenue laws of this State and to amend the same," passed at Knoxville Nov. 22, 1817.

**SECTION 1.** *Be it enacted by the General Assembly of the State of Tennessee*, That so much of the second section of an act passed on the twenty second day of November, eighteen hundred and seventeen entitled, "An Act supplemental to an act to amend an act to condense and bring into one view the revenue laws of this State, and to amend the same," passed at Nashville the seventeenth day of November, eighteen hundred and fifteen, as relates or may be construed to relate to a Branch Bank or office of Discount and deposit of the Bank of the United States which may be located or established in the State of Tennessee, and no further, be, and the same is, hereby repealed.

**WM. BRADY,**

Speaker of the House of Representatives.

**R. C. FOSTER,**

Speaker of the Senate.

November 25, 1826.

Permitting the U.S. Bank to establish a Branch in Tennessee.

### CHAPTER XIV.

*AN ACT*, to prohibit Clerks of the Superior or Inferior courts of law or equity of this State from becoming security to suits determinable in the courts to which they act as clerks respectively.

**SECTION 1.** *Be it enacted by the General Assembly of the State of Tennessee*, That it shall not in future be lawful for any clerk of the Superior or inferior courts of law or equity of this State to become security to suits determinable in the courts to which they act as clerks respectively.

**WM. BRADY,**

Speaker of the House of Representatives.

**R. C. FOSTER,**

Speaker of the Senate.

November 29, 1826.

### CHAPTER XV.

*AN ACT*, to amend an act entitled, "An Act to amend an act entitled an act, supplemental to an act, to dispose of the lands lying between the rivers Hiwassee and Tennessee, and north of Little Tennessee river," passed November 23, 1825.

**SECTION 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 and may be lawful for the entry taker of the Hiwassee district to suffer entries to be made on all vacant lands in said district at one cent per acre under the same rules and regulations of the act that this is intended to amend.

Land in Hiwassee to be entered at one cent per acre.

**Sec. 2.** *Be it enacted*, That all occupants in the Hiwassee district now residing upon any vacant and unappropriated land in said district, shall have a preference of entry at one cent per acre for three months from and after the first day of January next, under the same rules and regulations that occupants in said district have heretofore been entitled to enter.

Privilege to occupants.

**Sec. 3.** *Be it enacted*, That where any per-

Reserves for  
Iron Works  
may be enter-  
ed by any per-  
son.

son or persons have failed to enter their land for the benefit of Iron Works, agreeable to the provisions of an act passed at Murfreesborough on the twenty-eighth of November, eighteen hundred and twenty-five, giving a longer time of twelve months to make said entries, that it may be lawful for any person to enter the whole of said land so condemned agreeable to the plat and certificate of the surveyor general of the district or surveyor of the county as the case may be at the same price that other vacant and unappropriated land is entered, north and east of the Congressional reservation line, any law to the contrary notwithstanding.

Reserves for  
Salt Works.

Sec. 4. *Be it enacted*, That the like benefit shall be extended to all persons who may have had any land condemned and laid down for the use of Salt Works under the several acts of Assembly provided for such purpose, relative to the Hiwassee district.

WM. BRADY,

Speaker of the House of Representatives.

R. C. FOSTER,

Speaker of the Senate.

November 28, 1826.

## CHAPTER XVI.

*AN ACT, to amend an act entitled "An Act requiring the clerks and trustees and other officers of the several counties in this State to perform certain duties."*

Time given  
for Clerk's re-  
turns till 1st  
May next.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That it shall be the duty of the Treasurers of this State to receive the returns of the several clerks in this State of the revenue by them collected for the year 1826. *Provided*, they are made in conformity with the act of the 26th November, 1825. *Provided*, said return is made to said Treasurer for said year 1826, on or before the first day of May next; and provided also, said clerks shall not be liable to have judgment rendered against them by the Treasurer or be subject to the penalties of the act

of 1825, until after said first day of May next, for the taxes or revenue of the year 1826.

Sec. 2. *Be it enacted*, That all the returns for the years 1822, 1823, 1824, 1825, & 1826, where the commissioners have or hereafter may examine and certify the same, it shall be the duty of said Treasurers to receive said returns and pay the commissioners the fees allowed by the act of the 26th November, 1825, and their receipts shall be a good vouchers on the settlement of their accounts.

Returns of  
the four preceding  
years.

Sec. 3. *Be it enacted*, That the courts of pleas and quarter sessions in each county in this State shall at their first term after the first day of January in each and every year appoint two commissioners as required by the first section of the act of 26th November, 1825, and in case of vacancy by death, resignation or otherwise, the courts shall fill such vacancy at any other term before the first of October in each and every year, and it shall be the duty of the clerks to notify the commissioners in ten days after their appointment, and the Treasurer shall pay them the same fees for certifying the clerks returns as is allowed by the fifth section of the act which this is intended to amend, and their receipt shall be a good voucher for said Treasurer in the settlement of their accounts.

County courts  
to appoint com-  
missioners at  
first term in  
each year to  
settle with  
Clerks.

Sec. 4. *Be it enacted*, That the commissioners of the counties where courts of errors and appeals are held who have or may be appointed to settle with clerks of the county and circuit courts, under the provisions of the act of the 26th November, 1825, shall in like manner settle with the clerks of the law courts of errors and appeals and be entitled to the same compensation therefor, as for settling with the clerks of the circuit or county courts.

Settle com-  
missioners to  
settle with Su-  
preme court  
Clerks.

WM. BRADY,

Speaker of the House of Representatives.

R. C. FOSTER,

Speaker of the Senate.

November 30, 1826.

## CHAPTER XVII.

*AN ACT, to entitle persons to receive pay who are summoned as garnishee.*

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



Garnishees to be paid and have privilege as witnesses.

*sembly of the State of Tennessee.* That where any person shall hereafter be summoned to attend in any of the Courts of this State or before any Justice of the Peace as a garnishee, such person shall be entitled to receive the same pay, and have the same privileges that witnesses are entitled to have; and receive, and, if said garnishee, upon examination, should be discharged, or if the party at whose instance such summons issued should fail to examine such garnishee, then and in that case, or either of these cases, the plaintiff in the original suit, shall pay all the costs that may have accrued in consequence of said summons; *Provided*, that in no case shall a garnishee be entitled to pay under this act if the Justice or Court before whom he may be examined shall be of opinion from such examination, that such garnishee has been guilty of any fraud or combination with the original debtor.

WM. BRADY,

Speaker of the House of Representatives.

R. C. FOSTER,

Speaker of the Senate,

December 2, 1826.

## CHAPTER XVIII.

*AN ACT, to amend an act, entitled "An Act, to revise and amend the Militia Laws of this State."*

*SECTION 1. Be it enacted by the General Assembly of the State of Tennessee,* That the Treasurers of East and West Tennessee shall pay to the Brigade Major of the several Brigades of Tennessee Militia, the compensation allowed them by law for holding county drills for the present, as well as for subsequent years, on their producing to said Treasurers or either of them, the certificate of the Brigadier General of the Brigade to which they belong, setting forth that they have performed the duty required of them by law in relation to said drills; and also, setting forth the number of miles they have travelled in performing said duty, and said certificate, together with the receipt of the Brigade Major, shall be a good voucher for said Treasurers in the settlement of their accounts.

*SEC. 2. Be it enacted,* That hereafter, the county

Brigade Major, how paid for county drills.

drills of officers in the seventh Brigade of the Militia of this State, shall be held at such time as the Brigadier General of said Brigade shall order, and it shall be the duty of said Brigadier to cause his Brigade Major to notify the Commandants of Regiments in said Brigade of the time of holding said county drills at least ten days before the first Battalion muster in said Regiments, whose duty it shall be to cause their Adjutants to notify all the officers at their Battalion muster of the time of holding said county drills, and it shall be the duty of all commissioned officers in each of the counties in said Brigade to attend said county drills under the same rules and restrictions as they are now by law bound to do.

*SEC. 3. Be it enacted,* That the Regiment of Cavalry attached to the tenth Brigade of Tennessee Militia, shall hold its Regimental muster on the third Tuesday in October annually.

*SEC. 4. Be it enacted,* That the Regimental muster of the Regiment of Cavalry attached to the seventh Brigade of Tennessee Militia, be held, hereafter, on the first Friday after the second Monday of October in each and every year.

*SEC. 5. Be it enacted,* That hereafter, the Cavalry Court Martial shall have the same power and exercise the same discretion in imposing fines on delinquents for the want of drillage when on duty, that the Infantry Court Martial now has by law.

*SEC. 6. Be it enacted,* That the Big Valley Company of Infantry, in the thirty-third Regiment of Tennessee Militia, be, and they are hereby exempt from attending Regimental musters and Courts Martial in said Regiment, and in lieu thereof, it shall be the duty of the Captain of said company to hold a company muster on the same day on which the Regimental muster is held, under the same rules and regulations that other company musters are held, by the existing laws of this State.

*SEC. 7. Be it enacted,* That hereafter, the Militia companies in this State shall hold two musters annually, and no more: one on the Saturday preceding the Battalion muster, and the other on the Saturday preceding the Regimental muster.

*SEC. 8. Be it enacted,* That each Volunteer company in this State shall be entitled to a second Lieutenant, and commandants of Regiments are

7th Brigade, county drill of, when held.

10th Cavalry.

7th Cavalry.

Powers of Cavalry courts Martial.

Big Valley company exempt.

Two companies by musters in each year.

One second Lieutenant in each Volunteer.

teer company. hereby required to issue writs of election for the election of second Lieutenants in the Volunteer companies attached to their respective Regiments.

Volunteer Regiments formed in 5th and 9th Brigades.

Sec. 9. *Be it enacted*, That the Volunteer Independent companies that now are, and may hereafter be formed and organized, attached to the different Regiments composing the ninth and fifth Brigades of Tennessee Militia, may be formed into two Regiments, each to consist of not less than four, nor more than ten companies, and when so formed, shall be attached to and constitute a part of their respective Brigades: *Provided, however*, the exercise of the power hereby given, shall be discretionary with the fifth Brigade and the officers commanding the Volunteer companies therein.

Elections for Field officers, how and when held.

Sec. 10. *Be it enacted*, That no company shall be admitted into such regiments unless it shall have at least forty rank and file, uniformed and equipped in a handsome military manner, and armed either with muskets or rifles, and so soon as four or more companies so armed and equipped, shall notify the Brigadier General of their Brigade, in writing, that they are willing to become members of the Volunteer Regiment, it shall be his duty to issue writs of election to the sheriffs of the several counties composing his Brigade, to open and hold an election on a particular day, at their respective court houses, for the purpose of electing a Colonel Commandant, one Lieutenant Colonel, and a first and second Major to command said Regiment, at which election, each and every member of a company admitted to join such Volunteer Regiment, shall and may be entitled to vote for said Field officers, and such officers, when elected, shall be commissioned by the Governor as in other cases, and it shall be expressed in their commissions that they are officers of the first or second Regiment, as the case may be, of Tennessee Volunteers attached to such a Brigade.

Field officers, how commissioned.

Companies in such Regiments, how raised.

Sec. 11. *Be it enacted*, That the Colonels Commandant of said Volunteer Regiments are hereby authorized to appoint suitable persons *pro tempore* to raise Volunteer companies to complete their several Regiments, and when so raised and organized, such companies shall have the right to elect their own officers.

Staff officers.

Sec. 12. *Be it enacted*, That the Commandants of Volunteer Regiments shall appoint a Judge

Advocate, an Adjutant and other Staff officers, as provided by law for the Militia Regiments.

Sec. 13. *Be it enacted*, That the Commandant of each Regiment shall, within sixty days after the election of Field officers, call a Court Martial, to consist of all the officers of the Regiment, a majority of whom, shall constitute a quorum to transact the business herein after required. When said Court is formed, the officer highest in rank shall act as President thereof, and shall appoint a Judge Advocate, and when thus organized, the Court shall have power to divide the Regiment into two Battalions, and to appoint the time and place of holding their Battalion and Regimental musters.

First Court Martial, how called and for what purpose.

Sec. 14. *Be it enacted*, That the returning officers of the ninth Brigade shall meet at Nolensville, and the returning officers for the fifth Brigade at Amos Johnson's, in Maury county, on the day after the election and compare the votes, and shall forthwith make return of the result as in other cases.

Election returns, when & where compared.

Sec. 15. *Be it enacted*, That no company attached to a Volunteer Regiment, shall exceed one hundred, rank and file.

Number in each company.

Sec. 16. *Be it enacted*, That the officers of said Volunteer Regiment, may hold Court Martial, either regimental, battalion or company, for the assessment of fines upon delinquents or for other purposes, as the officers of other Regiments do under the existing laws, and shall be governed by the same rules and regulations, and have equal powers and privileges; and all fines assessed in said regiments shall be collected and accounted for as other militia fines.

Courts martial and fines.

Sec. 17. *Be it enacted*, That upon any volunteer company in either of said brigades uniforming and arming itself as before directed, and notifying the commandant of the volunteer regiment in which brigade they may be, in writing, that they wish to join such regiment, it shall be the duty of the commandant of the regiment, to enrol such company as a member of said regiment, and any company thus enrolled, shall be entitled to all the privileges of the other companies of said regiment, and subject to the same duties.

New companies, how formed and received.

Sec. 18. *Be it enacted*, That each company in said volunteer regiment, shall hold four company musters in each and every year, at such times as the

Company musters, when held.



court martial, directed to be convened in the thirteenth section of this act, may direct.

**Sec. 19.** *Be it enacted,* That the commandant of the 53d regiment of Tennessee militia, shall issue a writ of election to elect company officers for a volunteer company, lately enrolled in said regiment, notwithstanding there may be two volunteer companies already attached to said regiment, and said officers, when elected, shall be commissioned as in other cases.

**Sec. 20.** *Be it enacted,* That said company, when organized, shall be subject to all the duties of the militia in said regiment, and said company may form a constitution and by-laws for its government, and may assume such title or name as a majority may agree on.

**Sec. 21.** *Be it enacted,* That the county drills, in and for the county of Lincoln, shall hereafter be held on the third Friday and succeeding day in September, annually.

**Sec. 22.** *Be it enacted,* That the brigade majors shall return the delinquents at county drills, to the regimental court martial of their respective regiments, which courts shall have jurisdiction thereof, and fine such delinquents the same that officers of like grade are fined for not attending regimental musters.

**Sec. 23.** *Be it enacted,* That the judge advocate of the several regiments of militia of this State, shall keep a separate docket book, in which all fines assessed against any officer for not attending county drills, shall be entered, and he shall issue executions for their collection as in other cases; and such fines, when collected, shall be, by the judge advocate, paid to the clerk of the circuit [court] of his county, whose duty it shall be to pay the same into the public Treasury as other public monies, and take a separate receipt for the same.

**Sec. 24.** *Be it enacted,* That the clerks of the circuit courts in this State shall, once a year, call on the judge advocates in his county, and ascertain from an examination of their docket book, what amount of fines has been collected, and if the judge advocate should fail or refuse to pay over what he may have collected, the said clerk may take judgment against him by motion, either before a justice of the peace or the county court, for which services

said clerk shall retain five per cent. on all monies by him so collected.

**Sec. 25.** *Be it enacted,* That the thirty-eight [eighth] regiment of Tennessee militia, be, and most divided the same is, hereby divided. 38th Regt

**Sec. 26.** *Be it enacted,* That the militia heretofore belonging to the thirty-eight [eighth] regiment, being west of the Tennessee river, in Humphreys county, shall form a separate and distinct regiment, and all the commissioned officers being west and east of said river, may still continue to hold their commissions and have the rank and command as though said regiment had never been divided. Commissioned officers to retain rank.

**Sec. 27.** *Be it enacted,* That in ninety days after the passage of this act, it shall be [the] duty of the brigadier general commanding the 11th brigade, to issue his order to the sheriff of Humphreys county, directing him to proceed to hold an election for field officers in said regiment, and the said officers, so elected, together with those who are now in commission, shall be under the same rules, regulations and restrictions, as regiments heretofore established by law. Elections to fill vacancies.

**Sec. 28.** *Be it enacted,* That the county drills of the 9th brigade, Tennessee militia, shall hereafter be held at the times following; (to-wit:) for the county of Davidson, on the first Monday and succeeding day in September, in each year; for the county of Williamson, on the Thursday and Friday following; and for the county of Rutherford, on the second Thursday and succeeding day after the first Monday in September, under the same rules and regulations heretofore prescribed by law. Time of drills in 9th brigade.

**Sec. 29.** *Be it enacted,* That if, from any cause whatever, any brigade major in this State should fail or neglect to attend at the time and place appointed for county drills, in any county in this State, it shall and is hereby made the duty of the senior officer highest in rank, to perform all the duties required of the brigade major, and shall have the same powers and shall perform the same duties, and shall receive the same pay and emoluments as brigade major in this State, under the existing laws. Sen. officer to drill on failure of Brigade major to attend.

**Sec. 30.** *Be it enacted,* That the keepers of

Jailors ex- jails within this State, shall hereafter be exempt  
empt. from attending musters of any kind.

Cavalry of 6th brigade in 2 squadrons. SEC. 31. *Be it enacted*, That the cavalry of the 6th brigade of Tennessee militia, shall be divided into two squadrons; (to wit:) the cavalry of Montgomery and Robertson shall compose and form the first squadron, and shall hold a squadron muster once in each year at the town of Port Royal, in Montgomery county, on the second Friday in October, and shall be attended by the field and staff officers; that the cavalry of the counties of Stewart, Dickson and Hickman, shall compose the second squadron of said brigade, and shall meet at Alexander Dickson's, on Yellow creek, in Dickson county, on the fourth Friday in September, in each year, and shall then and there hold a squadron muster, and be attended by the field and staff officers, of whom there shall be at least one colonel; that the troops of cavalry of Montgomery county, muster at Clarksville with the infantry, on the first Friday in October, annually.

98th regiment, when muster. SEC. 32. *Be it enacted*, That the ninety-eighth regiment shall hold their regimental musters on the first Saturday in October, annually, under the same rules, regulations and restrictions of other regimental musters heretofore pointed out by law.

Monroe drill. SEC. 33. *Be it enacted*, That the county drill muster of Monroe county, shall be holden on the Thursday and Friday preceeding the company muster that precedes the first regimental muster in said county.

Execution, when to issue by judge advocate. SEC. 34. *Be it enacted*, That hereafter, when any court martial in this State, shall assess a fine against any delinquent officer, musician or private, that the judge advocate shall not issue his execution against the same until the expiration of twenty days after the rise of said court martial.

Jackson drills. SEC. 35. *Be it enacted*, That the county drills for the county of Jackson, shall be held on the last Thursday and succeeding day in August, in each and every year.

WM. BRADY,  
Speaker of the House of Representatives.

R. C. FOSTER,  
Speaker of the Senate

December 2, 1826.

## CHAPTER XIX.

*AN ACT, to amend the practice in chancery suits.*

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That when any person may be desirous of filing a bill in any of the chancery or circuit courts of this State, which bills, the laws of the land or the practice of said courts require, shall be sworn to by the complainant, that, in such case, the complainant in such bill may swear to the truth of the same before any judge or justice of the peace, or the clerk or master of the court in which such bill may be filed of this State, and the attestation of such judge or justice of the peace or clerk and master, shall be held and deemed evidence of such swearing.

Bills may be sworn to before justice, circuit judge or clerk and master.

WM. BRADY,

Speaker of the House of Representatives.

R. C. FOSTER,

Speaker of the Senate

December 5, 1826.

## CHAPTER XX.

*AN ACT, to amend "an act to dispose of the lands lying between the rivers Hiwassee and Tennessee and north of the Little Tennessee," passed, November 15, 1819.*

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the Treasurer of East Tennessee, be, and he is, hereby directed to forbear the collection of any further interest on the monies due from the purchasers of land in the Hiwassee district, at the sales of 1820, until the first day of January, 1826, and the said purchasers, upon prompt payment of the principal, shall have a deduction of twenty five per cent, without interest, accruing upon the principal owing, and if executions have been issued since the first day of July, 1826, the same shall be returned to the Treasurer of East Tennessee, by the several sheriffs into whose hands they may have come, without levy or collection; *Provided, however, this act*

Treasurer of East Tennessee is prohibited from collecting certain monies from purchasers.



shall not be construed to extend to, or prohibit, the satisfaction of the executions issued by said treasurer before the first day of July, 1826; for such interest upon said lands, as he, by law, was authorized to collect.

*Collection suspended where the purchaser is sued by a reservee or his assignee.*

Sec. 2. *Be it enacted*, That the collection of all executions heretofore issued against the purchasers of land in said district, who have been sued for the same by Indian reservees or their assignees, shall be suspended until the further directions of this General Assembly, and the fact that suit is brought by a reservee or assignee, shall be made known by the return of the sheriff upon the execution, and on his making a false return, shall be liable for the amount contained in the execution, by motion; in the name of the Treasurer of East Tennessee.

WM. BRADY,

Speaker of the House of Representatives.

R. C. FOSTER,

Speaker of the Senate.

December 4, 1826.

## CHAPTER XXI.

*AN ACT, to compel entry takers to pay over monies, and for other purposes.*

*SECTION 1. Be it enacted by the General Assembly of the State of Tennessee*, That it shall be the duty of the several county courts in this State, north and east of the congressional reservation line, except in the Hiwassee district, at their first term after the first day of January next, to appoint some fit and proper person to examine the books of the entry takers in their respective counties, and ascertain the balance due from said entry takers if any, and report the same to the next succeeding term of said court; and should it appear upon examination, that any of the entry takers are in arrears in relation to the public money and refuse to pay the same over against the term to which said report is to be made, it shall be the duty of the solicitor for the district or county aforesaid, to prefer an indictment against said entry taker for a misdemeanor, and upon conviction thereof, said entry taker shall be fined in a sum not exceeding fifty dollars, and judgment entered up

*County court to appoint commissioner to settle with the entry taker.*

*Penalty on default.*

against said entry taker and his securities, for the amount he or they may have withheld, with six per cent. interest from the time said money was due and ought to have been paid over.

Sec. 2. *Be it enacted*, That the commissioner appointed agreeable to the provision of the first section of this act, shall receive the sum of two dollars for each and every day he or they may be necessarily engaged in performing the duties of their said office, to be paid out of any monies in the hands of said entry taker, or the monies paid by said entry taker into the hands of the agent of the new bank.

Sec. 3. *Be it enacted*, That the said commissioner shall examine the file of locations and see that they are regularly recorded, and in case of default in that case; shall be guilty of the penalties heretofore prescribed.

*Location files to be examined.*

WM. BRADY,

Speaker of the House of Representatives.

R. C. FOSTER,

Speaker of the Senate.

December 6, 1826.

## CHAPTER XXII.

*AN ACT, revising and amending the laws prohibiting the introduction of slaves into this State, as articles of merchandise.*

*SECTION 1. Be it enacted by the General Assembly of the State of Tennessee*, That it shall not be lawful for any person or persons to import into this State, any slave or slaves, either for life or any shorter period, for the purpose of selling or disposing of them or any of them, as articles of merchandise within this State; *Provided*, nothing herein contained shall be so construed as to prevent any person or persons from removing to this State together with all their slaves, whether slaves for life or any shorter period, or from bringing into this State any such slave or slaves which may have been acquired by them by descent, devise, marriage or purchase for their own particular use, in the same manner as heretofore.

*Slaves not brought into the State except for use, or procured by descent, devise or marriage.*

Sec. 2. *Be it enacted*, That it shall not be lawful for any person or persons to bring into this State

*Conviction not*

to be brought either for their own use or merchandize, any slave or slaves which shall have been convicted of any crime, the punishment for which, by the laws of the State or Territory in which such crime was committed, may be translocated for transportation from such State or Territory.

**Sec. 3. Be it enacted,** That if any person or persons shall knowingly violate the preceding provisions of this act, it shall and may be lawful for any justice of the peace in this State, on application or on his own view, to issue his warrant in the name of the State, directed to the sheriff or any constable of the county where the defendant or such slave or slaves may be, directing the owner or owners, or their agents, together with any slave or slaves which may have been offered for sale contrary to the provisions of this act, and in case they cannot be arrested, then such slave or slaves alone, to be brought forthwith before such justice, and if on examination and trial, it shall appear to such justice, that such slave or slaves have been brought into this State contrary to this act, and have been offered for sale, such justice shall thereupon require such person or persons so bringing such slave or slaves into this State, or offering to sell them as aforesaid, to enter into a recognizance with two good securities to make his appearance and to have forthcoming such slave or slaves as may have been so arrested at the next county or circuit court, to be holden for the county where the offence was committed, and not depart hence without the leave of the court; and in case the said person or persons shall fail or refuse to enter into the recognizance as aforesaid, or shall not be taken under said warrant, then said justice shall order such slave or slaves to be delivered over to the sheriff or constable of said county, to be by him safely kept, until the next county or circuit court, there to be dealt with as hereafter directed.

**Sec. 4. Be it enacted,** That the court to which such recognizance shall be returned, shall, at the first term, cause an issue to be made up to ascertain the alleged violations of this act, and have the said issue tried at the said term unless on good cause shown by affidavit as in other cases of continuance, and it shall be the duty of the solicitor of said county, to attend to the said suit.

**Sec. 5. Be it enacted,** That if said issue should

be determined in favor of the State, it shall be the duty of said court to order a *venditioni exponas* for the sale of such slave or slaves, and the proceeds thereof to be paid over to the State as in other cases, after deducting the costs of suit, including the sum of twenty-five dollars as compensation to such solicitor for his services: *Provided, always,* that it shall be necessary to prove, under the second section of this act, that such person or persons brought such slave or slaves into this State and offered them for sale, knowing them to be convicts, and their punishment to have been transmuted, as aforesaid; and *Provided, further,* that this act shall not have effect against any such slave or slaves in the hands of a bona fide purchaser.

**Sec. 6. Be it enacted,** That if any person or persons shall bring into this State, any free person of color who shall have been convicted of any crime or misdemeanor in any State or Territory of the United States, and for such crime or misdemeanor shall have been sold for a longer or shorter time, and sell or offer to sell, such free person or persons of color as aforesaid, knowing them to be free and to have been sold as aforesaid, every such person or persons, shall forfeit and pay the sum of five hundred dollars for each and every free person so sold or offered to be sold as aforesaid, to be recovered by action of debt before any county or circuit court of this State, one half for the use of the State, and the other for the person who may bring such suit; and moreover, shall, on conviction by preceptment or indictment in either the county or circuit court, be imprisoned at the discretion of such court, not exceeding six months.

**Sec. 7. Be it enacted,** That this act shall be in force from and after the first day of March next, and that from and after that date, all laws and parts of laws, coming within the purview and meaning of this act, be, and the same are, hereby repealed: *Provided,* such repeal shall not affect any case or cases pending for alleged violations of the laws which shall be repealed as aforesaid.

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

December 6, 1826.

venditioni exponas, & proceeds, how applied.

Penalty for selling free persons of color.

Takes effect & former laws repealed.

Trial at first term.

Slave sold by



## CHAPTER XXIII.

*AN ACT, regulating the duty of the clerk's and sheriffs of the different counties in relation to receiving and counting the votes for or against a Convention, at the next general election, and for other purposes.*

**SECTION 1.** *Be it enacted by the General Assembly of the State of Tennessee, That it shall be the duty of Sheriffs in the different counties in this State, within ten days after the general election in August, 1827, to make out and transmit to the office of the Secretary of State, the whole number of votes given in for Representatives in their respective counties at said election, also the number of votes given in at said election for and against a convention; one copy of which he shall file in the clerk's office of the county court of said county; and it is hereby made the duty of the clerk of said court to make out a copy of the same and transmit it by the senator or representative elected from said county, or otherwise, to the speaker of the House of Representatives.*

**Sec. 2.** *Be it enacted, That it shall be the duty of every officer holding the next elections for members, &c. in this State, before opening the polls on each day, to read publicly the resolution adopted in joint committee at this session, relative to the call of a convention, and the votes on the adoption of said resolution.*

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

December 8, 1826.

## CHAPTER XXIV.

*AN ACT, authorizing clerks to issue commissions to take depositions.*

**SECTION 1.** *Be it enacted by the General Assembly of the State of Tennessee, That in all cases at law, where the court or any judge or justice by the laws now in force, are authorized to grant commissions to take the depositions of wit-*

Clerk to issue commissions to any person

*nesses, it shall be lawful for the clerk of the court in which the cause is, or may be pending, to grant commissions to take the depositions of witnesses in the same manner the court, judge or justice, can grant them, and the affidavit on which the clerk grants the commissions shall be sworn to before him and filed amongst the papers in the cause.*

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

December 8, 1826.

## CHAPTER XXV.

*AN ACT, to amend an act, passed at Murfreesborough, 1825, entitled "An Act, to make it the duty of the Registers in this State to correct errors committed in the issuance of certain grants."*

**SECTION 1.** *Be it enacted by the General Assembly of the State of Tennessee, That the same provisions and remedies which are enacted by the above recited act for the correction of errors committed in the issuance of certain grants therein described, shall be extended and made applicable to all such errors and mistakes as in said act described in all grants that have been issued or that shall hereafter be issued, by any of the Registers of this State, under the same rules, regulations, provisions and restrictions, that are in said act contained, and none others, any laws, customs or usages to the contrary notwithstanding.*

Provisions extended to correction of all grants whatever.

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

December 8, 1826.

## CHAPTER XXVI.

*AN ACT, to incorporate the subscribers to the Nashville Insurance Company, in the State of Tennessee.*

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

Capital of  
\$ 500,000 in  
shares of \$100  
each.

Books of sub-  
scription open-  
ed, and by  
whom.

Security for  
payment of  
subscription  
money.

Name and  
style, powers  
and liabilities.

*send by of the State of Tennessee.* That there shall be established in Nashville an Insurance Company, with a capital of five hundred thousand dollars, divided into five thousand shares of one hundred dollars each, to be subscribed and paid for by individuals, companies or corporations, as is hereinafter specified.

SEC. 2. *Be it enacted,* That subscriptions for the said five hundred thousand dollars, shall be opened at Nashville, under the superintendence of Andrew Hynes, Matthew Watson, Simon Bradford, George Shall, Anthony W. Johnson, Alexander Porter, James Stewart, John C. McLemore, Willoughby Williams, James Erwin, John Nichol, James Wood and Benjamin Litton, and shall continue open until the whole of said stock shall be subscribed, and the subscribers to the said company shall pay at the time of subscribing, ten dollars upon each share he, she or they, may subscribe, and the remaining ninety dollars upon each share shall be paid at such time and in such proportions as the president and directors herein after mentioned, shall direct; *Provided,* that the said ninety dollars upon each share shall be secured at the time of subscription by the note of the subscribers and a mortgage or deed of trust upon valuable and saleable real estate to the satisfaction of the said Andrew Hynes, Matthew Watson, Simon Bradford, George Shall, Anthony W. Johnson, Alexander Porter, James Stewart, John C. McLemore, Willoughby Williams, James Erwin, John Nichol, James Woods and Benjamin Litton, or a majority of them, they having full power to judge of the value of the property and the goodness of the title thereto.

SEC. 3. *Be it enacted,* That the subscribers to the said insurance company, their successors and assigns, shall be and are, hereby created a corporation and body politic, by the name and style of the "NASHVILLE INSURANCE COMPANY in the State of Tennessee," and so shall continue until the 31st day of January, 1851, and by that name shall be, and are, made capable to buy, receive and possess, real or personal property, and to sell, alien, demise and dispose of, the same, and to sue and be sued, answer and be answered unto in courts of law or equity, and to make a common seal, and the same to alter or renew at pleasure, and also, to ordain and establish such by-laws, ordinances and regula-

tions, for the government of the concerns of said company, as shall seem necessary and proper to the president and directors hereinafter mentioned, not being contrary to this act or the constitution and laws of this State or the United States.

SEC. 4. *Be it enacted,* That so soon as one thousand shares of said stock shall be subscribed, the aforesaid Andrew Hynes, Matthew Watson, Simon Bradford, George Shall, Anthony W. Johnson, Alexander Foster, James Stewart, John C. McLemore, Willoughby Williams, James Erwin, John Nichol, James Woods and Benjamin Litton, shall proceed to elect one of their number president, and appoint a secretary and such other officers and servants as shall be deemed necessary for the management of the business; and they are hereby empowered to act as president and directors for said company, until the second Monday of January, 1827, and on the said second Monday of January, 1827, and on the second Monday of January in each and every year thereafter, there shall be an election held at the office of said company, for thirteen directors, and the thirteen directors thus elected by the stockholders, shall elect one of their number for president, who shall serve for one year only, and until the next annual election takes place, unless re-elected; and the said president and directors shall elect or appoint, annually, their secretary, and such other agents and servants as may be deemed necessary; *Provided, always,* that in case it should, at any time, happen that an election of directors or an election of president should not be made so as to take effect on any day when in pursuance of this act it ought to take effect, the said corporation shall not for that reason be deemed to be dissolved, but it shall be lawful at any other time to make such elections, and the manner of holding the elections shall be regulated by the by-laws of the corporation; and *Provided, also,* that in case of a vacancy arising from the death, resignation or non-residence of a director, or from any other cause, such vacancy shall be supplied by the board of directors.

SEC. 5. *Be it enacted,* That the said insurance company shall have full power and authority to make insurances upon all vessels or merchandise afloat on any of the western waters, or about to be or be transported, on said western waters, to

Time and  
place of hold-  
ing elections  
for the direc-  
tors and offi-  
cers.

Subjects on  
which insur-  
ances may be  
made



or from any place or places, port or ports, situated on said western waters, or upon any goods, wares or merchandize, or other personal property going or gone by land or water; and also, to make insurance upon any dwelling houses, ware houses, stores or other houses either public or private edifices, and generally to transact and perform all and every thing relative to the objects aforesaid.

May take power of attorney to confess judgment.

Sec. 6. *Be it enacted*, That the president and directors shall have full power and authority to take powers of attorney to confess judgments from any stockholders for balances of stock unpaid, or from any debtor to said company, which powers shall be irrevocable, and in case of death, shall be good and effectual against the personal representative, of the maker or makers, but before judgment shall be confessed against such personal representative, ten days notice of the time and place of making the application for judgment, shall be given.

Articles.

Sec. 7. *Be it enacted*, That the following rules, limitations and restrictions shall form and be fundamental articles of the constitution of said corporation.

Votes proportioned to shares held by each.

I. Each and every stockholder shall be entitled to one vote for each share which he, she or they, may respectively hold for the first twenty-five shares, and for all shares which any stockholder may possess over twenty-five and not exceeding fifty, he, she or they, shall only be entitled to one vote for every four shares; and for the shares which any stockholder may possess over fifty, he, she or they, shall only be entitled to one vote for every ten shares; and no stockholder shall have, possess or hold, more than two hundred shares, nor shall any stockholder vote upon any share transferred to him within thirty days before such election.

Qualification of directors.

II. No person shall be capable of being elected a director of said insurance company, who does not hold in his own name, or in the name of the commercial house of which he may be a partner, at least ten shares of the stock of said company.

Amount paid in before commencing insurance

III. No insurance shall be made by the said company, until one hundred thousand dollars shall have been subscribed, paid for and secured as is herein before prescribed, and accepted by said board of directors.

Policies, how authenticated.

IV. All policies of insurance made by said company, shall be signed by the president or two direc-

tors and countersigned by the secretary, and shall have the same effect as if under the seal of the company.

Securities up stock may be changed.

V. The president and directors of said company may, at the request of a stockholder, alter and change the securities taken for the amount of the unpaid subscription as aforesaid, by taking such other securities as prescribed by this act as often as to them may seem expedient; *Provided*, the assent of a majority of the whole board shall be required for such change.

Forfeiture by stockholders failure to pay up or give additional security.

VI. Whenever it shall appear to a majority of the whole number of directors that the security furnished by any stockholder for the payment of the amount of stock or share stockholder not paid up, shall have from any cause become an insufficient security, such stockholder may be required to furnish additional security, or new security to the satisfaction of said directors; and if any stockholder shall, after thirty days notice of such additional or new security being required, neglect or refuse to furnish such additional or new security, his interest in the share or shares shall be sold for his benefit and thereafter he shall cease to be a stockholder in said company.

Notice of installments when called.

VII. Notice of the time when any future payments will be required from the stockholders, shall be given by the directors of the said company, which notice shall be published in some newspaper in Nashville for at least thirty days.

Dividends made half yearly.

VIII. Half yearly dividends shall be made of so much of the profits of said company as shall appear to the directors advisable, but the monies received and notes taken for the premiums on risks, which risks shall not be determined at the time of making such dividends, shall not be considered as forming a part of the profits of said company, and in case of any loss or losses whereby the capital stock of the company should be lessened, no dividend shall be made until such diminution shall have been replaced by the profits.

Individual stockholders liable.

IX. The property both real and personal of the stockholders shall be deemed and held liable for losses to the amount of their respective shares except as is hereinafter provided.

What real estate may be held.

X. The real estate which it shall be lawful for said company to hold, shall be such only as shall be requisite for its accommodation for the convenient

transaction of business, or such as shall have been mortgaged to the company for security, or which may have been conveyed to it in satisfaction of debts previously contracted in the course of its dealings or purchased at sales upon judgments obtained for such debts, or which may have been abandoned to them for and concerning insurance as aforesaid; *Provided, always,* that all such real estate, (except such as may be necessary for the transaction of their business,) shall be sold out within five years after acquiring the same, or be forfeited to the state of Tennessee.

*Not to issue bank notes.*  
 XI. The said company shall not issue or circulate any notes or bills commonly called bank notes, or any other paper intended for circulation, or by any contrivance whatsoever be permitted to evade the meaning of this section under the penalty of instant forfeiture of this charter.

*Bond and oath of President and Secretary.*  
 XII. The president and secretary shall be sworn before some judge or justice of the peace, that they will faithfully discharge the duties of their respective offices, and the directors, if deemed necessary by a majority of them, shall have full power to require bond and security from said officers in any sum not exceeding fifty thousand dollars each.

*Salaries when fixed.*  
 XIII. The directors shall annually fix the salaries of the president and secretary previous to the election thereof for the ensuing year.

*Meetings of stockholders how called.*  
 XIV. The president and directors shall lay before the stockholders, once in every two years, at a general meeting for their information, a statement of the affairs of said corporation, and the president and directors may, at any time, call a general meeting of the stockholders, or on the application of one fifth of said stockholders in writing, it shall be the duty of the president and directors to call such meeting, in either case, giving thirty days notice in some newspaper published in Nashville, stating the object of such meeting.

*Elections, how held.*  
 XV. All elections shall be by ballot, and the stockholders shall either vote in person or by proxy, according to such form as the president and directors shall prescribe.

*Not to insure more than four times the amount subscribed.*  
 XVI. No transfer of stock in said institution shall be made except according to the form prescribed by the president and directors, and by the consent of a majority of the whole board of directors. The said company shall not insure or have upon risk at any

one time, more than four times the amount of the capital stock subscribed by said company, and if said company shall violate this article, the stockholders shall be taken and held personally liable for all damages which shall arise from losses upon such excess agreed to be insured by them; and the said directors shall cause to be kept a fair register of the amount of property insured and at all times furnish a copy of the same to any person who may or shall be interested in the transaction of the business or insurance of said company.

*To keep a fair register.*

*Charge for failed on breach of privileges hereby granted.*  
 Sec. 8. *Be it enacted,* That if the said corporation shall do any act or thing whatsoever, contrary to the provisions of this act, all and singular the rights, liberties and privileges hereby granted, shall, from thenceforth cease and determine, and each and every director or other member of the said corporation who may have agreed to or voted for, any such act or thing contrary to the provisions of this act, or who upon being apprized thereof, shall be personally holden to each and every person who may sustain any loss or damage in consequence of such act or thing.

*Process, on whom served in suit against company.*  
 Sec. 9. *Be it enacted,* That whenever suit shall be brought either in law or equity against said company, it shall be sufficient service of process to execute a summons upon the president of said company, or if there should be no president, then, upon the secretary thereof, which shall be as effectual as if served upon every member of said company.

*Shall make an expose when required by Assembly.*  
 Sec. 10. *Be it enacted,* That said corporation shall be subject to any call of the legislature for an expose of their situation and their books and other documents furnished for the inspection of any committee of the General Assembly, which may be appointed to examine the same, and be moreover subject to any rules and regulations which, from time to time, may be prescribed by the legislature not inconsistent with the rights and privileges hereby expressly and specifically granted.

WM. BRADY,

Speaker of the House of Representatives.

R. C. FOSTER,

Speaker of the Senate.

December 8, 1826.

D2



## CHAPTER XXVII.

AN ACT, concerning cost in certain cases.

SECTION 1. Be it enacted by the General Assembly of the State of Tennessee, That in all cases where suits may be brought on bonds made payable to the governor of this state or to the chairman of the county courts of any of the counties of this state, or to any of the county trustees of this state, that the person or persons for whose use suit may be brought, as aforesaid, shall be liable for costs as plaintiffs in other cases are liable, and judgment shall and may be rendered up against him or them in case of failure to prosecute his or their suit with effect in like manner, as if such suit had been brought in his, her or their own name or names.

WM. BRADY,

Speaker of the House of Representatives.

R. C. FOSTER,

Speaker of the Senate.

December 9, 1826.

## CHAPTER XXVIII.

AN ACT, to diminish costs of suits.

SECTION 1. Be it enacted by the General Assembly of the State of Tennessee, That hereafter it shall and may be lawful for any plaintiff in any suit at law in any court of this state, or any complainant in any case in equity, by his order in writing, directing the dismissal of such suit to be filed with the clerk of the court in which such suit is pending, to dismiss his or their suit or suits as well out of term time as in open court, and all costs incident to such suit shall cease; *Provided*, nothing herein contained shall excuse the plaintiff from the payment of the cost accruing on such suit previous to such dismissal, but when witnesses have been summoned they shall be entitled to pay for their attendance for one day and no more.

WM. BRADY,

Speaker of the House of Representatives.

R. C. FOSTER,

Speaker of the Senate.

December 9, 1826.

Plaintiffs in suits on bonds to the Governor, chairman or trustee, made liable for cost.

Plaintiffs may, in writing, dismiss suit out of term time and stop costs.

## CHAPTER XXIX.

AN ACT, requiring security to be given in suits by motion.

SECTION 1. Be it enacted by the General Assembly of the State of Tennessee, That in all suits prosecuted in any of the courts of this state by motion against constables, sheriffs, or other officers or other persons, the plaintiff in said suits shall be required to give security for all costs accruing on the said suits in case he fail therein.

In all suits by motion plaintiff to give security for costs

WM. BRADY,

Speaker of the House of Representatives.

R. C. FOSTER,

Speaker of the Senate.

December 9, 1826.

## CHAPTER XXX.

AN ACT, to confirm and make good, all grants issued by the State of North Carolina on entries and warrants made west of Brown's line.

WHEREAS, in the year 1778, the legislature of North Carolina passed a law forbidding entering of land west of a line called Brown's line, which act declared that all entries made, and grants already obtained, and all entries hereafter made, and all grants hereafter issued for any lands west of the above described line, be null and void, and requested their entry takers to pay back the money with the fees of office to the enterer; yet said entry takers never did refund said money, and said entries and warrants were perfected into grants, Therefore;

Preamble.

SECTION 1. Be it enacted by the General Assembly of the State of Tennessee, That all grants heretofore issued, where the money was actually paid, shall be good and valid to all intents good.

Grants west of Brown's line made

and purposes both in law and equity, any thing to the contrary notwithstanding.

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

December 9, 1826.

### CHAPTER XXXI.

*AN ACT, explanatory of an act passed at the present session of the General Assembly.*

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee, That nothing contained in an act of this General Assembly, passed on the 29th day of November, 1826, shall be so construed as to authorize any person or persons who have had land condemned for lead works in the Hiwassee district, to enter the same at a less price than they were authorized to do by the act condemning said land; and any entry made on said land contrary to the provisions of this act, shall be null and void.*

Act of the present session not to give advantage to entries for lead works.

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

December 9, 1826.

### CHAPTER XXXII.

*AN ACT, to make lawful, grants and entries to lands within five miles of the falls of Cany Fork.*

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee, That all grants issued by the state of Tennessee, for any lands lying within the reservation from entry within five miles of the falls of Cany Fork, in the county of Warren, since the act of 1823, and made under the provisions of said act to enter at twelve and a half cents per acre, shall be good*

Grants made good though within the reservation.

and valid in law and pass the title to said land to the grantee from the passage of this [act] notwithstanding the land on which said entries were made was not subject to appropriation at the date of the entry or grant.

Sec. 2. *Be it enacted, That any person or persons, or their assignees, who have entered lands under the laws aforesaid, within that reservation, but who have not yet obtained grants, it shall be, and is, hereby made lawful for the register to issue grants thereon which shall be good and valid and pass the title to the grantee.*

Grants hereafter to be issued shall be good.

Sec. 3. *Be it enacted, That where any person shall have entered the same lands twice within five miles of said falls, it shall be lawful for such person to procure the certificate of a lawful surveyor to that effect, and upon the production of such certificate, the entry taker of said county shall permit such person to enter at the rates of four acres of any vacant land in said county for every acre so entered.*

May enter four acres for one.

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

December 9, 1826.

### CHAPTER XXXIII.

*AN ACT, for the relief of those citizens in the Hiwassee district who are sued by Indian reserves for their land.*

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee, That those citizens living in the Hiwassee district, who are sued by Indian reserves or the assignee of a reserve, shall not be bound to pay either principal or interest accruing on the price of their lands until the final termination of such suits, and the treasurer of East Tennessee is hereby directed not to issue his execution, or receive any money, until the final termination of such suit or suits, any law to the contrary notwithstanding.*

Collection of principal and interest suspended.

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

December 9, 1826.



## CHAPTER XXXIV.

*AN ACT, to amend an act, entitled "an act, supplemental to an act, entitled an act, to settle the claims of North Carolina and for the benefit of the occupants of the western district," passed at the last session of the General Assembly, chap. 73.*

Commissioners appointed to raise pursuant to provisions of the act of 1825.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee, That Abram Fine shall, and he is, hereby appointed a commissioner for the county of Cocke, and that William Hill, shall and he is, hereby appointed a commissioner for the county of Jefferson, and that Joseph Clark shall, and he is, hereby, appointed a commissioner for the county of Sevier, and that Moses White shall, and he is, hereby appointed a commissioner for the county of Knox, and that William Gott shall, and he is, hereby appointed a commissioner for the county of Blount, who are hereby authorized and required to perform the same services and duties which were required to be performed by commissioners appointed by the first section of said act, for which services said commissioners appointed by the provisions of this act, shall receive the same compensation which was by the above recited act, provided for the commissioners which were appointed by that act, subject, however, to the same rules, regulations and restrictions in that act provided.*

Treasurer to furnish an abstract of grants made.

SEC. 2. *Be it enacted, That it shall be the duty of the treasurer of East Tennessee, where he shall be applied to for that purpose, to furnish each of the commissioners appointed by the authority of this act, with a complete transcript of the names of all persons to whom grants have issued for lands south of French Broad and Holston, within the limits of the county of the applicant and which are at the same time chargeable with the payment of money to the colleges or academies of this state.*

Former act continued in force.

SEC. 3. *Be it enacted, That the above recited act shall be and continue in full force and virtue except such provisions as may be inconsistent with*

the provisions of this act, which are hereby declared to be repealed.

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

December 9, 1826.

## CHAPTER XXXV.

*AN ACT, to suspend the sale of the school lands and collect the rents.*

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee, That the treasurer of East or West Tennessee suspend the sale of lands laid off and surveyed for the use of common schools, until the determination of any suit or suits now pending in any of the courts, upon injunction issued by any of the judges of our supreme court, questioning the powers of the General Assembly rightfully to make sale of said lands as provided by the act of 1825.*

Sale suspended till termination of suits.

SEC. 2. *Be it enacted, That it shall be the duty of said treasurers to appoint in each county in which school tracts have been surveyed or designated, some person whose duty it shall be to attend to said school lands in his respective county, to lease said lands or any of them for a term not longer than one year, to prevent waste of timber, destruction to improvements, to collect any rents that may have fallen due for the year 1826, and also, for any subsequent year, and pay the same over to the treasurer, (to wit,) for school tracts in any of the counties of East Tennessee, to the treasurer of East Tennessee, those in West, to the treasurer of West Tennessee; it shall also be the duty of said treasurers, to direct suits to be brought in their own names for the benefit of the school fund against any person who may trespass on any of said lands, should it be advisable so to do; the said treasurers shall, and are, authorized to allow their agents in the counties aforesaid for the purpose of preventing waste and collecting rents such reasonable compensation as he or they may think right for their services; and any expense to be*

Treasurers to appoint agents to collect rents and prevent waste.





Penalty of the State of Tennessee, that it shall not be lawful for any person hereafter to place or cause to be placed or thrown into any spring, well, or running stream of water, the dead body of a horse, cow or any other animal, and that any one so offending shall be liable to be indicted and prosecuted by a grand jury as guilty of an offence against the laws of this state, and on conviction thereof shall be fined in a sum not exceeding fifty dollars, to be recovered before any jurisdiction having cognizance of such offences, together with all costs that may accrue thereon.

*Sec. 2. Be it enacted,* That this act be in force from and after the first day of February next.

WM. BRADY,

Speaker of the House of Representatives.

R. C. FOSTER,

Speaker of the Senate.

December 9, 1826.

## CHAPTER XXXVIII

*AN ACT, authorizing suit to be brought against one of several executors or administrators in certain cases, and for other purposes.*

*SECTION 1. Be it enacted by the General Assembly of the State of Tennessee,* That when two or more persons shall be qualified as executors or administrators in any of the counties of this state, and one or more of them shall have removed out of this state, it shall and may be lawful for any person or persons having cause of action, to commence and prosecute his, her, or their suit against the remaining executors or administrators unremoved, without including the others, in the same manner as if all were sued, and judgment be rendered accordingly. *Provided,* always, that executors and administrators, so separately sued, shall not be held further liable than if they were sued, but may avail themselves of every defence now allowed where all are sued.

*Sec. 2. Be it enacted,* That the same proceedings may be had and taken on judgments rendered in such separate suits, either to subject defendants thereto for a waste of assets, or to subject real

Where one or more executors remove from the State any remaining may be sued alone.

Same remedy as to waste of assets, &c. as when all are sued.

estate descended to heirs as now and may be prescribed by law, which suits are brought against all the executors or administrators.

*Sec. 3. Be it enacted,* That hereafter, when the plea of *full satisfaction* on no assets, shall have been taken in favour of an executor or administrator, such executor or administrator shall not be liable to pay out of his own property, but such costs shall be paid by the plaintiff in the first instance, who may have judgment over, when there shall be assets to pay the same in the hands of such executor or administrator.

*Sec. 4. Be it enacted,* That it shall be the duty of the judge of the seventh circuit, and he is hereby authorized and required, to continue the term of the Marion circuit court, at the April term, 1827, until the business of said court is disposed of, or until Thursday of the second week of said term, and then, it is hereby made the duty of said judge to adjourn said court for the purpose of holding Hamilton circuit court, which may commence on Friday or as soon as the judge may arrive at the place of holding court in said county, and the jurors and witnesses summoned to attend the Hamilton circuit court, shall attend on Friday of said April court.

WM. BRADY,

Speaker of the House of Representatives.

R. C. FOSTER,

Speaker of the Senate.

December 9, 1826.

## CHAPTER XXXIX

*AN ACT, for the benefit of Common Schools.*

*SECTION 1. Be it enacted by the General Assembly of the State of Tennessee,* That all the moneys heretofore received, or which may hereafter be received by the president and directors of the bank of the state of Tennessee, and the branch of said bank at Knoxville for the entry of lands in the Tennessee district, and in the section of country south of French Broad and Holston, at twelve and one half cents per acre and under, be, by said president and directors, paid to the credit

Executor not liable for costs on plea of full satisfaction in his favor.

Marion and Hamilton circuit court, April term.

School land monies to be passed to the credit of the common school fund.

of the common school fund, and shall constitute and remain a part of said fund to be loaned and used as other monies belonging to said fund are by law directed to be used and loaned.

WM. BRADY,

Speaker of the House of Representatives.

R. C. FOSTER,

Speaker of the Senate.

December 9, 1826.

## CHAPTER XL.

*AN ACT, for the relief of securities in certain cases.*

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee, That where* any person or persons have heretofore, or may hereafter, enter the security of any plaintiff for the costs of any action of ejectment, or upon any appeal in such cause from an inferior to a superior court, it may be lawful for said security or securities to notify such plaintiff or plaintiffs in writing, thirty days previous to the sitting of the court, in which said cause may be pending, to appear at the first term of said court next ensuing during the three first days of the term, and give other and sufficient security for all costs that have, or may accrue, in the prosecution of said cause, and upon failure so to do, the said court shall, upon motion, enter up judgment against and principal so failing and securities, for the whole amount of the costs which may have previously accrued, and said suit shall thenceforth abate; *Provided, always, that* said plaintiff or plaintiffs may, at the succeeding term, revive said suit upon the payment of the amount of said judgment so rendered for costs, into the clerk's office, and giving other and sufficient security for the prosecution of said suit as revived.

WM. BRADY,

Speaker of the House of Representatives.

R. C. FOSTER,

Speaker of the Senate.

December 9, 1826.

## CHAPTER XLI.

*AN ACT, to prevent the depreciation of the Nashville bank paper, in the hands of the good people of this State.*

WHEREAS the suspension of specie payment by the Nashville bank is calculated to depreciate said paper; Therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee, That the* notes of the Nashville bank and its branches, be receivable at par, in the payment of the several instalments, both principal and interest, now and hereafter to become due from the purchasers of Hiwassee land and academy land, also from purchasers of college lands, provided the trustees thereof will agree thereto.

Nashville  
bank notes re-  
ceivable at  
par, &c.

SEC. 2. *Be it enacted, That the bank notes of* Half of all the Nashville bank and branches, shall be received in payment of one half of all calls made at the agency of said bank and its branches, also at the bank and its branch, so far as they do business as agent for the county where situated; *Provided,* the directors shall not call more than ten per cent. at any one call for the next twelve months.

SEC. 3. *Be it enacted, That any person owing* said bank of the state of Tennessee, at its agencies, and wishing to pay and discharge said debt, or any part thereof, may pay the same, one half in notes of the Nashville bank or branches, and the other half of such payment in good funds, at par with the notes of the bank of the state.

Debt to be  
paid, &c.  
Nashville

SEC. 4. *Be it enacted, That it shall be the duty of the directors of the bank of the state of Tennessee, to require the paper of the Nashville bank that may be received at its agencies aforesaid, to be remitted from time to time to the principal bank at Nashville, unless the same can be re-loaned at said agencies, payable in six and twelve months; in sound funds, bearing an interest of six per cent. under the regulations of said agencies; and that said directors shall proceed to loan it out for the shortest time and on the best terms practicable, and also any other amount of said paper which may now or hereafter be on hand belonging to the State, in their possession, to be repaid in sound or* par funds; or said directors in their discretion may

Nashville notes  
to be remitted  
to principal  
bank and di-  
rectors to con-  
vert them into  
par funds.



notify the Nashville bank of any amount or amounts of said bank paper which may be on hands, and require the payment of interest thereon, securing the principal by collateral security, if practicable, in such manner as may be thought most advisable by said directors; or said directors, if no arrangement contemplated by this act can be made, in relation to loaning said paper, or funding it on interest, to take any other steps, for converting said paper into sound or par funds, as to them may seem best.

**Sec. 5.** *Be it enacted* That the directors of the bank of the state of Tennessee, so soon as any of said paper shall be turned into par funds, or as often as from any other resources they may be enabled to do so, shall, as far as practicable, supply the amount of circulating medium which may be withdrawn from the different counties of this state, by the transmission of Nashville bank paper to the principal bank at Nashville, as contemplated by this act.

*To supply the amount with funds drawn in par funds.*

**Sec. 6.** *Be it enacted*, That the treasurers of East and West Tennessee, are hereby required to receive from the clerks, sheriffs and all other collectors of public revenue, the notes of the Nashville bank and its branches; *Provided*, they take an oath that they received said notes previous to hearing the suspension of specie payments of said bank, which oath the treasurers are authorized to administer; which notes, when received, shall be deposited in the bank of the state of Tennessee, and disposed of by them as herein above directed.

WM. BRADY,

Speaker of the House of Representatives

R. C. FOSTER,

Speaker of the Senate.

December 11, 1836.

## CHAPTER XLII

*AN ACT, for the benefit of persons having fractions of warrants or certificates heretofore filed in the principal surveyor's office for the sixth district*

*WHEREAS*, many persons have heretofore filed warrants or certificates in the principal survey-

*December.*

or's office for the sixth district, and made entries and obtained grants on part of said warrants, but still a fraction remaining unsatisfied; for remedy whereof:

**SECTION 1.** *Be it enacted by the General Assembly of the State of Tennessee.* That hereafter, upon satisfactory proof being made to the register of Washington county, who has the charge of the books and papers which formerly belonged to the principal surveyor's office of the sixth district, that any person has a legal title to any fraction or part of any warrant or certificate vested in him or her by assignment which have heretofore been filed in said office and still remains unsatisfied, it shall be the duty of said register to give to such person or persons so applying, a certificate specifying the number of acres he, she or they, are entitled to on such warrant or certificate; and upon such certificates being presented to the register of East Tennessee, it shall be a sufficient voucher for him to issue to such person or persons, a certificate therefor, which certificates, when so issued, shall be adjudicated as in other cases and laid south and west of the congressional reservation line.

*Register of Washington to certify any balances of warrants in the sixth surveyor's office.*

**Sec. 2.** *Be it enacted*, That the register of Washington county; and the register of East Tennessee, for each and every such certificate by them issued, shall be entitled to fifty cents to be paid by the person applying.

*Registers paid.*

**Sec. 3.** *Be it enacted*, That the register of West Tennessee be, and he is, hereby authorized and required to issue a grant to Thomas Hopkins and Etheldred Williams, upon military warrant, No. 171, issued on the 22d day of October, 1783, for two hundred and seventy ~~four~~ acres, which was entered in the eleventh surveyor's district, on the 6th day of December, 1820, by entry No. 12, inasmuch as it appears to the satisfaction of the legislature, that said warrant was legally transferred to them, the said Hopkins and Williams, on the 28th day of November, 1820, as appears from the transfers annexed to said warrant.

*Special case of Hopkins & Williams.*

WM. BRADY,

Speaker of the House of Representatives.

R. C. FOSTER,

Speaker of the Senate.

December 11, 1836.

## CHAPTER XLIII

*AN ACT, to regulate the sitting of some of the courts in the Western district.*

[SECTION 1.] *Be it enacted by the General Assembly of the State of Tennessee.* That the circuit court for the county of Perry, shall hereafter be holden on the first Mondays of April and October.

For the county of Henderson on the second Mondays of April and October.

For the county of Carroll, on the third Mondays of April and October.

For the county of Gibson, on the fourth Mondays of April and October.

For the county of Dyer, on the first Mondays of May and November.

For the county of Obion, on the second Mondays of May and November.

For the county of Weakly, on the third Mondays of May and November.

For the county of Henry, on the fourth Mondays of May and November, in each and every year; and the circuit court for Henry county may hereafter be held two weeks at each term of said court; and it shall be the duty of the clerks of the several different counties aforesaid, to issue all process in their respective counties, returnable at the above specified times of holding courts in said counties; and all sheriffs and other officers to whom such process may be directed, to make their returns on said process accordingly, and all process heretofore issued shall be, and the same is, hereby made returnable to the terms of the respective courts herein provided for.

Sec. [2.] *Be it enacted,* That any law heretofore passed at this session, or any other session, authorizing the sitting of the county court of Henderson county to sit on the second Mondays in January and April, July and October be, and the same is, hereby repealed.

WM. BRADY,

Speaker of the House of Representatives.

R. C. FOSTER,

Speaker of the Senate.

December 11, 1826.

Circuit courts  
in northern  
counties.

County court  
of Henderson.

## CHAPTER XLIV.

*AN ACT, to repeal an act, entitled "an act, directing certain papers to be read in evidence in suits concerning reservations taken under the late treaties with the Cherokee Indians," passed, 30th Nov. 1825.*

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

Act repealed.

WM. BRADY,

Speaker of the House of Representatives.

R. C. FOSTER,

Speaker of the Senate.

December 11, 1826.

## CHAPTER XLV.

*AN ACT, to regulate the duties of jailors and to ameliorate the condition of prisoners.*

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee.* That it shall be the duty of the different jailors in the State of Tennessee, to furnish the prisoners confined in their respective jails, with clean straw beds and sufficient blankets to keep them comfortable, and provide two meals per day of good sound bread and meat, well cooked, with vegetables in addition at one of said meals, and plenty of good clean water, twice each day, from the first of May to the first of November, and once each day from the first of November to the first of May, and shall have two pieces of clothing washed every week for each prisoner, and shall have the privy buckets emptied once in every twenty-four hours, and shall furnish the necessary tools for shaving once every week; shall keep the jail clean and convey letters from persons in their custody and others after examination and commitment for trial; and shall seal and put them into the post office if required; shall admit persons having business with prisoners without charge, and shall be present at all interviews between prisoners and others, except their counsel.

Rules of diet  
& cleanliness.

Duties of jail  
inspector.

**SEC. 2. Be it enacted,** That jail inspectors shall visit and examine the jail, and once in each and every week or oftener, and shall make report of the state and condition of the prisoners and the jail, during the first week of every county court; make rules and regulation for preservation of the health and decorum of the persons, [prisoners:] and they shall be authorized to decide all disputes between the jailor and the prisoners, and cause prisoners to be ironed who offer violence to the jailor or his assistants, or his fellow prisoners, or for attempting to break the jail or make his escape therefrom, and shall have power to prevent owners of slaves from punishing slaves in the jail, otherwise than other prisoners are treated.

Prisoners wife  
not to board  
with jailor.

**SEC. 3. Be it enacted,** That no jailor in this State, shall permit the wife of any prisoner committed to his care, to board or live in the house with said jailor under the penalty of fifty dollars, recoverable before any court having jurisdiction thereof.

**SEC. 4. Be it enacted,** That no jailor in this State shall permit any person to have more than half a pint of spirits in any twenty-four hours under the penalty prescribed in the third section of this act.

Rate of spirits

WM. BRADY,

Speaker of the House of Representatives.

R. C. FOSTER,

Speaker of the Senate.

December 11, 1826.

#### CHAPTER XLVI.

**AN ACT,** to amend the penal laws of this State.

Solicitors to  
prosecute bro-  
kers forthwith

**SECTION 1. Be it enacted by the General Assembly of the State of Tennessee,** That it shall be the duty of the different attorneys prosecuting in and for the State of Tennessee, forthwith in their respective districts, to issue writs in the action of debt for the tax of five thousand dollars, against all brokers who have offended against the Statute passed November 28, 1823, entitled "An Act, to tax brokers," which said action shall be in the name of the State of Tennessee, and shall be brought to issue and tried at the appearance term of said writ,

unless good cause for a continuance be shewn by one of the parties.

**SEC. 2. Be it enacted,** That if, in any case, the said attorney shall be of the opinion that more taxes may be due than the tax of five thousand dollars for one year, it shall be lawful in the said action, to include as many years taxes as may be supposed to be due the State, and the State shall recover so much as is due, to be tried by jury, and no such action shall be abated, nor shall any judgment be arrested or otherwise defeated by means of a misjoinder of defendants, but in all such cases the court shall proceed to judgment according to the very right of the case, disregarding all formal and technical niceties.

To include as  
many taxes as  
attorneys may  
deem due.

WM. BRADY,

Speaker of the House of Representatives.

R. C. FOSTER,

Speaker of the Senate

December 11, 1826.

#### CHAPTER XLVII.

**AN ACT,** providing further time to make surveys and return plats and certificates.

**SECTION 1. Be it enacted by the General Assembly of the State of Tennessee,** That the surveyors of the districts south and west of the congressional reservation line, shall have eighteen months from the passage of this act to make surveys and return plats and certificates on entries made within their several districts, any law to the contrary notwithstanding.

WM. BRADY,

Speaker of the House of Representatives.

R. C. FOSTER,

Speaker of the Senate.

December 11, 1826.

END OF THE PUBLIC ACTS.



# INDEX

TO THE

## PUBLIC ACTS.

<b>ACT</b> , of December 1, 1825, first section repealed, concerning the interchange of rulings in certain circuits.	Page.
To revive an act for the benefit of certain reserves repealed	4
of November 22, 1817, certain section repealed	16
Concerning slaves, &c. takes effect in March, 1827.	18
of 1825, ch. 73, continued in force	33
concerning nuisances, to take effect from the first of February, 1826	46
of 30th November, 1825, concerning evidence in suits about reservations repealed	50
<b>ACADEMY MONEY</b> to be collected by the treasurer and deposited in bank	57
loans of, how to be considered, sec. 3	13
<b>ACADEMIES</b> to look to the bank where its directors have taken bond and security and certified the same, &c	14
<b>APPORTIONMENT</b> of representation, pages 4, 5, 6, 7	ib.
<b>ATTORNEYS GENERAL</b> may prosecute brokers	58
may include in one action as many taxes as may be due	59
<b>BANK</b> of the State of Tennessee (new) may take bond with approved security from those who have become indebted for academy money and become responsible to the academies for the amount	
may collect academy monies according to its necessities	
To pass the credit of the common school fund all money from entry of lands in the Hiwassee district and in the country south of French Broad and Holston at twelve and a half cents per acre	
To receive Nashville notes at par from purchasers of	51

Hiwassee land and academy and college land, if the trustees will agree to it	53
To receive Nashville notes for half of all calls	ib.
To receive Nashville notes for half of all debts	ib.
To remit them to the principal bank and the directors to convert them into par funds	ib.
To supply the amount withdrawn in par funds	54
BRANCH of United States Bank may be established in Tennessee	18
BILLS in chancery may be sworn to before any judge or justice of the peace, or clerk and master	29
BOOKS to be opened to subscribe for shares of the Nashville insurance company	36
Brokers to be prosecuted	58
Brown's line, grants below made good	43 and 44
Carroll circuit court, when held	56
COMPANY, insurance, Nashville	35 to 41
President and directors of, may take a power of attorney to confess judgment	38
Process on president, or if there is none, on secretary sufficient	41
To make an expose of their situation to the General Assembly when called	ib.
Charter of, to be forfeited on breach of the privileges hereby granted.	ib.
COMMISSIONERS to settle with county, and circuit court clerks to settle with clerk of supreme court appointed to report lands south and west of the congressional line for taxes in name of real owners	21
to be appointed by county court to settle with entry takers	49
compensation	
to examine location files	
appointed to value academy lands according to ch. 73, 1825	46
to be paid according to said act	ib.
Comm'n's. office continued open to the 1st of April, 1827	15
CLERKS prohibited from going security in suits determinable in the courts of which they are clerks	19
returns of revenue to be received by the treasurers until first of May, 1827	20
to issue commissions to take depositions	34
of supreme courts allowed for copy of record the same fees as clerk of circuit court	10
of the circuit court to pay to the treasurer drill fines to examine docket of judge advocate, and on failure of judge advocate to pay, clerk to take judgment	26

on motion before a justice or county court	26
To retain five per cent. on monies so collected	27
Returns to the secretary legalized	3
Of the county court to make out a copy of the election return filed by the sheriff in his office and transmit it to the speaker of the house of representatives	34
CIRCUIT COURT Judges, how to interchange ridings	4
Of Marion at April term may be continued until Thursday of second week	51
Of Hamilton county, when it may be commenced	51
Of Carroll when held	56
Of Henderson	ib.
Of Gibson	ib.
Of Dyer	ib.
Of Obion	ib.
Of Weakly	ib.
Of Henry	ib.
Caney Fork falls, entries within five miles at a cent an acre	9
Costs of suits commenced on bonds given to the Governor, chairman of the county court or county trustee, to be paid by the person at whose instance the suit is instituted	42
Diminished by permitting plaintiffs to dismiss their suits out of court	ib.
Cotton Gins, all laws concerning, repealed, except that they must be enclosed	9
Chancery practice amended, bills may be sworn to before justice of the peace, judge or clerk and master	29
by court to appoint commissioners to settle with entry takers	30
Of Henderson, when held	56
Counsel employed on behalf of the State respecting the school lands may take an appeal to the supreme court	48
Clark, Joseph, a commissioner for Sevier county	46
Dyer circuit court, when to be held	56
DISTRICTS. SENATORIAL	4 and 5
Warren and Franklin	4
White, Overton, Jackson and Fentress	4
Smith and Sumner	5
Wilson	ib.
Davidson	ib.
Mauzy	ib.
Rutherford and Williamson	ib.
Bedford	ib.
Robertson, Montgomery and Dickson	ib.

Lincoln and Giles	ib
Stewart, Humphreys, Perry and Henderson	ib
Henry, Weakly, Obion, Carroll, Gibson and Dyer	ib.
Hickman, Lawrence, Wayne, Hardin and McNairy	ib.
Haywood, Madison, Tipton, Hardeman, Fayette and Shelby	ib.
Carter, Sullivan and Hawkins,	ib.
Washington, Greene, Cocke and Sevier	ib.
Jefferson, Grainger, Claiborne & Campbell	ib.
Knox and Anderson	ib.
Blount, Monroe and McMinn	ib.
Roane, Morgan, Rhea, Hamilton, Bledsoe and Marion	ib.

# **DISTRICTS, REPRESENTATIVE** 6 and 7

Warren, Franklin, Bedford, Lincoln, Giles, Maury, Davidson, Wilson, Robertson and Montgomery, each one representative	6
Rutherford and Sumner in 1827 each two representatives	ib.
In 1829 each one representative	ib.
In 1831 two, and 1833 1 representative each	ib.
Williamson and Smith in 1827 each one representative,	ib.
1829 each two	
1831 each one	
1833 each two	
Overton and Jackson 1 representative jointly	ib.
White and Fentress 1 representative jointly	ib.
Dickson & Hickman 1 representative jointly	ib.
Lawrence, Wayne and Hardin one representative jointly	ib.
Stewart, Humphreys and Perry one jointly	ib.
Henry and Weakly one jointly	ib.
Carroll, Gibson, Dyer and Obion one jointly	ib.
Henderson, Madison & Haywood 1 jointly	ib.
McNairy, Hardeman, Fayette, Shelby and Tipton one representative jointly	ib.
Hawkins, Washington, Greene, Jefferson, Grainger, Blount, Monroe and McMinn each one representative	ib.
Sullivan and Carter one jointly	7
Cocke and Sevier one jointly	ib.
Claiborne and Campbell one jointly	ib.
Knox and Anderson one jointly	ib.

Roane and Morgan 1 representative jointly	7
Rhea and Hamilton one jointly	ib.
Bledson and Marion one jointly.	ib.
Depositions may be taken on commission issued by the clerk	34 and 35
Directors of Nashville insurance company, how to be qualified	38
DEEDS of land lying in Sevier county, described as in Knox or Jefferson made good	18
Ejectment, securities for plaintiff in, may give notice and be released	52
But plaintiff may revive the suit at next term on payment of costs and giving new security	52
Enumeration, returns of legalised	3
Entry and detainer given to occupants against intruders upon them	12
ESTATES within five miles of the Stone Fort at a cent an acre	9
Of Caney Fork falls	ib.
where made twice may procure certificate and enter four for one	45
void if made on an occupant piece of land by any one but the occupant	11
to be made by occupant not to exceed 200 acres.	11
to cover improvement where the land warrant is less than twenty five acres	12
of land in Sevier county made good	17
Entry taker to settle with commissioners appointed by the county court, and may be indicted if he refuses to pay Embree's (Elijah) loan to be continued, and on what terms	30
EXECUTORS, where one or more have removed from the state those remaining may be sued	14
same remedy against, as when all are sued in regard to waste of assets	50
not liable for costs on plea of fully administered found in their favor	51
Executions against Hiwassee purchasers issued before first of July, 1826, may be satisfied	30
Evidence, an act making certain papers, repealed	57
Forcible Entry and detainer allowed to remove a settler upon the claims of an occupant	12
Fine, Abram, a commissioner	46
French Broad and Holston, debtors south of, who claim by deed of conveyance allowed to pay for the tract so purchased	16
Not to be liable until the residue of the original tract will not produce the sum yet unpaid	ib.



Free persons of color not to be sold	33
Gins, cotton, must be inclosed and all other laws on this subject repealed	9 and 10
Garnishees to be paid as witnesses	21 and 22
GRANTS, errors in, may be corrected by Register	35
below Brown's line made good	43
within five miles of Caney Fork made good	44
hereafter to issue shall be good	45
Gott, William a commissioner for Blount county	46
Gibson circuit court, when to be held	56
HIWASSEE DISTRICT, land in, may be entered at one cent per acre	19
Preference in, to occupants of three months	ib.
Hiwassee purchasers of land not to have interest collected of them until 1828	20
to have a deduction of twenty-five per cent on making up the whole	ib.
sued by Indian reservees not bound to pay principal or interest	45
Hill, William a commissioner	46
Henderson circuit court, when to be held	56
Henry circuit court, when held	ib.
Indictment may be preferred against a person for throwing a dead body into any stream or well of water	50
Insurances by the Nashville insurance company on what subjects to be made	37
Inspectors of jail to examine it every week and report to the county court	58
Interferences between occupants, how provided for	12
Iron Works, reserves for, where not entered, may be entered by any person	20
JUDGES of circuit court, how to interchange ridings	4
Of seventh circuit may at April term continue Marion court until Thursday of second week, and then commence Hamilton court on Friday	51
Of supreme courts to certify bills of costs	10
JUSTICES of peace may bind over any person bringing a slave for sale or a convict for use or sale into this State for his appearance, and the forthcoming of the slave and if such person refuses to enter into recognizance, the slave may be delivered to the sheriff	32
JURORS summoned to appear at April term of Hamilton circuit court to attend on Friday	51
JAILORS to furnish their prisoners with clean straw beds, sufficient blankets, two meals a day of	

sound bread and meat well-cooked and vegetables, to wash two pieces of clothing weekly for them, furnish shaving tools once a week, &c.	57
To be present at all interviews between prisoners and others except their counsel	57
Not to board wife of prisoners	58
To allow prisoners not more than a half pint of spirits every twenty-four hours	ib.
Lands south and west of the congressional reservation line to be reported in name of real owners	49
Land Warrants not to be divided	12
Land Works, lands condemned in Hiwassee district for, may be entered at a less price than when the land was owned	44
ACADEMY, to be collected, unless the debt is secured by note with security satisfactory to the new bank, renewable every six months	13
Marriages in Sevier county on licences from Knox or Jefferson declared valid	17
Motion in suits commenced on, plaintiffs to give security for costs	43
Militia laws amended	22
BRIGADE seventh, county drills of, when to be held	23
Cavalry of, when to muster ninth, time of drills	ib.
BRIGADIER GENERAL'S duty of 5th and 9th brigades, when notified that four companies are willing to become members of the volunteer regiment	24
CAVALRY belonging to tenth brigade, when to muster of seventh brigade, to muster on second Monday of October annually	23
of sixth brigade divided into two squadrons of Montgomery and Robertson, when to muster, s. 31	ib.
of Stewart, Dickson and Hickman, when to muster, s. 31	28
COURT MARTIAL of volunteer regiments to divide the regiment into two battalions and fix time and place of muster, s. 13	23
of cavalry, their powers, s. 5	23
COMPANY OF INFANTRY, (Big Valley) to 32d regiment exempted from regimental courts martial and musters	ib.

<b>COMPANIES</b> , Volunteer, formed in 5th and 9th brigades may be formed into regiments	24
must consist of at least forty and be equipped s 10	ib.
not to exceed one hundred, s. 15	25
officers of, how elected & commissioned, s. 10	24
how to be raised, s. 11	ib.
<b>COMPANY MUSTERS</b> , two in each year	23
in 53d regiment may elect officers and assume a name	26
<b>COMMANDANTS</b> of regiments to issue writs of election for second lieutenants in volunteer companies	23 and 24
of volunteer regiments to call a court martial	26
of 53d regiment to issue a writ to elect officers for a volunteer company lately enrolled	28
<b>DRILLS</b> in the county of Lincoln to be held on the 3d Friday and succeeding day in September annually	ib.
delinquents at, how fined, s. 22	ib.
in Monroe county, when to be held, s. 23	28
in Jackson county, when to be held	ib.
Drill fines how to be appropriated	26
<b>EXECUTION</b> against a delinquent officer, musician or private not to issue until 20 days after the rise of the court martial	28
<b>JUDGE ADVOCATES</b> of the regiments of militia to keep a separate docket for fines entered for delinquencies at drills	26
To collect the fines and pay them to the clerk of the circuit court	ib.
In volunteer regiments to be appointed by commandants of them	28
<b>Keepers of Jails</b> exempt from muster	28
Lieutenants second, allowed in volunteer companies	23
<b>OFFICERS, RETURNING</b> , of ninth brigade to meet at Nolensville	28
fifth brigade at A. Johnson's	ib.
of volunteer regiments may hold courts martial and fine	ib.
senior, highest in rank to drill if brigade major fails to attend	27
<b>REGIMENTS, VOLUNTEER</b> , commandants of, may appoint a judge advocate, adjutant and other staff officers	25

new companies in how formed	25
company musters in, when to be held	ib.
<b>REGIMENT</b> , thirty ninth divided	27
commissioned officers to retain their rank after division	ib.
elections in, to be held to fill vacancies	ib.
ninety eighth, to muster on first Saturday in October annually	28
<b>NASHVILLE BANK</b> , notes to be received at the new bank at par, for debts due from purchasers of Hiwassee lands, for academy and college lands if the trustees consent, for half of all calls all debts due the new bank, &c.	53
<b>NASHVILLE INSURANCE COMPANY</b> incorporated	35
to have a capital of \$500,000, to be divided into 5,000 shares	36
name and style, powers and liabilities, s. 3	ib.
directors to commence operation as soon as 1000 shares have been subscribed, to elect a president, to appoint a secretary and other officers	37
stockholders of, to elect directors on the second Monday in January annually, but if an election should not then take place, corporation not for that reason to be dissolved, sec. 4	ib.
dividends in, to be made half yearly	39
may hold so much real estate as may be necessary for the convenient transaction of business, but must sell such as is conveyed to them for debts, within five years	39 and 40
not to issue bank notes, art. xi	40
president and secretary of, to give bond and take an oath, art. xii	40
directors of, to fix salaries of president and secretary, art. xiii	ib.
not to insure more than four times the amount of stock subscribed, and if violated, the stockholders to be personally liable	41

charter of, to be forfeited on breach of privileges hereby granted	41
to make an expose of their situation to the General Assembly when called on	ib.
notice to be given when instalments are called for	39
	50
<b>Nuisances</b>	
<b>OCCUPANTS</b> , south and west of the congressional reservation line, settled on or before 1st May, 1825, may enter 200 acres of land by others	11
claim not to be settled on	12
where they wish to have their lands laid down on the general plan to file their location in legal form	13
in Hiwassee district to have a preference for three months	19
	56
Ohio circuit court, when held	
Plats and certificates in districts south and west of congressional reservation line, eighteen months further time allowed for making and returning	59
Plaintiffs may, by order in writing, dismiss their suits out of term time	42
Probates of certain deeds for land in Sevier county made good	18
Process served on president or if there is none on the secretary, shall be sufficient in any suit against the Nashville insurance company	41
Penalty for selling free persons of color knowing them to be free, and sold for the commission of a crime	39
President and directors of Nashville insurance company may take power of attorney to confess judgment to give thirty days notice when instalments are required	38
	39
	40
to prescribe a form for the transfer of stock	
Policies of insurance to be authenticated by the signature of the president or two directors countersigned by the secretary	39
	35
Registers may correct errors in grants	
<b>REGISTER</b> of Washington county may issue certificate for fractions of warrants	55
of East Tennessee may issue his certificate on certificate of register of Washington county	ib.
of West Tennessee to issue a grant to Hopkins and Williams for 274 acres	55
Ridings of circuit judges, interchange of, partially repealed how to be interchanged	4
	ib.
Record, a copy of, from supreme court, what fee allowed	18

Stockholders in Nashville insurance company to vote in proportion to their shares	38
to forfeit stock on failure to secure their subscription	39
individual property liable to amount of shares	ib.
meetings of, how called	40
to vote by ballot in person or by proxy, art. xv.	ib.
to be personally liable where more than four times the amount subscribed is at one time on risk	41
Shares in the Nashville insurance company when subscribed to be secured	36
<b>SHERIFFS</b> , where to meet in order to compare votes 7 and 8	
not to levy on executions issued against the Hiwassee purchasers since the first of July, 1826	29
may return that purchaser is sued by a reserve and collection shall be suspended	30
to transmit to secretary of State the number of votes given for representatives and for or against a convention	34
to read before opening the polls the resolution concerning a convention adopted at this session	34
<b>SECURITY</b> , clerks prohibited from being, in certain cases	19
to be given in all suits commenced by motion in action of ejectment for plaintiff may give notice and be released	43
	52
Salt Works, reserves for, may be entered by any person	20
Secretary of State's office as commissioner, to continue open until the first of April, 1827	15
to adjudicate no claim except such as are referred to him by act or resolution at this session	15
to adjudicate certain certificates of register of East Tennessee	55
<b>SCHOOL LANDS</b> , sale of suspended	47
actions to be brought by treasurer for trespasses on	ib.
persons holding adverse possession of, to pay rent ten dollars per acre	48
rents and profits of, to be kept separate by the treasurer	ib.
monies to be passed to the credit of the common school fund	51
Solicitor may prefer an indictment against entry taker failing to settle	30



Sevier county, marriages, &c. made good	17
SLAVES not to be imported into the State for sale	31
who have been convicted not to be brought in	32
Stone Fort, entries may be made at a cent an acre	9
Suits on motion not to be commenced without giving security	43
for school lands not to abate	48
Surveyors to forfeit \$20,000 for permitting entries to be made by which occupants lose their occupant claim	-
to make separate plats where the entries are joint	12
offices s. and w. of C. reservation line to be open until 10th July 1827	13
allowed eight months to make surveys, &c.	15
TREASURERS of this state to collect academy money and deposit it in the bank but debtors may give their notes therefor	59
to receive clerks returns for 1826, until 1st of May 1827	13
to receive returns for 1822, '23, '24, '25 and '26	20
and to pay commissioners the fees allowed	21
to pay brigade majors for county drills	22
to furnish commissioners with an abstract of grantees names	46
to appoint agents to collect rents and prevent waste of school lands	47
to take bond of agent	48
to bring suits for trespasses on school lands	47
to employ counsel to defend in behalf of the state	48
allowed two per cent for sales on school lands	ib.
when to receive Nashville notes from sheriffs, clerks, &c	54
Treasurer of E. T. to continue the loan to Elijah Embree and how to collect it	14
to receive from the citizens south of F. B. and Holston and east of Hiwassee the sums they owe	10
to record a certified copy of deed vesting in such citizen the right to his land and fee therefor	16
not to collect interest on debts due from certain Hiwassee purchasers until 1828	29
to suspend collection where a Hiwassee purchaser is sued by a reservee	30
Warrants not to be divided	12
fractions of, to be certified by the register of Washington	55
Witnesses entitled to one day's attendance where suits have been dismissed out of term time	42

## Private Acts.



PASSED IN THE YEAR 1826.

**Acts**  
**OF A LOCAL OR PRIVATE NATURE,**  
**Of the State of Tennessee,**

PASSED AT THE EXTRA SESSION, WHICH WAS BEGUN AND HELD AT NASHVILLE, IN DAVIDSON COUNTY, ON MONDAY, THE SIXTEENTH DAY OF OCTOBER, ONE THOUSAND EIGHT HUNDRED AND TWENTY-SIX.

WILLIAM CARROLL, Governor; DANIEL GRAHAM, Secretary of State;  
R. C. FOSTER, Speaker of the Senate; WM. BRADY, Speaker of the House  
of Representatives.

**CHAPTER I.**

*AN ACT, to annex Marion county to the eleventh Solicitorial district.*

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee, That Marion of the 11th county shall hereafter form a part of the eleventh Solicitorial District of this state.* Marion part of the 11th Solicitorial District.

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

October 20, 1826.

**CHAPTER II.**

*AN ACT, for the relief of the second Battalion of the fifth regiment of militia in this State.*

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee, That the second battalion of the fifth regiment of Tennessee Militia, shall hereafter hold their regimental musters at the house of Thomas Johnson on Little Do [Doe] Carter county, under the same rules and regulations as regimental musters are now held in* 2d battalion of fifth regiment, where to muster.

this State on the first Thursday of October, annually, any law to the contrary notwithstanding.

SEC. 2. *Be it enacted*, That the commissioned officers of said Battalion shall attend the regimental drills at Elizabethton, Carter county, as heretofore.

Repealing  
clause.

SEC. 3. *Be it enacted*, That so much of an act, entitled "An act to amend the militia laws of this State," as requires the above named battalion to hold their regimental muster at Elizabethton, be, and the same is, hereby repealed.

96th Regi-  
ment, when to  
muster.

SEC. 4. *Be it enacted*, That the time of holding regimental musters in the ninety-sixth regiment, shall hereafter be on the second Saturday in October, annually, and its drill musters on the day preceding, and hold regimental courts-martial on the first Thursday in December.

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

October 24, 1896.

### CHAPTER III.

AN ACT, to amend the act passed twentieth of October, one thousand eight hundred and twenty one, entitled "An act to incorporate the inhabitants of Winchester, in [the] county of Franklin."

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That whenever the sheriff of Franklin county has, or shall hereafter fail to hold an election for the purpose of electing seven persons to serve as the council of the corporation of Winchester as prescribed in the fourth section of the act which this is intended to amend, it shall, and may be, lawful for such sheriff to hold an election for such purpose, at any other time on advertising the same ten days; and the persons chosen for the council of said town, at such period, shall have the same powers and privileges, and the election shall be to all intents and purposes as good and effectual in law, as though the same had been held on the day designated in the fourth section of said act.

Sheriff's au-  
thority to hold  
an election.

Powers of  
the corpora-  
tion when so  
elected.

SEC. 2. *Be it enacted*, That the before recited act, incorporating the inhabitants of the town of Winchester, and the acts amendatory thereof, are hereby declared in full force; and that said corporation is not to be considered as expired or as having forfeited its charter from any thing which may have heretofore taken place, but is still to be considered to be in existence in the same manner as though the election of its council had been regularly made and its existence perpetuated in the manner prescribed in said act, and nothing had been done to forfeit its charter.

Charter of  
the corpora-  
tion not expir-  
ed or forfeit-  
ed.

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

October 24, 1896.

### CHAPTER IV.

AN ACT, to provide for the trial of civil causes on the docket of the county court of Monroe county.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That it shall be the duty of the Justices of the Court of Pleas and Quarter Sessions, for Monroe county, who are classed to hold the December term of said court in the present year, to meet and open court for the trial of civil causes at the court-house in Tellico, on the second Monday in December, eighteen hundred and twenty-six, and continue said court open from day to day, for the term of two weeks. Sundays excepted, unless the business be sooner disposed of.

Monroe county court to hold 2 weeks in December, 1826.

SEC. 2. *Be it enacted*, That it shall be the duty of the clerk of said court to give twenty days notice of the meeting of said court, in some newspaper published in the seventh Judicial Circuit or in Knoxville; and it shall be the duty of all jurors summoned to attend the December term of eighteen hundred and twenty-six of said court, to attend at the court-house, in Tellico, on the second Monday of December, in the year aforesaid, and shall be bound to attend from day to day, until discharged by the court, and it shall be moreover, the duty of

Twenty days notice to be given by the clerk.

Jurors and suitors duty.



all suitors in civil causes to give their attendance on the said second Monday of December aforesaid, and all civil causes on the docket of said court shall be considered adjourned to the said second Monday of December; and all subpoenas and other process issued in said suits shall [be] returnable to the said second Monday of December; one thousand eight hundred and twenty-six, except original writs and other process, issued in causes that are considered by the rules of the courts as appearances to said December term.

Sec. 3. *Be it enacted*, That should it so happen, that a sufficient number of jurors summoned by order of the court, should not make their appearance, the court shall order a jury to be summoned of the by-standers to the number of twelve, or more if necessary, and said jury shall attend until discharged by the court; *Provided*, the court shall be at liberty to order a jury to be made up of the by-standers every day if they think fit; and *Provided further*, that county and State business shall be done in the days heretofore directed by law, in the order of said court; and the grand jury shall not be empanelled until the Tuesday of the third Monday of December, one thousand eight hundred and twenty-six; but it shall be their duty, whenever empanelled, to present on assaults, batteries and outrages, that may be committed at any time during said term, which may come within the knowledge of any one of their body.

Sec. 4. *Be it enacted*, That the said county court of Monroe county, shall have power and authority, annually, or as often as may be necessary, at the September term of said court, to adjourn the court and all civil causes, to the second Monday in December following, and to order a jury to be summoned to attend; and it shall be the duty of all parties concerned, to attend and prosecute and defend their suits; and all business done by said court, in pursuance of this act, shall be as valid and effectual as if done in the days now directed by law for the holding of said court; and it shall be the duty of the sheriff and clerk, and all other necessary officers of said court, to attend and do their duty under this act, as by law they are now bound to attend said county court of Monroe county, at the regular term thereof.

Sec. 5. *Be it enacted*, That if the justices

By-standers  
may be sum-  
moned.

Grand Jury,  
when empan-  
nelled and do-  
ing.

Whereof said  
county court  
is adjourned to  
the second Monday in  
Dec. &c.

Duty of Sher-  
iff and clerk.

classified for the holding of December term, eighteen hundred and twenty-six of said court, should fail to attend, it shall [be] lawful for any three or more of the justices of said Monroe county, to open and hold the court in the same manner as is directed in this act for the justices so classified as aforesaid; *Provided*, the justices classified to hold said December term, eighteen hundred and twenty-six, shall not be excused from attending; but it shall be their duty to attend and hold the said court.

Any three  
Justices may  
hold said court.

WM. BRADY,  
Speaker of the House of Representatives;  
R. G. FOSTER,  
Speaker of the Senate,  
October 23, 1896.

CHAPTER V.  
An Act for the relief of the citizens of Hawkins  
County, who have purchased land from Thomas  
Johnston, it being a part of the grants  
to James King, 40,400 of which is within the  
bounds of said county.

WHEREAS, many citizens of Hawkins county  
have purchased land from Thomas Johnston and  
received titles from said Thomas and his Attor-  
ney in fact, John Johnston; and WHEREAS said  
Thomas, suffered said land to be reported at Feb-  
ruary sessions of the court of Pleas and Quarter  
Sessions, eighteen hundred and eighteen for the  
State and county tax of the years 1816 and 1817,  
and which land was condemned by said court at  
said term for the double tax and ordered to be sold  
and which judgment of condemnation was by the  
said Thomas Johnston subsequently removed by  
certiorari and supersedeas to the circuit court of  
said county and in said court so ordered as to ren-  
der seventeen thousand four hundred acres of said  
land liable to the double tax; and thirteen thousand  
acres of said land liable to single tax, amounting  
to five hundred and fourteen dollars thirty cents,  
and which lands, as purchasers of the said Tho-  
mas Johnston by said citizens of said county, and  
for which they have received titles, it is believed,  
are bound by said judgment and which judg-  
ment constitutes a lien on said land and for

which said land said purchasers have paid said Thomas Johnston. Therefore;

**SECTION 1.** *Be it enacted by the General Assembly of the State of Tennessee,* That it shall be the duty of the sheriff of Hawkins county, in selling said lands for said taxes, first to offer and expose for sale so much of said lands as have not been sold by said Johnston or his attorney, and the proceeds of said sale first apply to the debts so unsold, and the remainder to apply to the payment of the taxes and charges due on the respective tracts which have been sold to individuals in proportions of their respective purchasers, and if sufficient monies shall not be raised to discharge the taxes and other charges, then, if the individual purchasers shall not, on the day of sale tender to the sheriff the proportion of said taxes and costs due on their respective purchases; then, and in that case, said sheriff shall proceed, on the first Monday in March next, to sell said tracts which have been so sold for the purpose of paying the said balance, and the sheriff, in exposing to sale the portions of said land that have been sold and conveyed by said Johnston, shall do so by tracts for the proportion of the taxes due on the quantity of land they hold, and the land of any person who pays his proportion shall not be sold.

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

October 26, 1826.

**CHAPTER VI.**

**AN ACT,** relative to land sold for taxes due to eighteen hundred and twenty-four, in the Western district.

Whereas, the time for redeeming lands in the Western district, which were sold for the taxes of eighteen hundred and twenty-four has nearly expired, and it being represented to this General Assembly that country of the sheriff of the counties of said district are about and will probably continue about until the time for redemption has expired, therefore

Duty of Sheriff of Hawkins county to sell for taxes first, lands not sold by Th. Johnston, &c.

Owner of land sold for taxes may tender payment to county court clerk.

Duty of clerk.

**SECTION 1.** *Be it enacted by the General Assembly of the State of Tennessee,* That if any owner of lands lying in any of the counties of said district which shall have been sold as aforesaid, having right to redeem, shall, within the time prescribed by law, pay, or tender to the clerk of the county court in which such lands lie, the amount of taxes, costs, charges, and the per cent. required by law, it shall and may be lawful for such owner to redeem his land in the same manner as if such tender or payment had been made to the sheriff of such county: *Provided,* that this act shall be in force only when such sheriff shall be absent or cannot be found in time.

**Sec. 2.** *Be it enacted,* That the clerks, receiving the redemption money as aforesaid, shall pay the same over to the several sheriffs who may be entitled to receive the same.

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

October 27, 1826.

**CHAPTER VII.**

**AN ACT,** to alter the time of holding the county courts for the counties of Lincoln and McNairy.

**SECTION 1.** *Be it enacted by the General Assembly of the State of Tennessee,* That the court of Pleas and Quarter Sessions for the county of Lincoln, shall hereafter be held on the third Monday in January, April, July and October, and may continue its sessions two weeks at each term if necessary.

County court of Lincoln, when held.

**Sec. 2.** *Be it enacted,* That all writs, subpoenas and other process that have issued from said court, or may hereafter issue, returnable to the first Monday in January next, shall be returnable to the third Monday, and all recognizances taken for the appearances of defendants and others in State prosecutions, shall in like manner be returnable to the third Monday in January next.

Process, when returnable.

**Sec. 3.** *Be it enacted,* That the court of Pleas and Quarter Sessions for the county of McNairy, shall hereafter commence its sessions on the second

County court of McNairy, when held.

Mondays in December, March, June and September and continue in session the same length of time as heretofore.

*Process, when returnable.*  
**Sec. 4.** *Be it enacted,* That all writs, subpoenas and other process that have issued or may hereafter issue, returnable to the fourth Monday shall be returnable to the second Monday of December, and all recognizances taken for the appearance of defendants and others in state prosecutions, shall, in like manner, be returnable to the second Monday in December next.

WM. BRADY,

Speaker of the House of Representatives.

R. C. FOSTER,

Speaker of the Senate.

October 31, 1826.

### CHAPTER VIII.

*AN ACT, supplemental to an act for the relief of Thomas Taylor, passed October 25, 1825.*

*Treasurer of East Tennessee to refund.*  
**SECTION 1.** *Be it enacted by the General Assembly of the State of Tennessee,* That the treasurer of East Tennessee is hereby required to refund to the clerk of the Court of Pleas and Quarter sessions of McMinn county, the sum of one hundred dollars, the amount of a fine paid over by said clerk to said treasurer and collected of Thomas Taylor of McMinn county for retailing coffee without license.

*Duty of the clerk of McMinn county court.*  
**Sec. 2.** *Be it enacted,* That said clerk of McMinn county court, is hereby directed within a reasonable time after the passage of this act, to draw upon the said Treasurer for the said fine of one hundred dollars, and upon receiving the same pay eighty-five dollars thereof to the said Thomas Taylor or his order, and the balance thereof to the attorney whom he employed to prosecute the suit against the said Thomas Taylor.

WM. BRADY,

Speaker of the House of Representatives.

R. C. FOSTER,

Speaker of the Senate.

October 31, 1826.

### CHAPTER IX.

*AN ACT, to incorporate the inhabitants of the town of Brownsville, in the county of Haywood.*

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

*Power of the corporation.*  
**SEC. 2.** *Be it enacted,* That the corporation aforesaid shall have full power and authority to enact and pass such laws and ordinances necessary and proper to preserve the health of the town; prevent and remove nuisances, to establish night watches and patrols; to ascertain, when necessary, the boundary and location of streets, lots and alleys; to establish new streets, lots and alleys with the consent of the proprietors of the lots and houses adjoining such streets, lanes and alleys, to provide for licensing and regulating auctions; to restrain and prohibit gaming and to provide for licensing, taxing, regulating or restraining theatrical or other public amusements and shows within the town; to pave and keep in repair the streets; to pass all laws necessary for the same; to establish necessary inspections within the town; to erect and regulate markets; to appoint a recorder, treasurer, and town constable; to provide for the establishment and regulation of a fire company or companies and the sweeping of chimnies; to erect and regulate pumps on the public square, streets, lanes and alleys, or convey water from the vicinity into town; to impose and appropriate fines, penalties and forfeitures for the breach of their by-laws or ordinances; to lay and collect taxes for the purpose of carrying the necessary measures into operation for the benefit of said town; to restrain tipping houses, and to pass all laws and ordinances necessary and proper to carry the intent and mea-



ning of this act into effect, *Provided*, they are not incompatible with the constitution of this State.

*Sec. 3. Be it enacted*, That the laws and ordinances of said corporation shall be in no wise obligatory upon the persons or property of non-residents of said town being citizens of this State, unless in case of intentional violation of by-laws or ordinances previously promulgated, *Provided nevertheless*, the property of such non-residents shall be taxed as other property of said town.

*Sec. 4. Be it enacted*, That all fines, penalties, and forfeitures imposed by the by-laws and ordinances of said corporation, if not exceeding fifty dollars, shall be recovered before a single magistrate and if exceeding that sum then to be recovered by action of debt in the county or circuit court of Haywood county, in the name of the Mayor and Aldermen of said corporation and for the use of the town.

*Sec. 5. Be it enacted*, That the Sheriff of Haywood county, by himself or deputy, shall hold an election at the Court house in the town of Brownsville, on the first Monday in January eighteen hundred and twenty seven, and on the same day in each and every succeeding year, for the purpose of electing seven persons to serve as Aldermen of the corporation of said town of Brownsville for one year commencing on the second Monday of the same month thereafter; and all persons owning a freehold in said town; and also, all persons residing within said town, who would be qualified to vote for members of the General Assembly, shall be qualified to vote in the said election for Aldermen, and no person shall be eligible to the appointment of Alderman unless he be a citizen and freeholder of said town of Brownsville.

*Sec. 6. Be it enacted*, That the seven persons qualified as aforesaid, having the highest number of votes at any election held as aforesaid, shall be taken to be duly elected, and the sheriff of the said county of Haywood, shall, within two days thereafter, give each of the seven Aldermen elected a certificate of his election; and it shall be the duty of the persons so elected, to meet at the court house in said town on the Saturday next succeeding the day of their election, and the Aldermen shall then and there meet as aforesaid; any number not less than five shall be a quorum and they shall

then proceed to elect by ballot, one of their own number to be a Mayor of said corporation, for the time for which the Aldermen were elected as aforesaid; and whenever any Mayor of said corporation shall die, remove out of said town, or resign, another election shall be made by the Aldermen in the manner aforesaid, of another person for the time then unexpired, until the next general election of Aldermen; and whenever any alderman shall die, remove, or resign, such vacancy may be filled up by the Mayor and Aldermen of said town at any regular meeting, and the person or persons so appointed, shall serve until the next election.

*Sec. 7. Be it enacted*, That the town constable appointed by said corporation, shall continue in office for twelve months from the time of his appointment, and shall, on entering on the duties of his office, give bond and sufficient security to the Mayor and corporation for the time being, in a sum to be approved of by them for the faithful discharge of the duties of his appointment, and accounting for all monies by him collected; and the recorder shall continue in office during one year, and his compensation shall be regulated by the Mayor and board of Aldermen.

*Sec. 8. Be it enacted*, That the Mayor and Aldermen of said town, shall, before entering upon the duties of their appointment, take an oath before some justice of the peace of the county of Haywood aforesaid, to faithfully, uprightly, and honestly demean themselves as Mayor and Aldermen of said corporation during their continuance in office.

*Sec. 9. Be it enacted*, That when any tax or duty shall be imposed upon any real property lying within the bounds of said corporation and not paid by the owner or occupier of the same, and there should not be any personal property of the owner or occupier of the same within the limits of said corporation upon which the same could be levied; then it shall be the duty of the recorder to certify the same to the county court of Haywood at the term to which the sheriff of said county is required to report lands in his county, on which the State and county tax has not been paid, and upon said report, at said term, it shall be the duty of the county court, to enter judgment for the tax due said corporation in the same manner that judgments are required to be entered for the non-pay-

ment of the tax due the county and State upon lands lying in said county, and the same shall be sold at the same time and in the same manner and subject to the same rules, regulations and restrictions that are by law required for the sale of lands lying within the said county on which the State and county tax is not paid; which tax, when collected by the sheriff as provided for in this section, shall be paid by him into the hands of the town constable, for the use of said corporation; and which sale, when made in manner aforesaid, shall vest the same right and title to the purchaser as if the sale had been made for taxes due this State.

**Sec. 10. Be it enacted,** That the money and other property, if any, which has been received for the use of said town, or in the hands of any other person or persons, or in the hands of the commissioners heretofore appointed by law for the town of Brownsville, shall belong to, and be vested in the Mayor and Aldermen of said corporation for the use of said town, and the said commissioners are hereby authorized and required to pay the same to the Mayor and Aldermen of said corporation, within thirty days after they shall have been elected and qualified, whose receipt shall be good to said commissioners for the same, and shall exonerate said commissioners from paying the same to any other person or in any other manner whatsoever, any law to the contrary notwithstanding, and the said commissioners, the clerk to said commissioners and the treasurer of said commissioners, and every other person or persons having any public documents or papers appertaining to the public concerns of said town, shall deliver the same to the Mayor and Aldermen of said town.

**Sec. 11. Be it enacted,** That the Mayor and board of Aldermen of the corporation of Brownsville, shall have the power of laying and collecting a tax from the persons who vend any articles not of the growth, produce or manufacture of this State, on public days, on the public square, or in the streets of said town, and shall have the power of laying and collecting all other necessary taxes as specified in the second section.

**Sec. 12. Be it enacted,** That all debts and demands due and owing, or which shall hereafter become due, which by law was required to be paid for the use and benefit of said town of Brown-

Town property or money vested in mayor and aldermen.

Documents relative to said town to be delivered to mayor and aldermen.

Mayor and aldermen may collect taxes.

All debts & demands to be paid by mayor & aldermen.

ville, shall be paid to the mayor and aldermen for such use, and they are hereby authorized to sue for and recover the same according to law, in any tribunal having jurisdiction thereof.

**Sec. 13. Be it enacted,** That if heretofore, there has been conveyed, by deed or otherwise, to the commissioners of the town of Brownsville aforesaid, any property, either real, mixed or personal, by any person or persons, for the use of said town or for any specified public use or purpose whatsoever, that it shall be the duty of the commissioners aforesaid, and they are hereby required, within thirty days after the election and qualification of the mayor and aldermen as aforesaid, to convey to said mayor and aldermen and their successors in office as such, all the right, title and property by them so obtained; *Provided always,* that it shall be conveyed and shall be used for the purpose or purposes only, for which it was conveyed to said commissioners.

Commissioners are to convey town property to mayor and aldermen.

**Sec. 14. Be it enacted,** That all laws and parts of laws, coming within the purview and meaning of this act, heretofore made for the regulation of the town of Brownsville, be, and the same are, hereby repealed, and this act shall commence and be in force from and after the passage thereof; *Provided always,* that nothing in this act contained, shall be so construed as to affect any suit or suits at law heretofore commenced by commissioners of said town of Brownsville.

Repeal clause.

WM. BRADY,

Speaker of the House of Representatives.

R. C. FOSTER,

Speaker of the Senate.

November 1, 1826.

## CHAPTER X.

*AN ACT, for the relief of the Representatives of John Carter.*

**SECTION 1. Be it enacted by the General Assembly of the State of Tennessee,** That it shall be the duty of the commissioner, to issue to John Carter or his legal representative, a duplicate of certificate 2062, for one hundred and fifty-six acres, which issued to said Carter, on the twenty-ninth

Order of J. Carter to have a duplicate certificate, No. 2062.

of November, eighteen hundred and twenty-three; *Provided*, it shall be made appear to said commissioner, by the oath of the claimant of said certificate, that he is the proper owner thereof; that he has paid a valuable consideration therefor; that the same has been by casualty lost, mislaid or destroyed, so that it cannot be found; and, *Provided also*, that the original, after the issuance of the duplicate as herein directed, shall be cancelled and made forever void.

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

November 8, 1826.

#### CHAPTER XI.

*AN ACT*, to alter the name of the person therein named.

*SECTION 1.* Be it enacted by the General Assembly of the State of Tennessee, That the name of Alexander Boll of Sumner county, be altered and changed to that of Richard Alexander, and that in said name he shall be capable of contracting and being contracted with, suing and being sued, pleading and being impleaded, receiving, inheriting, devising and doing all acts and things whatsoever, as though his said name had not been altered.

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

November 8, 1826.

#### CHAPTER XII.

*AN ACT*, for the relief of Andrew Donovan.

*SECTION 1.* Be it enacted by the General Assembly of the State of Tennessee, That the commissioner for the adjudication of land claims, be directed to issue to Andrew Donovan a certificate

A. Bull altered to Richard Alexander

Trustees appointed.

Trustees may borrow & loan money, &c.

for six hundred and forty acres, upon grant No. 233, upon condition that said Donovan doth make it appear, to said commissioner, that the right of said grant is now vested in him, and that said grant is taken by older and better title, and that it may also appear to said commissioner that there has not been but one grant issued on said warrant; that said six hundred and forty acres appears to have issued from, agreeable to the names and dates therein mentioned of said warrant and grant, any law, or usage, to the contrary, notwithstanding.

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

November 10, 1826.

#### CHAPTER XIII.

*AN ACT*, to authorize the county court of Hardeman county, to lay a tax to complete the building of a court house in the town of Bolivar.

*SECTION 1.* Be it enacted by the General Assembly of the State of Tennessee, That it shall, and may be lawful, for the county court of Hardeman county, a majority of the justices of the peace being present, to lay a tax not to exceed the county and State tax, at the first court in every year, so long as it shall be necessary to raise a fund to complete the building of a court house in the town of Bolivar.

County court of Hardeman may lay a tax to complete the ct. house.

*SEC. 2.* Be it enacted, That the sheriff of said county shall collect and pay over said monies to the commissioners, whose receipt shall be a good voucher in the settlement of his accounts, and the said funds shall be applied to no other use whatever.

Sheriff to collect & pay to commissioners.

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

November 10, 1826.

B2

#### CHAPTER XIV.

*AN ACT*, for the relief of Captain Crawford, of Maury county.

WHEREAS, Captain Crawford, of Maury county, has heretofore borrowed of the Governor, rifles for the use of a company of uniform riflemen, commanded by him; and whereas, one of those rifles proved to be wholly defective, and burst to pieces by the discharge of a common load of power.

*SECTION 1.* Be it enacted by the General Assembly of the State of Tennessee, That said Crawford and his securities be, and they are, hereby released from all liability on their bond, so far as relates to the rifle which has been destroyed in the manner above stated.

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

November 6, 1826.

#### CHAPTER XV.

*AN ACT*, to establish Academies in the counties of Marion and Bladsoe.

*SECTION 1.* Be it enacted by the General Assembly of the State of Tennessee, That John Kelly, Willie Belsber, John Mitchell, Daniel B. Rawlings, James Chaudoin, William P. Standefer and Samuel B. Mead, be, and the same are, hereby appointed a board of trustees of an academy, which is hereby established in the county of Marion, to be called Samuel Houston Academy.

*SEC. 2.* Be it enacted, That the trustees of said academy and their successors, by the name aforesaid, shall be capable, in law, to borrow and loan money, to purchase, receive and hold to themselves and their successors forever, any lands, tenements, rents, goods or chattels, which shall be given or devised to, or purchased by, them, for the use of said academy, and to sell and dispose of the same in such manner as to them shall seem most advanta-

geous for said academy. The said trustees, by the name aforesaid, may sue and be sued, plead and be impleaded, in any court of law or equity in this State; they shall have the power, from time to time, to establish by laws, rules and ordinances, not contrary to the laws and constitution of the State of Tennessee, for the benefit and good government of said academy; to appoint a president and trustees, together with other officers and persons necessary and proper for the purposes of instruction and tuition in said academy. A majority of the trustees shall constitute a board to determine upon any matter relative to the establishment, government or support of said academy; but no real estate belonging to said academy shall be disposed of unless two thirds of the trustees concur in opinion thereon. Upon the death, resignation or other legal disability of any of the said trustees hereby appointed, or who may hereafter be appointed, the vacancy thereby occasioned shall be supplied by the next, or any succeeding session of the General Assembly, after such vacancy may occur; *Provided*, nevertheless, such vacancy or vacancies, may be supplied by the remaining trustees, until the meeting of the General Assembly, or until such vacancy or vacancies shall be supplied by the General Assembly either at a longer or shorter period. The said board of trustees shall elect a treasurer, who shall receive all monies accruing to said academy and property delivered to his care, and pay and deliver the same to the order of said trustees. Said treasurer, before he enters upon the duties of his office, shall give bond and security in such sum as the board of trustees shall direct, payable to them and their successors in office, and conditioned for the faithful discharge of the trust reposed in him, and that he will, when required by the trustees, render to them a true account of all money, goods and chattels, received by him on account of, and for, the use of said academy, and the treasurer shall receive such compensation as shall be allowed and fixed by the trustees.

*SEC. 3.* Be it enacted, That the said trustees shall have power to fix on, and purchase a site for said academy, in the town of Jasper or its vicinity, and to take and receive subscriptions for paying for the same; and also, for the purpose of erecting

May purchase a site for the academy, &c.



Judgment may  
be had on mo-  
tion against  
delinquent sub-  
scribers and  
treasurer.

and building the academy and other buildings which they may think necessary thereto; and if any person shall fail, neglect or refuse to pay the money by him subscribed for that purpose, it shall be lawful for said trustees to recover the same by motion in the county or circuit court of the county in which the delinquent subscriber resides; *Provided*, the delinquent party has ten days previous notice in writing, of such motion; and if the treasurer shall fail to render, when thereunto required, a just and true account of all monies, goods and chattels which have come to his hands by virtue of his office, and also, all expenditures relative to said academy, he shall, on such failure, be subject to a judgment on motion in the county or circuit court of Marion county, and execution may thereupon be awarded, to collect the amount of the judgment recovered; *Provided, however*, ten days notice in writing shall be given to said treasurer of such motion.

May appoint  
a chairman &  
secretary, &c.

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

The county  
academy of  
Marion.

SEC. 5. *Be it enacted*, [That] the said Samuel Houston Academy be, and the same is, hereby constituted and made the academy of and for the county of Marion, and as such shall be entitled to, and receive, the academy fund in the proportion which now is, or may be, by law, given to, or vested in, the several academies of this State.

Trustees of  
Kremer Aca-  
demy.

SEC. 6. *Be it enacted*, That John Bridgeman, Scott Terry, James Roberson, Isaac Stephens, Eli Thirmon, James A. Whiteside, Elisha Kirkland and James Standifer, be, and the same are, hereby appointed a board of trustees of an academy which is hereby established in the county of Bled-

soe, as the county academy, to be called Kremer Academy.

SEC. 7. *Be it enacted*, That John Bridgeman shall act as chairman of said board of trustees until said board elect one of their own body, as is herein before provided for Samuel Houston Academy. J. Bridgeman, chairman.

SEC. 8. *Be it enacted*, That said academy shall be located on an eligible site within the town of Pikesville. Academy fixed in Pikesville.

SEC. 9. *Be it enacted*, That the trustees of Kremer Academy, shall be under the same rules, regulations and restrictions, in all respects whatever, as the trustees of Samuel Houston Academy, established by this act. How regulated.

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

November 8, 1826.

## CHAPTER XVI.

*AN ACT*, for the benefit of Jacob Rich, of Franklin county.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Jacob Rich, of Franklin county be, and he is, hereby authorized and empowered to erect a grist and saw mill on Beans creek, in said county, on his land at the place where he is now constructing them.

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

November 9, 1826.

## CHAPTER XVII.

*AN ACT*, supplemental to an act, entitled "*An Act, to annex a part of Marion county to the county of Franklin, passed November the 18th, 1825.*"

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

assembly of the State of Tennessee, That it shall be the duty of the sheriff of Franklin county, to collect all of the taxes due to the county of Marion, up to the first day of January in the year of eighteen hundred and twenty six, from the people residing in the bounds of that section of territory mentioned in the above recited act, and pay the same to the sheriff of Marion county, whose receipt shall be a good voucher for him in the settlement of his accounts.

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

November 9, 1826.

### CHAPTER XVIII.

*AN ACT, for the benefit of Alexander Campbell, a cripple of Dickson county.*

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee, That Alexander Campbell be, and he is, hereby authorized to hawk and peddle, vend goods, wares, and merchandise, within any of the counties of this State, without paying license therefor.*

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

November 10, 1826.

### CHAPTER XIX.

*AN ACT, to authorize Reuben Ross to open a turnpike road.*

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee, That Reuben Ross be, and he is, hereby authorized to open and keep in repair, a turnpike road commencing at, or near, the Grassy cove, on Gordon's turnpike road in Bledsoe county, and running thence southwardly to the foot of the mountain at Lost creek, near Henry Avery's, in White county.*

R. Ross may  
open a turn-  
pike road.

SEC. 2. *Be it enacted, That said road shall be opened in the same manner, and under the same restrictions, as directed in the second, third, fourth, fifth and sixth sections of an act of Assembly, passed at Murfreesboro' on the fifth day of December, in the year eighteen hundred and twenty-five, authorizing Jesse Lincoln to open a turnpike road.* How to be opened.

SEC. 3. *Be it enacted, That William Denny and Isaac Taylor, are hereby appointed commissioners to review said road, and shall be subject to the same rules, regulations and duties, as the commissioners of said Lincoln's road are by law subject to, and shall be allowed the same pay for their services, to be paid by said proprietor.* Commissioners to review said road, how paid, &c.

SEC. 4. *Be it enacted, That when said road is completed and the certificate of said commissioners to that effect obtained, it shall be lawful for said proprietor to erect two toll gates, one at some suitable place in or near the Grassy cove, and the other near where said road crosses Caury Fork, and he is hereby authorized to demand and receive the same rates of toll that said Lincoln is by said act authorized to demand and receive at each of his gates, and be under the same rules and regulations, and subject to the same penalties, and have the same privileges and emoluments that said Lincoln is entitled to by said act.* Toll-gates may be erected.

SEC. 5. *Be it enacted, That the said proprietor, his heirs, or assigns, shall be entitled to all the rights and emoluments of said road for thirty-five years, or so long as the same is kept in good repair.* Proprietor to have the road 35 years.

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

November 11, 1826.

### CHAPTER XX.

*AN ACT, to authorize the drawing of a lottery for the benefit of Samuel Hogg.*

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee, That Obadiah G. Finley, Henry L. Douglass, John Alcorn, Trustees to* recieve a sum.

veyance of S.  
Hogg's pro-  
perty.

Thomas Crutcher, and Joseph Johnson, or a majority of them be, and they are, hereby appointed trustees for the purpose of accepting a conveyance of certain real and personal estate of the property of Samuel Hogg of the town of Lebanon, for the purpose of conducting and managing a lottery and conveying said real and personal estate to such persons as may become entitled to the same.

How to be  
conveyed.

SEC. 2. *Be it enacted*, That it shall be lawful for the said Samuel Hogg, immediately to convey by deed, in fee simple, with general warranty, to said trustees and the survivor or survivors of them, and their heirs forever, any real or personal property, or both, belonging to him, not exceeding in value, twelve thousand dollars, in trust to be conveyed to such persons as may be entitled to the same after the drawing of said lottery by said trustees.

Duty of trust-  
tees.

SEC. 3. *Be it enacted*, That it shall be the duty of said trustees, or a majority, upon the execution and reception of said deed, to divide the property so conveyed into such lots, or prizes as to them may seem expedient, and to draft such plan or scheme of a lottery, and fix the price of tickets and their numbers, and to conduct the selling thereof and the drawing of said lottery, and all other things touching the same, in such way as to them may seem proper, consistently with the provisions of this act.

Lottery when  
to be drawn.

SEC. 4. *Be it enacted*, That when said trustees shall have sold such a portion of the tickets as shall, 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, having first given at least twenty days notice in a public newspaper printed at Nashville, of the time and place of drawing.

Trustees to  
convey to  
those who  
draw prizes.

SEC. 5. *Be it enacted*, That when said trustees shall have sold said tickets, and the same shall have been drawn, each person who shall draw a prize, shall be entitled in law and equity to such property as shall compose the prize he shall have drawn, and it shall be the duty of said trustees, or their survivor or survivors of them, their heirs, to convey, by deed, to such person drawing such prize said property to him, his heirs, and assigns forever.

SEC. 6. *Be it enacted*, That when the proceeds

of said sales of tickets shall be received by said trustees, they shall pay over the same to the said Hogg, after they shall have retained a reasonable remuneration for their services.

Proceeds to  
be paid over  
to S. Hogg.

SEC. 7. *Be it enacted*, That if, for any cause, the said trustees or a majority of them, shall find it impossible for them to proceed with the conducting and drawing of said lottery, it shall be their duty to reconvey to said Hogg the property conveyed to them under the provisions of this act, and refund to purchasers of tickets the amount of money by them received, according to the sums by each paid; *Provided, nevertheless*, that if the drawing of said lottery shall not be completed within three years from the first of January next, then the said property so to be conveyed, shall revert to the said Hogg, and be subject to the claims and executions of his creditors as though this act had never passed; and *Provided, also*, that this act shall cease to be in force and effect if said Hogg shall fail or refuse to execute the deed of trust herein mentioned, within six months from and after the passing of this act.

When trust-  
tees may re-  
convey.

SEC. 8. *Be it enacted*, That nothing in this act contained shall be so construed, as to prevent the creditors of said Samuel Hogg, from proceeding in the same way for the recovery of their debts by suit or otherwise and having the same satisfied out of the property so conveyed by him as aforesaid to the said trustees, and the said conveyance to said trustees, as against bona fide creditors who have obtained judgment and execution, shall be null and void to all intents and purposes as if this had never passed.

This act not  
to prevent cred-  
itors from  
collecting their  
debts.

WM. BRADY,

Speaker of the House of Representatives.

R. C. FOSTER,

Speaker of the Senate.

November 16, 1826.

## CHAPTER XXI.

*AN ACT*, directory to the Entry Taker of the Hwas-  
see district.

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

O



the State of Tennessee, That the entry taker of the Hiwassee district, be, and he is, hereby directed, to issue certificates to Eli Cleveland, Jacob Cof-felt and Bartlett Cannon, for one quarter section each, agreeable to their location, which was de- posited in the entry taker's office, twelve months, or thereabouts, having at the same time deposited their money with the locations, when the land in that district was entered at twenty five cents per acre.

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

November 18, 1826.

#### CHAPTER XXII.

*AN ACT, authorizing the building of a new Jail in and for the county of Lincoln.*

Trustees for  
a lottery to  
build a jail in  
Lincoln.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee, That Francis Porterfield, William F. Long, Hugh A. Kincannon, E. H. Fletcher, William F. Mason, John P. McConnell, Robert Dickson, James Bright and Joel Pinson, be, and they are, hereby appointed trustees of a lottery for the purpose of raising a sum not exceeding three thousand dollars, to build a public Jail in the county of Lincoln.*

To give bond  
and how regu-  
lated.

SEC. 2. *Be it enacted, That said trustees shall give bond to the chairman of the county court of Lincoln, with similar condition, and shall draft a scheme, sell tickets, supply vacancies, appoint their clerks, and shall draw the lottery, in the same manner, and be under similar rules, regulations and restrictions, as are prescribed to the trustees for drawing a lottery for the benefit of the Shelbyville Female Academy, in the county of Bedford, as far as practicable.*

Sums raised  
to be paid over  
to county trus-  
tee.

SEC. 3. *Be it enacted, That when said trustees shall have raised any sum or sums, by means of said lottery, the same shall be paid over by them (after such allowance, out of the same, as the county court of Lincoln, a majority or twelve of said court being present, shall think proper to*

make) to the trustee of said county, to be applied to the sole use and purpose of building a common Jail for said county, under the directions of the county court thereof.

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

November 18, 1826.

#### CHAPTER XXIII.

*AN ACT, for the relief of John Pavat of Humphreys county.*

WHEREAS, John Tinnen executed two bills of sale to John Pavat, one bearing date the 26th day of January, 1815, for a negro boy named London; one other on the same day and year, for a negro girl named Delila, which bills of sale were witnessed and subscribed by John Moore, the only subscribing witnesses thereto, and, Whereas, said John Moore is dead or removed so distant that he cannot be found.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee, That on proof of the hand writing of the said John Tinnen, by one witness in any court of record in this State, said bills of sale shall be recorded by said court, and admitted to registration.*

Certain bills  
of sale may be  
proved by one  
witness.

SEC. 2. *Be it enacted, That on proof of Isaac Pavat, a subscribing witness to a bill of sale executed on the 25th day of November, 1811, by Reuben B. Patterson, to John Pavat for a negro girl named Rhody, said bill of sale shall be recorded by said court and admitted to registration.*

Bill of sale  
how it may be  
proved.

SEC. 3. *Be it enacted, That the above named bills of sale, when proven and registered as above pro- vided for, shall have the same force and effect as though they had been proven as heretofore provided by law.*

Effect of such  
probate.

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

November 18, 1826.

## CHAPTER XXIV.

*AN ACT, for the relief of Joshua Hadley.*

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That it shall be the duty of the commissioner to issue to Joshua Hadley, a duplicate of warrant No. 1637, *Provided* it shall be made appear by the oath of said Hadley, that the said warrant has been lost, mislaid, or destroyed, so that it cannot be found, and *Provided* it shall in due form be certified from the secretary of State, in North Carolina, that no grant has ever issued on said warrant by that State notwithstanding it may, by mistake, appear on the records of the commissioner's office to have been so granted; and *Provided further*, that the said warrant has never heretofore been adjudicated or granted by this State and that the said original, warrant No. 1637, be hereby declared utterly null and void, after the issuance of the duplicate as herein provided for.

WM. BRADY,

Speaker of the House of Representatives.

R. C. FOSTER,

Speaker of the Senate.

November 13, 1826.

## CHAPTER XXV.

*AN ACT, to amend an act passed on the 4th day of October, 1825, entitled "An Act for the relief of the heirs of Elisha Purdom, deceased."*

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Nancy Purdom, the surviving administratrix of the estate of Elisha Purdom, deceased, shall have the same power and authority to sell, dispose of, and convey the Bell tavern lots, and appurtenances, in the town of Winchester, and county of Franklin, as is conferred on John Purdom and Nancy Purdom, administrator and administratrix, of the said Elisha Purdom

by the said act which this is intended to amend.

WM. BRADY,

Speaker of the House of Representatives.

R. C. FOSTER,

Speaker of the Senate.

November 13, 1826.

## CHAPTER XXVI.

*AN ACT, for the relief of Jonathan Bauchman.*

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the register of the land office, for East Tennessee, be directed to issue a grant to Jonathan Bauchman, for forty seven acres of land, the amount of an entry and survey, made in the principal surveyors office, of the seventh district, of No. 2351, dated the 7th of August, 1815; the number of the warrant on which said entry is founded is No. 97, dated December the 30th, 1814, which issued by the commissioner of East Tennessee, to John Shelby for 200 acres, which warrant has been destroyed by the burning of a house.

WM. BRADY,

Speaker of the House of Representatives.

R. C. FOSTER,

Speaker of the Senate.

November 13, 1826.

## CHAPTER XXVII.

*AN ACT, to authorize the clerks of the county and circuit courts of Morgan county, to keep their offices at their own houses.*

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That hereafter it shall be lawful for the clerks of the county and circuit courts for Morgan county, to keep their respective

offices, at their own houses, within one mile of the town of Montgomery, in said county.

WM. BRADY,

Speaker of the House of Representatives.

R. C. FOSTER,

Speaker of the Senate.

November 15, 1826.

#### CHAPTER XXVIII.

*AN ACT, to legalize the official acts of John Hannah, senior, as a justice of the peace for the county of Hardin.*

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee, That all the official acts done and performed by John Hannah, sen'r. as a justice of the peace for the county of Hardin be, and the same are, hereby made good and valid in law and equity.*

WM. BRADY,

Speaker of the House of Representatives.

R. C. FOSTER,

Speaker of the Senate.

November 15, 1826.

#### CHAPTER XXIX.

*AN ACT, to cause cases, now pending in the circuit court of Marion county, for lands lying in Franklin county, to be transferred to the Franklin circuit court.*

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee, That all suits at law now pending in the circuit court of Marion county, for lands lying in that part of Franklin county, which formerly belonged to the county of Marion be, and the same are, hereby transferred to the circuit court of the county of Franklin, and it shall be the duty of the clerk of the Marion circuit court to make out a transcript of the record of each case and transmit the same, together with any testimony belonging to the cause, to the clerk of the circuit court of Franklin county, which transcript shall*

be filed and docketed by such clerk, and the cause be tried as though the suit had been originally brought in such court.

WM. BRADY,

Speaker of the House of Representatives.

R. C. FOSTER,

Speaker of the Senate.

November 16, 1826.

#### CHAPTER XXX.

*AN ACT, for the relief of William P. Cobb, and others, owning fish traps and dams in Holston river, in the counties of Knox and Grainger.*

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee, That it shall be lawful for William P. Cobb and all others, the owners of fish dams and traps within the counties of Knox, and Robert Long and others, owners of fish traps in the county of Grainger, who may think themselves aggrieved by an order of a board of commissioners appointed by an act of the General Assembly at their session of eighteen hundred and twenty five, to file a petition in the county court of Knox and Grainger counties, at their next session after the passage of this act, or within nine months after the passage of this act, setting forth their grievances relative to the order of said board; and it shall be the duty of said courts to appoint a jury of view of twelve persons, who shall act upon oath, and who shall, upon an order of said court, proceed to examine the fish dams and traps of the persons who may petition, and if in their opinion any of the traps or dams in said counties is not an obstruction to the navigation of said river Holston, then, and in that case, the order of said board is hereby declared to be void.*

SEC. 2. *Be it enacted, That said juries respectively, shall be allowed a reasonable compensation to be adjudged of by the county courts for their services, and all costs accruing shall be paid by the petitioners, in all cases.*

SEC. 3. *Be it enacted, That James Vance and others, owning a fish dam and trap in the lower*

Owners of  
fish traps in  
Knox and  
Grainger may  
petition county  
court.

Juries to be  
allowed.

See James.



end of Jefferson county, opposite his, the said James Vance's own land, is hereby authorized to file a petition in the county court of Jefferson, in the same manner as is prescribed in the first section of this act.

*Commissioners order see paged.*  
 SEC. 4. *Be it enacted*, That so much of the order of the board of commissioners aforesaid, as directs William P. Cobb, and others, in Knox and Grainger counties, to remove their fish dams and traps by the first day of January next, is hereby suspended until after a jury can be appointed, agreeable to the provisions of this act, and shall have examined and reported thereon; and that George Willard, of Sullivan county, be allowed one year from the first day of January, eighteen hundred and twenty seven, to remove his fish trap and dam, *Provided*, he is held accountable for all losses which may be sustained by his dam.

WM. BRADY,

Speaker of the House of Representatives.

R. C. FOSTER,

Speaker of the Senate.

November 20, 1826.

### CHAPTER XXXI.

*AN ACT, to authorize James Rogers, to open a Turnpike Road.*

*James Rogers may open a turnpike.*  
 SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That James Rogers be, and he is, hereby authorized to open and keep in repair a turnpike road, commencing near Crain's old place, on the south side of Caney fork, in White county, and running the nearest and best way the situation of the country will permit, to intersect Gordon's road, in or near the Grassy Cove, in the county of Bledsoe.

*Width of road.*  
 SEC. 2. *Be it enacted*, That said road shall be formed at least twenty feet wide, except on steep hills and mountain sides, which shall be fifteen feet wide, free from all roots, stumps, rocks or any large stones, or any thing that will, in any wise, obstruct the passage of carriages, wagons or horsemen; and the hills shall be cut down and the val-

lies filled up, so that no elevation in any part of said road shall exceed seven and a half degrees; all the streams to be bridged with good substantial wooden or stone bridges at least sixteen feet wide, where it may be necessary.

*Commissioners to review the road.*  
 SEC. 3. *Be it enacted*, That James Devers, of Bledsoe county, and Robert Gamble of White county, are hereby appointed commissioners to view said road at least once in every six months, at such times as may be deemed proper, and at any other time when they shall receive satisfactory information that said road is out of repair, and if said commissioners shall, at any time, find said road out of repair, they shall direct the gate to be opened and kept open until said road shall have been put in good repair, and give notice in writing in at least three public places on said road, that no toll shall be collected at said gate, until said road shall have been put in good repair, and the certificate of said commissioners, to that effect obtained, and if said proprietor shall permit said road, at any one time, to remain out of repair for the space of twelve months, then, and in that case, all his right to said road shall revert to the State.

*Proprietors to give notice to get a license.*  
 SEC. 4. *Be it enacted*, That the proprietor of said road shall give notice to said commissioners when said road shall be completed, whose duty it shall be to review the same, and should they find it in the order contemplated by this act, then they shall give said proprietor a license to erect a toll gate on said road at some suitable place, and receive from persons passing said road the following rates of toll; viz. for each wagon and team, fifty cents; for each cart, twenty-five cents; for each four wheel pleasure carriage, seventy-five cents; for each two wheel pleasure carriage, fifty cents; for each carryall, thirty seven and a half cents; for each mail stage, twenty-five cents; for each man and horse or mule, twelve and one half cents; for each taxable, six and one fourth cents; for each led horse or mule if not in a drove, six and one fourth cents, if in a drove, two cents; for each head of cattle, two cents; for each hog or sheep, one cent; *Provided*, movers, with not more than two horses, oxen or mules, or a two wheeled carriage of burthen drawn by not more than two horses, oxen or mules,

and no person travelling said road, shall be detained at said gate if the head of family or person having care of the said family or traveller, will swear that he or she have no money, and are unable to pay said toll, which oath the keeper is hereby authorized to administer; and *Provided, also*, that no toll shall be demanded of any person going to or returning from preaching, muster, mill or blacksmith shop, with not more than one horse or mule and its load.

*Forfeiture for passing without paying toll.*  
 SEC. 5. *Be it enacted*, That if any person shall forcibly or secretly pass said gate, or within one mile thereof, to avoid paying such toll, such person shall forfeit and pay twenty-five dollars, for every such offence to the proprietor of said road, to be recovered before any justice of the peace in said State.

*Commissioner's pay.*  
 SEC. 6. *Be it enacted*, That the commissioners appointed by this act, shall be paid by the said proprietor at the rate of one dollar and fifty cents for every day they may necessarily serve in discharge of the duties by this act imposed on them.

SEC. 7. *Be it enacted*, That should said road run in any place with Hale's turnpike road, neither party shall be at liberty to erect a gate on that part of said road where both roads run together.

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

November 21, 1826.

### CHAPTER XXXII.

*AN ACT*, to authorize a lottery for the benefit of Cumberland College.

*Trustees for a lottery for Cumberland college.*  
 SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the trustees of Cumberland College are authorized to appoint five managers, who, or a majority of them, may prepare a scheme of a lottery, and superintend the drawing of it, in any manner they may think best, in order to raise a sum, not exceeding two hundred thousand dollars, for the benefit of said college.

SEC. 2. *Be it enacted*, That said trustees may, by by-laws, or otherwise, make such regulations as to the mode of drawing said lottery, as to them may seem proper, not inconsistent with this act, and they may make such contracts with any persons, by deed or otherwise, in their corporate capacity, or by their authorized agents, to secure their interests in the collection of monies arising from the sale of tickets, or in any other respect, and such contracts shall be binding in all courts.

SEC. 3. *Be it enacted*, That said trustees of Cumberland college, or the managers by them to be appointed, before they proceed with said lottery, shall enter into bond with good security to the chairman of Davidson county court, in a sum of fifty thousand dollars, conditioned for the faithful payment of the prizes when drawn, or in case of failure, to draw said lottery, for the repayment to such persons as may have purchased tickets, of the sums by them advanced, which bond, when executed, shall be filed with the clerk of said court, and upon a breach thereof, suit may be brought to the use of any person or persons aggrieved, from time to time, until the whole penalty shall be recovered.

WM. BRADY,

Speaker of the House of Representatives.

R. C. FOSTER,

Speaker of the Senate.

November 23, 1826.

### CHAPTER XXXIII.

*AN ACT*, for the relief of David Nowlen.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That it shall and may be lawful, for David Nowlen, of Bedford county, to file his petition before the next circuit court, to be holden for the county aforesaid, or any subsequent term thereof, praying to be divorced from his wife Mary Ann V. Nowlen; and it shall be the duty of the court to hear and determine the same, at the same term, upon oral testimony, and if, upon proof being made, it shall appear to said court, that his wife, aforesaid, has hitherto absented herself from him, and hath wholly refused to live with him, it shall be

the duty of said court, to dissolve the marriage contract now existing between the said David Nowlen and his wife, the said Mary Ann V.; *Provided*, that five days notice shall be given to the said Mary Ann V. Nowlen, (if within the county) previous to the sitting of said court, that such petition will be filed.

WM. BRADY,

Speaker of the House of Representatives.

R. C. FOSTER,

Speaker of the Senate.

November 23, 1826.

#### CHAPTER XXXIV.

*AN ACT, for the benefit of Thomas Powers and others.*

Thos. Powers  
may make an  
entry.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the entry taker for the county of Bedford be, and he is, hereby authorized and required, to permit Thomas Powers, of said county, to enter any vacant and unappropriated land in said county, the quantity he would be authorised to enter, for the sum of twenty two dollars and fifty cents, under the laws now in use and force regulating the entering the vacant and unappropriated land north and east of the Congressional reservation line.

Wm Collins  
may make an  
entry.

SEC. 2. *Be it enacted*, That the entry taker for the county of Franklin be, and he is, hereby authorized and required, to permit William Collins, of said county, to enter such quantity of vacant and unappropriated land in said county, which he would be authorized to enter for eight dollars and seventy five cents, under the laws authorizing land to be entered north and east of the congressional reservation line, and that John Fletcher, of the said county of Franklin, be permitted, in like manner, to enter to the amount of twelve dollars and fifty cents.

WM. BRADY,

Speaker of the House of Representatives.

R. C. FOSTER,

Speaker of the Senate.

November 23, 1826.

#### CHAPTER XXXV.

*AN ACT, for the benefit of Jesse Gallaway, of Roane county.*

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Jesse Gallaway, of Roane county, be, and he is, hereby authorized to build a mill on his own land, across the small sluice of Clinch river, on the north side of Harvey's island, so as not to obstruct the navigation of said river.

WM. BRADY,

Speaker of the House of Representatives.

R. C. FOSTER,

Speaker of the Senate.

November 23, 1826.

#### CHAPTER XXXVI.

*AN ACT, to regulate elections for field officers in the county of Dickson and other counties.*

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That it shall be lawful, in all elections for field officers, in the counties of Dickson, Jackson, Campbell, Claibourn, Stewart, Marion, Humphries, and Hardin, to be holden at the different places designated by the county courts of said counties, for the election of Governor, members to Congress, and members to the General Assembly.

WM. BRADY,

Speaker of the House of Representatives.

R. C. FOSTER,

Speaker of the Senate.

November 23, 1826.

#### CHAPTER XXXVII.

*AN ACT, to authorize the drawing of a lottery for the benefit of the Shelbyville Dickson Academy, in the county of Bedford.*

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



Trustees to manage lottery. **McKissick, Marmeduke Mitchell, James Deary, Benjamin Strickler, Littleberry Green, and John A. Marrs be, and they are, hereby appointed trustees, with full power and authority to manage and superintend the drawing of a lottery for the purpose of raising a sufficient sum of money not exceeding one thousand dollars, to be applied to the laudable purposes of education, in such manner as the trustees of said academy may think best for the advancement of literature, upon such scheme, in one or more classes, as they may think proper to draft.**

How gov. ordered. **SEC. 2. Be it enacted, That the said trustees shall be governed in the conduct and management of said lottery, by the provisions of an act of the General Assembly of the State of Tennessee, passed at Murfreesborough, September 28, eighteen hundred and twenty four, entitled an act to authorize the drawing of a lottery for the purpose of building of a masonic hall in the towns of Columbia, and Franklin.**

**WM. BRADY,**

Speaker of the House of Representatives.

**B. C. FOSTER,**

Speaker of the Senate

November 23, 1826.

### CHAPTER XXXVIII.

*AN ACT, for the relief of A. H. Douglass.*

**SECTION. 1. Be it enacted by the General Assembly of the State of Tennessee, That the treasurer of West Tennessee be, and he is, hereby authorized, to allow Alfred H. Douglass, late sheriff of Sumner county, a credit for twenty two dollars sixty four and one fourth cents, upon it appearing to said treasurer, he is entitled thereto. If said Douglass has paid said money, and ought to have had a credit, the said treasurer is hereby authorized to pay said sum, of twenty two dollars sixty four and one fourth cents, back to said Douglass.**

**WM. BRADY,**

Speaker of the House of Representatives.

**R. C. FOSTER,**

Speaker of the Senate.

November 23, 1826.

### CHAPTER XXXIX.

*AN ACT, to provide for the better regulation of the town of Dover, in the county of Stewart.*

**SECTION 1. Be it enacted by the General Assembly of the State of Tennessee, That Cullen Bayless, Christopher C. Clements, Alexander B. Outlaw, William Williams, and William Bailey be, and they are, hereby appointed commissioners of the town of Dover, with full power and authority, to enact and pass all laws, ordinances and regulations necessary and proper to restrain and prohibit shooting and shooting matches within said town; to keep in repair the streets of said town; to prevent tipping houses in said town; to prevent fighting and rioting, within the bounds of said town; to impose and appropriate fines, penalties and forfeitures, for a breach of their by-laws and regulations; to lay and collect a tax to carry into effect the necessary regulations in said town; to appoint a treasurer, clerk, and town constable; and to do all things necessary and proper, to preserve the good order of said town; Provided, they are not incompatible with the constitution of this State or of the United States.**

Commissioners of the town of Dover

**Sec. 2. Be it enacted, That all fines, penalties and forfeitures imposed by any by-law, or regulation of said town, as prescribed in the first section of this act, shall be recovered before any justice of the peace for said county, in the name of the commissioners for the time being; and for the benefit of said town, and all warrants issued under the provisions of this act, for the recovery of fines, forfeitures, and penalties, shall be directed to, executed and returned by, the town constable of said town.**

Fines, &c. how recovered

**Sec. 3. Be it enacted, That the justices of the peace for the county of Stewart, shall have jurisdiction to issue warrants, when demanded, on the order of the chairman of the commissioners of said town, and to try and determine all causes, arising on the by-laws and regulations of said town; and all causes tried and determined by said justices, shall be subject to an appeal, as in other cases, to the circuit or county court of the county of Stewart.**

Jurisdiction of justices.

Appeal allowed.

No fine higher  
than \$10.

SEC. 4. *Be it enacted*, That said commissioners shall not impose any fine exceeding ten dollars, besides the costs.

Fees of town  
constable.

SEC. 5. *Be it enacted*, That the town constable shall have the same fees, as other constables for similar services, and any justice who shall try any cause arising from the by-laws and regulations of said town, shall have twenty five cents for each warrant; twelve and one half cents for rendering judgment, and twenty five cents for each execution.

Courty court  
to fill vacan-  
cies.

SEC. 6. *Be it enacted*, That when any of said commissioners shall resign, die or refuse to act, the county court of Stewart shall fill said vacancy.

WM. BRADY,

Speaker of the House of Representatives.

R. C. FOSTER,

Speaker of the Senate.

November 24, 1826.

## CHAPTER XL

### AN ACT, for the relief of Thomas G. Watkins.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the judge who may preside at the first circuit court, to be held for the county of Greene, after the passage of this act, shall have jurisdiction to hear and determine, upon the petition of Thomas G. Watkins for a divorce from his wife Susan W. Watkins, the said Thomas G. Watkins first serving a copy of his petition, upon the said Susan W. Watkins, at least fifteen days previous to the commencement of said circuit court and the said judge shall set apart the third day of the term; at said circuit court, for hearing said petition and such answer as may be filed by the said Susan W. Watkins to said petition; and the said judge shall have power to make a decree divorcing the said Thomas G. Watkins, and Susan W. Watkins, if, in the opinion of said judge, there is cause sufficient to warrant such decree, upon the merits of said case alone, without reference to, or being bound by, any act or acts, law or laws, now in force and use in this State, empowering the cir-

cuit judges to decree divorces; *Provided*, however, should the said Susan W. Watkins refuse, upon notice as aforesaid, to answer the petition of the said Thomas G. Watkins, the said judge shall decree a divorce to the said Thomas G. Watkins forthwith, and without any of the requirements of the existing laws of the State on the subject of divorces; and *Provided*, further, if, from sufficient cause, supported by affidavit, either party cannot be ready at the term aforesaid for the trial aforesaid, then the said judge shall hear, determine and decree upon the said cause at the next or any succeeding term of said court; and *Provided*, further, the service of notice required by this act shall be made by the sheriff of Washington county or his lawfully authorized deputy, and the service of such notice, sworn to by the lawful officer executing the same.

WM. BRADY,

Speaker of the House of Representatives.

R. C. FOSTER,

Speaker of the Senate.

November 25, 1826.

## CHAPTER XLI

### AN ACT, for the relief of Joel H. Dyer, Executor, &c.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That for the payment of a debt of three thousand dollars, due from Robert H. Dyer, deceased, in pursuance of an act of the last General Assembly, Joel H. Dyer, executor of the said Robert H., be, and he is, hereby authorized to enter into bond with the agent for the county of Madison, for the payment of said three thousand dollars; one of which, for one thousand dollars, shall be due and payable on the first day of January, eighteen hundred and twenty eight, one on the first of January eighteen hundred and twenty-nine, and the other on the first day of January, eighteen hundred and thirty; *Provided*, that sufficient and satisfactory security be given to said agent; and *Provided*, further, that the interest and all costs on the whole amount

J. H. Dyer  
may enter in-  
to bond with  
the agent of  
Madison cty.

of debt, be paid on the first day of January next. The interest on the remaining two thousand dollars, on the first of January following, and the interest on the remaining one thousand on the January, thereafter.

*Agent's duty.* SEC. 2. *Be it enacted*, That it shall be in the power of the present agent or of his successor, or of the Bank of the State of Tennessee, from time to time, or [as] either may deem it necessary, to cause other and sufficient security to be given for the payment of said bonds respectively; and where such requirement being made, shall not, by said executor, be attended to within thirty days, it shall be lawful to enter a judgment on motion, before any court for the amount of any of said bonds, that may, at the time, be unpaid.

WM. BRADY,

Speaker of the House of Representatives.

R. C. FOSTER,

Speaker of the Senate.

November 23, 1826.

#### CHAPTER XLII.

*AN ACT*, for the relief of James Littleton.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the treasurer of East Tennessee be, and he is, hereby authorized and directed, to pay to James Littleton, the sum of forty dollars out of the money arising from the sales of the land in the Hiwassee district, and the receipt of said Littleton shall be a good voucher for the treasurer, in the settlements of his accounts with the State.

WM. BRADY,

Speaker of the House of Representatives.

R. C. FOSTER,

Speaker of the Senate.

November 24, 1826.

#### CHAPTER XLIII.

*AN ACT*, for the benefit of the Sheriff of Claibourn county.

WHEREAS, it is represented to this General As-

sembly, that the county court of Claibourn county, at the last term of said court, failed to appoint a venire to attend at the next term, for remedy whereof;

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the sheriff of Claibourn county summon twenty-six good and lawful men of said county to attend the next term of said court as jurors, out of which a grand jury shall be drawn and sworn, and the remainder shall attend said term as petit jurors.

WM. BRADY,

Speaker of the House of Representatives.

R. C. FOSTER,

Speaker of the Senate.

November 25, 1826.

#### CHAPTER XLIV.

*AN ACT*, supplemental to an act, entitled "*An Act, to authorize Samuel Terry, Peter Hoodenpile and William Raney, to open and establish turnpike roads;*" passed November 19th, 1817.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the proprietors of the turnpike road mentioned in the fifth section of an act, entitled an act, to authorize Samuel Terry, Peter Hoodenpile and William Raney, to open and establish turnpike roads, shall not be bound to keep in repair that part of said road, situated between John Hale's, on Cumberland mountain, and the forks of the road near John Biddles.

Certain part of road not to be kept in repair.

SEC. 2. *Be it enacted*, That the proprietors of the road mentioned and designated in the fifth and sixth sections of the above recited act be, and they are, hereby required to keep in repair, and the commissioners of said road to review, that part of said road, situated between James Schoolfield's, and the forks of the road, near John Riddle's on Cumberland mountain, and that the same be annexed to, and constitute a part of said turnpike road for the

Duty of proprietors and commissioners



future, any thing to the contrary notwithstanding.

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

November 25, 1826.

### CHAPTER XLV.

*AN ACT, authorizing a lottery for improving the navigation of the Forked Deer river.*

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That James Vaulx, William Stoddert, Alexander B. Bradford, William E. Butler, Henry Lake, James Carothers, Joseph H. Talbot and Alexander G. Neilson, are hereby authorized and empowered to devise such a scheme of a lottery as they, or a majority of them, as managers, may approve of, for the purpose of raising any sum not exceeding ten thousand dollars, to be appropriated to the improvement of the navigation of the Forked-deer river.

Managers of a lottery to improve Forked Deer river.

SEC. 2. *Be it enacted*, That the said commissioners shall give bond and security in the sum of twenty thousand dollars, for the faithful performance of the duties of their office, payable to the chairman of the county court of Madison and his successors in office, before they proceed to offer the tickets in said lottery for sale, and they shall also appoint a treasurer, who shall give security to the said board of commissioners in the like sum of twenty thousand dollars, for the faithful disbursement of said sum of money raised, according to the provisions of this act.

To give bond &c.

Treasurer to be appointed.

SEC. 3. *Be it enacted*, That Adam Huntsman, Moses Woodfine, Samuel Dickins, and John F. Brown, of the county of Madison; Blackman Coleman and Daniel Cherry, of the county of Haywood, and John P. Byrne of the county of Dyer, be appointed commissioners of navigation for the purpose of drafting a scheme to carry into effect the provisions of this act, with full power and authority to draw upon the treasurer and appropriate the said sum of money so raised by lottery, together with all funds raised by existing laws

Commissioners to draft a scheme.

for the navigation of said river, and that they shall proceed to carry the same into effect in two years from the passage of this act.

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

November 25, 1826.

### CHAPTER XLVI.

*AN ACT, for the relief of Jesse Mayfield, of McMinn county.*

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the treasurer of East Tennessee be, and he is, hereby directed, to pass to the credit of Jesse Mayfield, of McMinn county, on the north east quarter of section thirteen, township five, range first, west of the meridian in said county, the balance of seven hundred and fifty four dollars, after deducting therefrom at the rates of two dollars per acre in favor of the State, on the north east quarter of section thirty-four, township six, range first, west of the meridian.

Duty of treasurer of East Tennessee.

SEC. 2. *Be it enacted*, That the said treasurer, in passing the credit in manner and form aforesaid, shall allow the said Jesse Mayfield, legal interest on the sum advanced from the test of the original writ in the suit wherein Tolouskee's lessee was plaintiff, and Standwix Hoard was defendant, up to the date of the passage of this act.

Interest to be allowed.

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

November 25, 1826.

### CHAPTER XLVII.

*AN ACT, to amend the laws respecting Cumberland college.*

WHEREAS, it is represented to be the wish of the

trustees of Cumberland college to erect several additional halls, or colleges, besides that heretofore known, and still to be known, by the name of Cumberland college, on their grounds near the town of Nashville, and to establish additional schools therein, and by a union of the whole, to build up a University, and thereby to enlarge their sphere of operations, and increase their means of usefulness;

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That there is hereby established at said place, an University to be known and distinguished by the corporate name of the "UNIVERSITY OF NASHVILLE," and that the corporate name of the Trustees of Cumberland college, be no longer used, and that the privileges, property, claims, and all rights of any description whatever, that were, or may be, vested either by law or equity in said trustees of Cumberland college, be henceforth vested in said University of Nashville, and by the latter name the President and Trustees of said college, as President and Trustees of said University, may do all acts, in all ways and places, that they could lawfully do prior to the passage of this act, and that all acts done, or to be done, in the former name, inure to their benefit by the latter name; and all acts or proceedings commenced by the former name, may be carried on, if need be, in that name, for the benefit of said University, so that no possible injury result to said President and Trustees by the change of names.

WM. BRADY,

Speaker of the House of Representatives.

R. C. FOSTER,

Speaker of the Senate.

November 27, 1826.

## CHAPTER XLVIII.

*AN ACT, for the benefit of John, the reputed son of John Stafford, of Jackson county, and others.*

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

<sup>1</sup> Johnson attested to J. Johnson, the reputed son of John Stafford, of Jackson county, by his wife, born before intermar-

riage, be known and called by the name of John Stafford.

SEC. 2. *Be it enacted*, That John Stafford, son aforesaid of John Stafford, be, and he is, hereby declared the legitimate child of said John, his reputed father, and be entitled to all rights, privileges and immunities as heir or distributee of said John, that he would have been entitled to if he had been born in lawful wedlock or marriage existing between the father and mother of said John.

J. Stafford legitimated.

SEC. 3. *Be it enacted*, That the name of John Burns, son of Elijah and Sarah Burns, be altered and changed to the name of John Morgan Burns, and that he be in future known and called by the said name of John Morgan Burns.

John Burns to be called John Morgan Burns

SEC. 4. *Be it enacted*, That the name of William Gallaway, the reputed son of William Eblin, of Boone county, be changed to the name of William Eblin, and from henceforth the said William Gallaway shall be called and known by the name of William Eblin, and deemed the legitimate child of the aforesaid William Eblin, and shall be entitled to all the privileges, rights and immunities as such.

W. Gallaway to be called W. Eblin.

WM. BRADY,

Speaker of the House of Representatives.

R. C. FOSTER,

Speaker of the Senate.

November 13, 1826.

## CHAPTER XLIX.

*AN ACT, for the benefit of David Richardson clerk of the court of Campbell county.*

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That David Richardson, clerk of the circuit court of Campbell county be, and is, hereby authorized to build a clerk's office at his own expense, upon such part of the public square in the town of Jacksborough as shall be designated by the county court of Campbell county.

David Richardson may build a clerk's office.

SEC. 2. *Be it enacted*, That in case of removal, resignation or death of said clerk, he, or his legal representative, may dispose of said office to his

When it may be disposed of

successor in office, at a fair valuation of said property by disinterested valuers.

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

November 17, 1826.

### CHAPTER L.

*AN ACT, for the relief of William Scott.*

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Benjamin Duarmond, the administrator of all and singular, the goods and chattels, rights and credits of James Simpson, deceased, late a citizen of Knoxville, silversmith, pay to William Scott or his attorney in fact, the remaining balance in his hands as such administrator aforesaid, after settling all legal outstanding demands against him as the legal representative of said James Simpson, whose receipt shall be a good voucher for him in the settlements of his accounts as such administrator aforesaid.

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

November 18, 1826.

### CHAPTER LI.

*AN ACT, for the relief of William Young.*

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That it shall be the duty of the treasurer of East Tennessee to pay to William Young, one hundred and fifty dollars as arrearages of pay due to him as a member of the General Assembly, in the fall of eighteen hundred and twenty five.

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

November 27, 1826.

### CHAPTER LII.

*AN ACT, to make legal certain proceedings and elections in the county of Dyer.*

WHEREAS, it appears to this General Assembly that, on the fourth Monday in January, 1826, in the county of Dyer, certain elections were held for certain officers; and Whereas, it also appears, that at that time an act had been passed on the fifth day of December, 1825, authorizing a change of the time of holding said county court without the knowledge of the justices of said court, and on that account they proceeded to transact the business of said county court; Therefore;

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That all the proceedings of the county court of Dyer county, the session of which commenced on the fourth Monday of January last, shall be held and deemed, as valid in law, as if the said court had been holden at the time which was then required by law.

SEC. 2. *Be it enacted*, That all the officers elected at the aforesaid term of said court, shall be recognized as officers of said county, and no exceptions shall be taken to their official acts, any law to the contrary notwithstanding.

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

November 28, 1826.

### CHAPTER LIII.

*AN ACT, to alter the names of the persons therein mentioned.*

WHEREAS, Peregrin Yoe, wishing to have the name of his illegitimate son altered from the name of Rodeham Moore, to that of Rodeham Yoe;

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the name of Rodeham R. Moore now



Rodeham Yoe. Moore, is hereby altered, and changed, to that of Rodeman Yoe, and that said Rodeham Yoe, shall in all respects, both in law and equity, be upon equal footing with the said Peregrin G. Yoe's other children, and shall be entitled to all the advantages that be, the said Rodeham Yoe, possibly could be, provided he had been born in lawful wedlock, any law, usage, or custom, to the contrary notwithstanding.

E. Woody now  
E. Huff. *Sec. 2. Be it enacted*, That the name of Elizabeth Woody, an illegitimate daughter of Joseph Huff, of Cocke county, be changed to that of Elizabeth Huff, and the said Elizabeth Huff, be made capable of inheriting in law or equity, the estate of her reputed father, Joseph Huff, or distributive part thereof.

Certain act  
repealed. *Sec. 3. Be it enacted*, That the fourth section of an act, passed at Murfreesborough the fifteenth of November, eighteen hundred and twenty five, entitled an act, to alter the names of persons therein named, and for other purposes be, and the same is, hereby repealed.

*Sec. 4. Be it enacted*, That William Ferriil Hunt, and James Hildreth Hunt, illegitimate children of Andrew Beard, of the county of Wilson be, and the same is, hereby changed, to that of William Ferriil Beard, and James Hildreth Beard, and they are hereby constituted the legal heirs of the said Andrew Beard, and be entitled to all the rights and privileges, they might, or could have been entitled to, had they been born in lawful wedlock.

WM. BRADY,

Speaker of the House of Representatives.

R. C. FOSTER,

Speaker of the Senate.

November 28, 1836.

#### CHAPTER LIV.

*AN ACT, for the relief of Polly B. Caperton, of Franklin county*

*Section 1. Be it enacted by the General Assembly of the State of Tennessee*, That hereafter, Polly B. Caperton, wife of Hugh Caperton of Franklin county, be able to have and to hold property by descent or otherwise in her own name and own right, to sue and be sued, and in all respects to act and manage for herself as a *feme sole* and any property so hereafter to be possessed or acquired by her to be free from all liability for the payment of the debts of the said Hugh Caperton, any law, usage or custom to the contrary notwithstanding.

Polly B. Caperton to hold property.

county, be able to have and to hold property by descent or otherwise in her own name and own right, to sue and be sued, and in all respects to act and manage for herself as a *feme sole* and any property so hereafter to be possessed or acquired by her to be free from all liability for the payment of the debts of the said Hugh Caperton, any law, usage or custom to the contrary notwithstanding.

WM. BRADY,

Speaker of the House of Representatives.

R. C. FOSTER,

Speaker of the Senate.

November 28, 1836.

#### CHAPTER LV.

*AN ACT, for the benefit of Early Benson, and George Bowers.*

*Section 1. Be it enacted by the General Assembly of the State of Tennessee*, That it shall and may be lawful for Early Benson, and George Bowers, their heirs and assigns, to keep up, and continue their mill dam, formerly Pernell's mill dam, on the left hand sluice of Elk river, and make any alterations and repairs thereon, which will not impede or injure, the navigation of the opposite sluice in said river; *Provided*, said Early Benson and George Bowers, their heirs and assigns, shall, at the first or second court of pleas and quarter sessions of Giles county, held after the first day of January next, enter into bond and security to the chairman of said court, in the penal sum of five thousand dollars, conditioned to pay all damages which any person or persons navigating the right hand sluice of said river, in consequence of said right hand sluice being injured, by the said dam, and on failure to enter into said bond, as aforesaid, said dam shall be held and deemed a nuisance, and it shall be the duty of the Attorney General of the judicial district, to institute proceedings against said dam and its owners accordingly.

E. Benson & G. Bowers to keep up their mill-dam.

*Sec. 2. Be it enacted*, That an act passed November the twelfth, eighteen hundred and twenty three

Certain act repealed.

for the relief of Thomas Ball of Giles county be,  
and the same is, hereby repealed.

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

November 26, 1826.

### CHAPTER LVI.

*AN ACT, to authorize the court of pleas, &c. of Anderson county, to build a house for the accommodation of the poor, and for other purposes.*

**SECTION 1.** *Be it enacted by the General Assembly of the State of Tennessee,* That the court of pleas and quarter sessions for Anderson county may, and they are, hereby authorized, at their first or second sessions after the first day of January next, a majority of said justices being present, to lay a tax on taxable property in said county, not exceeding in amount the State tax for the year eighteen hundred and twenty four, and continue the said tax as long as it may be necessary to raise funds to procure the necessary land for a site and to erect the necessary buildings for the accommodation of the poor of said county, which tax shall be collected by the sheriff of said county, and be accounted for and paid over to the treasurer of said institution to be appointed by said court as hereinafter directed, under the same rules and regulations, as are by law prescribed for the collection of other county taxes.

**Sec. 2.** *Be it enacted,* That the said court may, at the same time at which the first tax shall be laid, appoint three commissioners for said institution, who shall have power to select a suitable site for a poor house in said county and purchase as much land as they may deem necessary to carry into effect this act, and take a conveyance to themselves, and their successors for the use of said county, and contract with some proper person or persons for the erection of suitable buildings thereon, for the accommodation of the poor, on such plan, and under such rules and regulations, as said court

Anderson county court may lay a tax to build a poor house.

Commissioners are to select a site and purchase land.

court (a majority of the justices being present,) may prescribe.

**Sec. 3.** *Be it enacted,* That at the time said commissioners may be appointed, said court shall designate one of them to be treasurer of said institution, whose duty it shall be, to receive all taxes and other monies which may be laid and collected for or in any manner appropriated to the use of said institution, to take care of such monies and pay them to such person and at such times as said court (a majority of the justices of said county being present,) may, from time to time, direct, and such person, before he enters upon the duties of his appointment, shall give bond and security in the sum of one thousand dollars, to the chairman of said court and his successors in office, with a condition thereto annexed that if he shall well and truly receive all taxes and other monies which may be laid out and collected for, or in, any manner appropriated to, the use of said institution, take care of said monies and pay them to such persons and at such times as said court direct, and in all other respects faithfully discharge his duty as a treasurer of said institution, then, said obligation shall be void, which bond shall be deposited with the clerk of said county court, and there safely kept; and suits may be commenced thereon as often as occasion may require, and said bond shall not be void on the first recovery, but may be put in suit as often as may be necessary until the whole penalty shall have been recovered.

Treasurer of said institution shall give bond &c.

**Sec. 4.** *Be it enacted,* That each of said commissioners shall, before he enters upon the duties of his appointment, take an oath before said county court, that he will well and truly discharge the duties prescribed by law for the commissioners of the poor house for Anderson county.

Commissioners are to take an oath.

**Sec. 5.** *Be it enacted,* That said county court may apply all such county monies, not otherwise appropriated, to the use of said institution, that they may deem proper, and make such arrangements on said monies and monies for their services, as they may deem proper.

Monies of said county court.

**Sec. 6.** *Be it enacted,* That so often as the commissioners of said institution may deem proper, or else, at request, out of said county, said county court, may

When a commission is given out of said county, said county court, may

may be appointed. court shall appoint a successor, who shall have the same power, take the same oath, and perform the same duties, and in the case of treasurer, shall give the same bond prescribed by this act.

SEC. 7. *Be it enacted*, That the several county courts in this State may and are, hereby authorized to embrace and carry into execution the several provisions contained in this act, for and on behalf of their respective counties.

WM. BRADY,  
Speaker of the House of Representatives.

R. C. FOSTER,  
Speaker of the Senate.

November 29, 1826.

## CHAPTER LVII.

*AN ACT*, directing the register, of the Western district to issue Grants in certain cases.

Register of W. D. to issue grants on occupant's entries.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That in all cases where any occupant or occupants being such under the act of eighteen hundred and twenty five have made entries in any of the surveyors offices south and west of the congressional reservation line by virtue of any warrant or part of any warrant adjudged valid by the commissioner or commissioners of West Tennessee; that it shall and may be lawful for the register of the western district to issue grants to such occupants, and entries made as aforesaid; and grants issued thereon shall be good and valid and vest the titles in such occupants any law to the contrary notwithstanding, for which services the register of the western district shall receive the same fees now allowed by law.

WM. BRADY,  
Speaker of the House of Representatives.

R. C. FOSTER,  
Speaker of the Senate.

November 29, 1826.

## CHAPTER LVIII.

*AN ACT*, to repeal a part of an act, relating to the navigation of Red river, passed 1825, and for other purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That so much of the before recited act as makes it the duty of the owners of mills on Red river, between the mouth of the Sulphur fork and the Kentucky line above William's mill, to slope their mill-dams at their own expense and make them liable to a penalty for not doing the same, be, and the same is, hereby repealed.

SEC. 2. *Be it enacted*, That Alexander Gunn, John Bell, Charles Lockert, Drury Bell, William B. Porter, Cordall Norfleet and Brittan Bridges, are hereby appointed commissioners, who may, and are, hereby authorized to view and examine the Red river above the mouth of said Sulphur fork; also, the mill-dams or any of them erected thereon, with care and particularity in relation to the practicability of the navigation of said river above said Sulphur fork, as also the practicability of sloping or putting locks in any of the mill-dams on said river, so as to render a safe passage for boats descending said river, without injury or detriment to said mills or dams.

SEC. 3. *Be it enacted*, That should said commissioners, or a majority of them, after examination and review as aforesaid, report on oath to the county court of Robertson county, that said river or any part thereof, as also the mill-dams, or any of them, can be so sloped, or locks built therein, so as to render it easy and safe for boats to descend said river and over said dams by means of a slope, a lock as aforesaid, and without injury or detriment to the mills or dams as aforesaid, and that the interest of the country require the expense to be incurred and the same to be done; then Alexander Gunn, Charles Lockhart, William Seal, Samuel King, George C. Conrad, John Bell and Benjamin Kirby, are hereby appointed managers to take subscriptions, or by lottery, in one or more classes, to raise any sum necessary to clear out said river, to slope or put locks in any or all of said mill-dams for

Part of certain act repealed.

Commissioners to view Red river.

To report on oath to the county court of Robertson

Managers to raise a sum by lottery, &c. to clear out river



the purpose aforesaid, not exceeding the sum of five thousand dollars, and said managers or commissioners, upon raising any sum or sums of money sufficient, in their opinion, to slope or put locks in said dams or any of them, they are hereby authorized and empowered to make contracts for the performance of said work, the sloping or putting locks in any of said mill-dams, to take bond with security of the undertakers for the performance of the work; any thing necessary to carry into effect the intention of this act; *Provided, nevertheless*, that said managers, before they shall enter upon the duties herein required, proceed to raise money as aforesaid, for the purposes aforesaid, shall enter into bond with good security, in the penalty of ten thousand dollars, conditioned that they will honestly and faithfully discharge all the powers and duties herein conferred or required, which bond shall be payable to the chairman of the county court of Robertson county, and may and shall be sued upon in the name of said chairman, for the benefit of any one aggrieved by a breach of the condition thereof.

**SEC. 4.** *Be it enacted*, That the said managers or a majority of them, when about to proceed to the drawing of said lottery, shall, in presence and under the inspection of two justices of the peace for Robertson county, put into the boxes the number of 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 to keep an account of the drawings of said lottery.

**SEC. 5.** *Be it enacted*, That the said managers or a majority of them, shall have power to make sale of tickets, to take bond 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 bond, they are hereby authorized to sue for and recover on said bond, in their names, as managers of said lottery, and to do and transact all things necessary and proper to carry the same into effect, and the proceeds of said lottery, when completed, they are hereby required to apply to the purposes set forth in the fourth section of this act.

**SEC. 6.** *Be it enacted*, That the managers to conduct the scheme of the lottery as above specified shall have and receive a reasonable compensation for their services, in attending to the duties herein required, a sum not exceeding five per cent. on the sum raised and disbursed.

**SEC. 7.** *Be it enacted*, That should said managers be unable to sell [a] sufficient amount of tickets to raise the necessary sum by lottery, they shall repay to such persons as may have purchased tickets, their money or bonds, and receive back their tickets sold.

**SEC. 8.** *Be it enacted*, That Duncan Robertson, Anthony W. Johnson, Benjamin Litton, John Waters and David Craighead, be, and they are, hereby appointed commissioners to carry into effect the provisions of the act of the General Assembly, authorizing a lottery for the benefit of the Nashville Library, and shall have full power for that purpose.

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

November 29, 1826.

## CHAPTER LIX.

*AN ACT*, for the benefit of Samuel Buchanan and John Sutton.

**SECTION 1.** *Be it enacted by the General Assembly of the State of Tennessee*, That the Secretary of State acting as commissioner, proceed to examine and adjudicate upon the claims of Samuel Buchanan and John Sutton, which was referred to him for adjudication, by an act passed at the last session, entitled an act, for the relief of Samuel Buchanan and others, and that such certificate warrant as may issue in pursuance of said act, may be entered upon any vacant and unappropriated land south and west of the congressional reservation line.

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

November 29, 1826.

## CHAPTER LX.

*AN ACT, directing certificate to issue in lieu of warrant No. 385.*

*Certificate of warrant No. 385 to be issued.*

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee, That the commissioner of West Tennessee, upon its being proven to him, that certificate warrant, No. 385, issued by the commissioner of West Tennessee, for 360 acres, to John Mc'Donald, is a good and valid warrant, also, that the same is and has been lost, or mislaid; also, that any entries made by virtue thereof, or any part thereof is taken by older or better titles, and that said warrant is not otherwise appropriated, granted or satisfied, he may, and is, hereby authorized thereto, certificates, or duplicate warrant or warrants, for such part as is aforesaid taken; Provided, said certificate warrant No. 385, shall be null and void upon the issuance of the certificates provided for in this act, or so much thereof as certificates may be issued for; and Provided, further, that the said commissioner, shall be governed by the same rules, that the registers of this State are, in issuing certificates.*

WM. BRADY,

Speaker of the House of Representatives.

R. C. FOSTER,

Speaker of the Senate.

November 29, 1826.

## CHAPTER LXI.

*AN ACT, to encourage the building of mills in the Western District.*

*Preference to J. L. Hughs*

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee, That John L. Hughs shall have a preference to enter and obtain title to two hundred acres of land in the county of Henry, in the sixth range and seventh section, it being the place where the said Hughs is now commencing the building of a merchant mill, under any law which may be passed to authorize the entering*

*of land south and west of the congressional line, which preference shall continue to the exclusion of all other persons till the next session of the legislature.*

*Preference to J. Rogers, P. Vincent, A. Jones' representatives and T. H. Phillips.*

SEC. 2. *Be it enacted, That Jubilee Rogers, Perry Vincent, Thomas H. Phillips and the representatives of Absalom Jones, shall have a preference till the next session of the legislature, to enter and obtain title to the mill seat and land lying in Weakly county, a preference for which was secured to them by the act of eighteen hundred and twenty five, and that it shall not be lawful for any other person to locate any land warrant or certificate on the same, and the surveyor of the district where the land lies is hereby forbid to permit any entry to be made on said land unless it be entered by the said Rogers, Vincent, and representatives of Absalom Jones and Phillips.*

*George D. Randle.*

SEC. 3. *Be it enacted, That George D. Randle shall have until the next session of the legislature to enter and obtain title to two hundred and fifty acres of land, secured to him by the act of eighteen hundred and twenty five, for a mill seat, and it shall not be lawful for the surveyor of the district where the land lies to receive any entry on said land unless it be made by said Randle.*

*J. W. Rogers*

SEC. 4. *Be it enacted, That John W. Rogers, shall have a preference until the next session of the legislature to enter not more than two hundred acres of vacant land on Mud creek, thirteenth district, range second, section six and seven in the county of Weakly, being a mill seat selected by said Rogers.*

*John McMullan.*

SEC. 5. *Be it enacted, That John McMullan shall have a preference until next session of the legislature, to enter not more than two hundred acres of vacant land on the middle Fork of Obion river, being the place where said Mc'Mullan is now building a mill.*

*R. Wright*

SEC. 6. *Be it enacted, That Robert Wright, of Hickman county be, and he is, hereby entitled to a preference of entry for twenty acres of land on which he is now building a mill, on Cane creek, until the first day of October next, and that he may have the same surveyed and laid down on the plan of the surveyor's district, as is prescribed for*



the benefit of occupants by an act passed at this session of the General Assembly.

Ch. Cotton. Sec. 7. *Be it enacted*, That Charles Cotton be, and he is, hereby entitled to a preference of entering for ten acres to include the *plan*, whereon he is now building a mill, with the same liberties and benefits as is prescribed for Robert Wright.

E. Walker. Sec. 8. *Be it enacted*, That Elijah Walker, of McNairy county, be, and he is, hereby entitled to the right of preference for entering not less than twenty five acres, nor more than two hundred acres of land, to include his mill seat on Cyprus creek, in the second range and first section, in the ninth surveyor's district, beginning at the north east corner of his twenty five acre entry, in the same manner and under the same rules, as is prescribed by an act entitled an act for the relief of the occupants of the western district.

Joseph T. M. Duke. Sec. 9. *Be it enacted*, That Joseph T. M. Duke be and he is hereby entitled to a preference of twenty five acres on Middleton's fork on White Oak creek, in the ninth surveyor's district, so as to include a mill seat, and that Daniel Salin have a preference of twenty five acres on Rushing's creek in the ninth surveyor's district, eighth range and eighth section, so as to include a mill seat thereon, and that all the privileges and immunities shall be and extend to said Duke and Salin as pointed out and described in the first section of this act.

WM. BRADY,

Speaker of the House of Representatives.

R. C. FOSTER,

Speaker of the Senate.

November 27, 1826.

## CHAPTER LXII.

*AN ACT, vesting particular powers in the county court of Monroe county.*

Jury of review to be appointed by Monroe county court to view the milk sick noba SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That it shall be the duty of the county court of Monroe county, at their first court after the first day of January next, a majority of the acting justices being present, to appoint a

the  
act  
the  
shall be the  
county, to make  
and desirable for  
neighborhood

that said knows  
feels, provided, never  
power to order large  
sent to go through, and  
or to that each  
a tree shall be  
as in cases.

the right to speak over  
of to to  
shall be to  
side more  
knows.

November 27, 1826.

## CHAPTER LXIII.

*AN ACT, to incorporate the town of Sonoma in the county of Fayette.*

the town of Sonoma in the county of Fayette, and the same is, hereby incorporated, under the name of Sonoma.

R



same rules, regulations, and restrictions, with equal power and capacities that are contained in the act that incorporates the town of Brownville, in the county of Haywood, passed the present session of this General Assembly.

WM. BRADY,

Speaker of the House of Representatives.

R. C. FOSTER,

Speaker of the Senate.

December 4, 1826.

#### CHAPTER LXIV.

*AN ACT, for the benefit of Sine Grubbs.*

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee, That Sine Grubbs, wife of Thomas Grubbs, shall, and she is, hereby in that name enabled to sue and be sued, plead and be impleaded, and by that name to contract and be contracted with, and by that name to have, possess and enjoy, all the rights that a single woman could, or might have, except that of intermarrying with another man, any law, usage, or custom, to the contrary notwithstanding.*

Sine Grubbs to have all the privileges of a single woman.

SEC. 2. *Be it enacted, That the circuit court of the county of Maury, shall, at the first or second term, after the passage of this act, hear, determine and decree, upon the petition of Susan Farney, for a divorce from her husband Samuel Farney, and if it shall appear to said court that said Samuel has absented himself from the said Susan for the term of fifteen months, without cause shown, the said judge shall decree a divorce to the said Susan, and also change her name to Susan Moore and the filing of the petition of said Susan five days before the term of said court at which the same may be filed, shall be notice sufficient to said Samuel.*

Susan Farney to be divorced and her name changed.

WM. BRADY,

Speaker of the House of Representatives.

R. C. FOSTER,

Speaker of the Senate.

December 6, 1826.

#### CHAPTER LXV.

*AN ACT, for the relief of Rachael Huston, and Judith R. Long.*

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee, That hereafter, Rachael Huston, of Robertson county wife of Rachel Huston, and she is, hereby authorized to have and to hold, real and personal property in her own name, to sue, and be sued, in her own name, and in all respects to act as a feme sole, and all property which she may hereafter acquire by descent, gift, purchase or otherwise, shall not be liable in any manner whatever to the payment of the debts of her said husband, nor subject to his control; and that Ann Williams, wife of Robert Williams, Agnes Jennings, of Lincoln county; and Rebecca Vandeventer wife of John Vandeventer; and Barbary Poe, wife of John Poe of Sullivan county, shall be entitled to the same privileges.*

Ann Williams, A. Jennings, R. Vandeventer, B. Poe.

SEC. 2. *Be it enacted, That Judith R. Long, wife of Nicholas J. Long, of Maury county, be, and she is, hereby authorized, to sue and be sued, contract and be contracted with, in her own name, and in her own behalf, and that she have full power and authority to sell, dispose of, convey, devise, or bequeath all or any part of such property, or estate, as she may hereafter acquire by her own industry, by inheritance, gift, reversion or otherwise, and to hold, use and enjoy, the same in as free and ample a manner, as if she had never been married to the said Nicholas J. Long; and that she be confirmed in all the privileges of a feme sole, except that of intermarrying with another man during the existence of bonds of matrimony between her and said Nicholas J. Long; Provided, nevertheless, that if the said Judith R. Long should hereafter live with the said Nicholas J. Long, as husband and wife, that then the provisions of this section shall be null and void to all intents and purposes, as if the same had never been passed.*

Judith R. Long to have the privileges of an unmarried woman.

WM. BRADY,

Speaker of the House of Representatives.

R. C. FOSTER,

Speaker of the Senate.

December 4, 1826.

## CHAPTER LXVI.

*AN ACT, to exempt a certain piece of land on which Mount Pleasant meeting-house stands, from taxes, in Hickman county.*

Methodist meeting house tract exempted from taxation.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee, That a fifty acre tract of land entered by Horatio Clagett, and granted by grant No. , which said land is presented to the Methodist Episcopal church, and includes Mount Pleasant meeting-house, in Hickman county, be, and the same is, hereby exempt from both State and county tax so long as it is employed or used by any denomination of christians.*

WM. BRADY,  
Speaker of the House of Representatives.

R. C. FOSTER,  
Speaker of the Senate.

December 4, 1826.

## CHAPTER LXVII.

*AN ACT, for the relief of Richard C. Harris.*

Richard C. Harris.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee, That the Register of West Tennessee shall issue grants to Richard C. Harris, on military land warrant No. 3284, for six hundred and forty acres, which warrant was issued to Abraham Sheril, on the 28th December, 1785, in the same manner as though said warrant was regularly transferred to the said Richard C. Harris; Provided, nothing herein contained shall prejudice the title of any other person either in law or equity.*

WM. BRADY,  
Speaker of the House of Representatives.

R. C. FOSTER,  
Speaker of the Senate.

December 1, 1826.

## CHAPTER LXVIII.

*AN ACT, for the relief of Laban B. Williams, of Sullivan county.*

WHEREAS, it doth appear to this General Assembly, that at May session, 1826, Laban B. Williams, of Sullivan county, obtained leave of the county court to erect a house for a law office on part of the public square, and in pursuance of said permission, has since erected a house 14 by 16 feet, since which time there appears to be some disposition in part of the justices to make, or cause, said Williams to remove the house, for remedy whereof;

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee, That said Williams shall have, occupy, and enjoy, the use of said house as a law office so long as he, the said Williams, shall pay to the trustee of said county, a yearly rent for the ground on which the house stands, a sum not exceeding five dollars, to be appropriated as other county monies.*

WM. BRADY,  
Speaker of the House of Representatives.

R. C. FOSTER,  
Speaker of the Senate.

December 1, 1826.

## CHAPTER LXIX.

*AN ACT, to establish annual musters in the regiment of cavalry attached to the 4th brigade*

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee, That the companies of cavalry attached to the fourth brigade of Tennessee militia may, and shall, hold their cavalry musters at or near the court house of their respective counties, once in each year at such times as a majority of the officers shall designate, at which time and place, the field and staff officers shall attend, and shall hold a court martial for the trial of delinquents.*

E2



To muster  
once in three  
years at some  
central point,  
&c.

SEC. 2. *Be it enacted*, That the whole of the cavalry attached to the said fourth brigade, shall muster once in three years at some central point in said brigade, and to hold court martials as heretofore, for the trial of delinquents.

Cavalry of 9th  
brigade when  
to meet and  
muster and  
how to be  
drilled.

SEC. 3. *Be it enacted*, That the companies of cavalry attached to the ninth brigade, shall meet at the court house of their respective counties, once in every year, and shall hold a battalion muster at such time, as a majority of the field officers of the regiment may appoint, and shall be commanded, and drilled by the colonel of said regiment or such other field officer as he shall designate, and the officer so commanding, shall, on the succeeding day, together with the commissioned officers of the companies in said county, hold a court martial and have full power to try delinquents and assess fines, under the same rules, regulations and restrictions that regimental court martials now have by the existing laws of this state, *Provided*, judgment final shall not be entered against any delinquent until the second court martial after the delinquency happens.

Field officers  
and subalterns  
to have a copy  
of the militia  
laws.

SEC. 4. *Be it enacted*, That the field officers, as well as subalterns of the cavalry, shall be furnished with a copy of the militia laws of this state.

Cavalry of 9th  
brigade to  
meet and mus-  
ter altogether  
once in three  
years.

SEC. 5. *Be it enacted*, That the regiment of cavalry attached to said ninth brigade, shall meet once in three years, at such time and place, as a majority of the field officers commanding said regiment shall appoint, and shall, on the succeeding day hold a court martial under the same rules and regulations as prescribed by law for holding other regimental court martials, and have and possess the same powers.

Drill musters  
in Maury  
Lawrence and  
Giles counties

SEC. 6. *Be it enacted*, That the drill musters for the officers of the fifth brigade, shall hereafter be held on the first Friday and Saturday in May for the county of Maury, on the first Tuesday and Wednesday after the first Friday and Saturday in May for the county of Lawrence, and on the second Friday and succeeding day in May for the county of Giles.

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

December 1, 1826.

## CHAPTER LXX.

### AN ACT, for the benefit of John H. Bills.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That John H. Bills, of the town of Bolivar, and clerk of the circuit court of Hardeman county, be authorized to keep his office at his own dwelling house, any law to the contrary notwithstanding; *Provided*, said office is within one half mile of the town of Bolivar.

WM. BRADY,

Speaker of the House of Representatives.

R. C. FOSTER,

Speaker of the Senate.

December 1, 1826.

## CHAPTER LXXI.

### AN ACT, to authorize the treasurer of West Tennessee to pay to John Haywood and Robert L. Cobbs, the sums of five hundred dollars each.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the treasurer of West Tennessee pay unto John Haywood and Robert L. Cobbs, the sums of five hundred dollars each, in part payment for their services in revising the laws of this state.

WM. BRADY,

Speaker of the House of Representatives.

R. C. FOSTER,

Speaker of the Senate.

December 1, 1826.

## CHAPTER LXXII.

### AN ACT, for the relief of Jason Thompson.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the register of West Tennessee be authorized, and he is hereby directed to issue a grant upon part of certificate, No. 1712, issued by the register of West Tennessee to Jane

Register of W.  
T. to issue a  
grant to Jason  
Thompson.



Pollett, for thirteen acres, upon entry No. 6322, dated the 13th May, 1814, in the name of Jason Thompson, on said Thompson filing in said register's office the plat and certificate of survey made out by the surveyor of the proper district, and also a copy of the entry upon which it is founded with a certificate of the surveyor that the entry has not been made void.

Not to prejudice the right of others.  
 SEC. 2. *Be it enacted*, That the issuance of the said grant to the said Jason Thompson shall not affect or prejudice the right of any other person whatsoever.

WM. BRADY,  
 Speaker of the House of Representatives.

R. C. FOSTER,  
 Speaker of the Senate.

December 5, 1826.

### CHAPTER LXXIII.

#### *AN ACT*, for the relief of Joseph Callaway.

Treasurer of E. T. to pay J. Callaway \$270  
 SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the treasurer of East Tennessee pay to Joseph Callaway, out of the funds of the state of Tennessee, the sum of two hundred and seventy dollars for surveying, dividing and valuing the school land in the Hiwassee district, under an appointment of the treasurer of East Tennessee, made in conformity to an act passed at the last session providing for the sale of the school lands, and the receipt of the said Callaway shall be a good voucher to said treasurer, on the settlement of his accounts.

To pay J. Callaway \$40.  
 SEC. 2. *Be it enacted*, That the treasurer of East Tennessee also pay to Joseph Callaway, forty dollars, out of the public funds, it being the amount paid by him to two persons chosen by the treasurer of East Tennessee, to examine and settle his accounts for surveying the Hiwassee district.

WM. BRADY,  
 Speaker of the House of Representatives.

R. C. FOSTER,  
 Speaker of the Senate.

December 2, 1826.

Whereas, it has been represented to the General Assembly, that Charles Miles, assignee of Thomas Brown, did on the 24th of April, 1822, enter two hundred acres of land by virtue of certificate warrant No. 2127, in the surveyor's office, and that said entry was founded on the 24th of April, 1822, and that said entry, on the day of 1822, was put in the surveyor's office said plat and certificate of survey, together with the certificate of survey on which said entry was founded, and that said entry came to the register of West Tennessee, but from some casualty they did not reach the register, and are wholly lost to said Miles; Therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the register of West Tennessee issue to Charles Miles, assignee of Thomas Brown, a grant for two hundred acres of land, on his producing a certified copy of the plat and certificate of survey, founded on entry No. 2127, from the surveyor general of the 5th district; *Provided*, certificate warrant No. 2127, on which said entry was founded, has not been granted heretofore; and *Provided*, further, that said certificate warrant No. 2127, for two hundred acres, shall be null and void, in whomsoever hands it may be; *Provided*, it shall appear to the satisfaction of the register that the warrant No. 2127, on which said plat and certificate was founded, was a good and valid warrant.

Register of W. T. to issue a grant to Chas. Miles.

WM. BRADY,

Speaker of the House of Representatives.

R. C. FOSTER,

Speaker of the Senate.

December 2, 1826.

### CHAPTER LXXV.

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

permanently the seat of justice in Hardin county,  
passed Dec. 2, 1826.

Commissioners to fix the  
seat of justice  
in Hardin.

SECTION 1. Be it enacted by the General Assembly  
of the State of Tennessee, That James Ferrell, James  
Chapman, and Alfred M. Harris be, and they are,  
herby appointed commissioners, for the county of  
Hardin, to fix, examine, locate and determine,  
where the seat of justice shall be, in the county of  
Hardin, and the said commissioners are hereby  
vested with full power and authority, to determine  
and fix upon a site for the seat of justice of said  
county at whatever place it shall to them seem  
most convenient and proper in said county, and  
shall pursue such course as shall seem to them the  
most advisable for the general welfare of the peo-  
ple of said county, and they, or a majority of them,  
who are hereby declared to be competent to do all  
acts and things under this act, and the future set-  
tlement, and population of said county, and when  
said commissioners shall have selected a site for  
the seat of justice of said county, the same shall  
thereafter be the seat of justice of said county, and  
the said commissioners shall make and return  
to the office of the clerk of the county court of  
said county, a written statement of their choice,  
and the bounds of the land acquired for the seat of  
a county town.

Commission-  
ers to be paid.

SEC. 2. Be it enacted, That the commissioners  
shall be allowed the compensation, and shall act in  
the manner, pointed out in the act this is intended  
to amend.

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

December 2, 1826.

#### CHAPTER LXXVI.

AN ACT, concerning the Winchester light infantry  
company, and for other purposes.

SECTION 1. Be it enacted by the General Assembly of  
the State of Tennessee, That any citizen of Franklin

county subject to military duty, who may become a  
member of the Winchester light infantry company,  
shall be exempted from serving in any other  
company and shall be exempted from the payment  
of fines and fees military duties in any other  
company, so long as such person shall remain and  
be a member of said light infantry company;  
Provided, however, that no person shall be permitted  
to leave the company to which he may belong  
where such company does not contain its lawful  
number of privates, at the time of his proposed  
withdrawal.

Members of  
Winchester  
light infantry  
company  
exempt  
from  
other  
duties.

SEC. 2. Be it enacted, That John W. Holder,  
Jesse P. Wallace, Benjamin Powell, Joseph H.  
Bradford and William Strutt, or any three of them  
be, and they are, hereby appointed commissioners  
to settle with James Lewis and Ralph Crabb, two  
of the trustees of Carrick Academy, in the county  
of Franklin, and whatever balance the said com-  
missioners may ascertain to be due to said Lewis  
and Crabb, they shall certify under their hands and  
seals and forward the same to the bank of the State  
of Tennessee, and it is hereby enacted that the  
sum so ascertained to be due to said Lewis and  
Crabb, shall be paid to them out of the interest  
arising from the academy monies, in the bank of  
the state of Tennessee, which may belong to, and  
may be coming to, the county of Franklin, and the  
receipt of said Lewis and Crabb, to the cashier of  
said bank for such sums as he may pay them from  
time to time, until the whole balance due to them  
shall be paid, shall be good vouchers in the hands  
of said cashier.

Commission-  
ers to settle  
with J. L. W.  
and R. Crabb.

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

December 2, 1826.

#### CHAPTER LXVIII.

AN ACT, for the relief of the solicitor of the eighth  
judicial district, and other purposes.

SECTION 1. Be it enacted by the General As-

Solicitor of  
eight district  
and not make  
deposition.

On affidavit  
of complainant  
clerk to issue  
commission to  
take deposi-  
tion.

John Haywood  
may hold chan-  
cery court at  
Franklin on  
first of Dec-  
ember.

Assembly of the State of Tennessee, That it shall and may be lawful for the solicitor of said district to draw and receive his salary for the year eighteen hundred and twenty six, to which he is entitled by law, without making the affidavit required by the fourth section of an act passed 1825, entitled an act, requiring the clerks, &c. to perform certain duties so far as it relates to the calling on the officers of his district in the present year for the receipts required of them.

Sec. 2. Be it enacted, That in all cases in chancery now, or that may hereafter be depending in the circuit or chancery courts, after any bill is filed and before the appearance or answer of the defendant, or defendants, upon oath made by the complainant or complainants or either of them, his, or their agent or solicitor before the clerk and master or any justice of the peace in this state, that the complainant's witnesses are, or either of them is aged, and infirm or any one of them is the only witness to a material fact, the clerk and master shall issue commissions for taking the depositions of such witnesses, which depositions, shall be read on the final hearing of the cause, unless the same should be re-taken by order of the court, on application of the adverse party; *Provided*, the party praying the commission shall give such notice of the time and place of taking the depositions as the clerk and master may direct to the defendant or defendants, or either of them, if they or either of them, reside within this state, or if they all reside beyond the limits of this state, thirty days notice of the time and place of taking the depositions shall be given in one of the newspapers printed in this state.

Sec. 3. Be it enacted, That John Haywood be, and he is, hereby authorized, to hold the court of chancery for the counties of Williamson, Rutherford and Davidson at Franklin on the first Monday of December, 1826, and to continue until the business shall be disposed of.

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

December 2, 1826.

# CHAPTER LXXVIII.

AN ACT, to regulate the county courts of Maury and other counties.

SECTION 1. Be it enacted by the General Assembly of the State of Tennessee, That the justices of the court of pleas and quarter sessions for Maury, Williamson, Lawrence, Sumner and Madison counties, a majority of the justices of said counties being present if they shall think it expedient a majority of the justices present concurring therein, at their first court in each and every year, on the first day of the term, shall select three of their own body to hold the said courts for that year, and have the same powers and be under the same rules, regulations and restrictions, as the court of Rutherford county are by virtue of an act passed on the eleventh of November, 1823, entitled an act to regulate the county courts of Rutherford and other counties.

Justices of  
Maury county  
do may elect  
three justices  
to hold court.

Sec. 2. Be it enacted, That the like powers and authority are hereby extended to the courts of Maury county, and quarter sessions of the counties of Maury, Minn, Rhea, Franklin, Bedford, Hardeman, McNairy, White, Overton, Wayne, Hardin, Robertson and Davidson.

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

December 2, 1826.

# CHAPTER LXXIX.

AN ACT, for the benefit of Ann Young.

SECTION 1. Be it enacted by the General Assembly of the State of Tennessee, That Ann Young, heir at law and legal representative of James Young, deceased, be, and she is, hereby authorized to redeem the land containing one acre and N. 805, issued by the State of Tennessee to James Young, assignee of Solomon Cox, for ninety one acres, one rood and twenty one poles, lying in Blount county, in the district of country south of French Broad and Holston, on the waters of

Ann Young.



Little river, which land was sold and purchased by the treasurer of E. Tennessee, for the use of the trustees in trust for East Tennessee college, and the treasurer of East Tennessee is hereby directed, upon the payment of all monies due upon the said tract of land, and on the said Ann's producing the consent in writing of the Board of trustees to said treasurer, to convey the same to the said Ann Young, and her heirs forever, and the money so paid by said Ann to the treasurer of East Tennessee, shall be paid and appropriated by said treasurer to the use and benefit of the institution or institutions, body politic, or corporate, for which the said land was purchased in trust as aforesaid.

WM. BRADY,

Speaker of the House of Representatives.

R. C. FOSTER,

Speaker of the Senate.

December 2, 1826.

#### CHAPTER LXXX.

*AN ACT, to authorize the drawing of a lottery for the benefit of Richard Jones, Jun'r. of Robertson county.*

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee, That John Hutcherson, James Sawyers, William Seal, Richard W. Mantle, and Samuel King, be, and are, hereby appointed trustees, or managers, to manage, and superintend the drafting a scheme and drawing a lottery for the benefit of Richard Jones, Jun'r. of Robertson county, thereby to enable him to dispose of his property and paying his debts, amounting to the sum of fifteen hundred dollars, and said managers are hereby vested with the same powers to act, under the same restrictions and obligations, and to proceed in said lottery in the same way and manner directed, authorized, and required, by an act passed at the present session authorizing the drawing of a lottery for the benefit of Samuel Hogg.*

SECTION 2. *Be it enacted, That said managers may make the publication required in the act here*

Managers of  
a lottery for  
R. Jones, Jr.

How publica-

referred to, by advertisement in four public places in Robertson county. tion may be made.

WM. BRADY,

Speaker of the House of Representatives.

R. C. FOSTER,

Speaker of the Senate.

December 4, 1826.

#### CHAPTER LXXXI.

*AN ACT, to authorize the drawing of a lottery to build a Masonic Hall in the town of Knoxville.*

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee, That Drury P. Arnsperg, John R. Nelson, William S. Howel, William B. A. Ramsey, and James Mc Bath, be, and they are, hereby authorized to draft a scheme of a lottery and superintend the drawing of the same, in any manner they may think most advisable, for the purpose of raising a sum of money not exceeding ten thousand dollars, to be applied to building a Masonic Hall in the town of Knoxville, by the members of Mount Lebanon Lodge.*

Trustees for  
Masonic Hall  
lottery in  
Knoxville.

SECTION 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, to the chairman of Knox 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 repayment 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

SECTION 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 Knox county, put into the boxes the number of 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*

How to be  
drawn.

impartially, to keep an account of the drawing of said lottery.

**SEC. 4.** *Be it enacted,* That said trustees or a majority of them, shall have power to make sale of the tickets, to take bond of 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 bond, they are hereby authorized to sue for and recover on the same, in their names as trustees of said lottery, and to do and transact all things necessary and proper in a fair way, or carry the same into effect; and the proceeds of said lottery, when finished, they are hereby directed, to pay over to Mount Libanus Lodge of free masons, to be employed as aforesaid after paying the necessary expenses of drawing of said lottery.

**WM. BRADY,**

Speaker of the House of Representatives.

**R. C. FOSTER,**

Speaker of the Senate

December 4, 1826.

### CHAPTER LXXXII.

*AN ACT, to provide for building or repairing a jail in Montgomery county.*

**SECTION 1.** *Be it enacted by the General Assembly of the State of Tennessee,* That it may, and shall, be lawful, for the justices of the county court for Montgomery county, a majority of all the acting justices of said county being present and consenting thereto, to lay a tax not exceeding, in any one year, the state tax; to be levied on the property or estate in said county, liable to taxation for the purpose of repairing the jail or building a new one, as thought by said justices most to the advantage of said county.

**SEC. 2.** *Be it enacted,* That a majority of said justices directing the same, the county court of said county of Montgomery shall, and may have power to appoint three or more commissioners to contract for the building or repairing the jail as aforesaid, and vest in said commissioners power and authority to contract for repairing or building also to sell the old one and to do any and all things neces-

sary to carry into effect the intentions of this act, which may, in their opinion, most conduce to the interest of said county in relation to a jail.

**WM. BRADY,**

Speaker of the House of Representatives.

**R. C. FOSTER,**

Speaker of the Senate.

December 5, 1826.

### CHAPTER LXXXIII.

*AN ACT, to provide for defraying the expense of removing the public property and records from Murfreesborough to Nashville.*

**SECTION 1.** *Be it enacted by the General Assembly of the State of Tennessee,* That either of the treasurers of this State pay to Daniel Graham, one hundred and fifty three dollars and three cents, the expense of removing the public property and records from Murfreesborough to Nashville and for office rent from the 1st of January to the first of May, 1826, and his receipt shall be a good voucher on settlement for that amount.

**WM. BRADY,**

Speaker of the House of Representatives.

**R. C. FOSTER,**

Speaker of the Senate.

December 4, 1826.

### CHAPTER LXXXIV.

*AN ACT, for the benefit of the citizens of Hawkins and Sullivan counties, and other purposes.*

**SECTION 1.** *Be it enacted by the General Assembly of the State of Tennessee,* That the act passed at the present session of this General Assembly, to authorize the citizens of Knox, Jefferson and Grainger counties, to have persons summoned to examine whether their fish traps, dams and mill-dams on Holston river, obstruct the navigation, be, and the same is, hereby extended to the citizens of Hawkins and Sullivan counties,

and that the same proceedings be had in relation to the citizens of said counties as is directed to be had by said act in relation to the citizens of the counties of Knox, Grainger and Jefferson.

Sec. 2. *Be it enacted*, That George M. Fall of the county of Maury, shall be, and is, hereby authorized to exhibit his collection of wax figures in the counties of Maury and Lawrence without paying license or being liable to a tax therefor.

Sec. 3. *Be it enacted*, That the register of West Tennessee be, and he is, hereby authorized, empowered, and directed, to issue a grant to John M. Ghie or his assignee or assignees, upon warrant or certificate No. 2455, issued by A. Foster, commissioner, &c. on the 14th day of October, 1822, to Hizziah Bowman, for four hundred acres, the said M. Ghie having purchased the same, although there does not appear to be an assignment from said Bowman to said M. Ghie; *Provided, however*, that the issuance of said grant shall not affect or prejudice the rights of any person or persons whatsoever.

WM. BRADY,

Speaker of the House of Representatives.

R. C. FOSTER,

Speaker of the Senate.

December 5, 1826.

## CHAPTER LXXXV.

*AN ACT*, authorizing William Forbean to continue, raise and extend, a mill dam.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee*, That William Forbean be, and he is, hereby authorized to continue his mill dam in French Broad river, in Cocke county, and raise or extend the same, in any manner so as not to obstruct or injure the navigation of said river.

WM. BRADY,

Speaker of the House of Representatives.

R. C. FOSTER,

Speaker of the Senate.

December 5, 1826.

## CHAPTER LXXXVI.

*AN ACT*, to authorize the court of pleas and quarter sessions for Gibson county to lay a tax for the purpose of building a court-house and jail for said county.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee*, That it shall and may be lawful for the court of pleas and quarter sessions of Gibson county, a majority of the justices of said county being present, at their first session after the first day of January next, to lay a county tax on all the lands liable to taxation in said county, not exceeding twelve and one-half cents per hundred acres, in addition to the other county taxes, for the purpose of erecting a court-house and jail for said county in the town of Trenton.

Sec. 2. *Be it enacted*, That the sheriff of said county shall collect, pay over to the county trustee and account for the said taxes for other county monies, and the county trustee shall account for the same as for other county monies, and shall hold the same subject to the order of the county court, made to carry into effect the purposes of this act.

WM. BRADY,

Speaker of the House of Representatives.

R. C. FOSTER,

Speaker of the Senate.

December 5, 1826.

## CHAPTER LXXXVII.

*AN ACT*, to appoint a commissioner for the town of Newport.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Alexander E. Smith be, and is, hereby appointed a commissioner for the town of Newport, in the county of Cocke, with the like powers, privileges and emoluments, conferred by law on the commissioners heretofore appointed for said town.

WM. BRADY,

Speaker of the House of Representatives.

R. C. FOSTER,

Speaker of the Senate.

December 5, 1826.

County court may lay a tax to build court house and jail.

Sheriff to account for the taxes.

Commissioner of New York.



## CHAPTER LXXXVIII.

*AN ACT, for the benefit of Isaac Jones, of Knox county.*

*SECTION 1. Be it enacted by the General Assembly of the State of Tennessee, That Isaac Jones of Knox county be, and he is, hereby authorized to sell goods, wares and merchandize, in the town of Lovesville, in said county of Knox, without paying any tax or obtaining licence therefor.*

WM. BRADY,

Speaker of the House of Representatives

R. C. FOSTER,

Speaker of the Senate.

December 5, 1826.

## CHAPTER LXXXIX.

*AN ACT, to authorize the drawing of a lottery to enable Jeremiah Dial, William Knott, Farwick Frazier, Erasmus Ragsdale and William Sample to make salt in the county of Bedford.*

*SECTION 1. Be it enacted by the General Assembly of the State of Tennessee, That William Gilest, William Murphree, Farwick Frazier, Thomas A. Peacocke, Jeremiah Dial, William Knott, Erasmus Ragsdale and William Sample, be, and they are, hereby appointed trustees, with full power and authority to manage and superintend the drawing of a lottery, for the purpose of raising a sufficient sum of money, not exceeding fifteen hundred dollars, to be applied to the making of salt, in the county of Bedford.*

*Sec. 2. Be it enacted, That the said trustees shall be governed in the conduct and management of said lottery, by the provisions of an act of the General Assembly of the State of Tennessee, passed at Murfreesborough, September 28th, 1824, entitled "an act to authorize the drawing of a lottery for the purpose of building a masonic hall in the towns of Columbia and Franklin."*

*Sec. 3. Be it enacted, That in all cases where lotteries have been or may be authorized by any act of the present General Assembly, the person*

Trustees to draw a lottery to make salt.

How to be governed.

One half of one per cent.

or persons for whose benefit they are passed, shall pay into the treasury of the State, one half of one per cent. on the amount raised by said lottery, within thirty days after the drawing of the lottery.

to be paid to the state on all lotteries.

WM. BRADY,

Speaker of the House of Representatives.

R. C. FOSTER,

Speaker of the Senate.

December 5, 1826.

## CHAPTER XC.

*AN ACT, to alter the time of holding the Chancery court in Greenville.*

*SECTION 1. Be it enacted by the General Assembly of the State of Tennessee, That the chancery court for the district composed of the counties of Carter, Washington, Greene, Jefferson, Cocke and Sevier, shall, after the first day of January next, commence and be holden on the second Mondays of May and November, to which time all process shall be made and be returnable, and said court shall continue in session for the term of two weeks at each term, or until the business of said court shall be finished.*

Chancery court in Greenville when held.

*Sec. 2. Be it enacted, That the county courts of Henderson county, shall hereafter sit on the second Mondays of January, April, July and October, and shall hold their respective courts one week in each and every term if necessary.*

County courts of Henderson

WM. BRADY,

Speaker of the House of Representatives.

R. C. FOSTER,

Speaker of the Senate.

December 7, 1826.

## CHAPTER XCI.

*AN ACT, to authorize a certain deed of conveyance being registered.*

*WHEREAS, a deed of conveyance was made from John H. Patterson, attorney in fact for William Patterson, Senr. in the State of North Carolina, Mecklenburg county, and William Patterson, Junr. of the county of Bedford and State of*

Tennessee, to Matthew Johnson of the county of Bedford and State of Tennessee, for one hundred and twenty one and one fourth acres of land, situated in the county of Bedford, bearing date the 28th day of May, 1818, which said deed has not been proven and registered as is required by law; Therefore,

Certain deed  
may be prov-  
ed.

**SECTION 1.** *Be it enacted by the General Assembly of the State of Tennessee,* That the said deed of conveyance may hereafter be proven as is required by law, and, together with any other papers therewith connected, recorded on the register's book of Bedford county, and the same shall be held as good and valid in law as though the same had been registered within the time prescribed by law; *Provided,* nothing herein contained shall be construed to affect the right of any innocent purchaser, whose deed has been registered agreeably to law.

Certain deed  
admitted to  
registration

**SEC. 2.** *Be it enacted,* That a deed of conveyance from C. Sims Backman and his wife Hannah P., to William Brown, dated 12th August, 1826, acknowledged before the presiding justice of the county court of Wilkerson county, in the State of Mississippi, may be admitted to registration as other deeds in the county of Giles, where the land lies, saving and reserving the right of all other persons not parties thereto.

WM. BRADY,  
Speaker of the House of Representatives.

R. C. FOSTER,  
Speaker of the Senate.

December 7, 1826.

## CHAPTER XXIII.

*AN ACT, for the relief of Pollard Wisdom, and others.*

P. Wisdom  
may enter his  
occupancy claim

**SECTION 1.** *Be it enacted by the General Assembly of the State of Tennessee,* That Pollard Wisdom be, and he is, hereby authorized to enter his occupant claim in the 7th surveyor's district, by virtue of warrant No. 2460, for twenty five acres, and the same shall be good and valid, and it shall be the duty of the surveyor of the said district to

receive said entry and of the register to issue a grant thereon.

Wm Reed.

**SEC. 2.** *Be it enacted,* That William Reed be authorized to enter and have granted twenty five acres of land in the 7th district, by virtue of warrant No. 2461, for twenty five acres, including his occupant claim in said district.

**SEC. 3.** *Be it enacted,* That it shall be the duty of the register of W. Tennessee, to issue a grant to Douglas H. Stockton, for one acre and forty nine poles, from lot in an entry in the 7th district of entry No. 1698, survey 1169, dated the 7th day of May, 1825; *Provided,* said entry is founded on a good and valid warrant.

Register of  
W. T. may is-  
sue a grant to  
D. H. Stockton

**SEC. 4.** *Be it enacted,* That the surveyor of the 12th surveyor's district be, and he is, hereby forthwith and with as delay, to survey, on the application of Barwell Lashlee, an entry made in said office of the said 12th district, in Humphreys county, on or near Beverland creek, of Cypress creek of Tennessee river, to which said Lashlee has a claim.

Certain entry  
to be surveyed

WM. BRADY,

Speaker of the House of Representatives.

R. C. FOSTER,

Speaker of the Senate.

December 7, 1826.

## CHAPTER XXIII.

*AN ACT, for the relief of the devisees of Walter Sims, deceased.*

**SECTION 1.** *Be it enacted by the General Assembly of the State of Tennessee,* That the provisions of an act, entitled "an act for the benefit of the legatees of Walter Sims, deceased," passed 15th November, 1823, be revived and extended for the term of two years from the rise of the present session of the General Assembly.

Devisees of  
Walter Sims.

WM. BRADY,

Speaker of the House of Representatives.

R. C. FOSTER,

Speaker of the Senate.

December 7, 1826.

## CHAPTER XCIV.

*AN ACT, for the benefit of Samuel McArmy.*

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That all right and title to one hundred and fifty acres of land, granted to Samuel McArmy, by the State of North Carolina, by grant No. 1291, bearing date 17th day of July, 1794, shall remain and be vested, in the said Samuel, according to the calls of said grant and the location made thereon.

Certain cor-  
rections null.  
void.

SEC. 2. *Be it enacted,* That the correction of errors in said grant, by order of the court of Greene county, made at the April session, 1807, and recorded in the office of the Secretary of State, 13th February, 1808, be, and the same is, hereby declared inoperative and of none effect: *Provided,* that nothing contained in this act shall affect the rights of any other person or persons whatsoever, who may have acquired any interest or right to the land included in said grant or any part thereof, since the correction of said grant by order of the court aforesaid of Greene county.

WM. BRADY,

Speaker of the House of Representatives.

R. C. FOSTER,

Speaker of the Senate.

December 7, 1826.

## CHAPTER XCV.

*AN ACT, to repeal an act, entitled "An Act, for the relief of owners of lots in the town of Alexandria, in the county of Smith."*

Certain act  
repealed

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That an act entitled "an act, for the relief of owners of lots in the town of Alexandria, in the county of Smith, passed at Murfreesborough on the thirteenth day of October, eighteen hundred and twenty five be, and the same is, hereby repealed.

Lots in Pulaski  
may be con-  
solidated.

SEC. 2. *Be it enacted,* That it shall and may be lawful for the mayor and aldermen of the town of Pulaski, to consolidate any lot or lots adjoining

each other which may be only separated by any alley of said town where said lots belong to the same person, or where several owners of such lots agree upon their consolidation; *Provided,* said mayor and aldermen may be of opinion that abolishing or discontinuing said alleys will not be injurious to said town.

WM. BRADY,

Speaker of the House of Representatives.

R. C. FOSTER,

Speaker of the Senate.

December 7, 1826.

## CHAPTER XCVI.

*AN ACT, for the relief of Marius Oury.*

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Marius Oury, of Campbell county, is hereby restored to all the rights and privileges belonging to other citizens of this State, any judgment of any of the courts of this State not withstanding.

Marius Oury.

WM. BRADY,

Speaker of the House of Representatives.

R. C. FOSTER,

Speaker of the Senate.

December 7, 1826.

## CHAPTER XCVII.

*AN ACT, for the relief of John Preachett and for other purposes*

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That it shall be lawful for John Preachett, to make void entry No. 1614, No. of warrant 6509, for twenty acres, and enter the same on any vacant land within the bounds of the ninth surveyor's district, that's not otherwise appropriated.

John Preachett.

SEC. 2. *Be it enacted,* That it shall be lawful for Andrew Killian, to have entry No. 1491, for 30 acres, founded on warrant No. 4314, made void and enter the same in the ninth surveyor's district on any vacant land not otherwise appropriated.

A. Killian.

G



Henry Cross  
& Th. Butler

SEC. 3. *Be it enacted*, That it shall and may be lawful for the surveyor of the 7th district, to permit Henry Cross and Thomas Butcher, or their agent, to make void entry No. 641, and No. 1053, both for fifty acres, and re-enter the same on any vacant and unappropriated lands in his district.

WM. BRADY,

Speaker of the House of Representatives.

R. C. FOSTER,

Speaker of the Senate.

December 7, 1826.

### CHAPTER XCVIII.

*AN ACT*, to legalize the acts of John Bricker, deputy sheriff of Washington county.

John Bricker.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That all levies and sales and other acts done by John Bricker, as deputy sheriff of Washington county, shall be as valid as if he had not been a justice of the peace.

WM. BRADY,

Speaker of the House of Representatives.

R. C. FOSTER,

Speaker of the Senate.

December 7, 1826.

### CHAPTER XCIX.

*AN ACT*, for the benefit of Samuel Mc'Connell.

S. McConnell.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the treasurer of East Tennessee is hereby authorized and required to loan to Samuel Mc'Connell, of Mc'Minn county, the sum of six hundred dollars for the term of twelve months. *Provided*, said Mc'Connell give good and sufficient security, which shall be approved of by said treasurer, and *Provided*, said Mc'Connell pay the interest on said sum in advance.

WM. BRADY,

Speaker of the House of Representatives.

R. C. FOSTER,

Speaker of the Senate.

December 6, 1826.

### CHAPTER C.

*AN ACT*, to authorize the county court of Humphreys to lay an additional tax to repair the court house of said county, and to build a bridge across Cypress creek.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the county court of Humphreys county, a majority of the acting justices being present and consenting thereto, may lay a tax not to exceed twelve and one half cents on each hundred acres of land; twelve and one half cents on each black poll, and six and one fourth cents on each white poll, for the purpose of repairing the court house of said county, and building a bridge across Cypress creek, which tax shall be collected and accounted for, as other county taxes are.

County court of Humphreys to lay a tax to build a court house &c.

SEC. 2. *Be it enacted*, That said tax may be continued to be levied for three years from the first county court which shall be held in said county after the first day of January, 1827, or any subsequent term, when said tax is levied, and the proceeds shall be equally divided to effect the purposes aforesaid.

May continue to lay a tax for three years.

WM. BRADY,

Speaker of the House of Representatives.

R. C. FOSTER,

Speaker of the Senate.

December 6, 1826.

### CHAPTER CI.

*AN ACT*, to appoint additional trustees for East Tennessee College.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Luk Lea, Solomon D. Jacobs, Drury P. Armstrong, David Campbell, William B. Reese, Hugh A. M. White, Richard G. Dupuy, and William B. A. Ramsey, are hereby appointed trustees of East Tennessee College, with equal powers and privileges with the trustees

Trustees of Tennessee college.