

seventh section, adjoining A. Furguson's entry on the west and A. Gillchrist on the south, for the purpose of building a mill, and the register of the Western District, is hereby required to issue a grant to the said Burrel Benton for the same under such rules and regulations as may hereafter be made for obtaining titles to the vacant and unappropriated lands lying within the limits of this state; Provided, that the said Benton, in making the entry aforesaid does not interfere with any older occupant.

EPHRAIM H. FOSTER,

Speaker of the House of Representatives.

JOEL WALKER,

Speaker of the Senate.

October 20, 1829.

CHAPTER XV.

AN ACT to establish the town of Cainville in the county of Wilson.

Sec. 1. *Be it enacted by the General Assembly of the State of Tennessee,* That a town heretofore laid out on the lands of George I. Cain, in Wilson county, be, and the same is hereby established agreeably to the plan of said town.

Sec. 2. *Be it enacted,* That William Word, Arthur Harris and William Williams, be, and they are hereby appointed commissioners of said town, and the said commissioners or a majority of them, shall have full power to regulate any matter that may concern said town, and to adopt such bye laws not inconsistent with the constitution and laws of this state, as may best suit the convenience of the proprietors of said town.

Sec. 3. *Be it enacted,* That the lots in the above named town, which have been or hereafter may be sold by the original proprietors, shall be liable to the same state and county tax that lots in any other town or towns in this state are subject to.

EPHRAIM H. FOSTER,

Speaker of the House of Representatives.

JOEL WALKER,

Speaker of the Senate.

October 22, 1829.

CHAPTER XVI.

AN ACT to incorporate the Harpeth Female Academy in the eastern part of Williamson county.

Sec. 1. *Be it enacted by the General Assembly of the State of Tennessee,* That William S. Webb, Nathan Adams, Thomas D. Porter, Alexander Ralston and Newton Cannon, be, and they are hereby constituted a body politic and corporate by the name of the trustees of the Harpeth Female Academy, and shall have perpetual succession, and be capable in law or otherwise to purchase, receive and hold to themselves and their successors, any lands, tenements, goods or chattles, which shall be given, granted, devised to them, or purchased by them, for the use and benefit of said academy, and to appropriate, use and dispose of the same in such manner as to them may seem fit and proper, for the use and benefit of the academy aforesaid. And the said trustees and their successors by the name aforesaid, may sue and be sued, plead and be impleaded, in any court of law and equity in this state or elsewhere.

Trustees appointed—their power, authority and privilege.

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

May elect officers and fill vacancies.

Sec. 3. *Be it enacted,* That said board of trustees, together with their secretary and treasurer, shall have power to make such bye laws, rules, and regulations relating to said academy, and the government thereof, and their own proceedings, as a majority of said board may deem right and proper:—*Provided,* they are not inconsistent with the constitution and laws of the United States, and of the State of Tennessee.

May pass bye-laws, adopt regulations, &c.

EPHRAIM H. FOSTER,

Speaker of the House of Representatives.

JOEL WALKER,

Speaker of the Senate.

October 26, 1829.

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CHAPTER XVII.

AN ACT to incorporate the Harpeth male academy in the eastern part of Williamson county.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee, That William King, John S. Russworm, John Bostick junior, John M. Watson and Bailey Hardeman be, and they are hereby constituted a body politic and corporate, by the name of the trustees of the Harpeth Male Academy, and shall have perpetual succession, and be capable in law and otherwise to purchase, receive and hold to themselves and their successors, any lands, goods or chattles, which shall be given, granted, devised to them, or purchased by them, for the use and benefit of said academy, and to appropriate, use, and dispose of the same, in such manner as to them may seem fit and proper, for the use and benefit of the academy aforesaid—and the said trustees, and their successors by the name aforesaid, may sue and be sued, plead and be impleaded, in any court of law and equity in this state or elsewhere.*

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

SEC. 3. *Be it enacted, That said board of trustees, together with their secretary and treasurer, shall have power to make such bye-laws, rules and regulations, relating to said academy, and the government thereof, as a majority of said board may deem right and proper; Provided, they are not inconsistent with the constitution and laws of the United States, and of the State of Tennessee.*

EPHRAIM H. FOSTER,

Speaker of the House of Representatives.

JOEL WALKER,

Speaker of the Senate.

October 26, 1829.

CHAPTER XVIII.

AN ACT to incorporate a female academy at Knoxville.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee, That Joseph C. Strong, Hugh L. White, Robert King, James Park, Frederick S. Heiskell, Mathew M'Clung, Solomon D. Jacobs, William S. Howell, Andrew M'Millan and William C. Mynatt, be, and they are hereby constituted a body politic and corporate by the name of the trustees of the Knoxville female academy, and by that name shall have perpetual succession and a common seal, and the said trustees and their successors by the name aforesaid, shall be capable in law to purchase, receive and hold to themselves and their successors forever, or for any less estate, any lands, tenements, goods or chattles which shall be given, granted or devised to them, or purchased by them to the use of said academy, and to use and dispose of the same in such manner as to them shall seem most advantageous for the use of said academy; and said trustees and their successors by the name aforesaid, may sue and be sued, plead and be impleaded in any court of law or equity of this state, or elsewhere.*

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

SEC. 3. *Be it enacted, That the acts passed the 22d of October, 1827, and the 11th of November, 1811, for the purpose of establishing a female academy,*

Trustees appointed—their power and authority.

May appoint officers and fill vacancies.

Repealing clause.

Trustees appointed—their power, authority and privileges.

May elect officers and fill vacancies.

May pass bye-laws and adopt regulations.

demy at Knoxville, be, and the same are hereby repealed.

EPHRAIM H. FOSTER,
Speaker of the House of Representatives.
JOEL WALKER,
Speaker of the Senate.

September 30, 1829.

CHAPTER XIX.

AN ACT to authorize Peter J. Davis, William Reynolds and Stephen Huff to open a turnpike road.

SEC. 1. Be it enacted by the General Assembly of the State of Tennessee, That Peter J. Davis, William Reynolds and Stephen Huff, are hereby authorized to open a turnpike road, commencing at a point, on the dividing line, between the states of North Carolina and Tennessee, commonly called the painted rock, and running thence down the north bank of the French Broad river, to Holland's ferry at which point the said road is to cease and determine, which road when the situation of the ground will permit, shall be cut eighteen feet wide, clear of stumps and other obstructions, and where the road has to be causewayed, it shall if the ground will permit be twelve feet wide, and if there should be any creek or creeks, that require it, there shall be good sufficient and substantial bridges built over them.

SEC. 2. Be it enacted, That said road shall always be kept in repair, and in case of failure, the said proprietors thereof, shall be liable to be proceeded against in the county court of Cocke county, and subject to the same penalties as are prescribed in the second section of an act entitled an act to authorize George Helms and Adam Helms, to open and establish a turnpike road, passed August 23rd, 1822.

SEC. 3. Be it enacted; That the proprietors shall give bond and security as provided for, in the 3d section of the before recited act.

SEC. 4. Be it enacted, That John Holland Jr. and Charles Nichols of the county of Cocke, be and hereby are appointed commissioners of said turnpike road, who shall perform the same duties,

receive the same compensation for their services, and be qualified in the same manner as pointed out in the 4th and 5th sections of the before recited act.

SEC. 5. Be it enacted, That when the proprietors shall notify the said commissioners, that said road is cut out and completed for use, it shall be their duty to examine said road, and if in their opinion, it is in the order contemplated by this act, they shall license said proprietors to keep a toll gate, and upon license being granted as aforesaid, to said proprietors, they may and shall be authorized to erect a toll gate on the most convenient part of said road; and provided said gate be erected one half mile west of where Houston's and Reynolds' turnpike intersects the same, and two miles east of Holland's ferry, and shall be entitled to receive the following toll, to wit: For each four wheeled carriage of burthen with its load and driver, if drawn by four or more horses, mules or oxen, one dollar, except those carrying produce from the different counties to the warm springs, and such shall pay 50 cents; if by less than four 50 cents; for each two wheeled carriage of burthen, if drawn by two horses, mules or oxen 50 cents, if drawn by one, 25 cents; for each two wheeled carriage of pleasure with its passengers and driver, if drawn by a team of two horses one dollar, and if drawn by one, 50 cents; for a man and horse or mule 12 1/2 cents; for each led horse, mule or ass, not in a drove 4 cents, if in a drove one cent; for each slave 6 1/2 cents; for each head of cattle one cent; for each head of sheep or hogs one cent.

SEC. 6. Be it enacted, That if any part of said road shall be out of repair at any one time after it is received by said commissioners, and by reason of which any person or persons shall sustain any damage, either in person or property, he, she or they may have and sustain an action on the case against said proprietors.

SEC. 7. Be it enacted, That if any person or persons, shall arbitrarily pass said gate or within one mile thereof, for the purpose of evading the toll, such person or persons shall forfeit and pay for every such offence, the sum of twenty-five dollars, to be recovered by action of debt, before any justice of the peace in this state.

SEC. 8. Be it enacted, That Benjamin Hill of the county of Warren, be and he is hereby appointed a

Commissioners to examine said road when completed and grant a license to Proprietors.

Persons sustaining damage by said road being out of repair, may bring action against proprietors.

Penalty for passing said road without paying toll.

Description of the road, & how it is to be made.

Proprietors liable, if the road gets out of repair.

To give bond and security.

Commissioners of said road

Additional
Commissioner
for Rainey's
turnpike road.

commissioner on the turnpike road commonly called Rainey's road, and that he shall take the same oath, and receive the same pay, that Abzalom Brown one of the commissioners now receive, and that it shall be the duty of the commissioners on the road granted to Jesse Savage and Benjamin Cannon, to receive the same as contemplated by the different acts of Assembly on that subject, and shall receive one dollar and fifty cents each per day, for every day they may be employed in reviewing the same, and shall take an oath before some justice of the peace for the county of Warren, to review said road as contemplated by law.

EPHRAIM H. FOSTER,
Speaker of the House of Representatives.
JOEL WALKER,
Speaker of the Senate.

November 4, 1829.

CHAPTER XX.

AN ACT to authorize the county court of Franklin county to condemn two acres of land for a boatyard.

Power granted to the County court of Franklin.
SEC. 1. Be it enacted by the General Assembly of the State of Tennessee, That the court of pleas and quarter sessions of Franklin county, be, and they are hereby authorized to condemn and set apart any quantity of land not exceeding two acres, at a suitable place on Elk river, for the purpose of establishing a boatyard in said county, and cause a survey of the land thus condemned and set apart for said boatyard, and the plat and certificate of survey to be registered in the registers office of said county.

To appoint a jury to value the land.
SEC. 2. Be it enacted, That it shall be the duty of said court, to appoint a jury consisting of five freeholders, whose duty it shall be to ascertain the value of the land so set apart, contained in such survey as is authorized by this act, and on their reporting to the court the value of such land, it shall be the duty of said court to issue to the owner of the land thus condemned and set apart, a certificate on the county trustee for the value of the land as assessed by said jury.

SEC. 3. Be it enacted, That said boatyard shall

not be established on the land of any private individual against his consent.

Boat yard not to be established on land against consent of owner.

EPHRAIM H. FOSTER,
Speaker of the House of Representatives.
JOEL WALKER,
Speaker of the Senate.

November 7, 1829.

CHAPTER XXI.

AN ACT to lay off and constitute a new captain's company in the county of Lincoln.

SEC. 1. Be it enacted by the General Assembly of the State of Tennessee, That the company commanded by captain Mitchell Vicket, in the county of Lincoln, shall hereafter constitute and compose two captains' companies, and that the new company shall comprise the following bounds, that is to say, commencing on the Fayetteville road near major James Smith's, in the south east corner of the county, running thence to George Kaunee's and Stephen Petcock's, thence down the Limestone road to the Alabama line, so as to include said Kaunee and Petcocks, and that each company shall be entitled to all the privileges of other captains' companies any law to the contrary notwithstanding.

EPHRAIM H. FOSTER,
Speaker of the House of Representatives.
JOEL WALKER,
Speaker of the Senate.

November 7, 1829.

CHAPTER XXII.

AN ACT to authorize Thomas Alexander to build a fish trap.

Be it enacted by the General Assembly of the State of Tennessee, That Thomas Alexander of Green county, be, and he is hereby authorized to build a fish trap in Nolichucky river, on the north side at the

first island below Buckingham's ford; Provided said trap does not obstruct the navigation of said river.

EPHRAIM H. FOSTER,
Speaker of the House of Representatives.
JOEL WALKER,
Speaker of the Senate.

November 9, 1829.

CHAPTER XXIII.

AN ACT to authorize Silas Williams of Claiborne county to build a fish trap and dam in Powells river.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee, That Silas Williams of Claiborne county, be and he is hereby authorized to build a fish trap and dam opposite his own land in said county, in Powells river; Provided the said Silas Williams shall in no wise obstruct the navigation of said river thereby.*

EPHRAIM H. FOSTER,
Speaker of the House of Representatives.
JOEL WALKER,
Speaker of the Senate.

November 9, 1829.

CHAPTER XXIV.

AN ACT to prolong the operations of an act passed December 8, 1826, entitled "an act for the encouragement of Moses Fisk."

Be it enacted by the General Assembly of the State of Tennessee, That said act, be, and the same is hereby prolonged and revived, and shall continue in force 'til the first day of January one thousand eight hundred and thirty-one, and shall have the same operation and effect as if it had originally extended to that time.

EPHRAIM H. FOSTER,
Speaker of the House of Representatives.
JOEL WALKER,
Speaker of the Senate.

November 9, 1829.

CHAPTER XXV.

AN ACT to make legitimate the official acts of Benjamin C. White former surveyor of Morgan county.

Be it enacted by the General Assembly of the State of Tennessee, That the official acts of Benjamin C. White, former surveyor of Morgan county, who was appointed and commissioned by the name of Benjamin White, shall in all respects be deemed and held as good and valid to all intents and purposes as though the said Benjamin C. White had been appointed and commissioned by his proper name.

EPHRAIM H. FOSTER,
Speaker of the House of Representatives.

JOEL WALKER,
Speaker of the Senate.
November 9, 1829.

CHAPTER XXVI.

AN ACT for the benefit of John Nolen and others.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee, That John Nolen, of Williamson county; John Tremmell, of Warren county; Almarian Johnston, of Claiborne county; Goodloe Warren, of Henry county; Amasa Webb, of Weakley county, and William W. Bristo, of Montgomery county, be, and they are hereby authorized to hawk and peddle in their respective Congressional district where they live without obtaining license therefor; Provided, however, that before they or either of them engage in the pursuit for which this act is a license, they shall take an oath before some justice of the peace in the county in which they respectively live, that they will not vend goods, wares or merchandize, the proceeds of which is for any other person or persons, and that the profits arising therefrom is for his or their entire benefit.*

EPHRAIM H. FOSTER,
Speaker of the House of Representatives.
JOEL WALKER,
Speaker of the Senate.

November 9, 1829.

CHAPTER XXVII.

AN ACT for the relief of Nancy Adams, widow of Peter Adams, dec'd.

Whereas it has been represented to this General Assembly that Peter Adams was a private soldier in the creek nation, in 1813 or 14, and fell while doing his duty at his post, and that his fire arms were taken and converted to the use of the public, and that he left a widow and six children, who are in indigent circumstances—Therefore,

Sec 1. *Be it enacted by the General Assembly of the State of Tennessee, That the treasurer of West Tennessee, pay to Nancy Adams widow of Peter Adams deceased, the sum of forty dollars, and her receipt shall be a good voucher in the settlement of his accounts.*

EPHRAIM H. FOSTER,

Speaker of the House of Representatives.

JOEL WALKER,

Speaker of the Senate.

November 9, 1829.

CHAPTER XXVIII.

AN ACT for the relief of Sylvanus Hinds.

Be it enacted by the General Assembly of the State of Tennessee, That the register of East Tennessee, be, and he is hereby authorized to issue to Sylvanus Hinds a certificate for fifty acres of land warrant, being a balance of certificate number four, issued by Archibald Roane, to the heirs of James Reynolds, which remains in the office of said register unsatisfied, and that any commissioner that may hereafter be appointed for that purpose, is hereby authorized to adjudicate the same.

EPHRAIM H. FOSTER,

Speaker of the House of Representatives.

JOEL WALKER,

Speaker of the Senate.

November 9, 1829.

CHAPTER XXIX.

AN ACT to authorize Robert Cozby and John W. Hill and others, to open a turnpike road.

Sec. 1. *Be it enacted by the General Assembly of the State of Tennessee, That Robert Cozby, John W. Hill, Peter Brown and Josiah Anderson, are hereby authorized to open and establish a turnpike road, commencing in the neighborhood of Ephraim Hill, in Sequachy Valley, Marion county, whence crossing Walden's ridge on the west side of Chicamaga creek to James Cozby's in Tennessee valley, Hamilton county, which road where the situation of the ground will permit, shall be cut eighteen feet wide, clear of stumps or other obstructions, and where the road has to be causeway'd, it it shall, if the ground will permit, be twelve feet wide, and if there should be any creek or creeks that require it, there shall be good and sufficient bridges built over them.* Where and in what manner the road is to be made.

Sec. 2. *Be it enacted, That said road shall always be kept in repair, and in case of failure the proprietors shall be liable to be proceeded against in the county court of Hamilton or Marion counties, and subject to the same penalties as are provided for in the second section of an act authorizing George Helms and Adam Helms to open a turnpike road, passed August 23d 1822.* To be always kept in repair.

Sec. 3. *Be it enacted, That the proprietors, shall give bond and security as provided for in the third section of the before recited act.* Proprietors to give bond and security.

Sec. 4. *Be it enacted, That William Clift and John Hopper of Hamilton, and Joseph Martin of Marion county, are hereby appointed commissioners, who shall perform the same duties, establish the same rates of toll, receive the same compensation for their services, and be qualified in the same manner as pointed out in the fourth and fifth sections of the before recited act.* Commissioners appointed.

Sec. 5. *Be it enacted, That if any part of said road, shall be out of repair, at any one time after it is received by said commissioners, and by reason of which any person or persons shall sustain any damage, either in person or property, he, she or they, may have and sustain an action on the case against said proprietors.* Action to be against proprietors where damage is sustained from the road's being out of repair.

SEC. 7. *Be it enacted,* That if any person or persons, shall pass arbitrarily said gate or within one mile thereof, for the purpose of evading the toll, such person or persons, shall forfeit and pay, for every such offence to said proprietors the sum of twenty five dollars to be recovered by action of debt, before any justice of the peace in this state.

EPHRAIM H. FOSTER,

Speaker of the House of Representatives.

JOEL WALKER,

Speaker of the Senate.

November 9, 1829.

CHAPTER XXX.

AN ACT for the relief of the Elkton Guards and Gallatin spies.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the volunteer company attached to the 37th regiment of Tennessee militia denominated the Elkton guards, shall continue subject to all the duties of the militia in said regiment and entitled to all the privileges of the militia under the existing laws, with this exception, that they shall not be compelled to attend regimental and battalion musters and court martial.

SEC. 2. *Be it enacted,* That any person subject to militia duty in the 37th regiment of Tennessee militia, shall be authorized to become a member of the Elkton guards, and upon the production of a certificate of the captain of the Elkton guards, that such militiaman has been admitted a member of said company, he shall thereafter be exempt from militia duty in the company or regiment in which he may reside, so long as he may remain a member of said company; Provided, that no person shall become a member of the Elkton guards except by a strict compliance with the terms set forth in the constitution and bye-laws for the reception of members and government of said company.

SEC. 3. *Be it enacted,* That the Elkton guards may assess and collect fines under their own constitution and bye-laws, and the secretary of the com-

pany, is hereby vested with the power of issuing executions and placing them in the hands of such officer or officers for collection as he may think proper, who shall collect and pay over the same to the secretary of said company, and said officer shall be entitled to the same costs as is allowed on executions issued by judge advocates of regiments, and such fines when collected, shall be applied by said company in any way they may think proper.

SEC. 4. *Be it enacted,* That the said Elkton guards may elect a third lieutenant for said company, also a fourth sergeant and fourth corporal, and the Governor on the certificate of the colonel commandant of the 37th regiment, shall commission the said third lieutenant accordingly.

SEC. 5. *Be it enacted,* That the volunteer company attached to the 15th regiment Tennessee militia, denominated the Gallatin spies, shall be subject to all the duties and entitled to all the privileges that the Elkton guards are entitled to by the provisions of this act.

EPHRAIM H. FOSTER,

Speaker of the House of Representatives.

JOEL WALKER,

Speaker of the Senate.

November 9, 1829.

CHAPTER XXXI.

AN ACT for the relief of Stewart county.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the sheriff or collector and the clerk of the circuit court, and the clerk of the county court of Stewart county, are hereby severally authorized and required to pay over to the trustee of Stewart county, the state taxes by them severally collected, and hereafter to be collected for the years 1829 and 1830, in the same manner and under the same rules, regulations and restrictions as they or either of them are now required by law to pay to the treasurer of West Tennessee, and the receipt of the trustee aforesaid, shall be a good voucher for them or either of them in the settlement of

their respective accounts with the treasurer aforesaid.

EPHRAIM H. FOSTER,
Speaker of the House of Representatives.

JOEL WALKER,
Speaker of the Senate.

November 12, 1829.

CHAPTER XXXII.

AN ACT for the relief of Richard Hyton

Be it enacted by the General Assembly of the State of Tennessee, That the treasurer of East Tennessee, be authorized, and he is hereby directed to refund to Richard Hyton the sum of twenty four dollars and twenty cents, with legal interest thereon, counting from the thirtieth day of December 1825, to the time of passing this act, being the amount paid by said Richard Hyton to the entry taker as occupant enterer of the north west fractional quarter of section nine, fractional township two, range three, east of the meridian in the Hiwassee district, which said described fractional quarter of land, as appears by the certificate of Nathaniel Smith, entry taker for said district, had been previously entered and paid for by John Browder.

EPHRAIM H. FOSTER,
Speaker of the House of Representatives.
JOEL WALKER,
Speaker of the Senate.

October 29, 1829.

CHAPTER XXXIII.

AN ACT to authorize Elijah Foster and Robert L. Brown to raise any sum by lottery not exceeding five thousand dollars, for the construction and improvement of the road leading from the mouth of Sandy to Paris.

Sac. 1. Be it enacted by the General Assembly of the State of Tennessee, That Robert L. Brown and Elijah Foster, are hereby authorized to raise any sum not exceeding five thousand dollars by lottery, for

Lottery authorized.

the purpose of constructing or improving the road from the mouth of Sandy to the town of Paris, in the county of Henry.

Sac. 2. Be it enacted, That before said Brown and Foster, shall proceed to carry the object of this act into effect, they shall give bond and approved security to the chairman of Henry county court, in the sum of twenty thousand dollars, conditioned for the faithful performance of their duty, and also that the prizes which may be drawn by any person or persons, shall truly and faithfully be paid over to the fortunate holder of any ticket or tickets, which shall draw a prize, and paying over the amount of money raised by said lottery, for the benefit of improving said road, to the commissioners hereafter named 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.

Bond and security to be given

Sac. 3. Be it enacted, That Daniel Mason, John H. Dunlap, Thomas K. Porter, John W. Cooke, Washington J. Dewitt and Julian Frasier, be and are hereby authorized to draft a scheme of said lottery and superintend the drawing of the same.

Managers appointed.

Sac. 4. 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 Henry county, put into the boxes the numbers, prizes and blanks contemplated by the scheme, and shall appoint two clerks to keep a regular account of the numbers drawn and of the blanks and prizes, who shall take an oath faithfully, truly and impartially, to keep an account of the drawing of said lottery.

Duty of Managers.

Sac. 5. Be it enacted, That Terance Cooney, James Cawan, David Armour, Hugh Dunlap and Crawford Bradford, be and they are hereby appointed commissioners of the road mentioned in the first section of this act.

Commissioners of the road appointed.

Sac. 6. Be it enacted, That the commissioners mentioned in the fifth section of this act, before they enter upon the discharge of their duty, shall enter into bond and security to the chairman of the county court of Henry county, and his successor in office in the penal sum of ten thousand dollars, conditioned that all the money received by them, from Elijah

To give bond & security for the faithful application of the money.

Foster and Robert L. Brown, for the improvement of the road mentioned in the first section of this act, shall be by them appropriated to the improvement of said road, and they are hereby authorized and empowered to dispose of said money in any manner by them thought best, to improve said road, build bridges &c. and make report to the county court of Henry county, how they have appropriated the same.

EPHRAIM H. FOSTER,
Speaker of the House of Representatives.
JOEL WALKER,
Speaker of the Senate.

October 30, 1829.

CHAPTER XXIV.

AN ACT to repeal an act declaring Beech river navigable, passed September 20th, 1823.

SEC. 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 to all intents and purposes.*

EPHRAIM H. FOSTER,
Speaker of the House of Representatives.
JOEL WALKER,
Speaker of the Senate.

October 30, 1829.

CHAPTER XXXV.

AN ACT for the relief of the heirs of Robert White deceased.

WHEREAS Robert White in his lifetime made an entry for 120 acres, in the ninth surveyors district, range first, section ninth, and by reason of a mistake in the calls thereof, he was deprived of getting the land he intended to enter—For remedy whereof:

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

State of Tennessee, That James Rogers the guardian of the heirs of Robert White deceased, have leave to vacate said entry and remove said warrant and enter it elsewhere, as soon as provisions are made by law for the further satisfaction of warrants.

EPHRAIM H. FOSTER,
Speaker of the House of Representatives.
JOEL WALKER,
Speaker of the Senate.

November 2, 1829.

CHAPTER XXXVI.

AN ACT authorizing James Dorin and William Gibson to open a turnpike road.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee, That James Dorin and William Gibson, are hereby authorized to open and cut out a turnpike road, commencing at Caldwell's bridge, in the county of Franklin and crossing the Cumberland mountain by way of William Gibson's and James Dorin's, thence to intersect the stage road leading from Jasper Tennessee, to Bellsfont Alabama, which road, where the situation of the country will admit of it, shall be cut eighteen feet wide, and cleared of stumps and other obstructions; and where the road has to be causeway'd, where the nature of the ground is such that it cannot be extended, it shall be at least twelve feet wide, clear of stumps, roots, and other obstructions, and if there should be any creek or creeks, that from their nature require it, there shall be good and substantial bridges built across them, and if there should be any swamps, over which said road may be taken, it shall be the duty of the proprietors of the said road to causeway said road with either stone or wood, to be made over said swamps, at least twelve feet wide, clear of stumps, logs or other obstructions.*

SEC. 2. *Be it enacted, That said road shall always be kept in repair, and if it should be permitted to be and remain out of repair for one month, at any one time after the road is opened and established by commissioners hereafter appointed by this act, said commissioners shall immediately make report there-*

Description of the road to be cut.

Road to be always kept in repair.

of to the county court of Franklin county, if it should be six months before the session of the legislature, and when said court shall receive said report, they shall order it to be recorded, and said commissioners shall also proceed to open said turnpike gate, and keep the same open until said road shall be by them adjudged to be in good and sufficient order; they may then grant license under their hands and seals to said proprietors, to shut the said gate for the purpose of exacting toll, and if said proprietors, shall, either directly or indirectly exact, take or receive any toll during the time said commissioners set said gate open, said proprietors, for every such offence, shall forfeit and pay the sum of thirty dollars, to be recovered before any justice of the peace, by any person who will sue for the same, and if the road shall be permitted to be, and remain out of repair any time within six months before the session of the Legislature, said commissioners after setting open the gate, shall report the same to the General Assembly, whose duty it shall be to elect new proprietors, who, when so elected, shall be entitled to receive all the toll rated in this act, and shall be bound by the same duties, regulations, restrictions and penalties as were prescribed by this act, for the original proprietors to do and perform.

Sec. 3. *Be it enacted*, That Thomas J. Russell, William D. Guins, James Russell, James Petty and Samuel C. Caldwell, shall be, and they are hereby appointed commissioners of the aforesaid road, and they, or any two of them, shall be capable at all times to do and perform all the acts and duties required of them by this act, and when the proprietors shall notify said commissioners, that the said road is cut out and completed for use, said commissioners shall proceed to examine said road, and if said road is in their opinion in the order contemplated by this act, they shall proceed to license said proprietors to keep a toll gate; which license shall be under their hands and seals, and said proprietors may proceed to erect a toll gate on the most convenient part of said road, and shall be entitled to receive the following rates of toll, (viz.): for each waggon and team, fifty cents; cart and driver, twenty-five cents; four wheel carriage of pleasure, seventy-five cents; two wheel carriage of pleasure, thirty-seven cents; man and horse or mule; twelve cents; loose or led horse

Commission-
are appointed;
their duty.

or mule not in a drove, six cents; horses or mules in a drove, three cents; each head of cattle, two cents; each head of hogs or sheep, one cent.

Sec. 4. *Be it enacted*, That the commissioners herein appointed by this act, shall before they enter upon the duties of their appointment, take and subscribe the following oath before some justice of the peace for said county, (viz.): I, A. B. do solemnly swear, that I will well and truly perform the duties enjoined on me by this act according to the best of my knowledge and abilities, so help me God.—And the aforesaid commissioners shall be entitled to receive at the rate of two dollars per day, for every day they may be necessarily employed in performing the duties enjoined on them by this act, to be paid by the proprietors of the road.

Oath to be sub-
scribed by com-
missioners.

Sec. 5. *Be it enacted*, That if any part of said road shall be out of repair at any time after it is received by said commissioners, and by reason of which, any person or persons shall sustain any damage, either in person or property, he, she or they may have and sustain an action on the case against said proprietors for the damages sustained.

Action lies
where damage
has been sus-
tained.

Sec. 6. *Be it enacted*, That if any person or persons, shall pass such gate arbitrarily, or within one mile thereof, for the purpose of evading the toll, such person or persons shall forfeit and pay for every such offence to said proprietors, the sum of twenty-five dollars, to be recovered by action of debt, before any justice of the peace in this state.

Penalty for re-
fusing to pay
toll.

Sec. 7. *Be it enacted*, That any mail carrier on horseback, shall at all times pass said gate free from paying any toll.

Mail carrier
not to pay toll.

Sec. 8. *Be it enacted*, That the Legislature after the lapse of fifty years, shall be authorized to repeal the charter hereby granted.

When charter
may be repeal-
ed.

EPHRAIM H. FOSTER,

Speaker of the House of Representatives.

JOEL WALKER,

Speaker of the Senate.

November 5, 1829.

CHAPTER XXXVII.

AN ACT for the relief of Nancy Martin.

WHEREAS it has been represented that Jeremiah

Harlin of Hickman county, has left this state and gone to parts unknown, where he has remained, if living, four years, by which his estate is likely to be sacrificed—for remedy whereof,

Sec. 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Nancy Harlin wife of Jeremiah Harlin of Hickman county, is hereby fully authorized to do all such matters and things in her own name, as the aforesaid Jeremiah if he was present in his name, touching and concerning said estate either in buying, selling, collecting, recovering, receipting, settling, the affairs of said estate, redeeming any property which may have been sold, sue and be sued, plead and be impleaded, and to do any other act, matter or thing touching or concerning said estate as he said Jeremiah might, or could if he was personally present.

Power and privileges conferred.

Sec. 1. *Be it enacted,* That Mary Bullfin of the county of Williamson, the wife of Thomas Bullfin, shall use, have, exercise and enjoy, all the rights, privileges and powers contained in the first section of this act in relation to the estate and property, debts and contracts of her said husband Thomas Bullfin.

Same to Mary Bullfin of Williamson c'ty.

EPHRAIM H. FOSTER,
Speaker of the House of Representatives.
JOEL WALKER,
Speaker of the Senate.

November 5, 1829,

CHAPTER XXXVIII.

AN ACT for the relief of Jesse M. Hannah.

Sec. 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the treasurer of the Western District, is hereby authorized to pay Jesse M. Hannah the amount of state tax, on thirteen thousand nine hundred thirty-three acres of land, which he was unable to collect for the year 1825, and which he has paid over to the treasurer of West Tennessee.

Duty of the Treasurer of the Western District.

Receipt of Hannah a good voucher.

Sec. 2. *Be it enacted,* That the receipt of said Jesse M. Hannah, shall be a good voucher in the

hands of the said treasurer, in the collection of the same.

Sec. 3. *Be it enacted,* Before the next General Assembly, shall be introduced a bill, to amend an act, passed at the session of the General Assembly, in the year 1825, relating to the payment of state tax, by which the judgment of the Western District, relating to him from the payment of state tax, shall be such that the taxes could not be collected therefrom.

EPHRAIM H. FOSTER,

Speaker of the House of Representatives.

JOEL WALKER,

Speaker of the Senate.

November 10, 1829.

CHAPTER XXXIX.

AN ACT for the relief of Henry Mallock and others.

Sec. 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the treasurer of said Tennessee, and he is hereby authorized to extend relief on the part of the state, to any state wife, and purchase from Henry Mallock, widow and relict of Felling Water Mallock, an Indian, deceased, upon the best terms that can be had, not exceeding the amount of the consideration money, and interest received by the state, from Henry Mallock and others, purchasers and assignors of purchasers, and the relict of the said Henry Mallock, in the first range west of the meridian in the Altonese District, all the right, title, claim and interest, which she has in and to said section of land, by virtue of her registry for the same, a reservation under the transfer of 1817 and 1818, which said reservation the said Henry Mallock recovered by an action of ejectment lately tried and determined in the circuit court of the county of Davidson, and that said Henry Mallock's legal wife, and the said Henry Mallock was defendant, deceased, in a case, and upon condition that the said Henry Mallock shall execute to the said treasurer of the state, a bill of sale, a bona fide transfer or conveyance of all the right, title, claim and interest therein, to the said treasurer.

Treasurer of T. Tenn. authorized to extend relief to purchasers and relict of deceased.

Sec. 2. *Be it enacted,* That the receipt of said

Register of E.
Tenn. to issue
grant.

conveyance, provided in the first section of this act, being bona fide made and executed to the treasurer aforesaid, for the sole use and benefit of the state, then and in that case the register of East Tennessee, is hereby authorized and directed to issue to the said Henry Matlock and others, purchasers or assignees of purchasers, enterers and assignees of enterers or any or either of them, a grant or grants as the case may be for the lands by them or any or either of them respectively purchased or entered in the said 4th section, in the 4th township, in the 1st range, west of the meridian in the Hiwassee District.

Costs of suit
to be paid to
Matlocke.

Sec. 3. *Be it enacted,* That the said treasurer of East Tennessee, is hereby authorized and directed to pay to the said Henry Matlock, all the costs of suit recovered against him, by the said Betsy McIntosh in said action of ejectment, and the interest thereon, (if the same has not been paid) and also the further sum of fifty dollars and the interest thereon, the amount of the fee by the said Henry Matlock paid to his counsel, to make for him his defence in said suit, and his receipt therefor as well as the receipt of the said Betsy McIntosh, shall be good vouchers in the hands of said treasurer in the settlement of his accounts.

Repealing
clause.

Sec. 4. *Be it enacted,* That an act passed at the last session of the General Assembly entitled an act for the relief of Henry Matlock, be and the same is hereby repealed.

EPHRAIM H. FOSTER,

Speaker of the House of Representatives

JOEL WALKER,

Speaker of the Senate.

November 17, 1829.

CHAPTER XL.

AN ACT appointing an additional commissioner to the turnpike road therein named.

Sec. 1. *Be it enacted by the General Assembly of the State of Tennessee,* That William T. Gillingwater, of Blount county, be and he is hereby appointed an additional commissioner on the turnpike road leading from the foot of Waldens ridge in Blount county,

to the foot of said ridge in Blount county, commonly called Beattie's turnpike road, who shall be under the same rules and regulations that the former appointed commissioners are under, and shall receive the same pay for his services.

EPHRAIM H. FOSTER,

Speaker of the House of Representatives.

JOEL WALKER,

Speaker of the Senate.

November 18, 1829.

CHAPTER XLI.

AN ACT to provide for the regulation of a volunteer rifle company commanded by captain James M. Pherson of Roane county.

Sec. 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the before named volunteer company, shall hereafter be known and designated, by the name of Jackson guards, and are hereby authorized to choose their own uniform, elect their own officers, choose and establish a place for holding company meetings, and establish such by-laws and regulations for their own government as they may think proper, provided the same are not inconsistent with the constitution and laws of this state.

Sec. 2. *Be it enacted,* That any person subject to do military duty in any regular company of militia, shall be at liberty to join said company; Provided no other company shall be thereby reduced under forty rank and file, and the officers of said company, shall be the same as heretofore, and they shall moreover have the right to apply all fines imposed for delinquencies or otherwise, to said company to the use and benefit thereof.

Sec. 3. *Be it enacted,* That a volunteer company of infantry, to be known and designated by the name of the Washington Bluffs, may be formed and raised in the town of Tellico, Marion county, who shall hold their company meetings in said town of Tellico, and who shall be attached to whichever regiment in said county of Marion, a majority of said company may select.

On what conditions members of other companies can join it

Washington Bluffs

Sec. 4. Be it enacted, That said company of Washington Blues, shall be made up in the same way, and be entitled to all the rights and privileges that are secured in this act to captain James M. Pherson's company of Jackson Guards.

EPHRAIM H. FOSTER,

Speaker of the House of Representatives.

JOEL WALKER,

Speaker of the Senate.

November 16, 1829.

CHAPTER XLII.

AN ACT to incorporate the trustees of the Manual Labour academy in Maury county.

SEC. 1. Be it enacted by the General Assembly of the State of Tennessee, That James T. Sanford, John Brown, Obediah Jennings, Ephraim H. Foster, Philip Lindeley, Newton Cannon, James H. Brookes, Duncan Brown, William L. Williford, Robert Hardin, George M. Martin, Thomas J. Hall, Samuel Calvert, Hugh Brown, John Allen, Mathew Rhen, Hugh Barr, David A. Smith, John White, John W. Hall, Amze Bradshaw, Robert M'Ewen, George Newton, Daniel Gilerist, John Sloss, George W. Ashbridge, James Elliott, James M'Lin, Ebenezer M'Ewen, Alexander Campbell, David Weir, Thomas Lynch, Edward Ward, James Campbell, Benjamin Carter, Benjamin M'Calloch, William James Frierson, Thomas Brown, William Leech and Moses F. Stephens, be, and they are hereby constituted a body politic and corporate, by the name of the trustees of the Manual Labour Academy, and by that name shall have perpetual succession and a common seal; and said trustees and their successors by the name aforesaid, shall have the power in law and equity, to purchase and receive, and hold to themselves and their successors forever, or for any less estate, any lands, tenements, hereditaments, goods or chattles, which may be given, granted, devised, or in any lawful manner acquired by them or their successors for the use of said academy, and to have power to sell and convey, use and dispose of the same, in such manner as to them shall seem most ad-

Trustees incorporated.

vantageous for said academy, and said trustees and their successors, by the name aforesaid, may sue and be sued, plead and be impleaded in any court of law or equity in this state or elsewhere.

SEC. 2. Be it further enacted, That said trustees and their successors, shall have power to hold their meetings when and where they may think proper; Provided, that not less than five of said trustees shall constitute a sufficient board to do business, and a majority of the whole number of said trustees being present, shall have power to fill all vacancies which may happen in said board by death, resignation, removal or refusal to act, of any trustee or trustees; and shall have power whensoever a competent number to transact the business of said board shall be present, to appoint all officers of said board by them deemed necessary and proper, and they shall have power to make their own bye-laws, rules or regulations, to transact all business of every description relating to the plan, interest and government of any, and the whole of the concerns of said institution, in such manner as to them and their successors may seem fit and necessary; Provided, that such bye-laws, rules and regulations shall not be contrary to the constitution and laws of this state and of the United States.

Their rights, powers, & privileges.

EPHRAIM H. FOSTER,

Speaker of the House of Representatives.

JOEL WALKER,

Speaker of the Senate.

November 16, 1829.

CHAPTER XLIII.

AN ACT for the relief of Joseph H. Talbott.

WHEREAS it is represented to this General Assembly, that warrant No. 6746, issued by the register of West Tennessee to Walter Eddy, for fifty acres, forty acres of which were assigned to Joseph H. Talbott, and ten acres to John Murry, upon which warrant an entry was made in the 10th surveyors district No. 1601, on the 25th of December 1824, and it appears that afterwards the interest of said Murry was sold, and Joseph H.

Talbott became the purchaser as appears by the assignment of the sheriff of Fayette county, and it being represented to this General Assembly, that said warrant has been lost, and that the grant cannot issue, for remedy whereof,

Sec. 1. Be it enacted by the General Assembly of the State of Tennessee, That the register of the Western District, is hereby authorized and required to issue a grant to said Joseph H. Talbott upon said entry for fifty acres, upon his filing the platt and certificate of survey together with an affidavit of the loss of the warrant.

EPHRAIM H. FOSTER,
Speaker of the House of Representatives.
JOEL WALKER,
Speaker of the Senate.

November 16, 1829.

CHAPTER XLIV.

AN ACT to authorize the county court of Fayette county, to lay a tax to complete the building of a court house in the town of Sommerville.

Sec. 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 Fayette 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 Sommerville.

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.

Sec. 3. Be it enacted, That it shall be lawful for the county court of the county of Carroll, a majority of their acting justices of the peace being present, to lay a tax not to exceed the state and county tax, at their first court in each and every year, so long as it may be necessary to raise a fund, to build a Jail in said county, and the sheriff or collector

May lay a tax

Duty of Sheriff.

Privilege extended to Carroll county.

shall collect and pay over the same as other county monies.

EPHRAIM H. FOSTER,
Speaker of the House of Representatives.
JOEL WALKER,
Speaker of the Senate.

November 16, 1829.

CHAPTER XLV.

AN ACT to authorize the making out certain certificates of surveys made by John Purris dec'd. late surveyor of Roane county.

Be it enacted by the General Assembly of the State of Tennessee, That the personal representatives of John Purris dec'd. late surveyor of Roane county, be required to file with the present surveyor of Roane county, the field notes of John Purris late surveyor of said county, of all surveys upon which plats and certificates are not made out and completed, and pay to said surveyor the sum of fifty cents for each survey, upon which said plats and certificates are not made out, and thereupon it shall be the duty of said surveyor to make out plats and certificates according to the aforesaid field notes, and file and record the same in his office, and the same when so done, shall be as good and effectual in all respects as if the same had been done by the said John Purris in his lifetime.

EPHRAIM H. FOSTER,
Speaker of the House of Representatives.
JOEL WALKER,
Speaker of the Senate.

November 16, 1829.

CHAPTER XLVI.

AN ACT for the benefit of the executors of William Tait.

WHEREAS George Bell deceased, on the 30th of July 1824, obtained a judgment in the supreme court

Preamble.

of this state against Montgomery Bell, which said judgment was founded on a blank endorsement of a note, to him, and which he held as trustee for the executors and legatees of William Tait deceased, and the legatees of Margaret C. Tait deceased; and whereas the said George Bell has died out of this state insolvent, and no person will administer on his estate—Therefore,

May revive a certain judgment

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the executors of William Tait deceased, be enabled to revive said judgment against said Montgomery Bell, in their names by scire facias in the same manner as if they were the executors of said George Bell deceased.

When scire facias to stand for trial.

SEC. 2. *Be it further enacted*, That in case the scire facias is served on said Bell fifteen days before the next term of the supreme court, the same shall stand for trial at said term.

EPHRAIM H. FOSTER,
Speaker of the House of Representatives
JOEL WALKER,
Speaker of the Senate

November 16, 1829.

CHAPTER XLVII.

AN ACT to exonerate all persons living on the top of Cumberland mountain in White county from attending musters.

Residents of Cumberland Mountain exonerated from muster.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That all persons living on Cumberland mountain in the county of White, be, and are hereby exonerated and discharged from attending all musters, any law to the contrary notwithstanding.

Company musters where to be held.

SEC. 2. *Be it enacted*, That the company of militia commanded by John West of Fentress county, shall hereafter hold their company musters at Jamestown in said county, and the officers commanding said company may discharge any private or privates, who may live at too great a distance to attend musters, and the said company shall be made up from the adjoining companies, so as best to suit the convenience

of the privates living adjoining thereto; Provided, that no person shall be attached to said company without his consent.

EPHRAIM H. FOSTER,
Speaker of the House of Representatives,
JOEL WALKER,
Speaker of the Senate.

November 16, 1829.

CHAPTER XLVIII.

AN ACT to annex the counties of Bledsoe and Marion to the supreme court at Sparta.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That all writs of error and appeals in the nature of writs of error, which may hereafter be taken from any order, judgment or decree of either of the circuit courts of Bledsoe or Marion counties, the same shall be taken and made returnable to the court of errors and appeals holden at the court house in the town of Sparta, there to be tried and determined under the same rules, regulations and restrictions, of all other causes in said court.

EPHRAIM H. FOSTER,
Speaker of the House of Representatives,
JOEL WALKER,
Speaker of the Senate.

November 16, 1829.

CHAPTER XLIX.

AN ACT to extend the town of Sparta in White county and other purposes.

Be it enacted by the General Assembly of the State of Tennessee, That the town of Sparta, in the county of White, shall be extended in the following manner, to wit: beginning at a point above the bridge over the Calf-Killer, to be designated by Jacob A. Lane, and running westwardly crossing the river so as to include fifty acres, which shall be subject to

Town of Sparta extended.

the same rules and regulations as the corporation of said town is subject to, and be considered and deemed to be part thereof; Provided Jacob A. Lane will have the same surveyed at his own expense.

Commissioners to reside in the Corporation.

Be it enacted, That no person shall be a commissioner or in anywise have power to pass bye-laws for the corporation of said town of Sparta, who does not reside within the bounds of the corporation of the same.

Be it enacted, That the town of Lebanon, in the county of Wilson, shall be extended in the following manner, beginning at the south west corner of said town; thence south so far that a due east line will include the grave-yard belonging to said town, and continuing east fifty five poles beyond the south east corner of said town to a stake; thence north to the south boundary line of the tract of land on which William Hartsfield now lives; thence west to the east boundary line of the lot or tract of land on which David McConnel now lives; thence south to the north east corner of a piece of land belonging to Joseph Johnson, and on which he formerly had a cotton-gin; thence west to the north west corner of John Stone's lot or piece of land; thence south to the north boundary line of said town.

Town of Lebanon extended

Part extended entitled to equal privileges with the old.

Be it enacted, That all the property and citizens included in the above bounds, shall be entitled to all the rights and privileges, and be subject to, and governed by the same laws and regulations that the citizens of said town are subject to.

EPHRAIM H. FOSTER,

Speaker of the House of Representatives.

JOEL WALKER,

Speaker of the Senate.

November 21, 1829.

CHAPTER L.

AN ACT to establish the regimental musters in the county of Overton.

How established and when holden.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the militia of the county of Overton, shall compose the thirty fifth and one hundred and fourteenth regiments, the thirty fifth re-

giment shall hold a regimental muster on the third Saturday of September; and the hundred and fourteenth regiment, shall hold a regimental muster on the second Saturday of September annually.

Sec. 2. *Be it enacted,* That the 113th regiment of militia in Franklin county, shall hold a regimental muster on the second Saturday of October of each and every year, and the one hundred and eighth regiment of Maury county, shall hold a regimental muster on the first Saturday of October annually.

113th & 108th Regiments—when to muster.

EPHRAIM H. FOSTER,

Speaker of the House of Representatives.

JOEL WALKER,

Speaker of the Senate.

November 21, 1829.

CHAPTER LI.

AN ACT for the benefit of Francis McGavock and others.

WHEREAS the following described warrants together with the plats and certificates of survey founded thereon, (to wit): military warrant No. 10 for 274 acres, entered and surveyed in the name of Allen Read; Military warrant No. 887, for 1000 acres entered and surveyed in the name of Joseph W. Kidd; Military warrant No. 1819, for 640 acres entered and surveyed in the name of Cave Johnston; Military warrant No. 1871, for 640 acres entered and surveyed in the name of Francis McGavock, Bartholomew Bowers and George Bowers; Military warrant No. 1886, for 183 acres, entered and surveyed in the name of William Dedcan, Military warrant No. 2389, for 640 acres, entered and surveyed in the name of Thomas Butcher; Certificate No. 304, issued by the board of commissioners for West Tennessee, for 115 acres, entered and surveyed in the name of George Cathey and William Campbell; Certificate No. 275, issued by said board for 100 acres, entered and surveyed in the name of Sarah Padgett; and a service right warrant No. — for 250 acres, entered and surveyed in the name of Thomas Sharp; and certificate No. 1095, issued by

Preamble,

Preamble.

the commissioners of West Tennessee, for 821 acres, entered and surveyed in the name of Francis McGavock, all of which are located and surveyed south and west of the Congressional reservation line, and transmitted thence, for the purpose of perfecting the titles thereon, were destroyed by fire, with the house of Francis McGavock of the county of Davidson, on the 24th day of February 1828—and in as much as the owners or claimants of said warrants &c. are estopped from obtaining grants thereon, and cannot under any general provision, procure grants on said claims in consequence of the loss of their warrants—Therefore,

Register of W
Tennessee—
duty of.

Be it enacted by the General Assembly of the State of Tennessee, That the register of West Tennessee, be and is hereby authorized and required to issue grants thereon, so soon as said McGavock and others interested therein, shall procure authenticated copies of said warrants, plats and certificates of survey, and present them for the purpose of obtaining grants thereon; Provided, nevertheless, that the said register be satisfied that said warrants have never been granted heretofore.

EPHRAIM H. FOSTER,

Speaker of the House of Representatives.

JOEL WALKER,

Speaker of the Senate.

November 21, 1829.

CHAPTER LII.

AN ACT for the relief of Betsy Smith.

WHEREAS it appears to this General Assembly, that Frederick Shuman, who departed this life in September 1828, did by a nuncupative Will, devise to Betsy Smith, the whole of his property; and whereas it appears that the chief part of said property consists of a small tenement on part of lot No. — on the bank of the river, in the town of Nashville, which said tenement and part of lot could not pass by said Will, though such was the intention of the deceased—for remedy whereof,

Be it enacted by the General Assembly of the State of Tennessee, That the said Betsy Smith shall have, hold and enjoy all and singular the said tenement and part of lot in the town of Nashville, in the same manner, and to the same extent as though the said nuncupative Will had been as effectual to pass real estate as a written devise, with all the formalities of law—saving and excepting at all times the rights and interests of the legal heirs and representatives of said Shuman, should they hereafter come from beyond the limits of the United States.

EPHRAIM H. FOSTER,

Speaker of the House of Representatives.

JOEL WALKER,

Speaker of the Senate.

November 21, 1829.

CHAPTER LIII.

AN ACT to exempt the proprietors of Beattie's turnpike road from paying a tax therefor.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the owners and proprietors of the turnpike road leading from Bledsoe to Rhea county, known by the name of Beattie's turnpike road, be, and they are hereby released and discharged from paying any tax for keeping a turnpike gate on said road, any law to the contrary notwithstanding.

EPHRAIM H. FOSTER,

Speaker of the House of Representatives.

JOEL WALKER,

Speaker of the Senate.

November 21, 1829.

CHAPTER LIV.

AN ACT to authorize the securities of George Hulme late sheriff of Williamson county to collect taxes in certain cases.

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

R

State of Tennessee, That the securities of George Hulme late sheriff of Williamson county, be and they are hereby authorized to collect in the same manner as other taxes are collected, any taxes that may be due and uncollected, for and during the time the said Hulme was sheriff.

EPHRAIM H. FOSTER,

Speaker of the House of Representatives.

JOEL WALKER,

Speaker of the Senate.

November 21, 1829.

CHAPTER LV.

AN ACT to amend the laws in relation to Rittenhouse academy in the county of Roane.

Be it enacted by the General Assembly of the State of Tennessee, That any five of the trustees of Rittenhouse academy in the county of Roane, shall hereafter constitute a board for the transaction of any business, which by law the said trustees or a majority of them can now do.

EPHRAIM H. FOSTER,

Speaker of the House of Representatives.

JOEL WALKER,

Speaker of the Senate.

November 25, 1829.

CHAPTER LVI.

AN ACT to exempt certain persons from militia duty.

SEC. 1. Be it enacted by the General Assembly of the State of Tennessee, That the members of the fire companies number one and two, in the town of Nashville, be, and they are hereby exempted from the performance of militia duty during the existence of peace, and so long as they continue members of said fire companies.

SEC. 2. Be it enacted, That in order to procure such exemption, it shall be necessary for the members of said companies to procure from the pres-

Fire companies in Nashville.

Members of to procure certificates.

dent and secretary of said companies, certificate that they are regular members of said fire companies, and that they conform to the constitution and bye-laws thereof; which certificates being exhibited to the officers commanding the militia within their respective limits, shall be deemed and held sufficient to exempt said members from militia duty as aforesaid.

EPHRAIM H. FOSTER,

Speaker of the House of Representatives.

JOEL WALKER,

Speaker of the Senate.

November 25, 1829.

CHAPTER LVII.

AN ACT appointing trustees for Duffield Academy and other Academies.

SEC. 1. Be it enacted by the General Assembly of the State of Tennessee, That David Nelson, Saml. Hughes, James P. Taylor, Joseph Powel jun'r. A. W. Taylor, William Gott and Alfred M. Carter, be and they are hereby appointed trustees of Duffield Academy, in the county of Carter, in the town of Elizabethton.

Trustees appointed.

SEC. 2. Be it enacted, That said trustees shall possess exercise and enjoy all the rights, privileges, power and emoluments, which by law have heretofore been given to the trustees of said academy.

Power and privileges.

SEC. 3. Be it enacted, That Bennit H. Henderson, Wilson S. Gray, John Brown, Jesse Allen and William W. Crawford, be appointed additional trustees for Somerville academy in Fayette county, and that they have all the power and privileges, which have heretofore been given to the trustees of said academy.

Somerville Academy.

SEC. 4. Be it enacted, That John H. Bills, John Rogers, Francis Shoemaker, Edmund Fitzhugh and Valentine D. Barry, be appointed additional trustees for Bolivar academy, in the county of Hardeman, and that they have the same power and privileges given to the trustees of said academy heretofore appointed: and that Jacob Swether and John

Additional trustees for Bolivar Academy.

Crocket be appointed additional trustees for Carroll Academy, in the county of Carroll.

EPHRAIM H. FOSTER,

Speaker of the House of Representatives.

JOEL WALKER,

Speaker of the Senate.

November 25, 1829.

CHAPTER LVIII.

AN ACT to provide for leasing the house attached to the jail of Claiborne county.

Be it enacted by the General Assembly of the State of Tennessee, That the court of pleas and quarter sessions of Claiborne county, is hereby authorised and empowered, if they shall deem it advisable, to have the house attached and belonging to the jail of said county, leased from year to year, for such annual compensation as such court may think proper, and all bonds taken for such annual rent shall be executed to the chairman of said court; and the sheriff of said county shall collect the same when due, and pay all monies arising therefrom to the trustee of said county for county purposes; Provided however, that any person or persons who may rent or lease the said house, shall also execute bond with security to return the same in the like good order in which it may have been received.

EPHRAIM H. FOSTER,

Speaker of the House of Representatives.

JOEL WALKER,

Speaker of the Senate.

November 25, 1829.

CHAPTER LIX.

N ACT for the relief of William Reed and Pollard Wisdom.

SEC. 1. Be it enacted by the General Assembly of the State of Tennessee, That the commissioner of land William Reed claims, be, and he is hereby authorized to issue to

William Reed a duplicate warrant No 2461 for 25 acres; Provided it shall appear to the satisfaction of said commissioner that said warrant was lost during the passage of the act of 1826, chapter 92, and that the same is good and valid and has never been appropriated.

SEC. 2. Be it enacted, That the said commissioner shall issue a duplicate warrant No. 2460 for 25 acres to Pollard Wisdom, if it shall appear to said commissioner, that said warrant was lost during the passage of the act of 1826, chapter 92, and that the same was good and valid and has never been appropriated.

SEC. 3. Be it enacted, That so soon as the said commissioner shall issue to the said William Reed a duplicate No. 2461, and to the said Pollard Wisdom a duplicate No. 2460, the said William Reed and Pollard Wisdom, may enter their respective occupant claims in the 7th district, according to the provisions of the said act of 1826, chapter 92.

May enter their occupant claims in the 7th district

EPHRAIM H. FOSTER,

Speaker of the House of Representatives.

JOEL WALKER,

Speaker of the Senate.

November 25, 1829.

CHAPTER LX.

AN ACT to establish a Male and Female Academy at the town of Lagrange, in the county of Fayette.

SEC. 1. Be it enacted by the General Assembly of the State of Tennessee, That John Anderson, Charles Michee, John Booth, William Booth, Orvil C. Rivers, Samuel B. Harper, Joel L. Jones, Howell Myrick, John H. Moss, James Titus, John Ragan, Samuel M. Killen, George Gray and Frazier Titus, be and they are hereby appointed a body politic and corporate, by the name of Lagrange Academy, and by that name shall have succession for fifty years and a common seal—and the said trustees and their successors by the name aforesaid, shall be capable in law to purchase receive and hold to themselves and their successors for the time aforesaid, any lands, tenements, goods or chattles, which shall be

Trustees of male academy appointed and incorporated.

given, granted or devised to them, or purchased by them, to the use of said academy, and to use and dispose of the same in such manner as to them, shall seem most advantageous for the use of said Academy, and said trustees and their successors by the name aforesaid, may sue and be sued, plead and be impleaded in any court of law or equity in the state or elsewhere.

Their power and duty.

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

Female Academy incorporated.

SEC. 3. *Be it enacted*, That the said John Anderson, Charles Michie, John Booth, William Booth, Orvil C. Rivers, Samuel B. Harper, Joel L. Jones, Howell Myrick, John H. Moss, James Titus, John Ragan, Samuel M. Killen, George Gray and Frazier Titus, be and they are hereby appointed a body politic and corporate, by the name of the Lagrange Female Academy, and that they shall have all the rights, privileges and immunities, and be governed by the same rules, regulations and restrictions, that are provided by the act of 1827, entitled an act to establish a Female Academy at Bolivar in the county of Hardeman.

EPHRAIM H. FOSTER,

Speaker of the House of Representatives.

JOEL WALKER,

November 25, 1829. Speaker of the Senate.

CHAPTER LXI.

AN ACT to extend the turnpike road granted William Reynolds.

Be it enacted by the General Assembly of the State of

Tennessee, That the turnpike road granted to William Reynolds by the act of 1825, chapter 334, be, and the same is hereby so extended as to cross the Meadow creek mountain; and that part of the road hereby extended, shall be taken and deemed to be part of the aforesaid turnpike road, so granted as aforesaid, to the said William Reynolds—And which act of Assembly of 1825, chapter 334, shall in all things whatsoever, therein contained, have full and complete operation, both in opening the said road hereby extended, and keeping the same in repair, as if herein again specially enacted—and the commissioners shall have the same compensation, perform the same duties and be governed by the same rules as therein specified—and in consideration of such extension, the charter granted by the aforesaid act of Assembly, to the aforesaid William Reynolds, shall be limited only to such period as the General Assembly may hereafter enact.

EPHRAIM H. FOSTER,

Speaker of the House of Representatives.

JOEL WALKER,

Speaker of the Senate.

November 25, 1829.

CHAPTER LXII.

AN ACT to amend an act entitled "an act to provide for the better regulation of the town of Kingston, in Roane county," passed the 17th day of August, 1822.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the commissioners of the town of Kingston, in the county of Roane, appointed by the provisions of the above recited act, be, and they are hereby authorized to call upon the former commissioners of said town, and also upon the late mayor and aldermen of said town, appointed under an act of the General Assembly, passed in the year 1820, entitled an act to incorporate the inhabitants of the town of Kingston, in the county of Roane, or upon any officer appointed under said act, incorporating said town, for any monies which may be in the hands of said commissioners, mayor and aldermen or other officers, which may have been col-

Present Commissioners to call on the old, for settlement.

lected for the use of said town, and upon refusal to pay the same by said former commissioners, mayor and aldermen or any other person holding in their hands, any such sums of money, it shall be lawful and said commissioners for said town of Kingston, are hereby authorized to institute suit for the same, in the name of their chairman, against any person or persons in whose hands any such monies may be, before any court having cognizance of the same, and shall be authorized to recover the same, under the same rules, regulations and restrictions as other persons, corporations or bodies politic, are now by law authorized to sue and recover.

Official acts of the present Chairman declared valid.

SEC. 2. *Be it enacted*, That the official acts of the present acting chairman of the commissioners of said town, shall be, and they are hereby declared to be good and valid to all intents and purposes—and the said chairman, or any other that may hereafter be appointed by said commissioners, shall be, and he is hereby authorized to do and perform all necessary acts and duties appertaining to said office, and all suits and actions in behalf of said commissioners, shall hereafter be instituted in the name of the said chairman.

And also the acts of Wm S. M'Ewen.

SEC. 3. *Be it enacted*, That all the official acts of William S. M'Ewen, as commissioner of said town, who was by the before recited act of 1822, appointed by the name of William H. M'Ewen, be, and the same are hereby declared to be as good and effectual as though he had been appointed by his proper name.

Power of Commissioners.

SEC. 4. *Be it enacted*, That said commissioners for the town of Kingston, shall have power to make all needful rules, regulations and bye-laws for the maintaining of good order in said town, not inconsistent with the constitution and laws of the state.

Bounds of Kingston enlarged.

SEC. 5. *Be it enacted*, That the bounds of the said town of Kingston, are hereby enlarged so as to include the house and lot of Ambrose Jones where he now lives.

EPHRAIM H. FOSTER,

Speaker of the House of Representatives.

JOEL WALKER,

Speaker of the Senate.

November 25, 1829.

CHAPTER LXIII.

AN ACT to provide for holding regimental musters in the 115th regiment of T.M.

Be it enacted by the General Assembly of the State of Tennessee, That the 115th regiment of Tennessee militia, shall hold their regimental musters on the first Saturday in October, in each and every year.

EPHRAIM H. FOSTER,

Speaker of the House of Representatives.

JOEL WALKER,

Speaker of the Senate.

November 25, 1829.

CHAPTER LXIV.

AN ACT to establish a Hospital in the town of Memphis.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the sum of thirty three hundred dollars, out of any monies in the treasury of the Western District, not otherwise appropriated, be appropriated for the purpose of building a Hospital in the town of Memphis and county of Shelby.

Appropriation made.

SEC. 2. *Be it enacted*, That William Lawrence, Thomas Persons, Marcus B. Winchester, Robert C. M'Alpin, Robert Fearn, Albert Russell and Thomas Phoebus, be and they are hereby appointed trustees of said Hospital, who shall have power to receive and receipt for the money from the treasurer of the Western District, and also shall have power to contract for said building, under such rules and regulations, and under such restrictions as said trustees shall prescribe, and they shall also prescribe the form, construction and materials, of which the said Hospital shall be built, and they shall take bond with good and sufficient security or securities, from the undertaker or undertakers, for the faithful performance of said work, at the place in the time and manner that shall be prescribed by said trustees; the said trustees before entering upon the duties of their office, shall enter into bond and good security to the Governor, for the time being and his succe-

Trustees appointed—their duty and authority.

sors in office, in the sum of ten thousand dollars, for the faithful performance of their duty, and correct disbursement of said sum of money; they shall further have the power to contract for or receive by donation, any lot in the town of Memphis or in the suburbs thereof, for the purpose of building said Hospital and take a deed to the trustees and their successors in office accordingly.

County court
to supply va-
cancies among
them.

SEC. 3. *Be it enacted*, That if any of said trustees shall die, remove or resign, the county court of Shelby, shall supply the vacancy occasioned thereby, and said trustees may receive any other or further sums by subscription or donation for said Hospital.

Where Trus-
tees misapply
funds.

SEC. 4. *Be it enacted*, That if said trustees shall misapply said funds, it shall be the duty of the Solicitor General of said district, to commence suit in the name of the Governor, for the time being or his successors upon the bond given under the direction of this act, which recovery shall be for the use and benefit of said Hospital.

Power of trustees in govern-
ing the Hospi-
tal.

SEC. 5. *Be it enacted*, That the trustees may have the power to prescribe such rules and regulations for the government of said Hospital, and the appointment of a physician to attend therein, and give him such compensation out of their own funds as they think proper.

EPHRAIM H. FOSTER,
Speaker of the House of Representatives.
JOEL WALKER,
Speaker of the Senate.

November 21, 1829.

CHAPTER LXV.

AN ACT for the benefit of Shadrack Price.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the register of the mountain district, is hereby authorized to issue to Shadrack Price a grant for seventeen acres of land in White county, on warrant No. 2918, surveyed for Thomas Philips, located on 3d of September 1817, No. 5085, situated in White county, also a grant for twenty acres No. of warrant 690, surveyed for William Ragland, located 28th day of January 1819

No. 5668 in White county, and for five acres warrant No. 3071, surveyed for said Price, on the 22d of April 1819, located 28th January 1819, location No. 5667, on the said Price shewing to the register that said surveys are founded upon bona fide warrants; Provided nothing herein contained shall affect any claim to said survey by any other person.

EPHRAIM H. FOSTER,
Speaker of the House of Representatives.
JOEL WALKER,
Speaker of the Senate.

November 26, 1829.

CHAPTER LXVI.

AN ACT for the relief of Joseph Dyer.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the said Joseph Dyer, is hereby declared to be released and discharged from all liability to the State of Tennessee, which may now exist for or on account of a certain penal bond, entered into by him in the sum of one thousand dollars, as bail for the appearance of John C. Miller at Washington in Rhea county, charged with the crime of larceny; Provided, nevertheless, that nothing herein contained, shall be construed so as to exonerate said Dyer from the payment of all costs and charges that may have accrued in said prosecution.

EPHRAIM H. FOSTER,
Speaker of the House of Representatives.
JOEL WALKER,
Speaker of the Senate.

November 23, 1829.

CHAPTER LXVII.

AN ACT to enlarge the town of Brownsville in the county of Haywood.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the lot or piece of land adjoining the town of Brownsville, on the north bound- Town exten-
ded.

ary heretofore given by Thomas H. Taylor, for the use of a Presbyterian church, shall belong to, and be considered as a part of said town of Brownsville, and shall be included in the corporation of said town and known by lot No. 152.

SEC. 2. *Be it enacted*, That the lot or piece of land adjoining the above lot No. 152, on the north, on which the Brownsville Academy now stands, shall belong to, and be considered a part of said town of Brownsville, and shall be included within the corporation of said town, and be known by lot No. 153.

SEC. 3. *Be it enacted*, That the lot or piece of land adjoining the above lot No. 153, on the north, belonging to John C. M'Lemore, and on which Blackman Coleman now lives, shall belong to, and make a part of said town, and shall be included within the corporation thereof, and be known by lot No. 154.

SEC. 4. *Be it enacted*, That said lots Nos. 152 and 153, shall be exempt from the payment of any state, town or county tax.

EPHRAIM H. FOSTER,
Speaker of the House of Representatives.
JOEL WALKER,
Speaker of the Senate.

November 23, 1829.

CHAPTER LXVIII.

AN ACT for the benefit of Samuel Wilson of Monroe county.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the register of the Hiwassee District, is hereby authorized and required to issue a grant to Samuel Wilson, of Monroe county, for fifty acres of land, claimed and owned by him, as an assignee of part of a certificate issued by the treasurer of East Tennessee, being a part of the north west quarter of section 25, in township No. 2, in range No. 1, east of the meridian in the Hiwassee District; Provided, nevertheless, that the said Samuel Wilson, shall first produce to the said register, the receipt of the said treasurer for the payment of the full amount that may be due the State of Ten-

nessee, for the said fifty acres of which the said Samuel Wilson is assignee as aforesaid.

EPHRAIM H. FOSTER,
Speaker of the House of Representatives.
JOEL WALKER,
Speaker of the Senate.

November 23, 1829.

CHAPTER LXIX.

AN ACT for the relief of the persons therein named.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That either William or Nancy Woods may prefer a petition to the circuit court of Nancy Woods Gibson for a divorce, and if it shall appear by proof, or shall be admitted in the answer, that the applicant shall bring his or her case within the provisions of any of the acts of assembly authorizing a divorce, said court shall proceed at the first term, to grant a divorce between said parties, any law to the contrary notwithstanding.

SEC. 2. *Be it enacted*, That Elizabeth Clark may prefer a petition against her husband Samuel Clark, to the circuit court of Franklin county for a divorce, and if it shall appear by proof, or shall be admitted in the answer of the said Samuel Clark, that the applicant is brought within the provisions of any of the acts of Assembly authorizing a divorce, said court shall proceed at the first term to grant a divorce between the said Elizabeth and her husband without charging any costs.

SEC. 3. *Be it enacted*, That Margaret Fickle may prefer a petition against her husband Abraham B. Fickle, to the circuit court of Sullivan county for a divorce, and if it shall appear that the said Abraham B. Fickle has been convicted of any infamous offence, said court shall proceed at the first term, to grant a divorce between the said Margaret and her husband; said court are further authorized to change the names of the said Margaret Fickle and her son Robert P. Fickle, or either of them, to that of Margaret Rhea and Robert P. Rhea, and said court are further authorized to constitute the said Margaret

sole guardian to her child Robert P. with all the powers that a father has over his child.

EPHRAIM H. FOSTER,

Speaker of the House of Representatives.

JOEL WALKER,

Speaker of the Senate.

November 23, 1829.

CHAPTER LXX.

AN ACT for the benefit of John Brock and others.

John Brock and others to repair fish trap
SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee,* That John Brock and others, be authorized to repair and keep up a fish trap and dam on Clinch river, at or near Stephen Thompson's, so as not to obstruct the navigation of said river.

Also Jonathan Powell and others.
SEC. 2. *Be it enacted,* That Jonathan Powell and others, be authorized to repair a fish trap and dam in Clinch river near Joseph Powell's, so as not to obstruct the navigation of said river.

EPHRAIM H. FOSTER,

Speaker of the House of Representatives.

JOEL WALKER,

Speaker of the Senate.

November 16, 1829.

CHAPTER LXXI.

AN ACT for the relief of the legal representatives of John Wilkinson dec'd.

Duty of the Treasurer of E Tennessee.
SEC. 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 Margaret Wilkinson administratrix and Theophilus Wilkinson administrator of John Wilkinson, late attorney general for the third solicitorial district of this state, the amount of the salary due said attorney general from this state, from the 31st of December 1828, to the 12th day of June 1829, without requiring them to produce the affidavit re-

quired of attorneys general, by the act of 1825; and the receipt of said administratrix and administrator, shall be a good voucher in the hands of said treasurer in the settlement of his accounts.

Duty of the county Trustees in the 3d Solicitorial district.
SEC. 2. *Be it enacted,* That the county trustees of the several counties, within the third solicitorial district, be, and they are hereby directed to pay to the administratrix and administrator of John Wilkinson, late attorney of said third solicitorial district, the several sums which the county courts of the several counties in said district have allowed, or may allow, for the services of said late attorney general in their respective counties, without requiring them to produce the affidavit required of attorneys general by the act of Assembly of 1825, and the receipt of said administratrix and administrator shall be to said county trustees a good voucher in the settlement of their accounts.

EPHRAIM H. FOSTER,

Speaker of the House of Representatives.

JOEL WALKER,

Speaker of the Senate.

November 26, 1829.

CHAPTER LXXII.

AN ACT for the benefit of Caleb Brock.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the surveyor general of the tenth surveyors district, be authorized and required to remove an occupant entry laid on the general plan of said district, in the name of Nathaniel Bridgement, and by him transferred to Caleb Brock, range one and section six, when it shall appear to him that the said occupant entry covers a part of an older entry; Provided, that when so removed, it does not interfere with the claim or claims of any other person or persons whatever.

EPHRAIM H. FOSTER,

Speaker of the House of Representatives.

JOEL WALKER,

Speaker of the Senate.

November 25, 1829.

CHAPTER LXXIII.

AN ACT for the benefit of Uriah Davis.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee, That Uriah Davis shall be entitled to a preference of entry or right of occupancy, to two hundred acres of land, lying in Weakly county, in the 13th surveyors district, in the third range and eighth section, on the north fork of Obion river, for the purpose of building a grist and saw mill; Provided the same does not interfere with the right of occupancy of any person heretofore settled on any part of said land.*

EPHRAIM H. FOSTER,

Speaker of the House of Representatives.

JOEL WALKER,

Speaker of the Senate.

November 25, 1829,

CHAPTER LXXIV.

AN ACT for the benefit of Richard Brown, John Brown and William Isam.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee, That Richard Brown, John Brown and William Isam of Brown's bend on Duck river, in the counties of Perry and Humphreys, be, and they are hereby authorized to perform civil and military duty in the county of Hickman, and are hereby exonerated from the performance of the same in the counties in which they respectively live.*

EPHRAIM H. FOSTER,

Speaker of the House of Representatives.

JOEL WALKER,

November 25, 1829. Speaker of the Senate.

CHAPTER LXXV.

AN ACT for the relief of George Cook.

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

State of Tennessee, That the register of the Western District, is hereby authorized and required to issue to George Cook, a grant upon his producing a plat and certificate of entry and survey, founded on a certificate warrant No. 1824, for twenty five acres, issued by the commissioner of West Tennessee, and assigned by the register of the Western District to John J. Burrow, and by him assigned to said Cook, and the same shall be as good and valid in law, as if the same had been assigned by said register to said Cook.

EPHRAIM H. FOSTER,

Speaker of the House of Representatives.

JOEL WALKER,

Speaker of the Senate.

November 25, 1829.

CHAPTER LXXVI.

AN ACT to amend the laws incorporating the towns of Paris and Huntingdon.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee, That all laws requiring the sheriffs and collectors of the counties of Henry and Carroll, to collect the taxes and fines accruing to the corporations of the towns of Paris and Huntingdon, be and the same are hereby repealed; and hereafter it shall be the duty of the town constable in said corporations, to receive, collect and pay over the same as said sheriffs and collectors are now by law bound to do.*

SEC. 2. *Be it enacted, That said constables shall before they proceed to collect said taxes, enter into bond and security to the mayor and his successors in office, of said corporations for the faithful collection and paying over said taxes, and if said constable or constables, fail or refuse to execute a sufficient bond as required by this act, it shall and may be lawful for the Mayor and Aldermen of said corporations to appoint some other suitable person to collect said taxes.*

SEC. 3. *Be it enacted, That the name of the town of Carrollton, in the county of Carroll, be and the same is hereby altered and changed to the name of Lawrenceville.*

M'Lemoresville, and that the acts of the commissioners of said town of M'Lemoresville, shall be as good and valid as if the same had originally been called and known by the name of M'Lemoresville.

EPHRAIM H. FOSTER,
Speaker of the House of Representatives.
JOEL WALKER,
Speaker of the Senate.

November 25, 1829.

CHAPTER LXXVII.

AN ACT for the benefit of Joseph Coe.

Duty of the surveyor of the 10th district.
SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the surveyor of the tenth surveyors district, be authorized and required to receive an entry on a valid warrant in the name of Joseph Coe or his assignees, for any quantity of land not exceeding fifty acres, including the saw mill of said Joseph Coe, in Fayette county, in range six, and section five.

Of the Register of the Western District.
SEC. 2. *Be it enacted,* That the register of the Western District, be authorized and required to issue a grant on such entry according to the laws now in force and use; Provided, that the same shall not interfere with any occupant claim or claims of any other person or persons.

EPHRAIM H. FOSTER,
Speaker of the House of Representatives.
JOEL WALKER,
Speaker of the Senate.

November 25, 1829.

CHAPTER LXXVIII.

AN ACT for the benefit of John E. Holden.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee,* That John E. Holden, is hereby authorized to build a mill dam across Richland creek in Giles county, to be within four hundred yards below the Pulaski bridge; Provided said dam

shall not exceed one foot in height, so as not to obstruct the navigation of said creek.

EPHRAIM H. FOSTER,
Speaker of the House of Representatives.
JOEL WALKER,
Speaker of the Senate.

November 25, 1829.

CHAPTER LXXIX.

AN ACT for the relief of the heirs of Joseph Tucker deceased.

Preamble.
WHEREAS Joseph Tucker late of Washington county, on the 8th of August 1814 made an entry in the surveyor's office of the sixth district for thirteen acres, and had a survey made thereon, agreeable to the requisitions of the law, and returned his plat and certificate of survey to the proper register's office, but owing to the warrant on which said entry was founded, being lost or mislaid, a grant could not issue—For remedy whereof,

Entitled to a grant for thirteen acres of land.
SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee,* That upon the production of the plat and certificate of survey in the name of Joseph Tucker for thirteen acres, to the register of East Tennessee, it shall be his duty to issue a grant to the heirs of said Joseph Tucker deceased, for the amount called for in the certificate of survey; Provided it may appear to the satisfaction of the register that said warrants have not been located elsewhere in this state. But should said warrants hereafter be found and it appear to the satisfaction of the register, that a mistake has been made, by the surveyor or entry taker in the number or date of said warrants, it shall be the duty of the register to correct such error or errors, and issue the grant accordingly.

Daniel Shipman to have a grant for ten acres.
SEC. 2. *Be it enacted,* That the register of West Tennessee, shall issue to Daniel Shipman a grant for ten acres of land lying in the 7th surveyors district, range tenth and section third; Provided that the said Shipman shall first prove to the satisfaction

of said register, that an entry was made in the name of Saunders Austin in said 7th district for ten acres, founded on a good and valid warrant issued to Joel Pinson, and that said warrant and plat and certificate of survey were lost after the said plat and certificate was legally transferred by the said Saunders Austin to the said Daniel Shipman; and provided the said Shipman shall produce a copy of said plat and certificate from the surveyor of the 7th district, and a certificate of said transfer from the clerk of Wayne county court.

James Butler, one hundred & eight acres.
SEC. 3. *Be it enacted,* That the register of West Tennessee, shall issue to James T. Young a grant for ten acres of land in the 7th district Wayne county, upon the production of a plat and certificate of survey and full proof that the same is founded on a good and valid warrant and that the same is lost.

Be it enacted, That the register of the Western District, shall issue a grant to James Butler for one hundred and eight acres of land, lying in the 12th surveyor's district, in the 4th section of the 4th range founded on entry No. 814, dated the 17th of August 1821; Provided a plat and certificate of survey made agreeable to said entry, be produced to said register with full and satisfactory proof that the warrant on which said entry was made is lost or was burnt up in the house of the principal surveyor of the said 12th district.

EPHRAIM H. FOSTER,
 Speaker of the House of Representatives.
JOEL WALKER,
 Speaker of the Senate.

November 25, 1829.

CHAPTER LXXX.

AN ACT for the benefit of George Reed:

WHEREAS Samuel R. Russel, surveyor of Hamilton county, on the 21st day of November 1826, surveyed for George Reed 250 acres of land, entered by said Reed in the entry takers office of said county, by entry No. 32, dated 26th September 1826, and by mistake in making out the plat and certificate of said survey, called for only 150 acres

when the actual survey includes 250 acres and which was entered and paid for by said Reed, and whereas a grant has issued on said plat and certificate calling for only 150 acres—Therefore,

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the said surveyor of Hamilton county, is hereby authorized and required to make out and transmit to the register of East Tennessee, a plat and certificate of said land, who is hereby authorized and required to issue a grant to said Reed, for the full amount of the land surveyed as aforesaid; Provided, that this act shall not operate to the prejudice of any title which any other person may have to land which may be included in said survey.

EPHRAIM H. FOSTER,
 Speaker of the House of Representatives.
JOEL WALKER,
 Speaker of the Senate.

November 25, 1829.

CHAPTER LXXXI.

AN ACT for the benefit of Jacob Johnson and William Eagle.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee,* That William Eagle and Jacob Johnson, may build a mill on Beech river at a place on said river, known by the name of Beachams ford below the mouth of Herrans branch, and shall have a preference to enter any quantity of land including the same not exceeding one hundred acres, to the exclusion of all and every person or persons, whatsoever; Provided, that they shall not interfere with the claim of any prior occupant or land already appropriated.

SEC. 2. *Be it enacted,* That William Tucker may build a mill on Buffalo river, in the county of Perry, at a place known on said river by the name of John Smith's old fish trap shoal, and shall have a preference to enter any quantity of land including the same not exceeding twenty five acres, in preference and to the exclusion of all and every person or persons, whatsoever, Provided, that in entering the

May build a mill on Beech river.

Wm Tucker, a mill on Buffalo river.

same, he shall not interfere with any prior occupant or lands already appropriated.

EPHRAIM H. FOSTER,
Speaker of the House of Representatives.
JOEL WALKER,
Speaker of the Senate.

November 23, 1829.

CHAPTER LXXXII.

AN ACT for the relief of Martin Lawler and Robert Davis.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the register of West Tennessee, be and he is hereby authorized and required to alter the calls in the grant issued by the state to Martin Lawler and Robert Davis, on the 29th November 1828, No. 25904 for five acres, that the said grant shall call for beginning on a double red oak with a red oak for a pointer standing ninety four polls east and six polls south of the north east corner of Samuel M'Corkle's and James Green's survey of entry No. 1415, running south thirty poles to a double white oak, thence east twenty six and two thirds poles to a red oak, thence north thirty poles to a water oak, thence west twenty six and two thirds poles to the beginning.

EPHRAIM H. FOSTER,
Speaker of the House of Representatives.
JOEL WALKER,
Speaker of the Senate.

November 25, 1829.

CHAPTER LXXXIII.

AN ACT for the relief of the persons therein named.

Be it enacted by the General Assembly of the State of Tennessee, That Tabitha T. Hawes of Jackson county, shall be entitled to all the rights and privileges of a feme sole, to make contracts, sue and be sued, acquire property in her own name, and do any oth-

er thing in her own name, and in her own right towards the acquisition or disposition of property, which shall not be subject to the control or debts of her husband William Hawes, any law to the contrary notwithstanding.

EPHRAIM H. FOSTER,
Speaker of the House of Representatives.
JOEL WALKER,
Speaker of the Senate.

November 27, 1829.

CHAPTER LXXXIV.

AN ACT for the relief of John White.

Be it enacted by the General Assembly of the State of Tennessee, That it shall and may be lawful for John White, to enter any part, or the whole of that island of the Tennessee river, which he has in possession as an occupant claim, in either of the surveyors offices of this state; Provided, he shall apply a good and genuine warrant thereto, or shall comply with such laws as may be made for entering and obtaining titles to the vacant and unappropriated lands of this state.

EPHRAIM H. FOSTER,
Speaker of the House of Representatives.
JOEL WALKER,
Speaker of the Senate.

November 27, 1829.

CHAPTER LXXXV.

AN ACT for the relief of Wilson Sanderlin and others.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Wilson Sanderlin of Montgomery county, be and he is hereby entitled to avail himself for the space of nine months from and after the passage of this act, of all the rights, privileges and advantages, and under the same rules, regulations and restrictions, that are provided in an act entitled "an act for the relief of the citizens who

Wilson Sanderlin—what privileges entitled to.

entered lands ceded to Kentucky under the act of 1823, making provisions for entering vacant land at twelve and one half cents per acre," passed 24th November 1825.

Ezekiel Sanderlin & Dempsey Sanderlin
privileges of.

Sec. 2. *Be it enacted*, That Ezekiel Sanderlin and Dempsey Sanderlin, be, and they are hereby entitled to all the rights and privileges, under the same rules, regulations and restrictions, that are extended to Wilson Sanderlin in the first section of this act.

EPHRAIM H. FOSTER,
Speaker of the House of Representatives.

JOEL WALKER,

November 27, 1829. Speaker of the Senate.

CHAPTER LXXXVI.

AN ACT for the relief of Martha M. Williams.

Be it enacted by the General Assembly of the State of Tennessee, That hereafter Martha M. Williams of Rutherford county, and wife of Harrison Williams, be, 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 act as a *feme sole* , except intermarrying during the lifetime of her said husband, 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 hereafter to his controul.

EPHRAIM H. FOSTER,
Speaker of the House of Representatives.

JOEL WALKER,

November 27, 1829. Speaker of the Senate.

CHAPTER LXXXVII.

AN ACT to amend the laws now in force incorporating the town of Jackson, in the county of Madison.

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

State of Tennessee, That it shall hereafter be the duty of the town constable of said town, to report to the first term of the court of pleas and quarter sessions holden in each and every year of said county, all such lots or parcels of land within the corporation of said town, whereon the taxes for the preceding year, shall not have been paid, and to secure the payment whereof, he cannot find any goods or chattles whereon to make distress within the limits of said corporation—whereupon, it shall be the duty of the court to enter up a judgment against the reputed or nominal owners or claimants, embodying an order therein, that the sheriff shall sell said lots or parcels of land, or so much thereof respectively, as shall be sufficient to satisfy said taxes, together with all costs and charges thereon, whose duty it shall be to sell the same under and subject to the same rules, regulations, restrictions provisions and conditions as are, or may hereafter be prescribed by law for the sale of lands for the state and county taxes, and such sales shall be as good and valid, and in all respects convey and be subject to the same rights, claims and privileges as sales made for state and county tax.

Duty of the
town constable
and county ct.

Sec. 2. *Be it enacted*, That said town constable is hereby authorized to distrain, if to be found within the limits of said corporation, the goods and chattles of any person or persons who may be in arrears for taxes, and who shall fail or refuse to pay the same, and make sale thereof in such manner as is provided by law for the collection of state and county taxes, and that he be entitled to the same fees for his services as collectors of the state and county taxes are allowed for like services.

Town Constable may
distrain for taxes.

Sec. 3. *Be it enacted*, That it shall hereafter be the duty of the board of commissioners of said town in making the appointment of a town constable to nominate two persons to the county court of said county, one of whom shall be appointed by said court, and shall thereupon enter into bond and security in said court as provided for in other cases, and shall be proceeded against for delinquencies or failure in performing the duties of his office by such process as is or may be provided for against constables in other cases;—*Provided also*, that nothing herein contained is intended to exonerate him from entering into bond and security to said commissioners as heretofore.

Town Constable, how elected.

Sec. 4. *Be it enacted*, That an act heretofore pass-

Repealing clause.

ed, declaring the lands of Thomas Shannon, not to be within the limits of said corporation, nor subject to the corporation laws thereof, be and the same is hereby repealed.

EPARAIM H. FOSTER,
Speaker of the House of Representatives.
JOEL WALKER,
Speaker of the Senate.

November 27, 1829.

CHAPTER LXXXVIII.

AN ACT for the relief of Jane Scott, Sarah Ann Townsend, Elizabeth Card and Sarah Griggs.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That hereafter Jane Scott of Davidson county, wife of James Scott, 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 shall have full power and authority to sell dispose of and convey, all or any part of such property or estate as she may hereafter acquire by her own industry, by inheritance, gift, or otherwise, and to hold, use, occupy and enjoy the same in as free and ample a manner as if she had never been married to the said James Scott; and that she be confirmed in all the privileges of a *feme sole*, in every respect both in law and equity so far as concerns the said James Scott, except that of intermarrying with another man during the natural life of the said James Scott.

Jane Scott allowed the privilege of a *feme sole*.

SEC. 2. *Be it enacted*, That Sarah Ann Townsend wife of Richard Townsend of Wilson county, and Sarah Griggs of Henderson county, wife of William Griggs, shall hereafter use and enjoy all the rights and privileges given to Jane Scott in the first section of this act.

And Sarah Ann Townsend.

SEC. 3. *Be it enacted*, That Elizabeth Card of Bedford county, wife of William Card, shall hereafter use and enjoy all the rights and privileges given by virtue of this act to Jane Scott.

And Elizabeth Card.

EPHRAIM H. FOSTER,
Speaker of the House of Representatives.
JOEL WALKER,
Speaker of the Senate.

November 27, 1829.

CHAPTER LXXXIX.

AN ACT to secure the free navigation of Mill creek in Davidson county from Goodlett's mill to the mouth of said creek.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That from and after the passage of this act, Mill creek in the county of Davidson from Goodlett's mills to its junction with Cumberland river, shall be and remain a public highway, free and open to all persons for navigation with boats, crafts and other means of conveyance by water without interruption or obstruction.

Navigable from Goodlett's mills.

SEC. 2. *Be it enacted*, That if any person or persons shall hereafter cut or cause to be cut any tree or trees in said creek, whereby the navigation of said creek shall be obstructed or place, or put any other obstruction in said creek, he or they so offending shall forfeit and pay the sum of twenty dollars, to be recovered before any jurisdiction having cognizance thereof, one half to the person who shall sue for the same and the other half to the state.

Navigation not to be obstructed.

EPHRAIM H. FOSTER,
Speaker of the House of Representatives.
JOEL WALKER,
Speaker of the Senate.

November 28, 1829.

CHAPTER XC.

AN ACT for the benefit of Joseph Peterson Clerk of the Circuit Court of Campbell County and for other purposes.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Joseph Peterson Clerk of the Circuit Court of Campbell County be and he 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 Court of Pleas and quarter sessions of Campbell County.

May build a Clerk's office.

SEC. 2. *Be it enacted*, That in case of removal or death of said Clerk he or his own property

Office to be his val resignation or death of said Clerk he or his own property

legal representatives may dispose of said office to his successor in office at a fair valuation of said property by disinterested valuers.

SEC. 3. *Be it enacted*, That Samuel M. Gantt Clerk of the Circuit Court of M'Minn County be and he is hereby authorized to build at his own expense an office for the safe keeping of the records and papers of said court on the public square immediately fronting the said Gantt's house on lot No. — in the town of Athens and not nearer than sixty feet of any private property except his own.

SEC. 4. *Be it enacted*, That upon the death resignation or removal of the said Gantt, his successor in office shall be entitled to said house or office upon paying to the said Gantt, so resigned or removed or in case of death to his heirs the value of said house to be ascertained by three disinterested persons to be chosen for that purpose.

SEC. 5. *Be it enacted*, That should the successor of the said Gantt, not desire to purchase said house, so built, the said Gantt or his heirs as the case may be, shall be authorized to remove said house from said public square.

SEC. 6. *Be it enacted*, That should the said Gantt, hereafter and during his continuance in office desire to remove said house, built as aforesaid, from said public square, he shall be authorized to do so the same being considered the private property of said Gantt.

SEC. 7. *Be it enacted*, That John B. Tipton Clerk of the Circuit Court and William S. Blair Clerk of the County Court of Monroe County be and they are hereby authorized to build a clerk's office at their own expense upon such part of the public square in the town of Tellico in the County of Monroe as shall be designated by the County Court of said County of Monroe and shall in case of death resignation or removal be entitled to the same rights and privileges that are by this act secured to the Clerk of the Circuit Court of Campbell County.

EPHRAIM H. FOSTER,

Speaker of the House of Representatives.

JOEL WALKER,

Speaker of the Senate.

December 1, 1829.

Same privilege to circuit court clerk of M'Minn county.

Disposition of the office after his death.

Office may be removed.

Same privilege to circuit court clerks of Tipton & Monroe counties.

CHAPTER XCI.

AN ACT for the relief of William Weaver.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the commissioner of West Tennessee is hereby authorised to issue to William Weaver a certificate warrant for fifteen acres of land being part of certificate warrant No. 1558, assigned by the register of the Western District, to said Weaver for twenty five acres and entered by No. 2362, in the tenth district and which fifteen acres has been taken by older interfering claims.

EPHRAIM H. FOSTER,

Speaker of the House of Representatives.

JOEL WALKER,

Speaker of the Senate.

December 1, 1829.

CHAPTER XCII.

AN ACT to appoint notaries public for the county of Shelby.

Be it enacted by the General Assembly of the State of Tennessee, That Nathaniel Anderson of Memphis and Abram Bayless of Raleigh, are hereby appointed notaries public for the county of Shelby.

EPHRAIM H. FOSTER,

Speaker of the House of Representatives.

JOEL WALKER,

Speaker of the Senate.

December 1, 1829.

CHAPTER XCIII.

AN ACT to enlarge the corporation laws of Memphis.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the town of Memphis shall have all the corporate rights, privileges and capacities that are given by the various laws to the cor-

poration of Nashville, any law to the contrary notwithstanding.

EPHRAIM H. FOSTER,
Speaker of the House of Representatives.
JOEL WALKER,
Speaker of the Senate.

December 1, 1829.

CHAPTER XCIV.

AN ACT to compel the citizens of towns and corporations in the county of Sullivan to work on roads the same as other citizens of said county.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee, That the citizens of the different towns and corporations in the county of Sullivan shall be compelled to work upon roads under the direction of the county courts the same as other citizens of said county, any law to contrary notwithstanding.*

EPHRAIM H. FOSTER,
Speaker of the House of Representatives.
JOEL WALKER,
Speaker of the Senate.

December 1, 1829.

CHAPTER XCV.

AN ACT for the relief of the Brownsville volunteer company.

Be it enacted by the General Assembly of the State of Tennessee, That the volunteer company at Brownsville, now commanded by captain James W. Russell, shall hereafter be known by the name of the Brownsville Independent Blues, and as such shall be entitled to all the rights, privileges and capacities that the Franklin Independent Blues possess by law.

EPHRAIM H. FOSTER,
Speaker of the House of Representatives.
JOEL WALKER,
Speaker of the Senate.

December 1, 1829.

CHAPTER XCVI.

AN ACT to establish the road leading from Col. Benjamin Hollinsworth's to Jasper, and to provide the means of keeping the said road in repair.

Be it enacted by the General Assembly of the State of Tennessee, That the road leading from Col. Benjamin Hollinsworth's to Jasper, be and the same is hereby established as a free road, and that the county courts of Franklin and Marion, are hereby required to keep said road in repair as a road of the first class in the same manner as other roads in said counties are kept in repair.

EPHRAIM H. FOSTER,
Speaker of the House of Representatives.
JOEL WALKER,
Speaker of the Senate.

December 1, 1829.

CHAPTER XCVII.

AN ACT to incorporate the town of Lagrange and for other purposes.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee, That F. Titus, John H. Ross, A. S. Edmondson, B. Harper, William Harper, William B. Merryweather, and Peachy Franklin, are hereby declared to be a body politic and corporate for the town of Lagrange in the county of Fayette, and shall be known by the style and description of the mayor and aldermen of the town of Lagrange, and shall have perpetual succession as such, and may sue and be sued, plead and be impleaded, and they shall have all the privileges and powers of other corporate bodies to pass bye-laws, rules and regulations for the government of said town, as may be needful and necessary, they shall elect one of their own body as mayor, and they may also elect a recorder and town constable, all of whom shall hold their offices for one year after they are organized and then the free taxable inhabitants shall hold an election annually for mayor and aldermen, at such time and manner as the said corporation may appoint, and they*

may define the limits of said town, they shall keep a record of all their proceedings, and shall have the power to do all things for the benefit of said town, that may be required; Provided, they shall not do any act or thing inconsistent with the constitution and laws of this state.

EPHRAIM H. FOSTER,
Speaker of the House of Representatives.
JOEL WALKER,
Speaker of the Senate.

December 1, 1829.

CHAPTER XCVIII.

AN ACT to provide for the better regulation of the town of Statesville in the County of Wilson.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the commissioners of the town of Statesville in the County of Wilson, be and they are hereby entitled to all the powers and privileges, that the commissioners of the town of Springfield in the county of Robinson are entitled to by an act of the General Assembly passed November 14th 1825, any law, usage, or custom to the contrary notwithstanding.

EPHRAIM H. FOSTER,
Speaker of the House of Representatives.
JOEL WALKER,
Speaker of the Senate.
December 1, 1829.

CHAPTER XCIX.

AN ACT authorizing a grant to issue to Bailey Rains.

WHEREAS, it appears to this General Assembly that a plat and certificate of survey was made out for 20 acres in the name of John Yates founded on part of certificate No. 203 dated the 18th of August 1807 issued by the board of commissioners for West Tennessee to Benjamin McCulloch for 640 acres and on entry No. 616, dated the 13th day

of July 1808. And whereas it further appears that Joshua Yates administrator of said John Yates deceased, did transfer said plat and certificate of survey to Bailey Rains by virtue of contract and sale made by said John Yates, to said Rains and said transfer notwithstanding a grant did issue to John Yates by No. 25281 for remedy whereof.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee,* That whenever said grant shall be surrendered to the Register of West Tennessee, it shall be the duty of said Register to issue a grant to Bailey Rains for said 20 acres of land.

EPHRAIM H. FOSTER,
Speaker of the House of Representatives.
JOEL WALKER,
Speaker of the Senate.
December 1, 1829.

CHAPTER C.

AN ACT for the relief of Sarah L. Johnson.

WHEREAS Henry M. Johnson deceased, was indebted to the Bank Agency of Fayette county, by being found in default about the sum of five hundred twenty one dollars thirty five cents, as Agent of said bank, so far as can be ascertained from the papers and vouchers left at his decease, and whereas it appears from the settlement made with the commissioner of revenue that there is a deficiency of about six hundred dollars of revenue that said Henry M. Johnson as clerk of the county court of Fayette county collected in his lifetime and whereas Sarah L. Johnson has administered upon the estate of said Henry M. Johnson, and wishes time to pay the same—Therefore,

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee,* That said Sarah L. Johnson, may have the privilege of paying said sums of money with the interest arising and accruing thereon in four equal annual instalments; Provided nevertheless, that said Sarah, before she shall be entitled to the

Preamble.

May pay money in 4 annual instalments

provisions of this act, shall give bond and undoubted security to the Agent of Fayette county, to pay said proportion annually, of the said sum due the Bank Agency, and bond and undoubted security to the treasurer of the Western District to pay said proportion annually of the said sum due the treasury.

SEC. 2. *Be it enacted*, That a recovery on every failure may be had on said bonds or either of them until the whole shall be recovered, any law to the contrary notwithstanding.

EPHRAIM H. FOSTER,

Speaker of the House of Representatives.

JOEL WALKER,

Speaker of the Senate.

December 4, 1829.

CHAPTER CL.

AN ACT for the relief of John D. Davidson & others.

Whereas a mistake was made in entry 2118 in the 12th Surveyors District by which he cannot comply with the begining call of his entry and include his improvement for remedy whereof.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That J. D. Davidson shall be permitted to remove his said entry so as to include his improvement in the center; Provided that in doing so he does not interfere with any claim or right of occupancy.

SEC. 2. *Be it enacted*, That William Dysart be permitted to correct a mistake in entry No. 2396 in the 10th District for thirty-five acres so as to get the land intended to be entered by calling for the beginning to be at the north-east corner of K. Smith's 640 acre entry; Provided that in making said correction he shall not interfere with any other entry or occupant claim.

EPHRAIM H. FOSTER,

Speaker of the House of Representatives.

JOEL WALKER,

Speaker of the Senate.

December 4, 1829.

CHAPTER CIL

AN ACT for the benefit of Mary Manchester.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That it shall be lawful for Mary Manchester to file her petition before the Judge of the Circuit Court now sitting or which may hereafter sit at Nashville in the County of Davidson praying for a divorce from her husband Willard Manchester and if it shall be made appear to said Judge from the affidavits of good and creditable witnesses, that the said Willard Manchester has for more than two years wholly abandoned and neglected to provide for his said wife and children and that he continues to neglect and abandon them, and furthermore that from her own labor she provides for her maintainance and support; it shall be the duty of said Judge by decree to dissolve the bonds of matrimony, heretofore entered into and now existing between the said Manchester and his said wife; Provided he have due notice of said petition, or that satisfactory proof be made that he the said Manchester continues to absent himself from the place of his former residence and is beyond the limits of the county or state; and the affidavit of the sheriff of the county of his former residence duly sworn to, shall be required to establish the fact of such absence.

EPHRAIM H. FOSTER,

Speaker of the House of Representatives.

JOEL WALKER,

Speaker of the Senate.

December 7, 1829.

CHAPTER CIII.

AN ACT for the benefit of Samuel P. Ash of Haywood county in this state.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Samuel P. Ash, may by virtue of any good and valid land warrant enter and cause to be granted any quantity of land not less than twenty-five, nor more than two hundred acres,

lying in Haywood county, in the eleventh surveyors district, range one, and section six, so as to include the mill and improvement of said Samuel P. Ash, in a square or oblong, not more than twice as long as broad, unless interfered with by older entries or existing occupant claims, and the surveyor of said district is hereby authorized and required to receive an entry for the same upon the production of a good and valid warrant, and survey the same accordingly.

From where navigable.
 SEC. 2. *Be it enacted*, That a creek known by the name of Big Muddy creek in Haywood county, upon which the mill is erected, be and the same is hereby declared navigable from said mill to its mouth, and that the said Samuel P. Ash, is hereby authorized and empowered to improve the navigation thereof by removing the various obstructions in said stream.

EPHRAIM H. FOSTER,
 Speaker of the House of Representatives.
 JOEL WALKER,
 Speaker of the Senate.

November 25, 1829.

CHAPTER CIV.

AN ACT to lay off a company in the county of Claiborne north of Cumberland mountain.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the citizens of Claiborne county on the north side of Cumberland mountain, shall constitute one company of the ninth regiment of the militia of this state, and that the colonel commandant of the ninth regiment aforesaid, shall issue his writ of election as in other cases, and cause the said company to be officered according to the militia law of this state.

EPHRAIM H. FOSTER,
 Speaker of the House of Representatives.
 JOEL WALKER,
 Speaker of the Senate.

November 27, 1829.

CHAPTER CV.

AN ACT for the benefit of Prudence Pugh of Hickman county and others.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Prudence Pugh wife of Joel Pugh, of Hickman county, be, and she is hereby privileged to make contracts in her own name, to sue and to be sued, plead and be impleaded, and have all the privileges of a feme sole, except that of intermarrying with another person, and no property acquired by her, shall be held liable for the payment of any debt or debts now owing from, or which may hereafter be contracted by her said husband Joel Pugh.

Prudence Pugh to have the privilege of a feme sole.

SEC. 2. *Be it enacted*, That Nancy Close, wife of Samuel S. Close, of Bledsoe county, be entitled to the privileges given to Prudence Pugh, in the first section of this act.

Nancy Close.

SEC. 3. *Be it enacted*, That Massey Morgan, wife of Peter Morgan, be entitled to all the privileges and legal capacities, that are given to Prudence Pugh, in the first section of this act.

Massey Morgan.

EPHRAIM H. FOSTER,
 Speaker of the House of Representatives.
 JOEL WALKER,
 Speaker of the Senate.

November 25, 1829.

CHAPTER CVI.

AN ACT to alter grant 25553, and others.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the register of West Tennessee, be and he is hereby authorized and required to alter grant No. 25553 in the name of Mary Montague for 25 acres in the 7th district and county of Wayne, so as to read beginning at a stake five poles west of the north west corner of a 25 acre tract in the name of Samuel Loggins No. 775; Provided that nothing herein contained shall authorize the said Mary to encroach upon or interfere with the rights of any adjoining grant or survey.

Duty of the Register of W. Tennessee.

SEC. 2. Be it enacted, That the register of West Tennessee, shall and may alter grant 16060 for 75 acres in the name of Jesse Saterfield in the 8th district Wayne county, so as to make the calls of said grant as follows, (to wit:) Beginning at the south east corner of Alexander Steels occupant claim on a sweet gum, thence west with said Steels line one hundred and fifty poles to an ironwood, thence south thirty six poles crossing Beech creek, in all eighty poles to a stake, ten poles west of James Davis' beginning corner, thence east with said Davis' line 150 poles to his corner a sweet gum, thence north crossing said creek 80 poles to the beginning; Provided said alteration shall in no wise prejudice the right of any other person.

To alter grant
No. 16060.

SEC. 3. Be it enacted, That it shall and may be lawful for the register of West Tennessee, to alter grant No. 22281, for 640 acres, in the name of Peter R. Booker, lying in the 10th district so that the calls of said grant will be the following, (to wit:) Beginning at the north west corner of Thomas Polks entry No. 442, for 500 acres, on a post oak, thence west two hundred and twenty seven poles to a white oak, thence south four hundred and fifty four poles to two post oaks, thence east 227 poles to a post oak on the section line, thence north 454, to the beginning; Provided the said alteration shall not prejudice the right of any adjoining claimant.

To alter grant
No. 22281.

EPHRAIM H. FOSTER,
Speaker of the House of Representatives.
JOEL WALKER,
Speaker of the Senate.

November 25, 1829.

CHAPTER CVII.

AN ACT to authorize William Mothershead to build a mill.

SEC. 1. Be it enacted by the General Assembly of the State of Tennessee, That William Mothershead, be, and he is hereby authorized to build a mill upon Birdsong creek, in the county of Humphreys, at the place where he has commenced the same; Provided the erection of the said mill, will in no wise prej-

dice the rights of any other person or persons whatever.

EPHRAIM H. FOSTER,
Speaker of the House of Representatives.
JOEL WALKER,
Speaker of the Senate.

November 25, 1829.

CHAPTER CVIII.

AN ACT for the relief of Elijah Roberson of Sevier county.

SEC. 1. Be it enacted by the General Assembly of the State of Tennessee, That Elijah Roberson, of Sevier county, be, and he is hereby released and discharged from the payment of a fine of one hundred dollars, assessed by a jury for an assault and battery on the body of Jeremiah Blalock, at the June session of the county court of said county, 1829; Provided, that nothing in this act shall be so construed as to release said Roberson from the payment of the cost of said prosecution, but the clerk of said court may issue an execution for the same as in other cases.

EPHRAIM H. FOSTER,
Speaker of the House of Representatives.
JOEL WALKER,
Speaker of the Senate.

November 25, 1829.

CHAPTER CIX.

AN ACT to incorporate Trenton Academy in the county of Gibson.

SEC. 1. Be it enacted by the General Assembly of the State of Tennessee, That Thomas Fite, John Overall, John H. Crisp, John H. Wilson, William Ferguson, William Bumpass and Isham F. Davis, be, and they are hereby constituted a body politic and corporate by the name and stile of the trustees of Trenton Academy, in the county of Gibson, under the same rules and regulations, and with the same rights and

Trenton Acad.
demy incorpo-
rated.

privileges which were granted to the trustees of Belvoir academy, by an act passed December 8th, 1826.

Sec. 2. *Be it enacted*, That Rice Williams, William M. Wilson, John Hutcheson, Samuel Nelson and George A. Wilson, be, and they are hereby constituted a body politic and corporate, by the name and stile of trustees of Obion Academy, in the county Obion.—And that Joseph Degrafinreid, Alexander McCullough, John Rutherford, James C. H. Foster and Nathaniel Benton, be, and they are hereby constituted a body politic and corporate, by the name and stile of the trustees of Dyer Academy, in the county of Dyer, and said trustees of Obion and Dyer Academies, shall be governed by the same rules and regulations as are prescribed for Trenton Academy in the county of Gibson.

EPHRAIM H. FOSTER,

Speaker of the House of Representatives.

JOEL WALKER,

Speaker of the Senate.

November 25, 1829.

CHAPTER CX.

AN ACT to authorize the county court of McNairy county to lay a tax to complete the building of a court house in the town of Purdy.

Sec. 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 McNairy 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 Purdy.

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.

EPHRAIM H. FOSTER,

Speaker of the House of Representatives.

JOEL WALKER,

November 27, 1829. Speaker of the Senate.

CHAPTER CXI.

AN ACT for the benefit of the sheriff and ranger of the counties of Lawrence and Wayne.

Sec. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the sheriff and ranger of Lawrence county, and the sheriff and ranger of Wayne county, may hereafter advertise in any newspaper printed in the town of Nashville, or in the town of Columbia at their option.

EPHRAIM H. FOSTER,

Speaker of the House of Representatives.

JOEL WALKER,

Speaker of the Senate.

November 28, 1829.

CHAPTER CXII.

AN ACT to authorize the Mayor and Aldermen of the corporation of the town of Dresden, to sell and convey any alleys in said town.

Sec. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the Mayor and Aldermen of the corporation of the town of Dresden, shall and they are hereby vested with full power and authority to sell and dispose of any allies in said corporation and make title thereto; Provided the consent of all and every person owning any lot or part of a lot joining said alleys, be obtained in writing before said sale shall take place.

EPHRAIM H. FOSTER,

Speaker of the House of Representatives.

JOEL WALKER,

November 25, 1829. Speaker of the Senate.

CHAPTER CXIII.

AN ACT to authorize the county court of Davidson county, to prolong their sessions.

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

State of Tennessee, That hereafter the county courts of Davidson county, shall continue their sessions for three weeks unless the business before said court shall be sooner disposed of; Provided, that the two first weeks of said court shall be devoted exclusively (county business excepted,) to the trial of civil causes pending therein unless all such civil suits be sooner disposed of by trial continuance or otherwise.

EPHRAIM H. FOSTER,
Speaker of the House of Representatives.
JOEL WALKER,
Speaker of the Senate.

November 27, 1829.

CHAPTER CXIV.

AN ACT for the relief of Sally Mapes of Rhea county.

Be it enacted by the General Assembly of the State of Tennessee, That Sally Mapes, of Rhea county, be, and she is hereby released from the payment of the balance of the sum yet due and owing to the state, on the south west quarter of section twenty-two, in fractional township number two, and range three, west of the meridian, Hiwassee district, and that the register of the Hiwassee district, shall issue to said Sally Mapes a grant for the quarter section above stated as in other cases.

EPHRAIM H. FOSTER,
Speaker of the House of Representatives.
JOEL WALKER,
Speaker of the Senate.

November 25, 1829.

CHAPTER CXV.

AN ACT for the relief of Thomas M'Clure.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Thomas M'Clure, of the town of Clarksville, be, and he is hereby declared to be the heir at law of his brother James W. M'Clure late of Paris in Henry county, deceased, who died

without issue, and that the said Thomas M'Clure, be, and he is hereby vested with all rights and property in the estate of said James deceased in as full, ample and complete a manner, as he would have been, had he been a naturalized citizen of the United States at the time of the death of his brother James M'Clure.

EPHRAIM H. FOSTER,
Speaker of the House of Representatives.
JOEL WALKER,
Speaker of the Senate.

November 27, 1829.

CHAPTER CXVI.

AN ACT for the relief of William Quarls.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the register of the Western District, be, and he is hereby authorized and required to issue a grant to William Quarls, on entry No. 125, founded on warrant No. 8, without the production of said warrant No. 8, on his producing the plat and certificate with the regular assignments, and that the grant, when issued, shall vest the right of said land in said William Quarls, his heirs and assigns, as fully and perfectly as if issued on the warrant No. 8.

EPHRAIM H. FOSTER,
Speaker of the House of Representatives.
JOEL WALKER,
Speaker of the Senate.

November 27, 1829.

CHAPTER CXVII.

AN ACT to validate the proceedings of the county court of Smith county, emancipating David a man of colour, Nancy his wife and five children.

WHEREAS it appears to this General Assembly that Francis Brown and David Brown, did at the November session of Smith county court 1816, ap-

ply to said court by petition, to emancipate David a man of colour, Nancy his wife and their five children, to wit: Westly, Asbery, Caswell, Heatley and Desney, and gave bond and security approved of by said court, with condition to keep the aforesaid persons of colour from being chargeable to the said county of Smith, agreeably to the provisions of an act of Assembly in such cases made and provided—and whereas the said county court of Smith did at the session aforesaid of said court, free and emancipate said persons of colour, but it does not appear from the records of the proceedings of said court that nine or a majority of the justices of said county, were present at the time said petition was received, or that two thirds of either number concurred in emancipating said slaves or persons of colour, owing to the omission of the clerk of said court in making out the record and proceedings of said court—For remedy whereof,

Sec. 1. Be it enacted by the General Assembly of the State of Tennessee, That the record and proceedings of the county court of Smith county, freeing and emancipating the slaves or persons of colour aforesaid, shall be as good and as valid in law, for the purposes aforesaid, as if they contained the number of the justices present at the time the petition was received, and also shewed that two thirds of said justices concurred in freeing and emancipating said slaves or persons of colour.

EPHRAIM H. FOSTER,

Speaker of the House of Representatives.

JOEL WALKER,

Speaker of the Senate.

November 27, 1829.

CHAPTER CXVIII.

AN ACT for the relief of Ira Townsend.

WHEREAS it appears that a grant was issued by the secretary of state to Ira Townsend, dated the twenty eighth day of December, in the year of our Lord one thousand eight hundred and twenty six,

for one hundred acres of land, lying in the Western District, in the eleventh surveyors district, range six, and section one, upon a survey made by the surveyor of said district; and whereas it also appears that the third call of the aforesaid survey in said grant, is entirely omitted, to wit: "thence east forty four chains sixty one links to a hickory marked T"—Therefore,

Sec. 1. Be it enacted by the General Assembly of the State of Tennessee, That the register of the Western District, be authorized and required to interline said grant, and the record thereof, so as to include said call of the survey aforesaid, when it appears satisfactory to said register said omission does exist.

EPHRAIM H. FOSTER,

Speaker of the House of Representatives.

JOEL WALKER,

Speaker of the Senate.

December 2, 1829.

CHAPTER CXIX.

AN ACT for the relief of Nancy Allison, widow and relict of Uriah Allison, dec'd. late of Roane county, and for the benefit of the heirs and representatives of said decedent.

WHEREAS it is made appear to this General Assembly that Uriah Allison, late of Roane county, now deceased, did on the twentieth day of November, 1820, purchase of the state of Tennessee, the lot or northwest quarter of section numbered six, in fractional township numbered one, range numbered one east, in the Hiwassee district, which lot of land was estimated at thirty eight and one half acres, and by said Allison purchased at the price of seventy five dollars per acre, the one fourth of which was by the said Uriah Allison, paid into the treasury of East Tennessee, amounting to seven hundred and twenty one dollars and eighty seven and one half cents.—And whereas, it is also made to appear, that the said Uriah has departed this life, leaving a widow and three small female children, and it also appearing, that the before

described lot of land is not intrinsically worth as much as has been paid by said Uriah in his lifetime into the treasury—Therefore,

Be it enacted by the General Assembly of the State of Tennessee, That the heirs and representatives of the said Uriah Allison, be, and they are hereby released from the payment of the amount remaining due upon the aforesaid purchase of said lot of land by the said Uriah Allison, and the same is hereby remitted, and the register of East Tennessee is authorized and required to issue to the said minor heirs of said Uriah Allison dec'd, a grant in fee simple for the said fractional quarter section or lot of land, in which the said Nancy Allison, widow as aforesaid, shall be allowed dower as by the laws of the land widows of intestates are entitled to dower in other cases.

EPHRAIM H. FOSTER,

Speaker of the House of Representatives.

JOEL WALKER,

Speaker of the Senate.

December 1, 1829.

CHAPTER CXX.

AN ACT to repeal an act entitled an act for the benefit of George Brown of the county of Greene, passed in the year 1827.

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

EPHRAIM H. FOSTER,

Speaker of the House of Representatives.

JOEL WALKER,

December 7, 1829. Speaker of the Senate.

CHAPTER CXXI.

AN ACT authorizing the establishment of an artillery company in the county of Maury.

Sec. 1. Be it enacted by the General Assembly of the

State of Tennessee, That it shall and may be lawful for persons to associate themselves together in the town of Columbia in the county of Maury, for the purpose of organizing a company of artillery to be called the Jackson Artillerists, to consist of not less than twenty, nor more than forty privates, one Captain, two Lieutenants, three Sergeants and two Musicians. Authority granted.

Sec. 2. Be it enacted, That the election of officers in said company, shall be held under the same rules and regulations, as elections of other militia officers are held in the town of Columbia. Officers of said company.

Sec. 3. Be it enacted, That the Jackson Artillerists shall be authorized to make their own bye-laws rules and regulations, for the government of said company, a majority of them agreeing thereto. To enact their own bye-laws.

Sec. 4. Be it enacted, That all fines and forfeitures inflicted under the operation of said bye-laws, shall be applied exclusively for the use of said company, and shall be collected as other fines in similar cases, as now prescribed by law for militia companies. Fines, how applied.

Sec. 5. Be it enacted, That said company shall not be compelled to attend the battalion or regimental musters of the second volunteer regiment, nor shall they be considered as attached to any regiment further than to make it lawful for the Colonel Commandant of the second volunteer regiment to issue writs of election to fill any vacancy that may happen in said company, as in other cases of company officers, and shall be authorized to call a court martial for the trial of contested elections, or for the trial of an officer under arrest. What musters to attend.

Sec. 6. Be it enacted, That it shall be the duty of the commanding officer of said company to make out the strength and condition of the company, and return the same to the commanding officer of the 2d volunteer regiment at the same time as now prescribed by law for other company officers. Duty of the captain.

Sec. 7. Be it enacted, That nothing herein contained, shall be so construed as to authorize any of the commissioned officers of said company, to set in any court martial held by the officers of the 2d volunteer regiment, except upon contested elections, or an arrest of one of their own officers, in which case they shall be entitled to all the privileges of another member. Of courts martial.

Officers to be commissioned.
SEC. 8. *Be it further enacted,* That the officers now chosen by said company, shall be considered as having been duly elected, and on the certificate of the Colonel Commandant of the 2nd volunteer regiment, shall receive their commissions, anything in this act to the contrary notwithstanding.

EPHRAIM H. FOSTER,

Speaker of the House of Representatives.

JOEL WALKER,

Speaker of the Senate.

December 7, 1829.

CHAPTER CXXII.

AN ACT to appoint a commissioner on the turnpike road leading through Morgan county.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Thomas Jack, of the county of Morgan, be, and he is hereby appointed commissioner of the turnpike road leading through Morgan county, the one part of which was formerly owned by Conrad Pile, and the other part by Thomas Butler, William Wall and others, and the said Thomas Jack, shall perform the same duties, and be entitled to the same compensation as now required and allowed by law.

Tho. Jack appointed commissioner of turnpike road.

SEC. 2. *Be it enacted,* That all laws requiring more than one commissioner to be appointed on said turnpike road, be and the same are hereby repealed.

EPHRAIM H. FOSTER,

Speaker of the House of Representatives.

JOEL WALKER,

Speaker of the Senate.

December 7, 1829.

CHAPTER CXXIII.

AN ACT for the relief of Elizabeth Freeman.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Elizabeth Freeman the wife of Hamlen Freeman, may contract and be contract-

ed with, sue and be sued, plead and be impleaded in the name of Elizabeth Freeman, and that all the estate that the said Elizabeth may hereafter acquire both real and personal, by descent, purchase or devise, or otherwise, shall not be liable or subject to the debts, contracts, forfeitures, amercements or incumbrances of her husband Hamlen Freeman, but, that she may enjoy the same, in the same manner as though she had never intermarried with the said Hamlen Freeman.

Elizabeth Freeman to have the privileges of a feme sole.

EPHRAIM H. FOSTER,

Speaker of the House of Representatives.

JOEL WALKER,

Speaker of the Senate.

December 7, 1829.

CHAPTER CXXIV.

AN ACT for the benefit of Sarah Vernoy.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the circuit court of Carter county, is hereby authorized and required to take jurisdiction of the case of Sarah Vernoy, and if she shall prove that her husband Peter Vernoy, used her with cruelty, or rendered her situation so intolerable as to compel her to withdraw from him, or that he committed acts of adultery, said court shall grant her a divorce, notwithstanding said circumstances may have happened in the state of Kentucky, after they moved from Carter county into said state.

Circuit court of Carter county to have jurisdiction.

SEC. 2. *Be it enacted,* That said divorce shall be granted at the first term, if the proof is made thus early.

To grant divorce the first term.

SEC. 3. *Be it enacted,* That the circuit court of Jefferson county, shall take jurisdiction of the case of Priscilla Gibson, and if she shall prove that her husband Dennis Gibson has absented himself from his said wife for two years immediately before the filing of her petition, the said court shall upon such proof divorce the said Priscilla M. Gibson from her said husband Dennis Gibson, and the clerk and sheriff of said court and county, shall perform the necessary official services therein ex-officio.

Priscilla Gibson.

SEC. 4. *Be it enacted*, That this divorce shall be granted at the first term, if the proof above stated shall be made at said term.

EPHRAIM H. FOSTER,
Speaker of the House of Representatives.
JOEL WALKER,
Speaker of the Senate.

December 7, 1829.

CHAPTER CXXV.

AN ACT for the relief of Mary Sick of Claiborne county.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Mary Sick of the county of Claiborne, be, and she is henceforth entitled to all the privileges of a feme sole or single woman, except the privilege of marrying another husband during the lifetime of her present husband Joseph M. Sick—and that the said Mary Sick may henceforth hold and enjoy in her own name, real and personal property; and as a single woman by such name may sue and be sued.

EPHRAIM H. FOSTER,
Speaker of the House of Representatives.
JOEL WALKER,
Speaker of the Senate.

December 7, 1829.

CHAPTER CXXVI.

AN ACT for the benefit of Christopher Nations.

WHEREAS the gun of Christopher Nations, of the county of Claiborne was by the Major of the battalion to which he belonged, pressed into the service of this state, under the call of the Governor of this state for three months volunteers, in the first Creek campaign, which gun was destroyed in the service aforesaid, and for which said Christopher has never been remunerated—Therefore,

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the treasurer of East Tennessee pay to the said Christopher Nations, the sum of twelve dollars, the value of said gun, out of any unappropriated monies, and the receipt of the said Christopher for the same, shall be a good voucher upon settlement in the hands of said treasurer.

EPHRAIM H. FOSTER,
Speaker of the House of Representatives.
JOEL WALKER,
Speaker of the Senate.

December 7, 1829.

CHAPTER CXXVII.

AN ACT for the relief of Jesse Ragin.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Jesse Ragin the adopted child of Willie Telley, be hereafter known and called by the name of Jesse Telley, and by that name shall sue and be sued, purchase, hold and convey estate of any kind, and that he shall inherit, hold and receive any of the estate of said Willie Telley as if he had been born the child of said Willie Telley of his wife in lawful wedlock.

EPHRAIM H. FOSTER,
Speaker of the House of Representatives.
JOEL WALKER,
Speaker of the Senate.

December 7, 1829.

CHAPTER CXXVIII.

AN ACT appointing additional trustees for Madison Academy in the county of Grainger and other Academies.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Samuel B. Tate, Thomas S. Cocke, Martin Cleveland, Robert Gains and Bolin Shirley, be, and they are hereby appointed trustees for Madison Academy, in the county of Grainger;

and that Solomon Payne, John L. Cheatham, Archibald Thomas, Allen L. Patterson, Thornton H. Cook, George C. Conrad, Robert Green and Thomas Farmer, be, and they are hereby appointed additional trustees for Liberty academy in the county of Robertson—and that Thomas J. Jennings and Yancy Bledsoe, be, and they are hereby appointed additional trustees for the Carroll academy in the county of Carroll.

EPHRAIM H. FOSTER,
Speaker of the House of Representatives.
JOEL WALKER,
Speaker of the Senate.

December 7, 1829.

CHAPTER CXXIX.

AN ACT to designate the place of comparing the votes for the counties therein mentioned.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee, That it shall be the duty of the returning officers of the elections in the counties of White, Overton, Fentress and Jackson, to meet and compare the votes received for the election of Governor, members to Congress and members to the General Assembly, at the house of Henry Matlock in the county of Overton, on the first Monday after the first Thursday and Friday in August.*

EPHRAIM H. FOSTER,
Speaker of the House of Representatives.
JOEL WALKER,
Speaker of the Senate.

December 22, 1829.

CHAPTER CXXX.

AN ACT to revive an act for the relief and benefit of certain persons therein named.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee, That an act entitled an act for the relief and benefit of certain persons therein nam-*

ed, passed November 6th 1823, chapter 169, be and the same is hereby revived and continued in force, for and during the period of twelve months, from the passage of this act, and it shall be, and hereby is made the duty of the commissioners of the town of Sevierville, to do and perform all and singular such acts and things to secure to the purchasers of lots in said town, their heirs and assigns titles in fee, for the term aforesaid, in as full and ample a manner, as in said act was required of them originally to do and perform, and each and every article, clause and section of the act aforesaid, shall have as full force, effect and operation in and concerning the matters and things therein specified as if herein again specially enacted.

EPHRAIM H. FOSTER,
Speaker of the House of Representatives.
JOEL WALKER,
Speaker of the Senate.

December 7, 1829.

CHAPTER CXXXI.

AN ACT to amend the laws incorporating the town of Athens.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee, That the Mayor and Aldermen of the town of Athens, in the county of M'Minn, shall have power to pass ordinances with suitable penalties to protect from injury, any railing that has been, or may be placed around the court house on the public square, also any fences enclosing lots or gardens, and to prohibit the hitching of stud-horses in any manner whatever in said town.*

Mayor and Aldermen—power of.

SEC. 2. *Be it enacted, That the constable of said town, shall have full power and authority to apprehend and arrest all persons who may commit breaches of the peace within the corporation limits of said town, and it shall be his duty to carry all such persons before any acting Justice of the Peace for M'Minn county for examination, without a prosecutor, and any such Justice of the Peace shall have the power, if the case requires, upon examination, to bind all such offenders as aforesaid to their good*

Power and authority of town constable.

behaviour for any period of time not exceeding twelve months and a day, and give judgment for costs, if the defendant should be adjudged to pay them; and the said constable shall have the same fees, for the performance of any duty under this act, as are or may be allowed by law to the constables of this state for the performance of like duties.

EPHRAIM H. FOSTER,
Speaker of the House of Representatives.
JOEL WALKER,
Speaker of the Senate.

December 7, 1829.

CHAPTER CXXXII.

AN ACT to appoint a commissioner for the turnpike road therein named.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Elijah Crane, of White county and Peter Hoodenpile, of Bledsoe county, are hereby appointed commissioners of the turnpike road leading across Cumberland mountain known by the name of Hale's turnpike road—that James Loyd, be appointed a commissioner of the turnpike road leading from Pikeville to M'Minnville—Nathaniel Langly be appointed a commissioner of the turnpike road leading across Waldens ridge at Hunters gap, towards Blyth's ferry—and that Charles Clark, be, and he is hereby appointed a commissioner of the turnpike road leading from Beaties towards Kingston—that Moses Woodfin and Thomas Fite of Gibson county, be, and they are hereby appointed additional commissioners of the turnpike road across Obion river and bottom in the direction from Trenton, Gibson county, to Mills's point on the Mississippi river, established at the present session of the General Assembly.

SEC. 2. *Be it enacted*, That the said commissioners be allowed the sum of one dollar and fifty cents per day, and it shall be the duty of said commissioners to view said roads as often as necessary, and that said commissioners shall have full power to open said gates, if said road respectively are permitted to

Commissioners appointed.

Their compensation.

remain out of repair at any one time more than twenty days.

EPHRAIM H. FOSTER,
Speaker of the House of Representatives.
JOEL WALKER,
Speaker of the Senate.

December 22, 1829.

CHAPTER CXXXIII.

AN ACT to extend the corporation of the town of Brownsville and for other purposes.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the Mayor and Aldermen of the town of Brownsville, shall and are hereby invested with the power to survey and extend the limits of the town of Brownsville, in such a manner as they may think proper, and when the same shall be surveyed, the limits thereof shall be marked by the setting up posts or otherwise, and recorded in the books of the corporation; Provided, nevertheless that nothing herein contained, shall be so construed as to include any person or persons, who may have lands or lots unless it is by his, her or their consent.

Mayor and Aldermen to extend the town.

SEC. 2. *Be it enacted*, That William H. Loving and Allen J. Barker, be and they are hereby appointed trustees to the deeds of trust made to W. W. Douthett, B. H. Sanders and M. Ray, for the purpose of the better securing the payments for the lots to the commissioners of the town of Brownsville, the said Douthett, Sanders and Ray, having resigned or removed, and the said trustees appointed by this act shall have all the powers, privileges and capacities, that the original trustees had or that may be necessary to close said business, any law to the contrary notwithstanding.

Certain trustees appointed

SEC. 3. *Be it enacted*, That nothing contained in an act passed at this session of the General Assembly, for the purpose of extending the powers of the corporation of Memphis, shall be so construed as to authorize unsold lots in Memphis, where they were not taxable before, to be subject to taxation until they are sold as town lots.

Construction of the act.

Sec. 4. Be it enacted, That it shall be lawful for the Mayor and Aldermen of the town of Paris in the county of Henry, and the town of Huntingdon, in the county of Carroll, to sell and convey all or any of the alleys in said towns, and they are hereby authorized and empowered, to sell and convey the same; Provided they shall not sell the same without first obtaining the consent in writing, to sell the same from the owner or owners of any lot or part of a lot adjoining said alleys.

EPHRAIM H. FOSTER,

Speaker of the House of Representatives.

JOEL WALKER,

Speaker of the Senate.

December 23, 1829.

CHAPTER CXXXIV.

AN ACT to exempt the proprietors of Ragsdale turnpike road from paying a part of the tax therefor.

SEC. 1. Be it enacted by the General Assembly of the State of Tennessee, That the proprietors of the turnpike road commonly called Ragsdale turnpike, crossing Waldens ridge, in Rhea and Bledsoe counties, shall not hereafter be required to pay a greater tax than ten dollars.

EPHRAIM H. FOSTER,

Speaker of the House of Representatives.

JOEL WALKER,

Speaker of the Senate.

December 25, 1829.

CHAPTER CXXXV.

AN ACT for the relief of Spencer Beavers sheriff of McMinn county.

SEC. 1. Be it enacted by the General Assembly of the State of Tennessee, That the treasurer of East Tennessee, be and he hereby is directed to allow to Spencer Beavers sheriff of McMinn county, his commission upon the amount of the judgment recovered

against him, by the said treasurer, for the taxes for the year 1828, due the state from McMinn county for the year aforesaid, and the said treasurer is hereby further directed to allow the said Spencer Beavers a credit for all sums, which he may satisfactorily prove to said treasurer, have not been collected by reason of the insolvency of the states debtors for taxes for the year aforesaid.

EPHRAIM H. FOSTER,

Speaker of the House of Representatives.

JOEL WALKER,

Speaker of the Senate.

December 25, 1829.

CHAPTER CXXXVI.

AN ACT to authorize Allen McDonald to open a turnpike road.

Be it enacted by the General Assembly of the State of Tennessee, That Allen McDonald be and he is hereby authorized to open a turnpike road, from Pleasant Chitwood's on the Kentucky line, in the county of Campbell, thence crossing New river at John Reed's, thence up Brimstone creek and crossing the mountain, and thence the nearest and best way down Emery river to the town of Montgomery, in the county of Morgan.

SEC. 2. Be it enacted, That said Allen McDonald shall commence the opening and putting said road in repair, on or before the first day of July next, and shall have the same completed on or before the first day of July in the year eighteen hundred and thirty one.

When to be completed.

SEC. 3. Be it enacted, That the said road shall be opened at least twenty feet wide, fourteen in the centre, clear of stumps, rocks, roots and other obstructions, where the same can be done with reasonable labour, and all creeks, swamps and marshes, shall be bridged or causeway'd where the same is necessary, with the exception of Emery river and Brimstone creek, which shall only be bridged at such places as are necessary in common low water.

SEC. 4. Be it enacted, That upon said Allen McDonald's complying with the foregoing provisions of

this act, he shall be entitled to all the profits and emoluments of said road, for the term of twenty five years, from and after the first day of July eighteen hundred and thirty one, which shall be vested in the said Allen M'Donald his heirs and assigns.

May erect toll
gate

Sec. 5. *Be it enacted*, That when said road is completed as required by this act, the said M'Donald his heirs or assigns, shall be authorized to erect and keep a gate thereon, at any point he or they may choose, and shall be entitled to the following rates of toll, that is to say: for each waggon and team consisting of four or more horses, mules or oxen, one dollar, for each waggon, cart or other carriage not being a pleasure carriage, drawn by one or more horses, mules or oxen, fifty cents, for each four wheel pleasure carriage one dollar, for each two wheel pleasure carriage fifty cents, for each man and horse twelve and one half cents, for each foot person six and one fourth cents, for each led or loose horse, mule or jack not in a drove, six and one fourth cents, for each horse, mule or jack in a drove three cents, for each head of neat cattle two cents, and for each head of sheep, goats or hogs one cent.

Commission-
ers appointed
their duty.

Sec. 6. *Be it enacted*, That John Triplet Sen'r. of the county of Morgan, and John Read of the county of Campbell, be and they are hereby appointed commissioners of said road, who before entering upon their duties as such, shall take and subscribe before some justice of the peace the following oath:

Oath of Com-
missioner.

I do solemnly swear (that as commissioner of the turnpike road granted to Allen M'Donald by an act of the General Assembly, passed in the year 1829,) I will act without partiality or prejudice, and faithfully discharge all the duties required of me by said act of the General Assembly, agreeably to the best of my skill and ability, so help me God—and it shall be the duty of said commissioners after the said road is completed to examine and view the same, and if the road is in the order required by this act, they shall authorize the proprietor thereof to erect and keep a gate on the same, and it shall moreover be the duty of said commissioners to view and examine said road once every three months, for which services they shall be entitled to demand and receive from the proprietor thereof, two dollars per day, and if at any time they should find said road out of the repair contemplated by this act, it shall be

their duty to open the gate, and the same shall continue open, and all persons shall be entitled to pass free of toll until said commissioners shall authorize said gate to be shut.

Sec. 7. *Be it enacted*, That if any person or persons shall refuse to pay the toll required by this act, or shall pass the gate on said road, within one mile thereof, with intent to avoid the payment of the toll, such person or persons, shall forfeit and pay to the proprietor of said road twenty five dollars to be recovered before any justice of the peace in any county in this state by action of debt. Penalty for re-
fusing to pay
toll.

EPHRAIM H. FOSTER,
Speaker of the House of Representatives.
JOEL WALKER,
Speaker of the Senate.

December 25, 1829.

CHAPTER CXXXVII.

AN ACT for the relief of Blackman Coleman of Haywood county.

Sec. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Blackman Coleman, is hereby authorized to keep his clerk's office at his own house contiguous to Brownsville, any law to the contrary notwithstanding.

EPHRAIM H. FOSTER,
Speaker of the House of Representatives.
JOEL WALKER,
Speaker of the Senate.

December 28, 1829.

CHAPTER CXXXVIII.

AN ACT directing the duty of the sheriffs of the counties of Roane and Morgan in comparing the votes for representatives to the General Assembly.

Sec. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That hereafter the sheriffs or returning officers of the counties of Roane and Mor- To meet at
Kingston and
compare votes.

gan, shall meet and compare the votes for representative to the General Assembly, at Kingston, in the county of Roane, on the Saturday immediately succeeding the election, and make out and deliver to the person elected a certificate accordingly.

SEC. 2. *Be it enacted,* That the sheriffs or returning officers of the counties of Rhea and Hamilton, shall meet at the town of Washington, in the county of Rhea, and compare the votes for representative on the day specified in the first section, and make out and deliver a certificate to the person elected, in the same manner as required by this act for the sheriffs or returning officers of the counties of Roane and Morgan.

EPHRAIM H. FOSTER,

Speaker of the House of Representatives;

JOEL WALKER,

Speaker of the Senate.

December 27, 1829.

CHAPTER CXXXIX.

AN ACT to distribute the surplus pamphlet acts of Congress now in the Secretary's office.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee,* That it shall be the duty of the Secretary of State, to pack up for distribution amongst the several counties of this state the surplus copies of the pamphlet acts of Congress now in his office, and deliver them to the public printers, who shall cause them to be taken by the carriers employed by them in distributing the Acts and Journals of the present General Assembly, and it shall be the duty of the carriers to take receipts for the same when delivered, from the clerks of the respective county courts, for which services the public printers shall be allowed such compensation as may be allowed by law.

EPHRAIM H. FOSTER,

Speaker of the House of Representatives.

JOEL WALKER,

Speaker of the Senate.

December 30, 1829.

CHAPTER CXL.

AN ACT for the benefit of Laura Manly.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee,* That it shall and may be lawful for Laura Manly to file her petition for a divorce from her husband Chapman W. Manly, in the circuit court of Hardeman county, and if it shall appear to the satisfaction of the court by testimony, that the said Chapman W. Manly voluntarily abandoned the said Laura Manly without any just cause, and has been absent for more than eighteen months, and still absents himself, it shall be the duty of said circuit court, to decree a dissolution of the bonds of matrimony now existing between the said Laura Manly and Chapman W. Manly her husband, at the first term of said court.

Laura Manly may file petition for a divorce.

SEC. 2. *Be it further enacted,* That it shall and may be lawful for Perlina Moore to file her petition for a divorce from her husband Charles Moore, in the circuit court of Lincoln county, and if it shall appear to the satisfaction of the court by oral testimony or otherwise, that the said Charles Moore voluntarily abandoned the said Perlina Moore without any just cause, and has been absent for more than two years, and still absents himself, it shall be the duty of said court to decree a dissolution of the bonds of matrimony now existing between the said Perlina Moore and Charles Moore her husband, at the first or second term of said court.

Perlina Moore the same privilege.

EPHRAIM H. FOSTER,

Speaker of the House of Representatives.

JOEL WALKER,

Speaker of the Senate.

December 31, 1829.

CHAPTER CXLI.

AN ACT to alter the lines between Bledsoe and Hamilton counties.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the dividing line between the counties of Hamilton and Bledsoe, shall be as follows.

Dividing line between Hamilton and Bledsoe.

W

lows, to wit: beginning on the north west corner of Hamilton county, on Walden's ridge near Keedy's road, running thence in a direction with Hamilton county line towards Tennessee river to the middle of Walden's ridge; thence running a direct line on the centre of said ridge, in a direction towards the mouth of Suck creek, to a point opposite the mouth of Brush creek, the dividing line between Bledsoe and Marion counties; thence to the south east corner of Bledsoe county, near the head of Kelly's mill creek.

SEC. 2. *Be it enacted*, That the dividing line between the counties of Marion and Hamilton, shall be as follows, to wit: beginning on the line between Hamilton and Bledsoe counties, at a point opposite the mouth of Brush creek, on the centre of Walden's ridge, and thence with the centre of said ridge, or as nearly so as a direct line will admit, to Suck creek, and down said creek to its mouth, and with the line as now established by law between the said counties of Marion and Hamilton.

Between Marion and Hamilton.

EPHRAIM H. FOSTER,
Speaker of the House of Representatives.
JOEL WALKER,
Speaker of the Senate.

December 31, 1829.

CHAPTER CXLII.

AN ACT to alter the time of holding the musters in the 34th regiment of militia of Tennessee.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the regimental muster of the thirty-fourth regiment of Tennessee militia, shall be held on the fourth Thursday in September, and the company musters in said regiment, shall be held on the Friday preceding in each year.

When to muster.

SEC. 2. *Be it enacted*, That the commissioned officers of the regiment of Cavalry attached to the 12th brigade of militia, shall meet in the town of Washington, in Rhea county, on the last Saturday of March 1830, at which time and place, it shall and may be lawful for said officers, if a majority of them should think it proper and expedient, to divide said

Cavalry Regiment of 12th brigade, may be divided.

regiment into two parts, or battalions, of which the companies on the south side of Tennessee river, shall compose one, to be denominated the first battalion, and shall hold their battalion musters and courtsmartial at such times and places, as a majority of said officers shall direct; and the companies on the north side of said river, shall compose the other part or battalion of said regiment, and shall also hold their musters and courtsmartial at such time and place as a majority of said officers shall direct, and it is hereby made the duty of the field officers of said regiment to attend the battalion musters in like manner as they have been heretofore compelled to attend regimental musters and courtsmartial of each battalion, which musters and courtsmartial, shall be under the same rules and regulations that the regimental musters and courtsmartial of said regiment have heretofore been held.

SEC. 3. *Be it enacted*, That the second battalion of the new regiment in Carter county, shall hold their battalion muster at Shown's cross roads in said county.

2d Battalion of the new Regiment in Carter county.

SEC. 4. *Be it enacted*, That hereafter the first battalion attached to the first regiment, shall hold their battalion muster on the second Saturday in May, and the second battalion attached to said regiment, shall hold their muster on the third Saturday in May.

Battalion musters of the 1st battalion of the 1st Regiment.

SEC. 5. *Be it enacted*, That the battalion muster in the 101 regiment, shall hereafter be holden at the following times, to wit: the first battalion on the first Saturday in April; and the second battalion on the second Saturday in April, in each and every year.

Battalion musters of the 101 reg't—when to be holden.

EPHRAIM H. FOSTER,
Speaker of the House of Representatives.
JOEL WALKER,
December 31, 1829. Speaker of the Senate.

CHAPTER CXLIII.

AN ACT authorizing the drawing of a lottery for the benefit of the heirs of Colonel Robert Henry Dyer, deceased.

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

State of Tennessee, That William Stoddart, William E. Butler, James Caruthers, Joseph H. Talbot, William P. Leat and James L. Totten, or a majority of them, be, and they are hereby appointed trustees for the purpose of accepting a conveyance of certain landed property from the executor of Robert Henry Dyer late of Madison county, for the purpose of conducting and managing a lottery, and conveying said landed property to such persons as may become entitled to the same.

SEC. 2. Be it enacted, That it shall be lawful for the said executor immediately to convey by deed in fee simple, with general warranty to said trustees, and the survivor or survivors of them, for any of the said landed property, belonging to the heirs of the said Robert H. Dyer deceased, not exceeding in value ten thousand dollars, in trust, to be conveyed to such persons as may be entitled to the same, after the drawing of the said lottery by said trustees.

SEC. 3. Be it enacted, That it shall be the duty of the said trustees, or a majority of them, upon the execution and reception of said deed, to make valuation of such landed property at a fair price on one, two, three and four years credit, and divide the property so conveyed into such lots, or prizes as to them may seem expedient, and to draft such plan or scheme of lottery, and to fix the price of the tickets and their numbers, and conduct the selling thereof and drawing the said lottery, and all other things touching the same, in such manner as to them may seem proper, consistent with the provisions of this act.

SEC. 4. Be it enacted, That when the 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 in the town of Jackson, Madison county, of the time and place of drawing the same.

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

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 the said lottery, it shall be their duty to reconvey to the said executor of the said Robert H. Dyer, deceased, 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 the said lottery shall not be completed within two years from the first day of January next, then the said property, so to be conveyed, shall revert to the said executor, and be subject to the control of the said executor, as though this scheme had never been proposed, and provided also, that this act shall cease to be in force and effect, if the said executor shall fail or refuse to execute the deed of trust within six months from the first day of January next.

SEC. 8. Be it enacted, That this act shall not affect in any way, the creditor or creditors of the estate of the said Robert H. Dyer deceased, but all claims be and remain on the same footing, and in the same situation as though this act had never been passed.

SEC. 9. Be it enacted, That the debt owing by Robert H. Dyer's representatives to the Bank of the State of Tennessee, shall remain in its present situation until further directions by law, shall be given for its earlier collection: Provided the securities debt due the now bound for said debt, shall first deposite with the treasurer of the Western District, their written consent to the indulgence herein offered to be extended to the principal debtor, and admitting their future responsibility, as if said indulgence had not been given; and provided further, that if said securities shall fail or refuse to consent in manner aforesaid, to said indulgence, and the representatives of said Dyer, shall substitute other good and sufficient securities,

to be approved by said treasurer, then and in that case the indulgence herein contemplated, shall be granted to said representatives of said Robert H. Dyer.

EPHRAIM H. FOSTER,
Speaker of the House of Representatives.
JOEL WALKER,
Speaker of the Senate.

December 31, 1829.

CHAPTER CXLIV.

AN ACT for the relief of Polly D. Allen.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That it shall and may be lawful for Polly D. Allen, wife of Levi P. Allen a lunatic together with Mathew Rybourn the guardian of said Levi P. Allen, to make deeds to John Walker of Montgomery county, of certain land in said county, also to James Miller of certain lands lying in Dyer county, which the said Levi P. Allen before his insanity, covenanted to said John Walker and to said James Miller to sell and convey, and that the conveyance made by the said Polly D. Allen and said Mathew Rybourn guardian, shall be as good and valid in law as the same could or would have been had the said Levi P. Allen and his wife Polly D. conveyed the same, before his insanity or lunacy aforesaid, and shall be evidence of title in all courts of record in this state.

EPHRAIM H. FOSTER,
Speaker of the House of Representatives.
JOEL WALKER,
Speaker of the Senate.

January 1, 1830.

CHAPTER CLXV.

AN ACT for the relief of Henry Lady, John Cocke, Thomas Whiteside, Jacob Cliece and John Lowry.

Be it enacted by the General Assembly of the State of

Tennessee, That Henry Lady, John Cocke, Thomas Whiteside, Jacob Cliece and John Lowry, be and they are hereby discharged from the pains and penalties of a recognizance or bond entered into by them in the county of Grainger, as bail for one James Lady who stood charged in the circuit court of said county, for stealing a horse, saddle, bridle and blanket, the property of Joel Emery, and from the operation of any judgment or order of said court predicated on said recognizance or bond: Provided nothing in this act contained, shall exempt said parties from paying all cost that shall or may have accrued against them in prosecuting said recognizance or bond.

EPHRAIM H. FOSTER,
Speaker of the House of Representatives.
JOEL WALKER,
Speaker of the Senate.

December 2, 1829.

CHAPTER CXLVI.

AN ACT to lay off a battalion in the thirty-third regiment of the militia.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That captain McDaniel, captain Nester's and captain Dennis's companies, shall compose the second battalion of the thirty-third regiment of the militia of the State of Tennessee.

EPHRAIM H. FOSTER,
Speaker of the House of Representatives.
JOEL WALKER,
Speaker of the Senate.

December 24, 1829.

CHAPTER CXLVII.

AN ACT to establish a battalion to be composed of the Grassy Cove and Cumberland Mountain companies.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the Grassy Cove captain's

company, and the company on Cumberland Mountain, adjoining the Grassy Cove, in Bledsoe county, shall compose the third battalion of the militia of said county, by the name of the Lafayette Centinels, and that the colonel commandant of said regiment issue a writ of election to elect a field officer for the said battalion, as in other cases; and that said battalion, be, and the same is hereby exempted from attending the regimental musters, and it shall be the duty of said battalion, to hold a battalion muster on the third Saturday in April, in each and every year.

EPHRAIM H. FOSTER,

Speaker of the House of Representatives.

JOEL WALKER,

Speaker of the Senate.

December 24, 1829.

CHAPTER CXLVIII.

AN ACT to repeal so much of the law passed at the present General Assembly as proposes to pay the commissioners to be elected to superintend the building of the Penitentiary.

Sec. 1. *Be it enacted by the General Assembly of the State of Tennessee, That so much of the before recited act, as allows three dollars per day to commissioners, for superintending the building of the Penitentiary, be and the same is hereby repealed.*

EPHRAIM H. FOSTER,

Speaker of the House of Representatives.

JOEL WALKER,

Speaker of the Senate.

December 24, 1829.

CHAPTER CXLIX.

AN ACT to dispose of the books and papers of the surveyor's office of the 4th district.

Be it enacted by the General Assembly of the State of Tennessee, That the personal representatives of John Purris deceased, former surveyor of the fourth

district, shall on application of the register of Roane county, deliver over to him all the books and papers, belonging to said surveyors office, which shall be safely kept and preserved by said register, and he is hereby authorized to issue copies of any papers and records of said office, to any person applying for the same, for which he shall be entitled to the same fees as were heretofore allowed by law to the surveyor of said fourth district, and said copies when issued by said register, shall be as good and valid as though the same had been issued by said surveyor in his lifetime.

Sec. 2. *Be it enacted, That said register for Roane county, shall at the first term of the county court of said county, after he receives said books and papers, enter into bond in open court with sufficient security, in the sum of two thousand dollars, conditioned for the safe keeping of the books and papers of said office, and the faithful performance of all other duties required of him by law.*

EPHRAIM H. FOSTER,

Speaker of the House of Representatives.

JOEL WALKER,

Speaker of the Senate.

December 25, 1829.

CHAPTER CL.

AN ACT to authorize the opening the navigation of the Caney fork of Cumberland river.

WHEREAS it is of much importance to the welfare and prosperity of this state, that the Caney fork of Cumberland river, should be rendered navigable, and thereby open a convenient and easy means of conveying the surplus produce of the country to market, and whereas the obstructions in said Caney fork, render the navigation of the same difficult and unsafe.—Wherefore, and for the purpose of removing said obstructions, and in order to excite the industry and enterprize of the people residing in this state, on the waters of said river.

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

To be deposited with the register of Roane county.

Duty of the Register.

Preamble

Board of Man-
agers appoint-

State of Tennessee, That Turner Lane, Richard Crowder, William C. Smartt, Haral Byars, William Allen, John Gordon, John B. Perkins and Abner Lack, be, and they are hereby appointed a board of managers to superintend the removing the obstructions to the navigation of said Caney fork, with power to convene and hold meetings from time to time, and at such places as may be agreed on by them for that purpose, to appoint a clerk, who shall keep a regular journal of their proceedings, and they shall appoint a treasurer of their own body, who, before he enters on the duties of his office, shall enter into bond, with two or more securities, to the Governor for the time being, and his successors in office, in the penalty of twenty thousand dollars, with condition, that he will well and truly account for and pay over agreeable to the orders of the board of managers, of all such sums of money as he may receive under the provisions of this act, and the said board of managers shall have power, either by themselves, or by a committee of their body, which shall consist of not less than three, to be appointed for that purpose to make contracts with such, and so many persons as to them shall seem proper, for opening the shoals and obstructions in said river.

To take oath.

SEC. 2. *Be it enacted*, That said managers before they or either of them, shall proceed to execute the duties of their office, shall take the following oath before some Justice of the Peace—I, A. B. do solemnly swear (or affirm as the case be) that I will faithfully and impartially discharge the duties of one of the board of managers, to superintend removing obstructions in the navigation of the Caney fork river, according to the law under which I was appointed, and that in all votes which I will give, I will act for the good of the public, without any favor or partiality to individuals.

Appropriation made.

SEC. 3. *Be it enacted*, That the treasurer of said board of managers shall be authorized to draw from the treasurer of West Tennessee, the sum of two thousand dollars, to be appropriated towards the purpose aforesaid, and that the receipt of said treasurer, shall be a good voucher in the settlement of his accounts.

Power of the Managers.

SEC. 4. *Be it enacted*, That said board of managers, or any number of them, shall have power to cause books of subscription to be opened in all such

places as they may think proper, for the purpose of raising additional funds for the purposes contemplated in this act, and said managers shall have power to collect such monies subscribed for said purpose, and apply the same in the manner directed in this act, unless the application shall be specially directed to some particular part of the river, by the subscriber; and in that event, the same shall be applied as directed.

Governor to fill vacancies.

SEC. 5. *Be it enacted*, That if any of said managers should die, remove out of this state, resign or refuse to act, the Governor of this state, shall appoint some fit person or persons in his or their place or places, who shall reside as near as may be, to the part of the state in which the managers herein appointed now reside.

Majority a quorum.

SEC. 6. *Be it enacted*, That a majority of said managers, shall be a quorum to transact the business, and they may meet at such times and places as they think most prudent and beneficial.

Appropriation to be deducted out of any future gen'l one.

SEC. 7. *Be it enacted*, That whenever any general appropriation shall be made for the benefit of internal improvements, the aforesaid sum of two thousand dollars, shall be deducted out of the sum that shall be appropriated for that section of country including said Caney fork river.

EPHRAIM H. FOSTER,
Speaker of the House of Representatives.
JOEL WALKER,

December 28, 1829. Speaker of the Senate.

CHAPTER CLI.

AN ACT for the benefit of the Buffalo Iron Works in the county of Lawrence.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That John Catron may enter and cause to be granted, in one or more tracts any part or parcel of the lands within the six thousand acres, condemned for the use of Buffalo Iron Works, by the Lawrence county court at their April session 1828, that said entries may be made to include any occupant claim within said bounds, which has been or may be assigned to said Catron; and also such

John Catron may enter certain vacant land.

lands as were not condemned as unfit for cultivation, said entries to be made in the eighth surveyor's district, upon any good and valid warrant.

Sec. 2. *Be it enacted*, That the occupant claims entries and grants of others, within the bounds of the lands condemned, shall not be interfered with, and that to the balance of the lands condemned for the use of said Iron Works, and not entered, said Catron shall have the secure right and interest, that occupant claimants have to lands south and west of the Congressional reservation line, where the same have been surveyed and laid down upon the general plan as occupant claims.

Occupant
claims not to
be interfered
with.

Sec. 3. *Be it enacted*, That Richard C. Napier, may enter and cause to be granted to him in one or more tracts, a quantity of vacant and unappropriated land unfit for cultivation including any bank or banks of Iron Ore, in the county of Perry, that said entries may be made so as to include any occupant claim or claims, which has or may be legally and for a valuable consideration assigned to him, but shall in no wise interfere with a preference already granted without first obtaining an assignment, said entries to be made in the ninth surveyors district, upon any good and valid warrant; Provided, however, that the said Napier shall only be entitled to the benefit and privileges granted to him by this act, on condition that he shall within two years from the passage of the same, erect and put into operation in the county of Perry, works for the manufacture of Iron, and should the said Richard C. Napier fail or refuse within two years from the passage of this act, to put Iron Works into operation in the county of Perry, any grant or grants entry or entries, made by virtue of this act, shall be utterly void and of no effect.

R. C. Napier
privileges granted to.

EPHRAIM H. FOSTER,

Speaker of the House of Representatives.

JOEL WALKER,

December 27, 1829. Speaker of the Senate.

CHAPTER CLII.

AN ACT for the benefit of Eliza Nightingale.

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

State of Tennessee, That Eliza Nightingale, be, and she is hereby authorized to enter twenty five acres of land in the 8th surveyor's district, in the fourth range and third section, including a mill seat and part of an occupant claim belonging to said Eliza Nightingale, on a good and valid warrant.

EPHRAIM H. FOSTER,

Speaker of the House of Representatives.

JOEL WALKER,

Speaker of the Senate.

December 30, 1829.

CHAPTER CLIII.

AN ACT to repeal an act passed November 17th 1827 for the benefit of Mary Evans.

Sec. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That an act passed November 17th 1827, authorizing Mary Evans of White county, to retail spirits without licence, be and the same is hereby repealed.

EPHRAIM H. FOSTER

Speaker of the House of Representatives

JOEL WALKER,

Speaker of the Senate.

December 30, 1829.

CHAPTER CLIV.

AN ACT granting a resurvey of Overton county.

Sec. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Burchett Douglass of Wilson county, or in case said Douglass fails to attend, then Jonathan C. Davis of White county, be and he is hereby appointed to resurvey, and cause to be measured the limits of Overton county, so as accurately to ascertain the number of square miles contained therein.

Burchett Douglass
glass to survey
Overton county.

Sec. 2. *Be it enacted*, That if there is not the constitutional number of square miles in said county, the surveyor is hereby authorized to continue east

County to
have its consti-
tutional num-
ber of square
miles.

with the state line, so far as by running south parallel with the east boundary line of Jackson county, until it intersects the Morgan county line, thence south twenty three and three fourth degrees west to Johnson's stand, as will leave Overton her constitutional limits.

Directions for
Surveyor.

SEC. 3. *Be it enacted*, That the surveyor shall begin at Johnson's stand on the old Cumberland road, running west with said road (the line now existing between Overton and White counties) until it intersects the Jackson county line, thence north with the same to the Kentucky state line, thence east with the state line as directed by the second section of this act.

To file two
fair plats.

SEC. 4. *Be it enacted*, That the surveyor by this act appointed, shall file with the county court of Overton county, two fair plats of the survey of said county, shewing therein the distances to all the principal water courses and other places of notoriety on said line, which plats shall be considered a part of the records of said county.

Chain carriers
to be disinter-
ested persons.

SEC. 5. *Be it enacted*, That the chain carriers necessary in measuring the lines, shall be disinterested persons from the counties of

When survey
to be comple-
ted.

SEC. 6. *Be it enacted*, That the survey aforesaid, shall be made and completed before the first day of January 1831.

Compensation
allowed.

SEC. 7. *Be it enacted*, That the surveyor and chain carriers appointed by this act, shall receive the following compensation viz: the surveyor two dollars and fifty cents per day, and the chain carriers one dollar per day.

[Expense how
paid.

SEC. 8. *Be it enacted*, That one third of the expense of making the surveys as contemplated by this act, shall be paid by the county of Fentress and the balance by the county of Overton.

Repealing
clause.

SEC. 9. *Be it enacted*, That an act passed at Nashville in the year 1827, entitled an act to survey Overton county to its constitutional limits, and the line run by virtue of said act by M'Millan, be and the same is hereby repealed and shall be of no force or effect, and the line run by virtue of this act, shall be and is hereby declared to be the true dividing line between the counties of Overton and Fentress.

SEC. 10. *Be it enacted*, That the county courts of the counties of Overton and Fentress, are hereby

authorized and required to lay a tax to pay their respective proportions of the expenses in running said line as required by this act, at their first court after said line shall have been run.

EPHRAIM H. FOSTER,
Speaker of the House of Representatives.
JOEL WALKER,
Speaker of the Senate.

December 30, 1829.

CHAPTER CLV.

AN ACT to divide the second regiment and to constitute the ——— regiment in Sullivan county.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That it shall be duty of the sheriff of Sullivan county, on the last Friday of March, 1830, to open and hold an election at the court house of said county, at which every commissioned company officer, shall be entitled to vote on the question, whether the second regiment shall be divided or not; and if, after counting out all the votes that may be given, it shall be found that a majority of said officers thus voted, shall have voted for a division, then it shall be the duty of said sheriff to certify that fact to the brigadier general of the first brigade to issue his order to said sheriff to hold an election, in what is now the second battalion of the second regiment, for the purpose of electing field officers, for said 2nd battalion, which shall constitute a new regiment; and said regiment shall be numbered by the Governor, and the officers thereof commissioned according to law, and said officers shall immediately after their election, divide said regiment into battalions and to appoint their places of battalion and regimental musters; and their said musters and courtmartial, shall be held just one week after the times appointed by law for the musters and courtmartial of the second regiment.

Sheriff of Sul-
livan to hold
an election, &
ascertain if a
majority be in
favor of a divi-
sion.

SEC. 2. *Be it enacted*, That the election for field officers in said new regiment, shall be held as the general laws, regulating the election of field officers, except that said elections shall be held at each of the places in said second battalion, where elections were

Election of
Field Officers,
when held.

last opened and held for members of the General Assembly.

SEC. 3. *Be it enacted,* That it shall be the duty of the field officers of the second and new regiment in Sullivan county, to meet at the court house on the first Friday in September next, who shall have full authority to make such alterations in the lines of said second and said new regiments, as a majority of all said field officers shall or may agree on, and all such alterations shall be entered on the books of the Judge Advocate of each of said regiments.

SEC. 4. *Be it enacted,* That nothing in this act contained, shall be so construed, to prevent any officer who may be acting on certificate, from voting on the question of dividing said regiment.

SEC. 5. *Be it enacted,* That it shall be the duty of the sheriff of Sullivan county, to advertise the election to be held at the court house on the last Friday of March next, for a division of the second regiment, at least two weeks before such election, at, at least one place in each captain's company in Sullivan county.

EPHRAIM H. FOSTER,
Speaker of the House of Representatives.
JOEL WALKER,
Speaker of the Senate.

December 31, 1829.

CHAPTER CLVI.

AN ACT to authorize a lottery for the benefit of Samuel Houston academy in Marion county.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the trustees of Samuel Houston academy, are hereby authorized to prepare a scheme of a lottery, and superintend the drawing of the same, in any manner they may think best, in order to raise a sum not exceeding five thousand dollars for the benefit of said academy, to be applied in the erection of a suitable building therefor.

SEC. 2. *Be it enacted,* That said trustees may by bye-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 of

the constitution of the state, and they may make and enter into such contracts, with any person or persons, either by deed or otherwise, in their corporate capacity, as may secure their interest in and to a lot or lots, on which to erect said building, and the collection of all monies arising from the sale of tickets, or in any other respect about the premises, and such contracts shall be binding in all courts.

SEC. 3. *Be it enacted,* That said trustees of Samuel Houston academy, before they proceed with said lottery, shall enter into bond with sufficient security in the sum of ten thousand dollars, conditioned for the faithful payment of prizes when drawn, or in case of failure to draw said lottery, for the repayment of, 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 of Marion, and upon a breach thereof, suit may be brought to the use of any person or persons aggrieved, from time to time until the penalty shall be recovered.

EPHRAIM H. FOSTER,
Speaker of the House of Representatives.
JOEL WALKER,
Speaker of the Senate.

January 1, 1829.

CHAPTER CLVII.

AN ACT to authorize a lottery for the benefit of the Harpeth Male and Female Academies.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the trustees of the two academies aforesaid, be, and they are hereby authorized to raise a sum of money, not exceeding four thousand dollars by lottery, for the benefit of the Harpeth Male and Harpeth Female Academies.

SEC. 2. *Be it enacted,* That the trustees of the two academies aforesaid, are authorized to draft and publish such scheme of the lottery aforesaid, in one or more classes as they may deem proper, and when such portion of the tickets shall be sold in any one class, as in their opinion will authorize the drawing of the same or any part thereof, they shall proceed to superintend the drawing of the same, under such rules

and regulations as may have been made known publicly in their scheme.

SEC. 3. *Be it enacted*, That the trustees of the academies aforesaid, are hereby jointly and severally bound to the purchasers or holders of the tickets in said lottery for the punctual payment of all prizes that may be drawn by their respective tickets or numbers.

SEC. 4. *Be it enacted*, That the amount of money that may be raised under, or by the authority of this act, or any part thereof, shall be equally divided between the two academies aforesaid, and appropriated to making additional buildings or other improvements to said academies, under the direction of their respective boards of trustees.

EPHRAIM H. FOSTER,

Speaker of the House of Representatives.

JOEL WALKER,

Speaker of the Senate.

January 1, 1830.

CHAPTER CLVIII.

AN ACT to authorize a lottery for the benefit of the Sommerville academy, and for the clearing out the obstructions in Wolf river.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That John Blackwell, William Davis, John C. Cooper, Elias Camth, Jarman Coons, Samuel Johnson and Charles Thompson, be, and they are hereby appointed managers to draft any scheme of lottery they may think proper to raise any sum not exceeding eight thousand dollars, for the benefit of Sommerville Male and Female Academies, in the town of Sommerville, which may be done in such classes and under such regulations as said managers shall prescribe; Provided nevertheless, that before entering upon the duties of their appointment, they shall enter into bond and security to the Governor for the time being and his successors in the sum of twenty thousand dollars, conditioned that said lottery shall be fairly conducted, and that said prizes shall be promptly paid to the

fortunate drawer, which bond shall be lodged in the office of the county court of Fayette county.

SEC. 2. *Be it enacted*, Joseph Cotten, Robert Cotten, F. Titus, Daniel Johnson, D. Jarnagin, S. Harper and Charles Micky, be, and they are hereby appointed managers, to draft the scheme of a lottery to raise any sum of money not exceeding seven thousand five hundred dollars, for the benefit of the Female Academy at Lagrange, and for clearing out the obstructions in Wolf river, which may be done under such classes, and under such regulations as said managers may think proper; Provided nevertheless, that before entering upon the duties of said appointment, they shall enter into bond and security to the Governor and his successors in office, in the sum of twenty thousand dollars, conditioned that said lottery shall be fairly conducted, and the prizes promptly paid to the fortunate drawer which bond shall be deposited in the clerk's office of the county court of Fayette county.

Lagrange Academy to have the same privilege.

EPHRAIM H. FOSTER,

Speaker of the House of Representatives.

JOEL WALKER,

Speaker of the Senate.

January 1, 1830.

CHAPTER CLIX.

AN ACT providing for the entry of certain unappropriated land in Rhea county.

WHEREAS it is represented to this General Assembly, that a certain parcel of land situated in the county of Rhea, in the Hiwassee district, is unappropriated, and that there is no provision by law for entering or disposing of the same, in consequence of its having originally been laid down on the map of said district, as part of a reservation granted by the treaties of 1817 and 1819, to John Miller a Cherokee reservee—For remedy whereof,

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That it is hereby made the duty of the surveyor of Rhea county, as soon as practica-

ble to ascertain by actual survey, the quantity of land so unappropriated, and to divide the same into two equal tracts, between the occupants Jesse Matthews and Ezekiel Bates, so as to include their respective improvements, and said occupants shall have a preference of entry, of the land assigned to them respectively, at twenty five cents per acre, until the first day of June next, after which time the said land shall be and remain open to general entry, to all and every person at the said sum of twenty five cents per acre; Provided, however, that no part of said land shall be subject to entry, less than the whole of each tract laid off by the provisions of this act; and provided further that the enterer of such land, shall at the time of entering the same, pay the surveyors fees for surveying the same.

EPHRAIM H. FOSTER,

Speaker of the House of Representatives.

JOEL WALKER,

Speaker of the Senate.

January 1, 1830.

CHAPTER CLX.

AN ACT for the relief of the person employed to print Haywood and Cobbs' Digest of the laws of the State of Tennessee.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee, That when officially advised by the person employed to publish for the state, the Digest of the Laws of Tennessee, as prepared by Haywood and Cobbs, together with what has subsequently been directed to be published, that he is ready immediately to commence the printing of said Digest; the Governor be, and hereby is authorized and directed to issue a warrant in favor of the person employed to print and bind said Digest, on either of the treasurers of this state, for half the amount which the state is to pay said printer, as part of his compensation for the printing and binding the Digest as aforesaid; Provided said printer shall give bond with sufficient security, that, if the work should not be completed according to contract, that he will re-*

May draw half the compensation when he begins the said work.

fund the money with interest from the time he received the same.

SEC. 2. *Be it enacted, That so soon as the work shall be completed according to contract, the Governor is hereby directed to issue a warrant on either of the treasurers in favor of the printer for the amount which may then remain unpaid.* The remainder when it is completed.

EPHRAIM H. FOSTER,

Speaker of the House of Representatives.

JOEL WALKER,

Speaker of the Senate.

January 4, 1830.

CHAPTER CLXI.

AN ACT to appoint additional trustees to the Jackson Academy in the county of Madison.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee, That Matthias Debery, Joseph H. Talbot, William Armour, James Carothers and Egbert Haywood, be and they are hereby appointed additional trustees for the Jackson Academy in the county of Madison, and they shall as such have all the privileges and capacities, that the other trustees have and possess.*

EPHRAIM H. FOSTER,

Speaker of the House of Representatives.

JOEL WALKER,

Speaker of the Senate.

January 1, 1830.

CHAPTER CLXII.

AN ACT to alter the times of holding battalion musters in the 1st and 2d battalions of the 94th regiment of Tennessee militia.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee, That battalion musters in the 94th regiment of Tennessee militia, shall hereafter be held in the first battalion on the third Friday.*

and in the second battalion on the fourth Friday of March in each and every year.

EPHRAIM H. FOSTER,

Speaker of the House of Representatives.

JOEL WALKER,

Speaker of the Senate.

January 4, 1830.

CHAPTER CLXIII.

AN ACT for the relief of Thomas McAlpin.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the clerk of the circuit court of M'Nairy county, be authorized and required to refund to Thomas M'Alpin the sum of fifty dollars, out of any money in his hands which he is bound by law to pay to the treasurer of the Western District, when it shall appear to him, that the said M'Alpin has satisfied a judgment for fifty dollars, together with costs of judgment rendered against him upon scire facias as security for the appearance of John Killion, at the term of said circuit court held in May 1829, and the receipt of the said M'Alpin, shall be a good and sufficient voucher in the hands of said clerk in his settlement with the treasurer.

EPHRAIM H. FOSTER,

Speaker of the House of Representatives.

JOEL WALKER,

Speaker of the Senate.

December 7, 1829.

CHAPTER CLXIV.

AN ACT for the relief of John McCracken.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the commissioner of land claims, be, and he is hereby authorized to issue a duplicate land warrant No. 1319, for five hundred acres to John McCracken; Provided the said McCracken shall prove to the satisfaction of said commissioner, that said warrant No. 1319, was lost in the

clerk's office of the circuit court of Giles county, where it had been filed as evidence in a suit of Chancery, and that the same is unappropriated.

EPHRAIM H. FOSTER,

Speaker of the House of Representatives.

JOEL WALKER,

Speaker of the Senate.

December 7, 1829.

CHAPTER CLXV.

AN ACT to compel the commissioners of the town of Lawrenceburg to close their business and to appropriate the monies in their hands to county purposes.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the commissioners of the town of Lawrenceburg, in the county of Lawrence, shall immediately proceed to settle and close their business as commissioners of said town, and shall collect the balance of the monies arising from the sale of lots in said town as far as is practicable by law, and make titles to the purchasers of said lots, so soon as the consideration money is paid, and shall do and perform all other matters and things appertaining to their duty without further favour or delay.

Duty of Commissioners.

SEC. 2. *Be it enacted*, That the said commissioners shall pay over to the county trustee of Lawrence county, or his successor in office, all the money that now is in the hands of said commissioners, or which may hereafter come to their hands, that is unappropriated by any former law except so much as may be allowed to the said commissioners, by the county court of Lawrence county for their services, and the receipt of said county trustee shall be a good voucher to said commissioners, upon the final settlement of their accounts.

To pay over all the money in their hands.

SEC. 3. *Be it enacted*, That the said commissioners of the town of Lawrenceburg, shall at the first county court holden for the county of Lawrence, after the first day of January 1831, produce all their books, papers and vouchers, and make a final settlement with said county court, and thereupon it shall be the duty of said county court, to make to the

To produce books and papers.

said commissioners a reasonable allowance for their services, not exceeding two dollars per day, for the time they have been engaged in actual service, and shall enter of record said settlement and allowance, and thereupon said commissioners shall cease to act as such forever

To forfeit their bonds in case of refusal.
SEC. 4. *Be it enacted,* That if the said commissioners or any one of them, shall fail or refuse to make a settlement at the time aforesaid, and pay over the money which may be in his hands to the county trustee according to the true intent and meaning of this act, his or their bond shall be forfeited, and it shall be the duty of the chairman of the county court of said county, to institute a suit on said bond as in other cases.

Duty of the county trustee.
SEC. 5. *Be it enacted,* That it shall be the duty of the said county trustee of Lawrence county and his successor in office, to receive from the said commissioners or any one of them all the money which said commissioners or either of them, may pay over after the passage of this act, and give a receipt therefor, and the said county trustee shall apply the said money to the payment of the first unsatisfied claims on file in his office as in other cases, and shall receive the same fees and settle and account for the said money in the same way that he does for other county monies.

His duty on failure of commissioners to close the business.
SEC. 6. *Be it enacted,* That if the present acting commissioners of said town, shall be unable to close the business aforesaid, before the time they are hereby required to settle and cease to act, it shall be the duty of the county trustee of said county and his successor in office, to close and settle said business, and the said county trustee in that event is hereby constituted and appointed sole commissioner of the town of Lawrenceburg in the county of Lawrence, with all the rights and powers and privileges heretofore exercised and enjoyed by the commissioners of said town, and may do and perform any act or acts necessary to close said business, and the same shall be as good and valid as if done by the present or any former board of commissioners of said town, and the said county court shall at the time aforesaid, deliver over to the said county trustee the books and papers of said commissioners, and if the said county trustee shall collect any money while acting as commissioner, he shall apply the same to

the satisfaction of the county debt as heretofore directed by the provisions of this act.

EPHRAIM H. FOSTER,
 Speaker of the House of Representatives.
 JOEL WALKER,
 Speaker of the Senate.

December 7, 1829.

CHAPTER CLXVI.

AN ACT to refund to the county of Marion certain monies wrongfully paid.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the treasurer of East Tennessee, pay to the trustee for Marion county, the sum of one hundred and ninety-six dollars and twenty-nine cents, it being the amount wrongfully paid by the county of Marion for costs, after the change of venue in the case of the state against John Allen for passing counterfeit bank notes, whose receipt shall be a good voucher in the hands of the treasurer in the settlement of his accounts; Provided that the records of said case be presented to the treasurer, and that it shall appear from the same, that the state was bound for said cost.

EPHRAIM H. FOSTER,
 Speaker of the House of Representatives.
 JOEL WALKER,
 Speaker of the Senate.

December 24, 1829.

CHAPTER CLXVII.

AN ACT for the relief of Edward Mitchell and Andrew McBeth.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Edward Mitchell, be, and he is hereby authorized to erect a mill dam across Little river, in Blount county, adjoining his own land, not exceeding four feet high; Provided, that the said Edward shall erect a sufficient slope or lock

Edward Mitchell authorized to erect mill dam.

in said mill dam, so as to admit of the safe and convenient passage of such boats and other water craft as may descend said river;—And whereas, in an act entitled "an act authorizing James Kirby and William McNabb, to erect mill dams on Little river, in Blount county," passed December the 12th, 1827, a mistake was in using the name of William McNabb instead of Andrew McBath—Therefore,

Be it enacted, That the name of William McNabb in the above recited act, be, and the same is hereby changed to Andrew McBath, and that the said Andrew McBath, is, and shall be entitled to all the rights and privileges secured in the above recited act.

EPHRAIM H. FOSTER,
Speaker of the House of Representatives.
JOEL WALKER,
Speaker of the Senate.

December 24, 1829.

CHAPTER CLXVIII.

AN ACT to amend an act passed 14th October 1824, entitled an act for the benefit of the Bean's Station turnpike road.

SEC. 1. Be it enacted by the General Assembly of the State of Tennessee, That so much of the above recited act, and of the subsequent laws on that subject as relates to commissioners and appoints the same, be and is hereby repealed.

SEC. 2. Be it enacted, That hereafter there shall be three commissioners, viz: Charles M'Anally of Grainger county, William Graham of Claiborne county, and Sandford Johnson of Hawkins county, on said road, who shall be entitled to all the powers, privileges, rights and immunities, and be under the same duties and liabilities that the five commissioners and each of them were, by the laws this is intended to amend.

SEC. 3. Be it enacted, That the said commissioners, shall have power to appoint either one overseer for the whole road, or one for each county, through which the road runs at their discretion, and if they should appoint more than one overseer, each over-

seer shall be regulated by the act which this is intended to amend.

SEC. 4. Be it enacted, That it shall be the duty of the overseers in working on said road, to hire his hands and buy his provisions in that county in which he shall at any time be at work.

SEC. 5. Be it enacted, That the commissioners shall have power to cause bridges to be erected by special contract if they should deem such necessary.

SEC. 6. Be it enacted, That if at any time hereafter said commissioners should have funds sufficient, and deem it expedient they shall be at liberty to extend said turnpike road to Marshall's old ferry, and to cause the same to be worked on, and in the event of the extension of said road, the hands who are now bound to work on said road from Bean's Station to said ferry, shall continue bound to work on the same, under the same rules and restrictions as the country or militia hands now work on said road in Claiborne county.

SEC. 7. Be it enacted, That so much of the act and laws as this is intended to amend, as comes within the perview and meaning of this act, are hereby repealed, but all other parts of said laws are hereby declared in full force.

EPHRAIM H. FOSTER,
Speaker of the House of Representatives.
JOEL WALKER,
Speaker of the Senate.

January 1, 1830.

CHAPTER CLXIX.

AN ACT to provide a permanent office for the public papers of the state.

SEC. 1. Be it enacted by the General Assembly of the State of Tennessee, That so soon as the Governor may be informed that the rooms on the ground floor in the north end of the new court house in Nashville, or a sufficient portion thereof are completed and ready for use, he shall direct the Secretary of State without delay, to remove all the papers, books and documents pertaining to his office, as well as the papers, books and documents pertaining to the execu-

tive and commissioners offices, to the said rooms, where they shall be methodically arranged and kept until otherwise directed by law; Provided always, that no rent shall be charged or paid for the same, and provided also, that the Governor may draw from the treasury by warrant, any sum that may be necessary in preparing any fixtures and shelving which may be necessary beyond the expense that would be incurred in finishing said rooms in the original plan, should the same not exceed one hundred and twenty-five dollars.

EPHRAIM H. FOSTER,
Speaker of the House of Representatives.
JOEL WALKER,
Speaker of the Senate.

January 1, 1830.

CHAPTER CLXX.

AN ACT to allow Robert M. Anderson compensation for services rendered as the attorney for the state in certain suits in which he was employed by the treasurer of West Tennessee.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee, That the treasurer of East Tennessee, be authorized and required to pay to Robert M. Anderson the sum of one hundred and fifty dollars, out of any money in the treasury not otherwise appropriated.*

EPHRAIM H. FOSTER,
Speaker of the House of Representatives.
JOEL WALKER,
Speaker of the Senate.

January 2, 1830.

CHAPTER CLXXI.

AN ACT for the relief of the Jackson Centinels.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee, That the volunteer company attached to the 109th regiment of Tennessee militia*

commanded by captain Rucker, shall be known and distinguished by the name of the Jackson Centinels, and shall continue subject to all the duties of the militia in said regiment, and shall be entitled to all the privileges of the militia, under the existing laws with this exception, that they shall not be compelled to attend regimental and battalion courtsmartial, and shall have power to establish a constitution and by-laws for their own government, a majority agreeing thereto, and shall be entitled to the benefit, all fines and forfeitures assessed upon its own members.

SEC. 2. *Be it enacted, That any person subject to military duty in the 109th regiment, if admitted, may become a member of the Jackson Centinels, upon the production of certificate of the captain of the Jackson Centinels, that such militiaman is uniformed according to the requisitions of said company, and has been admitted a member, he shall thereafter be exempt from militia duty in the company in which he may reside, so long as he may remain a member of said company; Provided, said captain does not enroll more than seventy-five privates at any one time, and provided also, that such enrollments does not reduce the militia companies below sixty rank and file.*

EPHRAIM H. FOSTER,
Speaker of the House of Representatives.
JOEL WALKER,
Speaker of the Senate.

January 2, 1830,

CHAPTER CLXXII.

AN ACT to compensate the officers and witnesses on behalf of the state on the trial of Judge Joshua Haskell before the court of impeachment.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee, That the witnesses who have, or may be summoned to give evidence on behalf of the state, on the trial now pending before the court of impeachment against the said Joshua Haskell, shall be entitled to receive the sum of two dollars for each day, he may be compelled to attend as a witness and four cents for each mile he may necessarily travel*

in going to and returning from said court, to be paid by the treasurer of West Tennessee, on the production of the certificate of the clerk of said court.

Of the witnesses before the Committee.

SEC. 2. *Be it enacted*, That the witnesses who were summoned or attended before the committee appointed by the House of Representatives, to enquire into the official conduct of said Joshua Haskell, be and they are entitled to the same compensation provided for witnesses in the first section of this act, to be paid by the treasurer on the production of the certificate of the chairman of said committee.

Robt L. Cobbs and James A. Whitesides.

SEC. 3. *Be it enacted*, That the treasurer of West Tennessee pay to Robert L. Cobbs the sum of fifty dollars for preparing and drafting the articles of impeachment against said Joshua Haskell, and that he pay to James A. Whiteside, the sum of twenty five dollars for his services as clerk of said committee, whose receipts shall be good vouchers to said treasurer in the settlement of his accounts.

Joel H. Dyer.

SEC. 5. *Be it enacted*, That Joel H. Dyer sergeant at arms to the committee of investigation, and managers of the impeachment against the Hon. Joshua Haskell, be and he is hereby allowed the sum of four dollars per day for his services and all sums which may have expended for records procured for said managers; and that Johnson a free man of colour, be allowed the sum of twenty five dollars for procuring records from the county of Hardin for the use of said managers.

EPHRAIM H. FOSTER,
Speaker of the House of Representatives.
JOEL WALKER,
Speaker of the Senate.

January 2, 1830.

CHAPTER CLXXIII.

AN ACT making an appropriation to assist the people of Carter county to complete the stage road leading from Elizabethtown to North Carolina, and meeting the road made by the state of North Carolina.

SEC 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the sum of five hundred dollars be appropriated to the opening of the stage

Appropriation made.

road leading from Elizabethtown in Carter county to the North Carolina line, in the following manner, to wit: four hundred dollars of said sum, be applied to aid in the building of a bridge across the worst fords on Doe river, and the other hundred dollars to aid in the finishing of the road across the mountains, beginning at the foot of the mountain above Shown's cross roads to the state line.

SEC. 2. *Be it enacted*, That John O'Brien, James J. Tipton, William Gott and Caleb Smith, be, and they are hereby appointed commissioners to superintend and contract for the erection of said bridge, and Leonard Shown, Green Moore, Mathias Wagner and David Waide, be, and they are hereby made commissioners to superintend and contract for the expenditure of the one hundred dollars on said road as aforesaid,

Commissioners appointed.

SEC. 3. *Be it enacted*, That the county court of Carter county, may from time to time appoint commissioners in the room of any of the aforesaid commissioners who may refuse to act, die or remove.

County Court to fill vacancies.

SEC. 4. *Be it enacted*, That the treasurer of East Tennessee, shall pay the aforesaid sum of five hundred dollars to the commissioners aforesaid, whose receipt shall be a good voucher in the settlement of his accounts.

Duty of the Treasurer of E. Tennessee.

SEC. 5. *Be it enacted*, That the commissioners hereby appointed to superintend the building of bridges at the fords of Doe river, shall be authorized to call upon the commissioners appointed by an act entitled "an act to appropriate money and appoint commissioners to superintend the opening that part of the public road leading from Jonesboro' to Wilkesboro' or Ashville, as lies between Elizabethtown and the North Carolina line," passed November 14th, 1821, for a settlement, and it shall be the duty of said former commissioners, to pay over any balance of money that may yet be in their hands and the receipt of the present commissioners shall be a good discharge.

Of the Commissioners.

SEC. 6. *Be it enacted*, That the above appointed commissioners for building bridges, shall have power to open subscriptions for voluntary contributions to carry into effect the purposes of this act, and to collect the same.

Power of the commissioners.

SEC. 7. *Be it enacted*, That whenever the object contemplated by this act, shall be completed, it shall be

To settle with the court.

be the duty of all the commissioners to settle with the county court of Carter, and to render a true account of all monies and other things received by them, and of all expenditures made by them, and if any balance should remain in their or either of their hands or possession, to pay over the same, to the said county court.

To let out the works. SEC. 8. *Be it enacted*, That said commissioners shall be authorized either to let out said works or any part of them, to the lowest bidder, or by special contract as they may deem it most expedient, always taking bond and security of the contractors for the faithful performance of their contracts.

EPHRAIM H. FOSTER,

Speaker of the House of Representatives.

JOEL WALKER,

Speaker of the Senate.

January 4, 1830.

CHAPTER CLXXIV.

AN ACT to repeal an act authorizing the holding a precinct election at the house of James Askins in the county of Rutherford.

Repealing clause. SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the before recited act is hereby repealed, and said election shall hereafter be held as provided for in the provisions of said act, at the spring of Brooking Burnett, in said county at the camp ground, which is now the property of William Anderson.

Precinct election at the Holston paper mill. SEC. 2. *Be it enacted*, That the law establishing a precinct election heretofore established and held at Joseph Noe, in Grainger county be repealed, and that in place thereof a precinct election, for said county, for the election of members to the Legislature, Governor and members of Congress.

EPHRAIM H. FOSTER,

Speaker of the House of Representatives.

JOEL WALKER,

Speaker of the Senate.

January 1, 1830.

CHAPTER CLXXV.

AN ACT to establish the seat of justice in Hamilton county.

Seat of justice established. SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the seat of justice for the county of Hamilton, be and the same is hereby permanently fixed and established at the present place of holding courts in said county, and that John Russell, Robert Patterson, James Riddle, William McGill, Jeremiah Jones, William Clift, Stephen Thurman, Daniel Henderson, Robert Cozby, and Cornelius Millekin, be and hereby are appointed commissioners, who, or a majority of them, shall as soon as they conveniently can, procure at least thirty acres of land, for which they shall cause a deed or deeds to be made to themselves, and their successors in office with general warrantee, on which they shall cause a town to be laid off, with necessary streets and alleys, reserving at least one acre for a public square, on which shall be erected the court house, as near as may be in the center of said town, and which town shall be known by the name of Dallas.

Duty of the commissioners. SEC. 2. *Be it enacted*, That when the town shall have been thus laid off, the aforesaid commissioners are hereby required to have such portion of the lots thus laid off sold to the highest bidder, on a credit of twelve months, after giving due notice of the days of sale by public advertisement as they may deem advisable, and the money arising from said sale, shall be appropriated by the said commissioners to the building of a court house, prison and stocks, for the said county of Hamilton; Provided, however, that full power is hereby given to said commissioners, to continue the present court house as the court house of said county, and to make such improvements thereon as they may think proper, and to remunerate such person or persons as may have expended money in the erection of the same, out of the proceeds of the sales of the said lots; and provided further, that the prison and stocks hereby authorized to be erected in said town, shall be built on some part of said town, other than the public square.

SEC. 3. *Be it enacted*, That before the said commissioners enter upon the duties enjoined upon them by this act, they shall enter into bond with sufficient security.

curity, payable to the Governor for the time being and his successors in the sum of three thousand dollars for the faithful discharge of the duties hereina required, which bond shall be deposited in the clerks office of the county court of Hamilton.

To exhibit statement to County Court.
SEC. 4. *Be it enacted,* That the said commissioners, shall twice in each year exhibit to the county court of Hamilton, a just and true statement of all monies by them received and expended in and about the public buildings aforesaid, with sufficient vouchers for the same, and said court shall make them a reasonable compensation for their services; Provided a majority of the acting justices be present when such allowance is made.

EPHRAIM H. FOSTER,
 Speaker of the House of Representatives.
 JOEL WALKER,
 Speaker of the Senate.

January 1, 1830.

CHAPTER CLXXVI.

AN ACT for the relief of Captain P. Gordon of Maury county.

WHEREAS Captain Powhatan Gordon has heretofore borrowed of the Governor of this state, sundry muskets and bayonets for the use of a uniform company in said county, known by the name of Carroll's corps, and which he has receipted and given security for, and whereas on the 4th day of July, 1828, in the celebration of American Independence, on firing a salute, one of said guns bursted from a defect in the weld of the barrel, by a common discharge of powder—Therefore,

Relief extended to P. Gordon.
SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee,* That said Gordon and his securities, be, and they are hereby released from all liability on their bond as far as relates to the value of the musket above stated.

To Wm. K Hill and his securities.
SEC. 2. *Be it enacted,* That William K. Hill and his securities, be and they are hereby released from all liability on their bond, so far as relates to the value of five muskets, which were lost in the burning

of the house in which they were deposited for safe keeping in December 1825.

EPHRAIM H. FOSTER,

JOEL WALKER,
 [January 1, 1830.] Speaker of the Senate.

CHAPTER CLXXVII.

AN ACT to promote Education.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee,* That a school is hereby established in the county of Weakley in this state, to be called the charitable school for Weakley county, *School established in Weakly City.* in that William Fitzgerald, Mears Warner, Pulaski B. Bell, Martin Lawler, and John Charlton, be, and they are hereby appointed trustees for said school.

SEC. 2. *Be it enacted,* That the aforesaid trustees shall, and they are hereby authorized to lay down on the General plan of the 12th surveyors district, a location for fifty acres of vacant and unappropriated land in range one, and section seven in said district, *Authority & duty of Trustees.* and upon building a school house on any part of said fifty acres of land, the aforesaid trustees shall have a preference for entering the said fifty acres; Provided the same shall not interfere with the occupant claim of any other person or persons.

SEC. 3. *Be it enacted,* That on any vacancy occasioned by death, removal or resignation in the aforesaid board of trustees, it shall be the duty of the county court of Weakley county to fill said vacancy. *County Court to fill vacancy.*

SEC. 4. *Be it enacted,* That the aforesaid trustees, are hereby authorized to purchase any good and valid land warrant for fifty acres, and enter the aforesaid fifty acres of land, and the title of said land shall be vested in said trustee and their successors in office, *Trustees may purchase and enter land warrant.* for the sole use and benefit of said school forever.

EPHRAIM H. FOSTER,
 Speaker of the House of Representatives.
 JOEL WALKER,
 Speaker of the Senate.

December 30, 1829.

CHAPTER CLXXVIII.

AN ACT to authorize Daniel D. Foute of Maryville Blount county to open a turnpike road.

SEC. 1. Be it enacted by the General Assembly of the State of Tennessee, That Daniel D. Foute of Blount county, be and he is hereby authorized to cut out and open a road from some convenient point on the six mile road in said county, through the mountains to intersect at some convenient point, the turnpike road lately opened by Parsons and Callaway, under the same rules, regulations and restrictions, that are imposed upon John Houston and others, by an act entitled "an act to authorize John Houston and others of Blount county, to open a turnpike road," passed at Murfreesborough on the 2d day of August 1822; so far as the same are consistent with the provisions of this act.

SEC. 2. Be it enacted, That William Wallace, John Houston and William Anderson of Blount county, shall be and they are hereby appointed commissioners of said road, with the same powers, duties and emoluments, that the commissioners appointed by the 3d section of the act recited in the first section of this act are entitled to.

SEC. 3. Be it enacted, That at the toll gate to be erected under the provisions of this act, the said proprietor shall be entitled to receive at the following rates, to wit: for each waggon and team seventy five cents, for each four wheel pleasure carriage one dollar, for each two wheel pleasure carriage seventy five cents, for each cart and driver thirty seven and one half cents, for a man and horse twelve and one half cents, for each loose horse not in a drove six and one fourth cents, for each horse or mule in a drove two cents, for each head of cattle two cents, for each head of hogs or sheep one cent.

SEC. 4. Be it enacted, The proprietorship of said road, and the right to collect toll thereon under the provisions of this act, are hereby secured to the said Daniel D. Foute and his heirs inclusively for the term of fifty years.

EPHRAIM H. FOSTER,
Speaker of the House of Representatives.

JOEL WALKER,
Speaker of the Senate.

January 4, 1830.

CHAPTER CLXXIX.

AN ACT for the benefit of Samuel Hale of McMinn county.

SEC. 1. Be it enacted by the General Assembly of the State of Tennessee, That the register of the Hiwassee district, be and he is hereby authorized and required to issue a grant to Samuel Hale of McMinn county, for the south half of the north east quarter of section 8, of township No. 4, in range No. 1, east of the meridian in the Hiwassee district, claimed and owned by the said Hale, as assignee, or transferee of one half of a certificate issued by the treasurer of East Tennessee for said quarter section of land; Provided, nevertheless, that Samuel Hale shall first produce to the said register the receipt of the said treasurer for the payment of the full amount that may be due the state of Tennessee, for the said half quarter of land, of which the said Samuel Hale his assignee or transferee as aforesaid.

EPHRAIM H. FOSTER,

Speaker of the House of Representatives.

JOEL WALKER,

Speaker of the Senate.

January 5, 1830.

CHAPTER CLXXX.

AN ACT for the relief of John Bullock.

SEC. 1. Be it enacted by the General Assembly of the State of Tennessee, That the surveyor of the eighth district, shall survey and lay down upon the plan of his district, twenty-five acres of land, to include the mill on the head of the Powder Mill fork of Cathey's creek, at the falls in said creek, and when so laid down, the said John Bullock, shall have the same preference as has been heretofore given to occupants to enter said land when an office shall be opened, and shall enjoy all the rights and benefits as was intended to be given to Thomas Payton by an act passed 3d November 1827, chapter 41.

SEC. 2. Be it enacted, That James Arnell sen'r. and David Cooke, may each have surveyed and laid

down on the general plan of their district, twenty five acres of land including their respective mill seats in Wayne county, and shall be entitled to the same preference of entry as other occupants; Provided, the said lands are vacant and unappropriated, and said surveys do not interfere with the claim or claims of any other person or persons whatever.

SEC. 3. *Be it enacted*, That John and William S. Duncan may have surveyed and laid down on the general plan of the 7th district, two hundred acres of land, including their oar bark on Knob creek in Lawrence county, and two hundred acres in the 8th district, including their oar bark on Crowson's fork; Provided, the said lands are vacant and unfit for cultivation, and said surveys do not interfere with the claim or claims of any other person or persons whatever, and the said John and William S. Duncan shall be entitled to all the benefits of the several acts passed for the encouragement of Ironworks, and may procure titles to said surveys according to the provisions of the said several acts.

John & Wm.
S. Duncan.

SEC. 4. *Be it enacted*, That it shall and may be lawful for the several persons herein provided for upon the production of any good and valid warrant or warrants to the surveyor of their respective districts to enter and obtain titles to their respective claims.

May enter
& obtain titles

EPHRAIM H. FOSTER,

Speaker of the House of Representatives.

JOEL WALKER,

Speaker of the Senate.

January 5, 1830.

CHAPTER CLXXXI.

AN ACT for the benefit of William W. Bomar.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the register of the Western District, be authorized and required to issue a grant in the name of William W. Bomar, for fourteen acres of land, lying on Spring creek in Hardeman county, range two, and section four, when it shall appear to him, that the plat and certificate of survey, founded on a good and valid warrant, assigned by Duquid Mimms to said Bomar, is not to be found in his of-

fice, and the surveyor general of the district aforesaid shall certify to him that said entry was made in his office, together with the calls of survey.

EPHRAIM H. FOSTER,

Speaker of the House of Representatives.

JOEL WALKER,

Speaker of the Senate.

December 2, 1829.

CHAPTER CLXXXII.

AN ACT to authorize the treasurer to pay the sums therein mentioned.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the treasurer of West Tennessee, pay to Atkisson and Herndon, eleven dollars and twenty-five cents, and to John Austin one hundred and thirty-eight dollars and thirty-two cents, and their receipts, shall be good vouchers in the settlement of his accounts.

EPHRAIM H. FOSTER,

Speaker of the House of Representatives.

JOEL WALKER,

Speaker of the Senate.

December 1, 1829.

CHAPTER CLXXXIII.

AN ACT for the benefit of the clerk of the circuit court and register of Overton county.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the clerk of the circuit court and register of Overton county, be and are hereby authorized to keep their offices at any place within one half mile of the court house in said county.

EPHRAIM H. FOSTER,

Speaker of the House of Representatives.

JOEL WALKER,

Speaker of the Senate.

December 2, 1829.

down on the general plan of their district, twenty five acres of land including their respective mill seats in Wayne county, and shall be entitled to the same preference of entry as other occupants; Provided, the said lands are vacant and unappropriated, and said surveys do not interfere with the claim or claims of any other person or persons whatever.

John & Wm.
S. Duncan.

SEC. 3. *Be it enacted*, That John and William S. Duncan may have surveyed and laid down on the general plan of the 7th district, two hundred acres of land, including their oar bank on Knob creek in Lawrence county, and two hundred acres in the 8th district, including their oar bank on Crowson's fork; Provided, the said lands are vacant and unfit for cultivation, and said surveys do not interfere with the claim or claims of any other person or persons whatever, and the said John and William S. Duncan shall be entitled to all the benefits of the several acts passed for the encouragement of Ironworks, and may procure titles to said surveys according to the provisions of the said several acts.

May enter
& obtain titles

SEC. 4. *Be it enacted*, That it shall and may be lawful for the several persons herein provided for upon the production of any good and valid warrant or warrants to the surveyor of their respective districts to enter and obtain titles to their respective claims.

EPHRAIM H. FOSTER,

Speaker of the House of Representatives.

JOEL WALKER,

Speaker of the Senate.

January 5, 1830.

CHAPTER CLXXXI.

AN ACT for the benefit of William W. Bomar.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the register of the Western District, be authorized and required to issue a grant in the name of William W. Bomar, for fourteen acres of land, lying on Spring creek in Hardeman county, range two, and section four, when it shall appear to him, that the plat and certificate of survey, founded on a good and valid warrant, assigned by Duquid Minums to said Bomar, is not to be found in his of-

fice, and the surveyor general of the district aforesaid shall certify to him that said entry was made in his office, together with the calls of survey.

EPHRAIM H. FOSTER,

Speaker of the House of Representatives.

JOEL WALKER,

Speaker of the Senate.

December 2, 1829.

CHAPTER CLXXXII.

AN ACT to authorize the treasurer to pay the sums therein mentioned.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the treasurer of West Tennessee, pay to Atkisson and Herndon, eleven dollars and twenty-five cents, and to John Austin one hundred and thirty-eight dollars and thirty-two cents, and their receipts, shall be good vouchers in the settlement of his accounts.

EPHRAIM H. FOSTER,

Speaker of the House of Representatives.

JOEL WALKER,

Speaker of the Senate.

December 1, 1829.

CHAPTER CLXXXIII.

AN ACT for the benefit of the clerk of the circuit court and register of Overton county.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the clerk of the circuit court and register of Overton county, be and are hereby authorized to keep their offices at any place within one half mile of the court house in said county.

EPHRAIM H. FOSTER,

Speaker of the House of Representatives.

JOEL WALKER,

Speaker of the Senate.

December 2, 1829.

CHAPTER CLXXXIV.

AN ACT supplementary to an act entitled "an act to authorize Peter J. Davis, William Reynolds and Stephen Huff to open a turnpike road."

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee, That the charter granted by an act entitled "an act to authorize Peter J. Davis, William Reynolds and Stephen Huff to open a turnpike road," passed at the present session of the General Assembly, shall continue in the said Peter J. Davis, William Reynolds and Stephen Huff, their heirs or assigns for and during the term of fifty years.*

EPHRAIM H. FOSTER,

Speaker of the House of Representatives.

JOEL WALKER,

Speaker of the Senate.

December 2, 1829.

CHAPTER CLXXXV.

AN ACT to appoint a trustee for Dover Academy.

Be it enacted by the General Assembly of the State of Tennessee, That Thomas Bayless, be and he is hereby appointed a trustee for Dover Academy in the county of Stewart, in the room and stead of Cullen Bayless removed, and the said Thomas Bayless shall have the same privileges and possess the same powers as those trustees heretofore appointed for the said Academy.

EPHRAIM H. FOSTER,

Speaker of the House of Representatives.

JOEL WALKER,

Speaker of the Senate.

December 7, 1829.

CHAPTER CLXXXVI.

AN ACT for the benefit of Henry S. Wilson.

WHEREAS it appears to this General Assembly that

Henry S. Wilson, while acting as sheriff for McNairy county, paid into the treasury of this state, the sum of thirty seven dollars and eighty-five cents more than he was bound by law to pay—therefore,

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee, That the treasurer of the Western District, be authorized and required to refund to the said Henry S. Wilson, the sum of thirty seven dollars and eighty two cents, out of any public monies not otherwise appropriated, whenever the said Henry S. Wilson shall demand said sum of money.*

EPHRAIM H. FOSTER,

Speaker of the House of Representatives.

JOEL WALKER,

Speaker of the Senate.

December 7, 1829.

CHAPTER CLXXXVII.

AN ACT for the relief of Julius C. N. Robertson.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee, That the surveyor general of the tenth surveyors district, be authorized and required, to receive an entry in the name of Julius C. N. Robertson for twenty five acres of vacant and unappropriated land, on certificate warrant No. 1717, when it shall appear to him that an entry made by said J. C. N. Robertson by virtue of said certificate warrant in said surveyors office, was taken by an older entry, and that he make a survey thereon, and issue a plat and certificate of survey to said J. C. N. Robertson.*

Duty of the
Surveyor Gen.
of the 10th dis-
trict.

SEC. 2. *Be it enacted, That the register of the Western District, be authorized and required to issue a grant on said plat and certificate when made out as aforesaid; Provided that it does not interfere with the claim or claims of any other person or persons.*

Of the Regis-
ter of the Wes-
tern District.

EPHRAIM H. FOSTER,

Speaker of the House of Representatives.

JOEL WALKER,

December 7, 1829. Speaker of the Senate,

CHAPTER CLXXXVIII.

AN ACT for the better regulation of the first regiment of volunteers.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That hereafter if any captain, subaltern, non-commissioned officer or private, of the first regiment of volunteers, shall fail or refuse to attend any regimental or battalion muster, or regimental or battalion courtmartial of said regiment, armed and equipt according to law, without a reasonable excuse, they shall be fined, if a captain or subaltern officer, in a sum not less than ten nor more than twenty dollars, if a non-commissioned officer or private, in a sum not less than two nor more than five dollars, for each and every time they may fail or refuse to attend.

EPHRAIM H. FOSTER,

Speaker of the House of Representatives.

JOEL WALKER,

Speaker of the Senate.

December 27, 1829.

CHAPTER CLXXXIX.

AN ACT to authorize the county court of Henry county to appoint commissioners to examine into the situation of the public buildings of said county, and for other purposes.

Commissioners to be appointed.
SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the county court of Henry county, are hereby authorized to appoint three commissioners to examine into the situation of the court house in said county, also to examine into the manner in which the contract for building said court house has been complied with on the part of the commissioners and the undertakers of the building of said court house, and report to the county court of said county, what, if any injury the undertakers have sustained in consequence of the failure of the commissioners to comply with the said contract on their part.

SEC. 2. *Be it enacted*, That the county court of

Henry county, is hereby authorized to lay a tax to pay any damages that the undertakers of the building of the court, in said county have sustained, if they, in their discretion should see proper to do so.

EPHRAIM H. FOSTER,

Speaker of the House of Representatives.

JOEL WALKER,

Speaker of the Senate.

January 1, 1830.

CHAPTER CLXL.

AN ACT to authorize all arrearages of taxes due the corporation of town of Murfreesboro' to be collected.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the Mayor and Aldermen of the town of Murfreesborough in the county of Rutherford, be and they are hereby authorized to collect all arrearages of taxes for the use of said town, which may have been assessed according to law for any previous year, and which has not yet been collected.

Authority granted.

SEC. 2. *Be it enacted*, That hereafter if it should happen, that the taxes assessed by the board of Aldermen in any one year, should not be collected or any part thereof, the board of Aldermen in any succeeding year, shall have full power and authority to collect all such arrearages.

Power of the Mayor and Aldermen.

EPHRAIM H. FOSTER,

Speaker of the House of Representatives.

JOEL WALKER,

Speaker of the Senate.

January 1, 1830.

CHAPTER CLXLI.

AN ACT to direct the printing of the act establishing the town of Jasper.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That it shall be the duty of the Secretary of State to certify for printing and pub-

lication, with the acts of the present session of the General Assembly, the act establishing the town of Jasper, entitled "an act to establish the seat of justice of Marion county," passed October 20, 1819, and which act has not heretofore been printed and published.

EPHRAIM H. FOSTER,
Speaker of the House of Representatives.
JOEL WALKER,
Speaker of the Senate.

December 31, 1829.

CHAPTER CLXLII.

AN ACT for the relief of Robert Marshall late sheriff of Henderson county.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the treasurer of the Western District of the State of Tennessee, be and he is hereby authorized to pay to Robert Marshall the sum of one hundred and thirty five dollars, being the amount which by mistake was not allowed him for expenses incurred by him on the trial of William Walden for murder in Henderson county.

EPHRAIM H. FOSTER,
Speaker of the House of Representatives.
JOEL WALKER,
Speaker of the Senate.

January 2, 1830.

CHAPTER CLXLIII.

AN ACT to amend an act entitled "an act to legitimate Eliza Gay," passed December 8th, 1826.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the provisions of the aforesaid act, shall extend to and operate in favour of Eliza Gay, for whose benefit the same was originally intended, but by mistake was enacted in the name of Eliza Gay; and the said Eliza Gay is hereby made

the legitimate heir of William Guy of Bedford county.

SEC. 2. *Be it enacted,* That William Carrol Rich the illegitimate child of Hardy Rich of Tentress county, be and he is hereby made the lawful heir or joint heir of said Hardy Rich, and to enjoy all the privileges as if he was born in lawful wedlock.

William Carrol Rich

EPHRAIM H. FOSTER,
Speaker of the House of Representatives.
JOEL WALKER,
Speaker of the Senate.

January 2, 1830.

CHAPTER CLXLIV.

AN ACT to amend an act entitled "an act to compel the sheriff of Henry county to do certain duties therein named."

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the county courts of Henry and Weakley counties, shall each appoint a commissioner to examine and ascertain how much money the sheriff of Henry county collected off the people of Weakley in 1823, as a public building tax, which tax was laid by the county court of Henry county, for the purpose of defraying the expence of the public buildings of Henry county, and on ascertaining the amount of the same, or any part thereof, has been paid over to the trustee of Henry county, it shall be his duty to pay the same over to the commissioner appointed by the county court of Weakley, and by him paid over to the trustee of Weakley county.

Duty of the county courts of Henry and Weakley.

SEC. 2. *Be it enacted,* That the commissioners appointed by the first section of this act, shall have full power and authority to make any motion that may be necessary, against the sheriff or trustee of Henry county and their securities, on their refusing to pay over any money in their, or either of their hands, collected of the people of Weakley county, 1823, for a public building tax; as mentioned in the act this is intended to amend, by giving twenty days notice.

Power of the commissioners by them appointed.

SEC. 3. *Be it enacted,* That if the sheriff of Henry county, in 1823, or his successor, should have collect-

Duty of the commissioners of Weakley county. ed all or any part of said tax, as mentioned in the act this intended to amend, the said commissioner of Weakley county, shall have full power and authority to make any motion against either or both of said sheriffs and their securities, or do any other act that may be necessary to enable him to collect said money.

EPHRAIM H. FOSTER,
Speaker of the House of Representatives.
JOEL WALKER,
Speaker of the Senate.

January 2, 1830.

CHAPTER CLXLV.

AN ACT fixing the time of holding the regimental musters in the 104 regiment.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee, That hereafter the aforesaid regiment, shall hold its regimental musters on the first Saturday in October in each and every year.*

EPHRAIM H. FOSTER,
Speaker of the House of Representatives.
JOEL WALKER,
Speaker of the Senate.

January 2, 1830.

CHAPTER CLXLVI.

AN ACT for the benefit of Burges Mathes.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee, That Burges Mathes, entry taker of Marion county, be authorized to keep his office at his own house, any law to the contrary notwithstanding.*

EPHRAIM H. FOSTER,
Speaker of the House of Representatives.
JOEL WALKER,
Speaker of the Senate.

January 2, 1830.

CHAPTER CLXLVII.

AN ACT for relief of David Brodie.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee, That the President and Cashier of the Bank of the State of Tennessee, pay David Brodie the sum of fifty dollars, with interest thereon from 11th of October 1824, to this date, being for so much money paid to the state on 400 acres of land, and which lies north of latitude 36 degrees and 30 minutes, and is taken by Kentucky, and which he could not draw under the act of 1825, by reason of a mistake in the number of his entry not agreeing with the grant.*

EPHRAIM H. FOSTER,
Speaker of the House of Representatives.
JOEL WALKER,
Speaker of the Senate.

January 2, 1830.

CHAPTER CLXLVIII.

AN ACT for the relief of John and James O'Brien.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee, That lots Nos. 6, 7, 8, 9, 10, 11, 12, 13, 14, 15 and 16, lying and being in the town of Kingsport to of Kingsport, in Sullivan county, on the north side of the main street in said town, and owned by John O'Brien, and lots Nos. 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16 and 17, situate in the same town and county aforesaid, on the south side of Main street, and owned by James O'Brien, shall hereafter be taxed only as other land, and not as town lots as heretofore.*

SEC. 2. *Be it enacted, That whenever all or any part of the aforesaid lots shall be improved as town lots, then such part thus improved shall be taxed as town lots and not before.*

EPHRAIM H. FOSTER,
Speaker of the House of Representatives.
JOEL WALKER,
Speaker of the Senate.

January 2, 1830.

CHAPTER CLXLIX.

AN ACT for the relief of John P. Taylor of Giles county.

Be it enacted by the General Assembly of the State of Tennessee, That John P. Taylor of Giles county, be, and he is hereby released, remitted and discharged from the operation of the act of 1817, against duelling, so far as he may now be under any penalty or disability, in consequence of having heretofore violated the provisions of said act.

EPHRAIM H. FOSTER,
Speaker of the House of Representatives.
JOEL WALKER,
Speaker of the Senate.

January 4, 1830.

CHAPTER CC.

AN ACT to repeal so much of the first section of an act entitled "an act to provide for the better regulation of the town of Alexandria, in the county of Smith, as appoints Joshua M. Coffee, Thomas Whaley, Isaac Moore and Willis W. Allman commissioners for said town.

Sec. 1. Be it enacted by the General Assembly of the State of Tennessee, That so much of the before recited act as appoints Joshua M. Coffee, Thomas Whaley, Isaac Moore and Willis W. Allman commissioners of the town of Alexandria, be, and the same is hereby repealed.

Repealing
clause.

Sec. 2. Be it enacted, That hereafter, it shall and may be lawful for any one of the Justices of the Peace within the captain's company embracing the town of Alexandria, on the first day of January, in each and every year, to advertise and hold an election for five commissioners, who shall hold their appointment for the term of one year, or until others are elected in manner aforesaid, and that the said commissioners, when elected, shall have and possess all the powers and privileges which were given to

Commission-
ers; how elec-
ted.

the commissioners appointed by the act, a part of the first section of which this act is intended to repeal.

EPHRAIM H. FOSTER,
Speaker of the House of Representatives.
JOEL WALKER,
Speaker of the Senate,

December , 1829.

CHAPTER CCL.

AN ACT to restore Alexander McNichols to legal privileges.

Sec. 1. Be it enacted by the General Assembly of the State of Tennessee, That Alexander McNichols, convicted of grand larceny in the circuit court of Wilson county, shall be, and he is hereby restored to all the legal capacities and privileges of which he was deprived in consequence of said conviction of infamy.

Alexander
McNichols.

Sec. 2. And that John Spurgin of the county of John Spurgin Green be entitled to the same privileges.

Sec. 3. Be it enacted, That William Hewet of Campbell county, be entitled to the same privileges that Alexander McNichols is entitled to by the first section of this act.

Wm Hewet.

EPHRAIM H. FOSTER,
Speaker of the House of Representatives.
JOEL WALKER,
Speaker of the Senate.

January 4, 1830.

CHAPTER CCII.

AN ACT for the benefit of Edmund Browder.

Sec. 1. Be it enacted by the General Assembly of the State of Tennessee, That the register of East Tennessee, be and he is hereby authorized and directed to correct a mistake in a grant issued by said register to Edward Browder for a quarter section of land, in the Hiwassee district, by changing the name of "Edward" to "Edmund," and that the entry ta-

ker of the Hiwassee District; be authorized and directed in like manner to correct the same mistake, which occurred in the entry of said quarter section of land, by changing the name of "Edward" to "Edmund."

EPHRAIM H. FOSTER,
Speaker of the House of Representatives.
JOEL WALKER,
Speaker of the Senate.

December 2, 1829.

CHAPTER CCIII.

AN ACT authorizing certain lands to be leased.

WHEREAS it appears to this General Assembly, that William Brooks and others, of Bedford county, not being apprized of the existing laws for the disposition and regulations of the school lands in this state, did take leases from the former school commissioners, on certain school lands in said county for five years, and have by virtue of said contracts, bestowed much labour thereon, and made considerable improvements in compliance therewith—For remedy whereof,

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That said contracts for leases with William Brooks and others, be and the same is hereby confirmed to all intents and purposes, any law to the contrary notwithstanding.

EPHRAIM H. FOSTER,
Speaker of the House of Representatives.
JOEL WALKER,
Speaker of the Senate.

January 7, 1830.

CHAPTER CCIV.

AN ACT to amend an act passed December 11th 1827 chapter 188.

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

State of Tennessee, That the first section of the above recited act, be and is hereby repealed. Repealing clause.

SEC. 2. *Be it enacted*, That Nicholas J. Long, Duke Williams, Robert M. Cooper, Simon P. Jordan, Samuel B. Lee, William Stockard and David Craig, be and they are hereby constituted commissioners to perform all the acts, which the commissioners named in the above repealed section were authorized to perform. Commissioners appointed.

EPHRAIM H. FOSTER,
Speaker of the House of Representatives.
JOEL WALKER,
Speaker of the Senate.

January 7, 1829.

CHAPTER CCV.

AN ACT to incorporate a company called the Franklin turnpike company and for other purposes.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Randal M'Gavock, John Watson, James Swanson, Laurence Bryan, Joseph Wood, Robert B. Cuzrey, Henry R. W. Hill, Robert Weakley, William Hadley, Christopher E. M'Ewen, John C. McLemore and Philip Pipkin, be, and they are hereby appointed commissioners to open books for the purpose of receiving subscriptions to the amount of seventy-five thousand dollars, to be applied to making a turnpike road from Nashville in Davidson county, to Franklin in Williamson county; which sum of seventy-five thousand dollars, shall be divided into shares of twenty-five dollars each, and the subscription shall be in person or by attorney, and as soon as five thousand dollars shall be subscribed, a meeting of the subscribers shall be held at Franklin, of which meeting the managers of the subscription shall give thirty days notice in some newspaper printed in Nashville and Franklin, and the said subscribers from and after the first meeting, shall be, and they are hereby constituted a body politic and corporate, by the name of the Franklin turnpike company, and shall so continue, and as such may sue and be sued, plead and be impleaded, answer and be answered, sell, and purchase, and have

Commissioners appointed to open books of subscription—Company incorporated—Directors to be elected.

a common seal. The subscribers or a majority of them who shall be present at the first meeting, shall elect seven directors, being share holders, who shall elect one of their body President of the board of directors, and the President and Directors thus chosen shall continue in office one year, and until another election shall take place. The President and Directors, thus chosen, shall have power to receive subscriptions for the residue of the seventy-five thousand dollars until the whole sum shall be subscribed for, and to make contracts with any person for opening, clearing and marking said road, along the route which shall have been marked out by commissioners hereinafter appointed, and for performing such other work thereon as they may think proper and necessary, and to require from time to time of the subscribers, such advances on the respective shares as the wants of said company may require and demand, until the whole subscriptions shall be advanced; Provided, that no call shall be made for more than five dollars at one time on each share, of which thirty days notice shall be given in some newspaper printed in Nashville and Franklin; said Directors shall have power upon all emergencies to call a general meeting of the subscribers, giving thirty days notice in a newspaper printed in Nashville and Franklin, to appoint a treasurer, clerk and such other officers as may be necessary, to sign and settle all accounts, and to transact all the business of said company during intervals between the general meetings.

SEC. 2. *Be it enacted*, That if any subscriber shall fail to pay the sum of five dollars on each share, within thirty days after the same shall have been advertised as required in the first section, it shall be lawful for the President and Directors, to sell at auction, and convey to the purchaser the share or shares of such subscriber thus failing or refusing to pay, and after retaining the sum due, with cost of sale, to pay over the surplus to the former owner of such share or shares; and if the sales shall not produce the sums to be advanced, with interest and incidental charges, in that case it shall be lawful for the company to recover the balance of the original proprietor, on motion before the county or circuit court, where such delinquent resides, ten days previous notice thereof being given, or by warrant be-

Where subscribers fail to pay the calls.

fore any Justice of the Peace, where the sum does not exceed fifty dollars, and all persons purchasing under the sale of the President and Directors, shall be subject to the same rules, regulations, restrictions and penalties as are the original proprietors.

SEC. 3. *Be it enacted*, That the President and Directors, or any five of them, shall be sufficient to transact ordinary business, and all vacancies which shall happen in the office of President or Directors between the regular meeting of the share holders, shall be supplied by the Directors, two thirds of the whole number being present. The clerk shall keep a regular journal of all the proceedings had, and motions made at the several meetings, and each Director shall be at liberty to call for the yeas and nays upon any question, and it shall moreover be the duty of the President and Directors to furnish printed certificates, stating the number of shares held by each subscriber, which certificate shall be transferable by deed, which shall be recorded in a book kept by said company, acknowledged by the vender or proved by two witnesses, which assignment thus recorded, shall to all intents and purposes constitute the assignee a member of said company, subject to all the rules and regulations thereof.

Directors to fill vacancies—Duty of the clerk.

SEC. 4. *Be it enacted*, That Joseph Wood, Robert B. Currey, Randal M'Gavock and John Watson, be, and they are hereby appointed commissioners, who, or a majority of whom shall be, and they are hereby authorized and required to proceed forthwith, after the first meeting of said company, to mark out the most direct and fit route for the said road, and each of the said commissioners shall be allowed the sum of two dollars for each day that he shall be necessarily engaged in performing the duty hereby prescribed, to be paid by the President and Directors out of the funds of the company.

Commissioners to mark off the road.

SEC. 5. *Be it enacted*, That it shall be lawful for any person or persons in the event said company and the person or persons over whose land said road shall run, cannot agree and settle between themselves the damages sustained, if any, at any time within one year after said road shall have been opened, to apply to the court of the county in which the land lies to award a writ of ad quod damnum to ascertain the damages which he, she or they may have sustained from said road, which said writ shall be

Of damages caused by the road to land through which it runs.

directed to the sheriff of said county, commanding him to summons and impanel a jury of twelve disinterested freeholders, to meet upon the premises, who being sworn for that purpose, shall view the land, over which said road runs, and assess the damages sustained by reason of said road passing through the same, which inquest, so made and signed by the jurors, shall be, by the sheriff or his deputy returned to the next county court to be holden in said county, in which said land lies, which court shall upon the return, enter up judgment against said company for the damages so assessed upon motion; Provided, ten days notice shall be given to the President of said company, of the intended application for the writ of ad quod damnum, and upon satisfaction being made by said company in pursuance of said judgment, or amicable adjustment, it shall be the duty of the owner of the land, to execute a deed to said company, and their successors, for said land, over which said road passes.

Sec. 6. *Be it enacted*, That it shall be lawful for the President and Directors, to purchase for the use of the company, any quantity of land, not exceeding five acres adjacent to each toll gate, that shall be established upon said road, and take conveyance therefor, to and for said company: and for the purpose of making said road and keeping it in repair, the President and Directors, and their agents, may cut, dig, quarry and take from any land adjoining said road, such, and so much timber, gravel, stone, or earth as may be necessary, and if any person or persons, from whose land, such timber, stone, gravel, or earth, shall have been cut, dug, quarried or taken, shall desire compensation therefor, and the same cannot be amicably settled and paid for by said company, he, she, or they, may apply to any Justice of the Peace, of the county where said land may lie, five days notice of the time and place having been previously given the said President and Directors, to appoint three disinterested freeholders, to ascertain the value of such timber, gravel, stone, or earth, who upon ascertaining the value, after having been duly sworn, either on their personal view, or from testimony, shall grant a certificate thereof, to either party if required, and it shall be lawful for such person to sue for, and recover of said company, the value

Power and authority of the President and Directors.

so assessed or ascertained, before any court having jurisdiction thereof.

Sec. 7. *Be it enacted*, That an annual meeting of the share holders shall be held, at such place in the county of Davidson, or Williamson on the first Monday of January in each and every year, as a majority of the subscribers, assembled as aforesaid shall direct, to constitute which meeting the presence of proprietors holding at least three hundred shares, shall be necessary, and if a sufficient number do not attend on that day, such proprietors as do attend, may adjourn from day to day, until a meeting may be had. In counting votes each member shall be allowed one vote for each share as far as ten shares, and one vote for every five shares above ten, held by him at the time in said company. The directors shall render fair and distinct accounts of their proceedings, and of all disbursements of money, each annual meeting of the subscribers, previous to the election of directors by said meeting for the ensuing year. The said road shall be opened at least thirty feet wide, with sufficient ditches on each side at all times to carry off the water and drain the same; shall gradually descend from the middle to the side ditches; shall be substantially graveled or paved; shall have substantial and sufficient bridges, where necessary: and in all respects shall be completed in a faithful and substantial turnpike road manner; and when the said road shall be thus finished and completed for the distance of at least seven miles from the town of Nashville, or Franklin, the president and directors may apply to the Governor of the state for the time being, whose duty it shall be, to appoint three discreet and disinterested persons, not being stock holders, to view and examine said road, and on the report of said viewers, or any two of them, that the road has been finished and completed, for the distance aforesaid according to the true intent of this act, it shall be the duty of the Governor, to issue his certificate or warrant under the seal of the state, authorizing the president and directors, to erect two toll gates, one within two miles of said town of Nashville, or Franklin as the case may be, and the other within five miles of said first gate, and to appoint as many toll gatherers to collect the tolls, hereinafter allowed, which tolls are hereby declared to be as follows, to wit: for every

Annual meetings of share holders—elections; construction of the road—rates of toll.

twenty head of sheap, ten cents; for every twenty head of hogs, ten cents; for every twenty head of horned or neat cattle twenty five cents; for every horse or mule not employed in drawing a carriage, three cents; and so in proportion for any larger or lesser number of the above mentioned animals; for every four wheel carriage twenty five cents; for every two wheel riding carriage twelve and one half cents; for every loaded waggon twenty five cents; and for empty waggon twelve and one half cents; and for man and horse six and a fourth cents; for every cart twelve and half cents; for every hoghead of tobacco, six and one fourth cents; including the above sum for every oxen, mule or horse drawing the said carriage, waggon or cart of tobacco; the tolls when received shall be applied by the president and directors to finishing and completing the residue of said road: and so soon as said road shall be completed five miles further as herein before directed, a similar application shall be made to the Governor, upon which proceedings shall be had as before directed, and so on for every five miles until said road shall be finished and completed, according to the true intent of this act: And as soon as said road shall be finished and completed as aforesaid, a majority of the stockholders may and shall order the nett profits from the tolls hereby granted to be divided half yearly among the proprietors of said company in proportion to their respective shares; and should any person refuse to pay the toll hereby granted, at the time of offering to pass, the toll gatherers may lawfully refuse a passage to such person, or thing liable to toll as aforesaid, and if any article or thing liable for toll, shall by any ways pass without payment thereof, on demand made and refusal to pay, the toll gatherers may by warrant from any justice of the peace of this state, recover from the owner or person in possession of such article or thing subject to toll, five dollars for each offence.

SEC. 8. *Be it enacted*, That if said company shall fail to keep said road in repair for the space of twenty days, upon information thereof given to any justice of the peace in the county, he shall issue a warrant to some constable commanding him to summons three freeholders to meet at a certain time and place specified in said warrant, five days notice having been given the person interested with, and in

Where the
road is kept out
of repair.

the repair of that part of the road, and if by said freeholders, or any two of them in the presence of the justice, the said road shall be found out of repair according to the intent and meaning of this act, the toll hereby granted shall cease to be demanded at the nearest gate, until such defective part of said road shall be put in good repair; and the person entrusted with the repair thereof shall be subject to a fine of ten dollars with cost, to be recovered before any justice of the peace, who is hereby required to take into view all the circumstances of the case, which fine if recovered shall be applied, one moiety to the use of him who sues, and the other to the county where the same was sued for.

SEC. 9. *Be it enacted*, That if said company shall not begin the said work within two years, after said company shall have been formed, or shall not have completed the said road within seven years thereafter in the manner herein directed, then and in that case all the right and interest in said road and toll hereby vested in said company, shall forever cease and be forfeited.

Work to be
begun in two
and completed
in seven years.

SEC. 10. *Be it enacted*, That there shall not be a greater number than one toll gate fixed at, and for every five miles on said road, except those near the town of Nashville and Franklin, none of which shall be nearer than two miles of said town, and the tolls given by this act, shall be collected at each gate upon said road.

Number of toll
gates.

SEC. 11. *Be it enacted*, That the commissioners when they view and mark out said road, shall determine what elevation shall be allowed in making said road, in different uneven parts thereof, and in no part shall more than five degrees be permitted, they shall designate the place where bridges are to be erected, and the kind thereof; they shall also decide upon the depth and width of the rock pavements on said road, and different parts thereof; they shall make a written statement of all the foregoing matters and things, and shall preserve one copy thereof, and deliver another to said company, and the said road shall be made to conform to the requisitions of said commissioners in the foregoing particulars.

Degree of ele-
vation.

SEC. 12. *Be it enacted*, That nothing in this act, shall be so construed as to authorize the said com-
Four toll-gates
allowed.

pany to erect more than four toll gates between Nashville and Franklin.

SEC. 13. *Be it enacted*, That all roads except on the ground where the turnpike may pass, now in use between Nashville and Franklin, shall be continued as heretofore, unless the county courts in the county through which they may pass shall order them or either of them to be discontinued.

EPHRAIM H. FOSTER,

Speaker of the House of Representatives.

JOEL WALKER,

Speaker of the Senate.

December 31, 1829.

CHAPTER CCVI.

AN ACT to change the name of the Academy in Bledsoe county.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the academy incorporated in the county of Bledsoe, by the name of Kremer Academy, shall hereafter be known by the name of Lafayette Academy, and by that name shall have, possess, exercise and enjoy, all the corporate rights and powers, which by law have heretofore been extended to said academy, by the name of Kremer Academy, and all trustees now in office, and who were appointed such for Kremer Academy, shall continue trustees of said academy under the name of Lafayette.

EPHRAIM H. FOSTER,

Speaker of the House of Representatives.

JOEL WALKER,

Speaker of the Senate.

December 19, 1829.

CHAPTER CCVII.

AN ACT to incorporate the inhabitants of the town of Tazewell.

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

State of Tennessee, That the town of Tazewell, in the county of Claiborne, and the inhabitants thereof, are hereby constituted a body politic and corporate by the name of the Mayor and Aldermen of the town of Tazewell, under the same rules, regulations and restrictions, with the same powers, duties and privileges as are given and granted to the town of Knoxville and the inhabitants thereof, by an act entitled "an act to incorporate the town of Knoxville, in the county of Knox," passed October 27th, 1815, chapter 204, and every article, clause and section of the act aforesaid, shall govern the Mayor and Aldermen, and other persons concerned in the corporation, in the town of Tazewell, as if herein again specially enacted, and it shall be the duty of the sheriff of Claiborne county, to hold an election at the court house in the town of Tazewell aforesaid, on the first Saturday in January in each and every year, for the purpose of electing seven persons to serve as Aldermen of the corporation of the said town of Tazewell, for one year after their election, who, when elected, shall choose by ballot one of their own body to serve as Mayor, for the same time for which the said Aldermen are chosen, and they shall also choose a recorder and town constable, to execute all such duties and process as may be necessary for the convenience and good government of the town.

SEC. 2. *Be it enacted*, That the bounds of the corporation of Nashville, be, and the same are hereby extended, so as to include the following limits, viz: beginning at the mouth of the Lick branch and running with said branch to Summer street; thence with Summer street to Hamilton street, in Balch and Whiteside's purchase; thence with Hamilton street to John McNairy's line; thence with his line to a point opposite the south west corner of Balch and Whiteside's purchase; thence with Line street, continued westwardly four hundred feet; thence at right angles to Spring street, continued so as to strike the same four hundred feet from the present boundary thereof; all which territory so included, shall be a part of said corporation of Nashville, together with the inhabitants thereof, subject to the laws, regulations and provisions in every respect, which apply to other parts of said corporation.

SEC. 3. *Be it enacted*, That if any person or persons living or owning property within the bounds de-

Tazewell incorporated—privileges granted.

Bounds of Nashville extended.

Persons un-
willing to such
extension to
file petition.

scribed in the second section of this act, who may not have petitioned to be incorporated, shall enter his or her protest before the Mayor and Aldermen of the town of Nashville, within six months after the passage of this act, then, and in that case, such person or persons shall not be bound by the provisions of this act.

Mayor and Aldermen may contract for a loan.

SEC. 4. *Be it enacted*, That it shall and may be lawful for the Mayor and Aldermen of the town of Nashville, whenever they may deem it necessary, by an ordinance of said corporation, and for the purposes of amending and improving the streets of said town, of paying any debt due and owing by said corporation, or of erecting any necessary public building, to contract for a loan of any sum of money on such terms as they can borrow the same, and to pledge themselves in their corporate capacity, their successors in office, and faith of said corporation, for the repayment of the principal and interest of any sum of money so borrowed, in the time and manner specified in their contract.

Sparta extended.

SEC. 5. *Be it enacted*, That the town of Sparta, shall be extended by continuing College street so as by a line running north, will include the house occupied by Dunn, the property of Russel Guest, and thence running so as to include the premises of Mary Anderson to the river; thence down the river to said town, which shall be part of, and subject to the rules, regulations and bye-laws of said town and corporation.

EPHRAIM H. FOSTER,
Speaker of the House of Representatives.
JOEL WALKER,
Speaker of the Senate.

January 2, 1830.

CHAPTER CCVIII.

AN ACT to authorize a tax to be laid in the county of Hawkins to build a court house.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the court of pleas and quarter sessions of Hawkins county, a majority of the

acting justices being present, at their first session after the first day of January 1830, may at their discretion, lay a tax upon the taxable property of said county for the year 1830, and to continue the same, as long as the same shall be necessary to raise a sufficient sum to build a court house for said county, which tax shall not exceed per annum, double the amount of the state tax upon all property subject to taxation by the laws of this state, which tax shall be collected and paid over to the county trustee as other county taxes, and to be by him paid over to the commissioners hereby appointed to contract for building a court house in the county of Hawkins, as said commissioners may require the same.

Authority granted.

SEC. 2. *Be it enacted*, That Nicholas Fain, George Hale, William Simpson, John Mitchell, James Young, James Saunders and Dicks Alexander, be and they are hereby appointed commissioners to contract for building a court house in the town of Rogersville, whose duty it shall be, so soon after said tax is laid for the year 1830, as may to them appear expedient to form a plan of a court house, to be built upon the public square in said town, at or near where the present court house now stands, and cause public notice to be given, at least sixty days previous to the time, when they will let the building of said court house to the lowest bidder, or bidders, which notice shall be given in the town of Rogersville, also in the newspaper printed in Jonesborough, and one of the papers printed in Knoxville, and such places in the county of Hawkins as they may think proper, and said commissioners shall proceed to let the building of said court house to the lowest bidder or bidders, and shall take bond with good and sufficient security, payable to themselves and their successors in office in the penalty of ten thousand dollars, conditioned for the faithful execution of such building, according to the terms prescribed by said commissioners.

Commissioners appointed; their power & duty.

SEC. 3. *Be it enacted*, That it shall be the duty of said commissioners to superintend said building and see that the same is done in the manner prescribed in the contract, and when said building is completed, the court of the county of Hawkins, shall make to said commissioners a reasonable compensation for their time and trouble in attending to said business;

Commissioners to superintend the building.

Persons unwilling to such extension to file petition. described in the second section of this act, who may not have petitioned to be incorporated, shall enter his or her protest before the Mayor and Aldermen of the town of Nashville, within six months after the passage of this act, then, and in that case, such person or persons shall not be bound by the provisions of this act.

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EPHRAIM H. FOSTER,
Speaker of the House of Representatives.
JOEL WALKER,
Speaker of the Senate.

January 2, 1830.

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Commissioners to superintend the building. SEC. 3. *Be it enacted*, That it shall be the duty of said commissioners to superintend said building and see that the same is done in the manner prescribed in the contract, and when said building is completed, the court of the county of Hawkins, shall make to said commissioners a reasonable compensation for their time and trouble in attending to said business;

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Provided a majority of the acting justices be present when said allowance is made.

EPHRAIM H. FOSTER,
Speaker of the House of Representatives.
JOEL WALKER,
Speaker of the Senate.

January 5, 1830.

CHAPTER CCIX.

AN ACT granting a turnpike road to Joseph B. Woodard and Samuel Cathey.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Joseph B. Woodard, Samuel Cathey, Thomas J. Hazlerigg and Orville Paine, are hereby authorized to open and establish a turnpike road, commencing near Aquilla Johnson's, and running thence near Samuel Cathey's mill, Bledsoe county, crossing Walden's ridge in the most direct way to Washington in the county of Rhea, down the ridge at or near, Orville Paine's, which road where the situation of the ground will permit, shall be cut eighteen feet wide, clear of stumps or other obstructions; and where the road has to be causewayed, it shall, if the ground will permit, be twelve feet wide, and if there should be any creek or creeks that require it, there shall be good and sufficient bridges built over them.

SEC. 2. *Be it enacted*, That said road shall always be kept in repair, and in case of failure, shall be liable to be proceeded against in the county court of Bledsoe county, or Rhea county, and subject to the same penalties as are provided for, in the second section of an act authorizing George Helms and Adam Helms to open a turnpike road, passed August 23d 1822.

SEC. 3. *Be it enacted*, That the proprietors shall give bond and security, as provided for in the third section of the before recited act.

SEC. 4. *Be it enacted*, That John Ayres and Henry Collins of Bledsoe county, are hereby appointed commissioners, who shall perform the same duties, establish the same rates of toll, receive the same compensation for their services, and be qualified in

the same manner as pointed out in the fourth and fifth sections of the before recited act.

SEC. 5. *Be it enacted*, That if any part of said road shall be out of repair, at any one time after it is received by said commissioners, and by reason of which, any person or persons shall sustain any damage, either in person or property, he, she or they, may have and sustain an action on the case against said proprietors.

SEC. 6. *Be it enacted*, That if any person or persons shall pass arbitrarily said gate, or within one mile thereof for the purpose of evading the toll, such person or persons shall forfeit and pay for every such offence, to said proprietors, the sum of twenty five dollars, to be recovered by action of debt, before any justice of the peace in this state.

EPHRAIM H. FOSTER,
Speaker of the House of Representatives.
JOEL WALKER,
Speaker of the Senate.

January 5, 1830.

CHAPTER CCX.

AN ACT to provide for selling the old, and erecting a new jail in Lincoln county.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the court of pleas and quarter sessions of Lincoln county, a majority of the Justices being present, be, and hereby are authorized, at any session of said court, after the first day of January 1830, to sell at public auction to the highest bidder, the present jail and lot of ground on which it stands, in the county of Lincoln, on such credit, or prompt payment as said court may direct; and the person or persons to whom the said lot of ground was conveyed for the use of the said jail, shall have power to convey the same in fee simple to the purchaser thereof at the sale aforesaid.

SEC. 2. *Be it enacted*, That the county court aforesaid, a majority of the acting Justices being present, shall also have power to appoint three commissioners, whose duty it shall be to purchase a site, within the corporation of the town of Fayetteville,

for the erection thereon of a new jail, and the said commissioners shall have power to contract for building the same, or to let the same to the lowest bidder, as the county court aforesaid, a majority of the Justices being present may direct; and to defray the expenses thereof, the proceeds of the old jail, and the lot of ground on which it stands, is hereby appropriated; and said court, a majority of the Justices being present, shall have the power of laying a tax on the taxable property of said county, from year to year, and to such an amount as said court may direct, to meet and defray the entire expense of building the said new jail, and purchasing the site on which the said jail may be erected.

SEC. 3. *Be it enacted,* That the county court of Lincoln, a majority of the Justices being present, shall have power to make the commissioners aforesaid, such compensation for their services, as aforesaid, as said court may deem them to be reasonably worth.

SEC. 4. *Be it enacted,* That the tax authorized by this act to be laid, shall be collected by the sheriff of Lincoln county, who shall pay the same over to the trustee of said county, subject to the order of the county court, in favor of the person entitled thereto, on account of the purchase of the site, and the erection of the new jail thereon, as provided for in this act, and the said sheriff, before collecting said tax or any part thereof, shall enter into bond and security, to the chairman of said court, to be approved of by the county court of Lincoln, to pay over and account for said money, as he is bound to account for, and pay over the public tax, and in default of which, the like remedy shall be had, to enforce payment thereof, as is allowed for the non-payment by said sheriff of the public tax.

EPHRAIM H. FOSTER
Speaker of the House of Representatives
JOEL WALKER,
Speaker of the Senate.

January 5, 1830.

CHAPTER CCXI.

AN ACT for the relief of Benjamin Gains.

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

State of Tennessee, That Benjamin Gains, be, and he is hereby released from the payment of fifty dollars, for which he became liable as one of the securities of James Pike, who was charged with making and passing counterfeit money, in the Robertson circuit court at the October term last past, upon his paying his proportion of any cost that may have accrued.

EPHRAIM H. FOSTER,
Speaker of the House of Representatives.
JOEL WALKER,
Speaker of the Senate.

January 7, 1830.

CHAPTER CCXII.

AN ACT to divorce Jeremiah Jack of Greene county from his wife Catharine Jack.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the bonds of matrimony heretofore entered into between Jeremiah Jack and his wife Catharine, be and the same are hereby dissolved.

EPHRAIM H. FOSTER,
Speaker of the House of Representatives.
JOEL WALKER,
Speaker of the Senate.

January 6, 1830.

CHAPTER CCXIII.

AN ACT to authorize a survey of the counties of Sullivan, Hawkins, Washington and Greene.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee,* That it shall and may be lawful for the citizens of Washington, Sullivan, Hawkins and Greene counties, or any part of them at their expense or or by subscription to cause a resurvey of said counties, or any of them for the purpose of ascertaining the number of square miles in each, and for the purpose of raising the funds necessary

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for the same, Alexander English, William Hall, John English, Terry White, Jonathan Baughman, John Peoples, Stephen Barnard and John Ball, are hereby authorized to open books and take subscriptions, and to contract for the surveying in such manner and price as they may deem right and proper, and they are hereby authorized to employ some qualified surveyor to run and mark the lines of said counties whose duty it shall be to make out a map of the said counties, and ascertain the number of square miles in each, according to the present lines of said counties, and transmit a copy of the same to the next General Assembly.

EPHRAIM H. FOSTER,
Speaker of the House of Representatives.
JOEL WALKER,
Speaker of the Senate.

January 6, 1830.

CHAPTER CCXIV.

AN ACT for the relief of Abram S. Davidson of Gibson county, and others.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee, That Abram S. Davidson of Gibson county, be and he is hereby authorized to sell and retail goods in the county of Gibson, without paying any tax therefor; Provided, however, that he make oath before the county court of said county, that the same is intended for his own use and benefit, and not as agent for any other person.*

Abram S.
Davidson.

SEC. 2. *Be it enacted, That Eli B. Hornbeak of Hickman county, and John Birdsong of Hardeman county, be and they are hereby entitled to the same privilege extended to Abram S. Davidson in the first section of this act.*

Eli B. Horn-
beak.

SEC. 3. *Be it enacted, That all laws heretofore granting persons the privilege of retailing spirituous liquors without paying for licence therefor, be and the same are hereby repealed; Provided that the provisions of this section, shall not be so construed as to affect the provisions of an act passed at the present session of the Legislature, entitled an act to*

Repealing
clause and pro-
viso.

improve the navigation of the rivers in the Western District.

EPHRAIM H. FOSTER,
Speaker of the House of Representatives.
JOEL WALKER,
Speaker of the Senate.

January 7, 1830.

CHAPTER CCXV.

AN ACT to regulate the town of McMinnville in the county of Warren.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee, That John Cain, Lusk Colville, Leighton Ferrell J. B. Rodgers and John Black, are hereby appointed commissioners for the town of M'Minnville, with full powers to carry into effect the provisions of an act passed the twentieth day of October, one thousand eight hundred and thirteen, chapter nineteen, entitled an act for the better regulation of the town of M'Minnville, in the county of Warren, and the said commissioners are hereby authorized to extend the limits of the said town of M'Minnville, if they should think proper to do so.*

EPHRAIM H. FOSTER,
Speaker of the House of Representatives.
JOEL WALKER,
Speaker of the Senate.

January 7, 1830.

CHAPTER CCXVI.

AN ACT to relieve those persons in White county, who lately had their lands sold for the taxes, and bought by the sheriff.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee, That all lands sold by the Sheriff of White county for taxes, and bid of by said sheriff, in the year of eighteen hundred and twenty-eight, shall be subject to be redeemed by the owner pay-*

ing single tax therefor, to the sheriff thereof, at any time within two years, and the receipt of said sheriff, shall revest the title in such owner or owners of land, which money so paid, shall be accounted for by said sheriff as other moneys collected by him.

EPHRAIM H. FOSTER,

Speaker of the House of Representatives.

JOEL WALKER,

Speaker of the Senate.

January 7, 1830.

CHAPTER CCXVII.

AN ACT for the relief of Thomas Moore and others.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Thomas Moore and James Brown of Monroe county, John and James Griffith and John Bill of Marion county, James P. Anderson of Bedford county, William Smith of M'Minn county, Jesse M. Wade of Wilson county, Frederick J. Rogers and John Chambers of Bledsoe county, John Hughlett of Hickman county, William Bethy of Madison county, James Cooper of Campbell county, Solomon W. Jones of Anderson county, Robert Cardwell of Grainger county, John Dew of White county, George W. Ferguson of Rutherford county, Robert Morris and John Gould of Blount county, James B. Lyles of Obion county, Samuel M'Elyea of Lawrence county, William Eaton of Grainger county, John R. M'Daniel of Maury county, James Benton sen'r. of Robertson county, Allen Fields of Williamson county, Allen C. Nimmo of Gibson county, Richard Gill of Maury county, Saunders Austin of Wayne county, John Nolen and William Dodd of Williamson county, John Fisher and Alexander Grant of Warren county, William W. Bristoe of Montgomery county, Martin Shoemaker of Smith county, Jeremiah Medliff of Grainger county, Bonaparte R. Garland and James Buckley of Weakley county, be and they are hereby authorized to Hawk and Peddle within the congressional districts where they respectively reside; Provided they take an oath before some judge or justice of the peace, that the goods or articles they sell or vend, shall be their

own, and not for the benefit of any other person; Provided that nothing in this act, shall be construed to authorize any person in this act mentioned to hawk and peddle in the county of Franklin.

EPHRAIM H. FOSTER,

Speaker of the House of Representatives.

JOEL WALKER,

Speaker of the Senate.

January 7, 1830.

CHAPTER CCXVIII.

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

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Minerva Wilson and Sterling Wilson, illegitimate children of William Kincaid of Claiborne county, shall hereafter be known by the name Minerva Kincaid and Sterling Kincaid, and by that name shall be capable of inheriting the property of the aforesaid William Kincaid, as though they had been born in lawful wedlock.

Sterling and
Minerva, Wil-
son.

SEC. 2. *Be it enacted*, That Berry Cantrell of the county of Warren, shall be changed to that of Berry Young; that John Bray of said county, shall be changed to John Simpson.

Berry Cantrell

SEC. 3. *Be it enacted*, That Thomas Conrad Sutherland, William James Sutherland and Mary Elizabeth Sutherland, illegitimate children of Martin Kurts, of Maury county, shall hereafter be known by the names of Thomas Conrad Kurts, William James Kurts and Mary Elizabeth Kurts, and by those names shall be capable of inheriting the estate of the said Martin Kurts, as though they had been born in lawful wedlock.

Thos. C. Wm.
J. and Mary E.
Sutherland

SEC. 4. *Be it enacted*, That the name of John C. Newton of the county of Greene, be changed to that of John C. Henderson, and that he be entitled to the same privileges, both in law and equity, as though he had been born in lawful wedlock.

John C. New-
ton.

SEC. 5. *Be it enacted*, That Sarah Garrett of Rhea county, illegitimate daughter of Jeremiah Chapman, shall be hereafter known by the name of Sarah Chapman, and by that name shall be capable of inheriting

Sarah Garrett

the estate of the said Jeremiah Chapman, as though said Sarah had been born in lawful wedlock.

EPHRAIM H. FOSTER,

Speaker of the House of Representatives.

JOEL WALKER,

Speaker of the Senate.

January 7, 1830.

CHAPTER CCXIX.

AN ACT supplementary to act passed July 29th 1820, entitled "an act altering a part of the turnpike road in the county of Greene and for other purposes."

SEC. 1. Be it enacted by the General Assembly of the State of Tennessee, That the charter in the turnpike road granted by the above recited act, to William Houston, Jacob Baker, and William Reynolds, be, and the same is hereby extended to the first day of January 1846.

SEC. 2. Be it enacted, That it shall be the duty of the proprietors of said road, within six months after the passage of this act, where the situation of the country will permit, to cut the same sixteen feet wide, clear of all obstructions, and where the road has to be causewayed; or the situation of the country will not permit of greater extension, it shall be made eleven feet wide clear of all obstructions, and if there shall be any creek or creeks on said road, which will require it, good and substantial bridges shall be built over them.

SEC. 3. Be it enacted, That the commissioners of said road, shall view and examine the same once in every year, and oftener if necessary, and if said commissioners find said road out of repair for one month, at any one time, it shall be their duty to open the gate on the same, which shall remain open, and the proprietors shall not be authorized to receive any toll until the road is again put in repair, and the gate closed by said commissioners, who shall receive as compensation for their services while necessarily engaged in examining said road, the sum of one dollar and fifty cents each, per day, to be paid to them by said proprietors.

SEC. 4. Be it enacted, That if any person shall sustain any damage by reason of said road being out of repair, the person so injured, may sue said proprietors before any jurisdiction having cognizance thereof, and recover the full amount of the damage sustained.

EPHRAIM H. FOSTER,

Speaker of the House of Representatives.

JOEL WALKER,

Speaker of the Senate.

January 7, 1830.

CHAPTER CCXX.

AN ACT for the benefit of Thomas H. Perkins.

WHEREAS Thomas H. Perkins of the county of Williamson, on or about 22d day of April 1801, purchased of J. Porter of the state of North Carolina a land warrant No. 1390, issued by the state of North Carolina to the heirs of Jacob Burke, for six hundred and forty acres, which said warrant has been regularly assigned to the said Thomas H. Perkins, and which assignments from the death or removal of Burke and witnesses cannot be proved; and whereas said Thomas H. Perkins has caused an entry and survey to be made, on a duplicate of said warrant by entry 1807, dated 14th day of December 1816, survey bearing date 3rd day of August 1816, which entry and survey are made in the name of the heirs of Jacob Burke, whose names and places of residence are wholly unknown—For remedy whereof,

SEC. 1. Be it enacted by the General Assembly of the State of Tennessee, That the register of West Tennessee, be and he is hereby directed and empowered to issue a grant in the name of, and to the said Thomas H. Perkins upon said entry and survey, and that the said Thomas H. Perkins shall have and be entitled to all and the same benefits thereof, as if said entry and survey had been originally made in his own name; Provided, that nothing herein contained shall affect, or in any way prejudice the title

or interest of the heirs of the said Jacob Burke, or their rightful and lawful assignees.

EPHRAIM H. FOSTER,
Speaker of the House of Representatives.
JOEL WALKER,
Speaker of the Senate.

January 7, 1830.

CHAPTER CCXXI.

AN ACT for the relief of Elisha Kirklen.

Be it enacted by the General Assembly of the State of Tennessee, That it shall and may be lawful for Elisha Kirklen to have proven, in the county court of Bledsoe, by one subscribing witness thereto, (upon producing satisfactory evidence to said court that the other subscribing witness has removed to parts unknown,) a bill of sale from John Robinson to said Elisha Kirklen and William Hixan for four negroes, dated the 24th day of January 1820; Whereupon it shall be the duty of the register of said county to register the same; and when registered said bill of sale shall be as good and valid in law as if the same had been proven and registered within the time limited for the probate and registration of such bill of sale; Provided the same shall not prejudice the title or claim of any other person to said negroes.

Be it enacted, That it shall be lawful for Tabitha Chales executrix of the last will and testament of James Chales, to prove the hand writing of John Armstrong, the subscribing witness to said will by any legal evidence in the county court of White county, which will being proved as aforesaid, shall be recorded in said county as other wills, and shall be good and effectual in law for the purposes and things therein contained: Provided that nothing herein contained shall affect the interest or claim of any other person whatsoever.

EPHRAIM H. FOSTER,
Speaker of the House of Representatives.
JOEL WALKER,
Speaker of the Senate.

December 7, 1829.

Elisha Kirklen
may prove a
bill of sale.

Tabitha
Chales

CHAPTER CCXXII.

AN ACT to establish a town on the lands of William Henderson and others, in Giles county, and other purposes.

SEC. 1. Be it enacted by the General Assembly of the State of Tennessee, That a town which has heretofore been laid off by William Henderson and others, on their own lands in Giles county, by the name of Marathon, be, and the same is hereby established, and shall be hereafter known by the name of Cornersville, hereby vesting the proprietors or their executors, with full power and authority to conduct and manage the sale of the lots, and all other things touching the regulation of said town, in such manner as to them may be deemed proper for the prosperity thereof.

Town established.

SEC. 2. Be it enacted, That the prison bounds of the town of Winchester, be so extended as to include the following bounds, to wit: beginning in the middle of the boiling fork of Elk river, at the south east corner of said town, thence up said boiling fork with its meanders to a point immediately above Estill's mill; thence by a line running parallel with the town line to a point where the extension of the south west boundary of the eight acres formerly owned by John Dougherty, intersects with said line; thence to said eight acres, and along the south west boundary of said eight acres to the town line, including the present prison limits, and also the land between said limits and said lines as extended.

Prison bounds
of Winchester
extended.

EPHRAIM H. FOSTER,
Speaker of the House of Representatives.
JOEL WALKER,
Speaker of the Senate.

January 7, 1830.

CHAPTER CCXXIII.

AN ACT for the relief of Robert Armstrong.

It is represented that Nathan Sellers purchased lot No. 31, in the said town of Athens, from the com-
Cc

missioners of said town, and that said commissioners no longer act as such, and that the bond of said commissioners has been assigned or afterwards transferred, until the interest therein has become equitably vested in Robert Armstrong—Therefore,

SEC. 1. Be it enacted by the General Assembly of the State of Tennessee, That William Lowry Esq. of Athens, be, and is hereby appointed a commissioner of the town of Athens, with all the powers belonging to the commissioners of said town, for the sole and only purpose of signing, sealing and delivering of a deed to Robert Armstrong for the aforesaid lot No. 31, and that the title to said lot, when made by the said Lowry to the said Armstrong, shall be as good and effectual as if it had been made by the former commissioners of said town; Provided, that said Armstrong shall surrender to said Lowry, the bond of the aforesaid commissioners, before the right to said lot is to be conveyed to him said Lowry, and provided the right of no other person or persons shall be affected thereby.

EPHRAIM H. FOSTER,

Speaker of the House of Representatives.

JOEL WALKER,

Speaker of the Senate.

January 7, 1830.

CHAPTER CCXXIV.

AN ACT giving the circuit court of Davidson county now in session, jurisdiction in a certain case.

SEC. 1. Be it enacted by the General Assembly of the State of Tennessee, That the circuit court of Davidson county now in session, have power, and are hereby directed to make an order upon the petition of the citizens or any number of them of Davidson county to the sheriff of Davidson, to summon twelve men being citizens of said county and freeholders, whose duty it shall be under the direction of said sheriff to lay off and mark a road of sufficient width being at least 30 feet from the edge of the bank at the top thereof, from Pages ferry to where the same inter-

Road from
Page's ferry to
be marked off.

sects the road leading from M'Gavock's ferry to Nashville; and whose duty it shall also be upon their oath to assess all damage any owner of land over which it may run shall sustain thereby, that has not already been assessed and paid, and report the same to said circuit court now in session.

SEC. 2. Be it enacted, That upon said report being made to said court, it shall be the duty of said court to enter up a judgment against the county of Davidson, for the damage so assessed in favour of those to whom the same is due, which shall be paid out of any monies in the county treasury; and also to make an order appointing an overseer over said road, whose duty it shall be to open the same and keep the same open and in repair, with such hands as the said court may appoint, until the next county court for said county, which court then may make any other appointment to them seeming most advisable, so as to continue to keep open said road and the same in repair.

County to pay
the damages.

SEC. 3. Be it enacted, That the county court of Davidson county, shall have the same power and control over said road, that they now have over all and every public road in said county; Provided said road shall be opened by virtue of the above recited act.

County court
to have control
over the
road.

EPHRAIM H. FOSTER,

Speaker of the House of Representatives.

JOEL WALKER,

Speaker of the Senate.

January 9, 1830.

CHAPTER CCXXV.

AN ACT to authorize the sale of the stray pen in the town of Lebanon.

SEC. 1. Be it enacted by the General Assembly of the State of Tennessee, That the sheriff of Wilson county, be and he is hereby authorized to sell at public sale, at the court house door, in the town of Lebanon, on a credit of six months, the lot of ground in said town, set apart for a stray pen, upon giving at least twenty days notice in writing, at the court house door, and three other of the most public places

in said town, of the time and place of sale; and that the proceeds of the said stray pen may be appropriated by the county court of Wilson, to the improvement of the public square or repairs of the court house in said town, or otherwise appropriated as the county court of Wilson may direct, and the sheriff's deed shall convey a fee simple estate to the purchaser of said lot of ground.

EPHRAIM H. FOSTER,

Speaker of the House of Representatives.

JOEL WALKER,

Speaker of the Senate.

January 6, 1830.

CHAPTER CCXXVI.

AN ACT supplementary to an act passed December 9th 1826, entitled an act for the relief of C. F. M. Gudream.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee, That the benefit and privileges granted to the said Gudream by the before recited act, be and they are hereby extended to him for the term of two years from and after the expiration of the term of five years mentioned in said act.*

EPHRAIM H. FOSTER,

Speaker of the House of Representatives.

JOEL WALKER,

Speaker of the Senate.

January 7, 1830.

CHAPTER CCXXVII.

AN ACT to allow Hugh L. White compensation for his services as the attorney for the state in certain cases.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee, That the sum of eight hundred dollars, be allowed Hugh L. White for his attention as the attorney for the state, in the defence of suits commenced by the reservees under Jackson and Calhoun treaties with the Cherokee Indians, against*

Eight hundred
dollars allowed

the purchasers and their assignees at the Hiwassee land sales, and that the treasurer of East Tennessee be authorized and required to pay said sum of money to the said White, out of any money in the treasury not otherwise appropriated.

SEC. 2. *Be it enacted, That Hugh L. White be continued with the same powers and privileges as heretofore, as the attorney for the state, in all the reservation cases, that now or hereafter may be commenced against the purchasers at the Hiwassee land sales.* His powers continued.

EPHRAIM H. FOSTER,

Speaker of the House of Representatives.

JOEL WALKER,

Speaker of the Senate.

January 6, 1830.

CHAPTER CCXXVIII.

AN ACT to empower the county court of Bledsoe to erect a house for the accommodation of the poor.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee, That the court of pleas and quarter sessions of Bledsoe county, may, and is hereby empowered at the first or any subsequent term after the first day of January next, at least a majority of the acting Justices being present, to lay a tax on all taxable property in said county, not exceeding the state tax, and such tax shall not continue more than two years, for the purpose of raising funds to procure a site and erecting a house thereon, for the accommodation of the poor in said county, which tax when collected, shall be paid over in the same manner and appropriated in the same way pointed out by an act entitled "an act to empower the county court of pleas and quarter sessions for Davidson county, to erect a house for the accommodation of the poor in said county, and other purposes," passed November seventeenth, one thousand eight hundred and fifteen, and the said county court of Bledsoe, is hereby vested with full power and authority to appoint commissioners, hire overseer, and do and perform every act or acts, thing or things as pointed out* Tax authorized.

in the above recited act, for the purpose of carrying this act into effect and regulating the same.

SEC. 2. *Be it enacted*, That the court of pleas and quarter sessions of Marion county, be entitled to the same powers, rights, privileges, and immunities that are secured to the court of pleas and quarter sessions of Blount county, by the first section of this act.

EPHRAIM H. FOSTER,

Speaker of the House of Representatives.

JOEL WALKER,

Speaker of the Senate.

December 12, 1829.

CHAPTER CCXXIX.

AN ACT for the relief of certain citizens of Smith county.

WHEREAS James A. Alexander late a justice of the peace for Smith county, has left said county without having deposited the judicial papers in his hands as directed by law; and whereas it is represented that many of the judgments rendered by said Alexander, many of which were stayed, have been lost, destroyed or mislaid, so that executions cannot be issued thereon, to the great injury and damage of those who are concerned—Therefore,

Be it enacted by the General Assembly of the State of Tennessee, That where any person or persons, shall have heretofore recovered a judgment or judgments for any sum of money before said James A. Alexander, which said judgment or judgments have not been paid and satisfied, and such person or persons, shall make oath before any justice of the peace for Smith county, that said judgment or judgments have not been paid and satisfied, and that said judgment or judgments have been lost, destroyed or mislaid, it shall be the duty of such justice to issue a notification directed to the person or persons against whom it is sworn, that said judgment or judgments has been rendered, directory to him, her or them, to appear before him and answer to the said demand, which said notice shall be served by any constable of said

Relief provided, in respect to certain judgments.

county in the same manner that warrants are served.

SEC. 2. *Be it enacted*, That if any person or persons on whom such notification shall have been served, or at whose house or common place of residence, a copy of such notification has been left two whole days before the return thereof, shall fail to appear and answer, or if on appearance such person or persons, shall not on his corporal oath deny the existence of the plaintiff's demand or admit the existence of the judgment, and on oath as aforesaid, declare that the same has been paid, then and in either such cases, it shall be the duty of the said justice to issue execution against such person or persons for the amount claimed by the plaintiff or plaintiffs on his or her oath, as set out in the first section of this act; Provided always that if any person or persons notified as aforesaid, shall on appearance by him or herself, or by his or her agent deny on oath the plaintiff's demand as required in the foregoing part of this section, the said justice shall then bear the evidence of both parties, and proceed to judgment as to him shall seem right from said evidence; and provided also that either party who may be dissatisfied with the decision of said justice may appeal to the circuit court of Smith county, under the same conditions now prescribed by law, for appeals from a justice of the peace to the circuit court.

Directions for Justices of the Peace in these cases.

SEC. 3. *Be it enacted*, That where any judgment intended to be provided for in this act, has been stayed, the same proceedings shall be had against the person or persons who stayed said judgments, as against the principal debtor or debtors in said judgment, and execution shall issue accordingly.

Where the judgments have been stayed.

EPHRAIM H. FOSTER,

Speaker of the House of Representatives.

JOEL WALKER,

December 2, 1829. Speaker of the Senate.

CHAPTER CCXXX.

AN ACT for the benefit of Richard Nelson of White county.

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

State of Tennessee, That the seven lots owned by Richard Nelson in the town of Sparta, known by their numbers in the plan of said town of 24, 42, 43, 44, 64, 65 and 66, shall hereafter be taxed as one lot, and the said lots are hereby consolidated, and shall hereafter be considered one lot; Provided, that the privilege and exemption granted by virtue of this act, shall cease to operate on the whole or either of said lots respectively, if any one or the whole of them shall hereafter be improved by building thereon.

EPHRAIM H. FOSTER,
Speaker of the House of Representatives.
JOEL WALKER,
Speaker of the Senate.

December 16, 1829.

CHAPTER CCXXXI.

AN ACT to incorporate a company for opening a turnpike road from the Nashville bridge to the top of the ridge, at or near Shannon's on the Russellville and Clarksville roads.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee,* That John Wright, John Shelby, Andrew Hynes, Alexander Porter, Thomas Crutcher, William L. Brown, Francis Porterfield, John H. Poston and William Seal, be, and they are hereby appointed commissioners to open books for the purpose of receiving subscriptions to the amount of thirty thousand dollars, to be applied to making a turnpike road from the Nashville bridge to the forks of the road at the top of the ridge at Samuel Shannon's on the Russellville and Clarksville road in the county of Davidson; which sum of thirty thousand dollars, shall be divided into shares of fifty dollars each, and the subscription shall be made in person or by attorney, and as soon as ten thousand dollars are subscribed, a meeting of the subscribers shall be held at Nashville, of which meeting the managers of the subscription shall give thirty days notice in some newspaper printed in Nashville; and the said subscribers from and after the first meeting, shall be, and they are hereby constituted a body politic and

Commissioners appointed to open books for the purpose of receiving subscriptions to be held—further directions.

corporate by the name of the "White's creek turnpike company," and shall so continue until the first day of January one thousand eight hundred and ninety nine, and as such may sue and be sued, plead and be impleaded, answer and be answered, and have a common seal.—The subscribers or a majority of them, who shall be present at the first meeting, shall elect nine directors, being share holders, who shall elect one of their own body president of the board of directors, and the president and directors thus chosen, shall continue in office one year, and until another election shall take place.—The president and directors thus chosen, shall have power to receive subscription for the residue of the said sum of thirty thousand dollars, until the whole shall have been subscribed for; to make contracts with any persons for clearing, opening and making the said road, along the route which shall have been marked out by the commissioners hereinafter appointed, and for performing such other work thereon as they may think proper and necessary; to require from time to time of the subscribers, such advances on their respective shares as the wants of the company may demand, until the whole of the subscription shall be advanced; Provided, no call shall be made for more than five dollars on each share, at any one time, of which thirty days notice shall be given in some newspaper printed in Nashville;—said directors shall have power on all emergencies, to call a general meeting of the subscribers, giving thirty days notice thereof in some newspaper printed in Nashville; to appoint a treasurer, clerk and such other officers and servants as may be necessary, to sign and settle all accounts, and to transact all the business of the company during the interval between the general meeting.

SEC. 2. *Be it enacted,* That if any subscriber should fail to pay the sum of five dollars on each share, within thirty days after the same shall have been advertised, as required by the first section of this act, it shall be lawful for the president and directors to sell at public auction, and convey to the purchaser, the share or shares of such subscriber, thus failing or refusing to pay, and after retaining the sum due, with costs of sale, to pay over the surplus to the former owner of such share or shares; and if said sale shall not produce the sum required to be advanced,

Where subscribers fail to meet the calls.

with interest and incidental charges, in that case it shall be lawful for the company to recover the balance from the original proprietor, on motion, before the court of the county where such delinquent resides, ten days previous notice thereof being given, or by warrant before any Justice of the Peace of the county, where the sum does not exceed fifty dollars and any person purchasing under the sale of the president and directors, shall be subject to the same rules, penalties and regulations as the original proprietor.

Power of the
President and
Directors.

SEC. 3. *Be it enacted*, That the president and directors, or any of them, shall be sufficient to transact all ordinary business; and all vacancies which may happen in the office of president or director, between the usual meetings of the share holders, shall be supplied by a meeting of the directors, of no less than two thirds of their whole number. The clerk shall keep a regular journal of all proceedings had, and all motions made at the several meetings, and each director shall be at liberty to call for the ayes and noes on any question, and it shall moreover be the duty of the president and directors to furnish printed certificates, stating the number of shares held by each subscriber, which certificate shall be transferable by deed, which shall be recorded in the books of the company, acknowledged by the vender or proved by two or more witnesses; which assignment thus recorded, shall to all intents and purposes constitute the assignee a member of said company, subject to all the rules and regulations thereof.

Commission-
ers appointed
to open the
road.

SEC. 4. *Be it enacted*, That John Wright, Isaac Earthman jun'r, Samuel Shannon, John Stump, Andrew Hynes, William L. Brown, William Faulkner, Hardy S. Bryan, William B. Ewing, Buckhannon Lanier, Charles Bidwell, Daniel Bouce and Edward Butler, bp, and they are hereby appointed commissioners, who, or a majority of whom, shall be, and they are hereby authorized and required to proceed forthwith after the first meeting of said company, to mark out the most convenient and fit route for the said road; and each of the said commissioners shall be allowed the sum of one dollar for each day that he may be necessarily engaged in performing the duty hereby prescribed, to be paid by the president and directors out of the funds of the company.

SEC. 5. *Be it enacted*, That it shall be lawful for

any persons over whose land or lands the said road may pass, at any time within two years after the said road may be opened, to apply to the court of the county in which the land lies, to award a writ of *ad quod damnum*, to ascertain the damages which he, she or they, may sustain from the said road, which said writ shall be directed to the sheriff of Davidson county, commanding him to summon and empanel a jury of twelve fit and disinterested freeholders, to meet on the premises, who, being sworn for that purpose, shall view the land over which said road passes, and value the damage done to the same in consequence of said road, which inquest, so made and signed by said jurors, shall be by the sheriff or his deputy, returned to the next county court to be holden for said county, which court, shall upon said inquest enter a judgment against said company, for the sum so assigned by motion; Provided always, ten days notice shall be given to the president of the board of directors, of such intended applications for a writ of *ad quod damnum*.

Of damages
sustained by
owners of land
from the road.

SEC. 6. *Be it enacted*, That it shall be lawful for the president and directors to purchase for the use of the company, any quantity of land not exceeding twenty acres, adjacent to each toll gate, which may be established on said road, and take the conveyance in fee simple from the proprietor of said land; and for the purpose of making said road and keeping it in repair, the president and directors and their agents and servants, may cut, dig, quarry or take, from the lands of any person or persons adjoining said road, such, and so much timber, gravel, stone or earth, as may be necessary; and if any person or persons, from whose lands such timber, gravel, stone or earth, shall have been cut, dug, quarried or taken, shall desire compensation therefor, he, she or they, or his or their agent, may apply to any justice of the peace of the county of Davidson, notice of the time and place of the said application having been previously given to the said president and directors or their agent, to appoint three discreet and disinterested freeholders, for the purpose of valuing such timber, gravel, stone or earth, whose duty it shall be upon their own view and inspection, upon oath, to ascertain the fair and reasonable value of such timber, stone, gravel or earth, and to grant a certificate thereof to each party if required; and it shall be

President and
directors to pur-
chase land for
toll gates.

lawful for such person or persons, his, her or their agent to demand and receive, before any court or before any justice of the peace; Provided the same does not exceed fifty dollars, the sum so assigned from said company.

SEC. 7. *Be it enacted*, That an annual meeting of the shareholders, shall be held in the town of Nashville, on the first Monday of January of each year to elect nine directors, to be represented by at least one hundred and fifty shares of stock, before said meeting is competent for the transaction of business. In counting votes, each member shall be allowed one vote for each share as far as ten shares, and one vote for every five shares above ten, by him held at the time on said company. The directors shall render fair and distinct accounts of their proceedings, and of all disbursements of money, to each annual meeting of the subscribers, previous to the election of directors by said meeting for the ensuing year.

Annual meeting of the stockholders—construction of the road—number of toll-gates—rates of toll, &c

The said road shall be opened at least thirty feet wide, with sufficient ditches on each side, at all times to carry off the water, and drain the same; shall gradually descend from the middle to said ditches; shall be substantially paved with broken stone or gravel, at least twenty one feet wide; shall have substantial and sufficient bridges, where necessary, and in all respects shall be completed in a faithful and substantial turnpike road like manner; and when said road shall be thus finished and completed for four miles from the Nashville bridge, the president and directors may apply to the Governor of this state for the time being whose duty it shall be to appoint three honest, discreet and disinterested persons, one of whom shall reside in the county of Davidson, one in the county of Montgomery, and one in the county of Robertson, who shall not be stockholders, to view and examine said road, and on the report of said reviewers, or any two of them, that the road has been finished and completed, for the distance aforesaid, according to the true intent and meaning of this act; it shall be the duty of the Governor, and he is hereby required to issue his certificate or warrant, under the seal of the State, authorizing the president and directors to erect a toll gate, within two or more miles of Nashville, and appoint a toll gatherer thereat; and when the residue of said road is finished and received as the first

portion, an additional toll gate may be erected and established, to be five or more miles beyond the first one, at which a toll gatherer is to be appointed in like manner as at the first gate, each of whom may collect and receive for said company at each gate, the following tolls, to wit: for every twenty head of sheep ten cents; for every twenty head of hogs ten cents; for every twenty head of horned or neat cattle, twenty five cents; for every horse or mule not employed in drawing a carriage three cents; and so in proportion for any larger or less number of the above animals; for every four wheeled carriage twenty-five cents; for every two wheeled riding carriage, twelve and one half cents; and for a man and horse, six and one fourth cents; for every cart twelve and one half cents; for every loaded waggon twenty-five cents; for every empty waggon twelve and a half cents; for every hoghead of tobacco, six and one fourth cents including the above sum for oxen, mules or horses, drawing the said carriage, waggon, cart or tobacco.

The tolls when received at the first gate, shall be applied by the president and directors towards finishing and completing the residue of the road; and when the whole is finished, the president and directors may make quarterly or half yearly dividends among the proprietors of said company, in proportion to their respective shares, and should any person refuse or neglect to pay the tolls hereby granted, at the time of offering to pass, the toll gatherers may lawfully refuse a passage to such person or thing, subject to toll aforesaid; and if any person, article or thing, liable to toll shall by any ways, pass without payment thereof on demand made and refusal to pay, the toll gatherers, may by warrant from any justice of the peace within this state, receive from the owner or occupier, or person in possession of such article, or subject to toll, five dollars for each and every offence.

SEC. 8. *Be it enacted*, That if the said company shall fail to keep the said road in repair for the space of twenty days, and information thereof shall be given to any justice of the peace in the neighborhood, he shall issue a warrant to a constable, commanding him to summon three freeholders, to meet at a cer-

Where the road is kept out of repair for 20 days.

Do

tain time, and at the place complained of, both of which shall be named in the warrant, reasonable previous notice having been given to the person interested in the case, and repair of that part of the road, and if any injury by said freeholders or any two of them in the presence of the magistrate, the said road shall be found to be out of repair, according to the intent and meaning of this act, the tolls hereby granted, shall cease to be demanded, at the nearest gate, until such defective part of the said road shall be put in good repair; and the person intrusted with the repair of the road shall be subject to a fine of ten dollars, to be recovered with costs, by warrant, before any justice, who is hereby required to take into view all the circumstances of the case; which fine, if assessed, shall be applied, one moiety to the use of the county, and the other moiety to the use of the person prosecuting for the same.

Sec. 9. *Be it enacted*, That if the said company shall not begin said work within two years after said company shall have been formed, or shall not have completed said road in seven years thereafter, then and in that case, all rights and interest in the said road and tolls aforesaid, hereby vested in said company, shall forever cease and determine.

Sec. 10. *Be it enacted*, That the commissioners, when they view and mark out said road, shall determine what elevation shall be allowed in making said road, on different uneven parts thereof; and in no part, unless at the ridge at Samuel Shannons, shall more than five degrees be permitted. They shall also designate the places where bridges are to be erected, and the kind thereof; they shall also decide on the depth and width of the stone or gravel pavement on said road, and the different parts thereof; they shall make a written statement of all the foregoing matters and things, and shall preserve one copy thereof, and deliver another copy to said company; and the said road shall be made to conform to the requisitions of said commissioners in the foregoing particulars.

Sec. 11. *Be it enacted*, That nothing in this act, shall be so construed as to authorize the erection of more than two toll gates from the Nashville bridge

Road to be begun in two & completed to 7 years.

Elevation of the road.

Not more than two toll-gates allowed.

to the top of the ridge, at or near Samuel Shannons.

EPHRAIM H. FOSTER,
Speaker of the House of Representatives.
JOEL WALKER,
Speaker of the Senate.

January 2, 1830.

CHAPTER CCXXXII.

AN ACT to incorporate the Gallatin turnpike company.

Sec. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Thomas Martin, William White, Robert Weakley, Josiah F. Williams, Elijah Boddie, Robert M. Boyers, James Saunders, Isaac Walton and Daniel Montgomery, and all and other persons who shall become associated with them, by subscribing to the capital stock of said company, be, and they are hereby constituted and declared a body corporate and politic, with perpetual succession, by the name and style of the "Gallatin turnpike company," for the purpose of laying off and constructing a McAdamized turnpike road from Nashville by Gallatin to the Kentucky line, at the most eligible point in the direction of Glasgow Kentucky, and for this purpose the said company is hereby authorized and empowered to have and receive, purchase, possess, enjoy and retain lands, rents, goods, chattles, and effects of any kind, and to any amount necessary to carry into effect the object of the incorporation, and the same to use, alien and dispose of at pleasure, to sue and be sued, defend and be defended, in all courts having competent jurisdiction; to have and use a common seal, and the same break, alter and renew at pleasure, to ordain and establish such rules, regulations, and bye-laws as may be necessary for the well being of said corporation, subject however to the restrictions and limitations contained in this act.

Company incorporated, — their power & authority.

Sec. 2. *Be it enacted*, That the capital stock of said company shall consist of any sum of money, which said company shall deem necessary to accomplish the object of this act; which stock shall be divided in shares of fifty dollars each, and shall be transferable in entire shares, in such manner as the

Capital stock of the company.

rules of the corporation prescribe; *Provided*, that no stockholder without the consent of the directors, shall be at liberty to transfer his stock after any instalment is ordered, until such stockholder shall have paid the amount due on his stock.

Commissioners appointed to receive subscriptions.

SEC. 3. *Be it enacted*, That the persons named in the first section of this act, or in case they should not all choose to serve, then any number of them not less than three shall be commissioners to receive subscriptions, and to do and perform all necessary acts to organize the company; and they are hereby authorized and empowered at such times and in such places as a majority of them shall think proper to receive subscriptions to constitute the capital stock of said company; the commissioners may, if they think proper, require ten per centum of the amount of each subscription to be paid at the time it is subscribed, and each subscriber shall be bound to pay from time to time, such instalments on his stock as the directors may lawfully require.

Sum necessary to be subscribed.

SEC. 4. *Be it enacted*, That when five thousand shares shall be subscribed; the commissioners shall call a meeting of the subscribers, by causing notice of the time and place of such meeting to be published in some newspaper or papers in general circulation in the places in which the books shall have been opened, and the stock subscribed for, thirty days next preceding such time of meeting, and on such notice being given, the stockholders shall meet at the time and place appointed, and when so assembled, may proceed to elect directors, and adopt such rules and regulations for the government of the corporation as are lawful and expedient; the stockholders may vote in person or by proxy, and for each share such stockholder may possess he shall be entitled to one vote.

Election of Directors.

SEC. 5. *Be it enacted*, That the affairs of this company shall be managed by five directors, or a majority of them, who shall be elected by the stockholders once in three years, unless a shorter period shall be ordained by the rules of the corporation, and each director shall be a stockholder at the time of his election, and shall cease to be a director if he ceases to be a stockholder.

SEC. 6. *Be it enacted*, That the directors so elected or appointed, shall at their first meeting after said election, choose one person from their own

number, who shall serve as a president of the board for and during the time for which he has been elected a director; the president and directors previous to the entering on the duties of their office, shall severally take an oath or affirmation, faithfully and impartially to discharge all duties appertaining to the said offices by virtue of the provisions of this act, or the rules of the corporation; they shall appoint a treasurer, and cause him to give bond with security, conditioned for the faithful performance of all duties appertaining to said office, they shall determine the amount of any instalments, and the time when they should be paid; but no stockholder shall be required to pay any instalment until after such order has been published in some newspaper in general circulation in the counties of Davidson or Sumner, at least sixty days before the time of payment;—neither shall any stockholder be required to pay more than ten per centum on the amount of his stock at any one time, nor more than fifty per centum in any one year.

Directors to choose a President—elect a Treasurer, &c.

SEC. 7. *Be it enacted*, That it shall be the duty of the treasurer to keep the books of the corporation, to receive and collect from subscribers and all other monies due the corporation, and on proper vouchers being produced, pay out the same; he shall as often as required exhibit to the directors an account of all sums of money by him so received, and paid out, and also exhibit any amount that may remain in the treasury, and the books, accounts and vouchers kept by the treasurer, shall at all times be subject to the inspection of the stockholders; *Provided*, the said company shall never use their funds for banking purposes.

Duty of the Treasurer.

SEC. 8. *Be it enacted*, That it shall and may be lawful for said directors to enter upon and take possession of any lands, water streams or quarries to make said road, and also stone, timber, gravel and earth, necessary in constructing said road and other works pertaining thereto, doing nevertheless no unnecessary damage; and in case any lands, waters, stone, timber, gravel or earth so wanted, to be appropriated for any of the purposes aforesaid, shall not be given or granted to said corporation, and the proprietor or proprietors, cannot or do not agree with the directors as to the amount of damages, it shall be lawful for the directors to apply to the circuit

Directors may take such timber, stone, &c. as is necessary—of the damages thus occasioned, & how settled.

or county court of the proper county, who shall appoint three disinterested freeholders to assess the damages; the directors shall give notice to such persons of their appointment, and also to the adverse party his or her agent or attorney, or advertise the same in some newspaper in general circulation in the county; and it shall be the duty of the persons so appointed to attend at the time and place so specified in the notice, who after being duly sworn or affirmed, faithfully and impartially to discharge their appointed duties, shall proceed, on actual view to make an estimate and appraisal of any damage such individual, owner or owners, may sustain taking into consideration the benefits such proprietor or proprietors, will derive from the location and making said turnpike road; and shall make a certificate of such appraisal or appraisements with a particular description of the premises where necessary, to which certificate they or a majority of them shall sign their names and deliver to each party a copy if required; and immediately thereafter if no damages are assessed, or on the payment or tender of the money to the amount of damages assessed to the person or persons injured, his guardian, agent or attorney, the said directors may proceed to enter upon and occupy such lands for the purpose aforesaid; and a complete title to the premises, to the extent, and for the purposes set forth in or contemplated by this act, shall be thereby vested and forever remain in said company and their successors; and also full right to enter upon and remove all stone, timber, gravel and earth; *Provided however*, that if either party shall consider himself or themselves aggrieved by the decision of the appraisers so as aforesaid made, such party may appeal to the circuit or county court of the proper county, giving ten days notice to the adverse party, and the said court shall direct an issue to be made up in a summary manner and the damages assessed by a jury upon evidence without view of the premises, which verdict and decision, shall be final and determined; but the pendency of any such appeal shall not in the mean time hinder the progress of the work.

SEC. 9. *Be it enacted*, That it shall be the duty of the company hereby incorporated, to lay out and construct said turnpike road, of such width and gradation as may be most economical and convenient,

Width and graduation of the road.

and said road when completed shall forever thereafter be taken to be and is hereby declared to be a public highway, free for the passage of waggons, carriages, travellers, horses, hogs, cattle, stock, goods, commodities and produce, on payment of such tolls as the board of directors may from time to time establish.

SEC. 10. *Be it enacted*, That for and in consideration of the expenses which said company will necessarily incur in constructing said turnpike road, and in improving and keeping the same in repair, the said turnpike road with all the appurtenances thereof, together with all tolls and profits arising therefrom, are hereby vested in the said corporation, and the same shall be forever exempt and free from the payment of any tax, imposition or assessment whatsoever; *Provided*, that the state shall have power after the expiration of twenty years from the completion of said road, to purchase and hold the same for the use of the state, by paying to the said company therefor, such sum as will be equal to the expenses incurred by said company in surveying, locating and constructing the same, together with twenty-five per cent thereon; *Provided however*, that the state shall fulfil all leases and contracts entered into concerning said road.

State may purchase the road at the end of 30 years.

SEC. 11. *Be it enacted*, That when the whole or any part of said road is completed according to the true intent and meaning of this act, the president and directors shall have power, and it is hereby made their duty to establish a rate of tolls, which shall be paid upon travellers, waggons, horses, cattle and property, of every kind and description, passing on and making use of said road, and for the collection of said tolls, the president and directors shall appoint collectors, and establish toll houses at all proper places, and may ask, demand and receive, such tolls as may be established agreeable to the provisions of this act.

Tolls to be established.

SEC. 12. *Be it enacted*, That the president and directors shall annually or semi-annually, declare and make a dividend of the nett profits accruing from tolls, or from any other source reserving such sum or sums, as will defray the necessary current and probable contingent expenses; which dividend shall be paid or passed to the credit of the stockhol-

Dividends to be declared.

ders severally, in proportion to the shares which each may hold in the stock of said company.

Of the collec-
of toll.

SEC. 13. *Be it enacted*, That the said company shall be entitled to the benefit of all laws which are or shall be in force, for the collection of toll, or for the protection of any turnpike road or other public highway in the state, so far as such laws may be necessary to insure the good of the company; *Provided*, that any subsequent Legislature may regulate the tolls on said turnpike, after the expiration of ten years from the completion of said road.

When to be
begun and fin-
ished.

SEC. 14. *Be it enacted*, That in case said turnpike road, shall not be commenced within two years, and finished as far as from Nashville to Gallatin, within five years from the passage of this act, all privileges hereby granted, shall forever be null and void.

Persons ex-
empted from
toll.

SEC. 15. *Be it enacted*, That the citizens of Davidson and Sumner counties, shall be exempt from the payment of tolls while travelling on foot or horse back on said turnpike road to and from musters, public worship, mill, juries and justices, attendant in courts in their respective courts.

EPHRAIM H. FOSTER,

Speaker of the House of Representatives,

JOEL WALKER,

Speaker of the Senate.

January 5, 1830.

CHAPTER CCXXXIII.

AN ACT to compensate the officers and witnesses on behalf of the state, on the trial of Judge Nathaniel W. Williams before the court of Impeachment.

Pay of witness
on the trial.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the witnesses who have been or may be summoned on behalf of the state, to testify on the Impeachment now pending before the court of Impeachment, shall be entitled to receive the sum of two dollars for each day they may be compelled to attend as a witness, and four cents for each mile he necessarily may travel in going to and returning from said court, to be paid by the treasurer of West Tennessee, on the production of the certificate of the clerk of said court.

SEC. 2. *Be it enacted*, That the witnesses who were summoned or attended before the committee appointed by the House of Representatives to enquire into the official conduct of said N. W. Williams, be, and they are entitled to the same compensation as provided for witnesses in the first section of this act, to be paid by the treasurer, on the production of the certificate of the chairman of said committee.

Pay of witness
on before the
committee.

SEC. 3. *Be it enacted*, That the treasurer of West Tennessee pay to Robert L. Cobbs the sum of fifty dollars for preparing and drafting the articles of Impeachment against said N. W. Williams, whose receipt shall be a good voucher in the settlement of his accounts.

R. L. Cobbs.

SEC. 4. *Be it enacted*, That the treasurer of West Tennessee pay to Benjamin Reynolds four dollars per day, for each day he may have been actually employed in summoning witnesses to appear before the committee appointed by the House of Representatives to enquire into the official conduct of Nathaniel W. Williams, one of the Circuit Judges of this state, to be paid upon producing the certificate of the Speaker of the House of Representatives, and also such sums as he may have paid for transcripts of records ordered by the managers to be procured as testimony on the trial in said Impeachment, to be paid upon producing the certificate of the President of the court.

Benjamin Rey-
nolds.

SEC. 5. *Be it enacted*, That the sergeant at arms, attending said court, be allowed the sum of four dollars per day, commencing with the date of his appointment, and ending with the discharge of the court, to be paid by the treasurer of West Tennessee, upon producing the certificate of the president of the court.

Sergeant at
arms.

SEC. 6. *Be it enacted*, That the treasurer of West Tennessee pay to James A. Whiteside, the sum of fifty dollars for his services as clerk of the committee on the official conduct of the said Williams, in preparing subpoenas, taking down in writing the evidence before said committee, and keeping a record of their proceedings.

James A.
Whiteside.

EPHRAIM H. FOSTER,

Speaker of the House of Representatives.

JOEL WALKER,

December 5, 1829. Speaker of the Senate.

CHAPTER CCXXXIV.

AN ACT to authorize the county court of Obion to lay a tax in said county to complete the public buildings.

County court
to lay tax.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the county court of Obion county, be and they are hereby authorized to lay a tax on the taxable property in said county, not exceeding in any one year the state tax, for the purpose of completing the public buildings therein, and that the sheriff or collector of said county, shall collect and pay over the same as other county taxes.

Proceedings
made valid.

SEC. 2. *Be it enacted,* That the proceedings of the county court of said county, in laying a tax in said county, for the purposes of public buildings, be and the same are hereby confirmed and made valid.

EPHRAIM H. FOSTER,

Speaker of the House of Representatives.

JOEL WALKER,

Speaker of the Senate.

December 7, 1829.

CHAPTER CCXXXV.

AN ACT to incorporate the inhabitants of the town of Washington and Pikeville.

Town of Wash-
ington incorpo-
rated—its pri-
vileges.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the town of Washington in the county of Rhea, and the inhabitants thereof, are hereby constituted a body politic and incorporate by the name of the mayor and aldermen of the town of Washington, under the same rules, regulations and restrictions, and with the same powers, privileges and capacities, as are extended to and enjoyed by the inhabitants of the town of Knoxville in the county of Knox, by an act entitled an act to incorporate the inhabitants of the town of Knoxville, in the county of Knox, passed October 27 1815, chapter 204, and every article, clause and section, of the act aforesaid, incorporating the inhabitants of the town of Knoxville, shall have as full force, operation and effect in the government of the town of Washington and the inhabitants thereof, and all other

persons concerned therein, as if herein again specially enacted; and it shall be the duty of the sheriff of Rhea county, to open and hold an election on the first Saturday in February, in each and every year, in the court house in said town, for the election of seven aldermen to serve for one year, who, when elected shall choose by ballot one of their own body for mayor, who shall serve for the same length of time, for which the aldermen electing him were chosen; they shall also elect a treasurer, recorder and town constable, who shall perform all the duties necessary appertaining to their respective offices, and the said constable shall execute all process, which by the act of incorporation aforesaid, he is bound and of right should do.

SEC. 2. All laws heretofore passed incorporating the inhabitants of the town of Washington or appointing commissioners for the better regulation thereof, or in any manner enacted for the government of said town be and the same are hereby repealed.

Repealing
clause.

SEC. 3. *Be it enacted,* That the town of Pikeville in the county of Blount, and the inhabitants thereof, be and they are hereby constituted a body politic and incorporate, and as such shall be entitled to all of the rights, privileges and powers, as is provided for the town of Washington in the county of Rhea, and to be governed by the same rules, regulations and restrictions, and that this act shall have as full force and effect in the government of the town of Pikeville as if herein again specially enacted.

Pikeville in-
corporated.

EPHRAIM H. FOSTER,

Speaker of the House of Representatives.

JOEL WALKER,

Speaker of the Senate.

January 7, 1830.

CHAPTER CCXXXVI.

AN ACT for the relief of John Love.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the treasurer of East Tennessee, is authorized and required to pay to John Love fifty one dollars and thirty-seven cents, which he

paid as taxes for the state, which was not due and had not been collected; Provided said Love shall prove to said treasurer, that he never collected said fifty-one dollars and thirty-seven cents: and that he was released from the payment of the same by the county court of Knox.

EPHRAIM H. FOSTER,
Speaker of the House of Representatives.
JOEL WALKER,
Speaker of the Senate.

January 7, 1830.

CHAPTER CCXXXVII.

AN ACT for the benefit of a uniform company in Smith county, known by the name of the Alexandria Whigs.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee, That the captain commanding the uniform company in Smith county, known by the name of the Alexandria Whigs, on application to the Governor of this State, and on complying with the requisitions heretofore prescribed by law, the Governor shall, and he is hereby required to deliver to said captain, for the use of said company a sufficient number of arms for the use of said company.*

EPHRAIM H. FOSTER,
Speaker of the House of Representatives.
JOEL WALKER,
Speaker of the Senate.

January 7, 1830.

CHAPTER CCXXXVIII.

AN ACT authorizing James M'Kissick and others to convey to the heirs of James M'Christain, three lots in the town of Shelbyville.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee, That James M'Kissick, John A. Marrs, and Thomas Davis, be, and they are hereby vested with the same power and authority in law to execute to the heirs of James M'Christain, deceased,*

a deed or deeds of conveyance to three lots in the town of Shelbyville, Bedford county, known and distinguished in the general plan of said town, by number fifty-eight, sixty-six and sixty-seven, that was possessed by, and vested in the original commissioners of said town, appointed at the time of its establishment, by law; and the said deed or deeds, executed by the persons aforesaid, shall be as good and valid in law to pass the title to said lots as a deed would have been executed by the original commissioners aforesaid.

EPHRAIM H. FOSTER,
Speaker of the House of Representatives.
JOEL WALKER,
Speaker of the Senate.

January 7, 1830.

CHAPTER CCXXXIX.

AN ACT authorizing the 24th regiment to hold a precinct election at Cabin Row for regimental officers.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee, That it shall and may be lawful to hold a precinct election for field officers in said regiment at Cabin Row on Barton's creek in Montgomery county.* Precinct election—where to be held.

SEC. 2. *Be it enacted, That the fifteenth regiment of Tennessee militia, hold their regimental musters on the Saturday next before the second Monday in September in each year, and that the regimental courtmartial for said regiment, be held on the first Thursday in December in each year.* 15th Regiment where to muster.

EPHRAIM H. FOSTER,
Speaker of the House of Representatives.
JOEL WALKER,
Speaker of the Senate.

January 7, 1830.

CHAPTER CCXL.

AN ACT for the relief of Christopher Strong and others.

WHEREAS it appears to this General Assembly, that

EB

Preamble.

an entry was made in the 11th district, in range one, section nine, in the name of Christopher Strong for 640 acres of land, beginning at the north east corner of an entry of 5000 acres in the name of Joseph Leach, on the west boundary line of Hays' and Green's 1500 entry, running north and west for compliment.—And whereas it also appears that the surveyor of said district did commit an error in making the survey upon said entry by beginning at the south west corner of said 5000 acre entry, by reason whereof, the land entered is not included by said survey—Therefore,

Duty of the
surveyor of the
11th district.

Be it enacted by the General Assembly of the State of Tennessee, That it shall be the duty of the surveyor of the 11th district to correct the survey aforesaid, by making said survey correspond with the aforesaid entry, and return a plat and certificate thereof to the register of West Tennessee; and it shall be the duty of said register to cancel and make void grant No 24056, issued to the said Christopher Strong for 640 acres of land, dated the 22d day of July 1825, and it shall further be the duty of said register to issue to the said Christopher Strong a grant for the same agreeably to the corrected plat and certificate of survey returned as aforesaid, which grant when issued shall be good and valid in law.

WHEREAS a grant for 640 acres of land No. 24004, dated 15th of July 1825, to Alfred Allston was issued by mistake as appears by the assignments on the warrant, which grant should have issued to David Jarrott—For remedy whereof,

Grant to issue
to David Jarrott.

Sec. 2. Be it enacted, That the register of West Tennessee, is hereby authorized and required to cancel said grant and issue one to David Jarrott accordingly, any law to the contrary notwithstanding.

To William
Quarles.

Sec. 3. Be it enacted, That the register of the Mountain district, is hereby authorized and required to issue a grant to William Quarles, for one hundred and twenty acres of land, by virtue of entry No. 1779, dated the 12th of May 1812, which was surveyed on the 22d of September 1814, (but which survey was lost or mislaid until latterly,) which grant when so made, shall be as good and sufficient as if it had issued in due time after it had been surveyed.

Sec. 4. Be it enacted, That it shall be the duty of the register of West Tennessee to cancel and make void grant No. 25201, for fifty acres of land issued by the said register to Andrew Addison; and also grant No. 25203, for twenty five acres, issued by the said register to James Fisher; and it shall be the duty of said register to issue to Thomas Spencer a grant for each of said tracts of land, according to the calls of said grants, hereby directed to be cancelled; Provided, that nothing herein contained shall injure or prejudice the right or title of the said Andrew Addison and James Fisher, if any they have to said lands.

To Thomas
Spencer.

EPHRAIM H. FOSTER,

Speaker of the House of Representatives.

JOEL WALKER,

Speaker of the Senate.

January 7, 1830.

CHAPTER CCXII.

AN ACT to amend the law in relation to the Cumberland turnpike road.

Sec. 1. Be it enacted by the General Assembly of the State of Tennessee, That the commissioners of the Cumberland turnpike road, may allow the proprietors thereof, to change and alter said road in any way said proprietors may desire; Provided no change or alteration shall be made, so as to turn said road through the farm or plantation of any person, without the consent of the owner thereof.

Proprietor
may change &
alter the road.

Sec. 2. Be it enacted, That if any person or persons, shall wilfully or maliciously destroy or injure any of the repairs on said road; or shall wilfully or maliciously place any obstruction in the same, such person or persons so offending, shall be liable to indictment in the circuit court of the county where such offence may be committed, and on conviction shall be fined at the discretion of the court, and shall moreover be liable to an action on the case, at the suit of the proprietor or proprietors, for all damages sustained by said injury or obstruction.

Of injuries
done to the
road.

Sec. 3. Be it enacted, That the law imposing a tax on said turnpike road, be, and the same is hereby a tax suspend'd

suspended until after the year eighteen hundred and thirty-five.

EPHRAIM H. FOSTER,
Speaker of the House of Representatives.
JOEL WALKER,
Speaker of the Senate.

January 7, 1830.

CHAPTER CCXLII.

AN ACT for the benefit of William Briggs of Hickman county.

SEC. 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 Hickman county, upon the application of William Briggs, to appoint five disinterested freeholders of said county to view and examine a sluice or sluices, which breaks out of said Briggs mill pond at high tide, and runs through lands claimed as an occupant by James Anderson of said county, and it shall be the duty of said freeholders, to report to the next county court after their appointment, the damage if any, that the said Anderson will sustain by the stopping of said sluice or sluices, and thereupon, the said court shall authorize said Briggs to stop said sluice or sluices, upon the payment of such damages to the said Anderson as said freeholders shall award; Provided however, the said freeholders shall not award any damages unless the said Anderson is entitled to an occupancy or other legal claim to said land.

EPHRAIM H. FOSTER,
Speaker of the House of Representatives.
JOEL WALKER,
Speaker of the Senate.
January 7, 1830.

CHAPTER CCXLIII.

AN ACT to dispose of certain lands in Hawkins county, commonly called Simms' big survey.

WHEREAS a grant issued to ——— Allison in the

year 1795, for about 28000 acres, by the state of North Carolina, but in the bounds of, which upwards of 100,000 acres are supposed to be included, which lies mostly in Hawkins county, and which has been sold for the taxes, and bought in by the sheriff of said county, for the state, in pursuance of an act of the General Assembly; and whereas the original claimants under said grant have, for a great number of years past, ceased and failed to pay any taxes for the same; and whereas the occupant settlers on said land, having no title, are not liable to pay any taxes therefor, by reason whereof the state and county are deprived of any revenue arising from taxes on said land—For remedy whereof,

Preamble

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the heirs of Walter Sims, shall have permission to redeem the above described tract of land, till the second Monday of November 1830, by paying up to the sheriff of Hawkins county, all the taxes, costs and charges, that shall have fallen due, or should have been due, had such land never been bought in by the state, upon said lands up to the time of redemption given by this act; and in the event of said heirs so paying and redeeming, then all the title, interest and demand of the state, in and to said lands, shall be forever released to said heirs; but if said heirs shall fail to redeem within the time above given, then and in that case, said heirs and legatees and each of them, shall be forever barred, and all the title, interest and claim in said lands shall be completely, and entirely, and forever vested in the state, and in the purchasers under the state.

Heirs may redeem the land

SEC. 2. *Be it enacted,* That in the event said land is not redeemed within the time given by this act, then it shall be the duty of the entry taker appointed under the provisions of this act, at his own house in Hawkins county, on the third Monday of November 1830, to open his office for the reception of entries on said land, for occupants only at fifty cents per acre, for any number of acres, not less than fifty, nor more than 160 acres, which preference shall continue till the first day of June 1831, and on the first day of June aforesaid, the office of said entry taker, shall be open for general entries, in the bounds of

Disposition of the land in case the heirs fail to redeem it.

said grant at fifty cents per acre, for any quantity not less than eighty, nor more 160 acres, and said office shall continue open as aforesaid, till the first day of July 1831; and said office shall be opened for occupants only, at twenty-five cents per acre, for any quantity, not less than fifty, nor more than 160 acres, on the first day of July 1831, and shall continue open as aforesaid, till the first day of October 1831; and on the first day of October 1831, said office shall be open for general enterers, at twenty-five cents per acre, for any quantity, not less than 80, nor more than 160 acres, and said office shall continue open as aforesaid, till the first day of November 1831; and on the first day of November 1831, said office shall be open for occupants only, at twelve and one half cents per acre, for any quantity, not less than fifty, nor more than 160 acres, which preference shall continue till the first day of February 1832, at which time said office shall open for general enterers, at twelve and one half cents per acre, for any quantity not less than eighty, nor more than 160 acres, and shall continue open as last aforesaid, till the first of March 1832; and on the first day of March 1832, said office shall be open for occupants only, at one cent per acre, for any quantity not less than eighty, nor more than 160 acres; and said office shall continue open as aforesaid, till the first day of May 1832, when said office shall be opened, and shall continue open until the first day of July 1832, for general enterers at the same price, and for the same quantities last above mentioned.

Office to be
closed 1st July
1832.

SEC. 3. *Be it enacted*, That from and after the first day of July 1832, the special office to be opened under the provisions of this act, shall be closed, and the lands remaining in said Sims' survey not entered under the provisions of this act, shall in all respects become liable and subject to the general laws for entering vacant and unappropriated lands north and east of the Congressional reservation line, and as such may be entered in the office of the entry taker of Hawkins county.

Where occupants may enter less than 50 acres.

SEC. 4. *Be it enacted*, That where occupants shall be prevented by old lines, natural boundaries, or the interference of other occupants, they shall be entitled to enter a less quantity than fifty acres; Provided always, that they shall be bound to enter at least fifty acres, unless prevented as aforesaid; and

the acts of 1823 for the entering of lands, north and east of the Congressional reservation line, so far as they define the rights of occupants, and the manner of proceeding, and in all other matters not inconsistent with the provisions of this act, shall be in force with respect to said lands.

SEC. 5. *Be it enacted*, That for the prevention of law suits, it is hereby declared, that all persons who are in possession of any of said lands, claiming the same by, and under a valid grant, made before the passage of this act, are hereby confirmed in their titles. Confirmations of titles.

SEC. 6. *Be it enacted*, That an entry taker for the lands lying in Sims' big survey, shall be appointed by the joint ballot of both houses of this General Assembly, who shall give bond and security for the faithful performance of his duty, for the same amount, and in the same way that entry takers north and east of the Congressional reservation line, are now bound by law to do, and shall be liable for, and account for monies received, under the same penalties. Entry Taker to be elected.

SEC. 7. *Be it enacted*, That the proceeds of the entries made under this act, shall be applied in the following manner: first the entry taker shall pay over the sum of fifteen hundred dollars, the amount of the state tax due on said lands to the treasurer of East Tennessee, who shall proceed to loan the same on notes with good and sufficient security, on which he shall collect annually at least the interest, and reloan the same in like manner, until the same shall be demanded by such of the heirs, legatees, or their heirs, of Walter Sims, as shall be vested with the claim of Walter Sims in said lands, and upon such demand, and also upon such legatee, or heir filing with said treasurer as properly executed, proved, and registered deed of release to the state of all his claim and interest in said lands, it shall be the duty of such treasurer to pay over to such legatee or heir, such portion of said money and interest as such legatee, or heir shall show himself or herself to be legally entitled to under said Walter Sims, and in the second place, the entry taker shall pay over to the trustee of Hawkins county one thousand dollars, which shall be in full discharge of all taxes due to said county on said lands, and the trustee of Hawkins county shall be liable and account for all mon-

Application of the proceeds of the entries.

ies received under this act, as he is now bound for other county monies; and in the third place, all the balance of money received under this act by the entry taker, shall be paid over by him to the treasurer of East Tennessee, by him to be loaned out, and paid over to the legatees and heirs of Walter Sims, as provided and directed in the first clause of this section.

Where a release is made to the state.

SEC. 8. *Be it enacted*, That in the event of Sims' legatees and heirs executing a release to the state as provided in the seventh section of this act, then and in that case all claim of the state for taxes now due on said lands shall be, and is hereby released to said heirs.

Vouchers of the Entry Taker.

SEC. 9. *Be it enacted*, That the receipts of the treasurer of East Tennessee, and trustee of Hawkins county, for all payments made under the directions of this act, shall be good and sufficient vouchers for the entry taker in the settlement of his accounts.

EPHRAIM H. FOSTER,
Speaker of the House of Representatives.
JOEL WALKER,
Speaker of the Senate.

January 7, 1830.

CHAPTER CCXLIV.

AN ACT to repeal an act entitled "an act supplemental to an act to authorize the county court of Davidson to prolong its sessions."

Repealing clause.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That so much of the act passed the twenty seventh day of November, in the year of our lord one thousand eight hundred and twenty nine, entitled an act to prolong the sessions of the county court of Davidson, as requires the state docket to be taken up on the third week of the terms of said court, be, and the same is hereby repealed; and the said court shall fix upon the day of taking up the state docket for trial, and proceed in its trial as heretofore prescribed by law: Provided, that no more than one week of said court shall be devoted

to state prosecutions, unless all civil causes are disposed of in less time than two weeks.

SEC. 2. *Be it enacted*, That hereafter the county court of Maury county, may continue its sessions of three weeks; Provided the business of said court shall require the same.

SEC. 3. *Be it enacted*, That in all appeals or writs of error, from the county court of Maury, the records thereof may be filed five days previous to the commencement of the term of the circuit court, and said appeals or writs of error, shall be heard and determined in the same manner as if thirty days had intervened between the sittings of the county and circuit courts of said county.

EPHRAIM H. FOSTER,
Speaker of the House of Representatives.
JOEL WALKER,
Speaker of the Senate.

January 9, 1830.

CHAPTER CCXLV.

AN ACT to appoint certain persons to settle with the commissioners of the county seat of Monroe county, and for other purposes.

Commissioners appointed.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That James M. Greenway, James Vaughn and Christopher H. McGinnis, be, and they are hereby appointed commissioners to settle with the board of commissioners of the county seat of Monroe county, and the commissioners hereby appointed, shall have full power and authority to issue a subpoena or subpoenas, if necessary, directed to the sheriff or some constable of said county, commanding said commissioners of said county sent to appear before them, at such time and place as shall be designated in such subpoena, for the purpose of making settlement as aforesaid, and if said commissioners, upon being summoned as aforesaid, shall fail to appear and make settlement at the time and place required, every such commissioner so failing, shall forfeit and pay for every such failure the sum of five dollars, to be recovered in the name of the Chairman of the county court of said county, by the com-

missioners herein appointed, before any Justice of the Peace of said county, to be by them appropriated to the finishing the building of the court house in said county.

Sec. 2. *Be it enacted*, That it shall be the duty of the said commissioners of said county seat, to exhibit on settlement, a minute statement of the public property by them sold, the prices for which it was sold, and of the receipts and disbursements of the moneys that have come to their hands, and also a statement of the property and the description thereof, if any, that may be in their hands unsold, belonging to said county seat, and it shall be the duty of the commissioners herein appointed, to report their settlement to the next county court of Monroe county, after such settlement shall be made; and it shall be the duty of said court, twelve, or a majority of the Justices thereof being present, and they are hereby authorized to make such order for the selling of any property belonging to said county seat and remaining unsold, or for the disbursement of any funds that may be in the hands of said commissioners of said county seat, as shall be by said court deemed advisable and proper, for the purpose of finishing the building of the said court house.

Sec. 3. *Be it enacted*, That it shall be the duty of the county court of Monroe county, twelve, or a majority of the Justices being present, if it shall satisfactorily appear to them, that there are not funds, nor means in the hands of said commissioners, sufficient to complete the building of said court house, to levy a tax upon the taxable inhabitants in said county, sufficient to complete the building of said court house, to be appropriated by said commissioners when collected to the purpose aforesaid, under the direction of said court.

Sec. 4. *Be it enacted*, That the county court of Monroe county, be, and they are hereby authorized and empowered to receive and record the resignation of any of the commissioners of said county seat, and said court are hereby authorized to appoint such suitable person or persons as may be necessary to fill any vacancy that has or may happen in said board of commissioners by death, resignation or otherwise.

Sec. 5. *Be it enacted*, That the commissioners herein appointed, shall receive for their services such

Their duty.

Duty of the County Court of Monroe.

May receive the resignation of any of the commissioners

Compensation of Commissioners.

compensation as shall be allowed them by said county court.

EPHRAIM H. FOSTER,
Speaker of the House of Representatives.
JOEL WALKER,
Speaker of the Senate,

January 7, 1830.

CHAPTER CXLVI.

AN ACT supplementary to an act passed at the present session, entitled "an act to extend the turnpike road granted to William Reynolds."

Sec. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the charter of said road is hereby extended to the said William Reynolds, and he is authorized to keep the same in repair until the first day of January eighteen hundred and fifty-six. Charter extended.

Sec. 2. *Be it enacted*, That so much of said act as extends said turnpike across the Meadow creek mountain, shall not take effect until the first January 1831, and it shall not be lawful for any person or persons, to cut any road out of said turnpike, so as to turn the travelling of the same, and any person so doing, contrary to the provisions of this act, shall be liable to the penalty of twenty dollars, to be received by warrant before a Justice of the Peace, for the benefit of the county in which such road be situated, to be sued for in the name of said William Reynolds. Suspension of part of the act.

EPHRAIM H. FOSTER,
Speaker of the House of Representatives.
JOEL WALKER,
Speaker of the Senate.

January 7, 1830.

CHAPTER CXLVII.

AN ACT directing the surveyors south and west of the Congressional line to do certain acts, and for other purposes.

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

Directions given.

State of Tennessee, That each surveyor south and west of the Congressional reservation line, shall, on or before the first day of July 1830, make out an additional general plan for their district, and file the same in their office for the use and inspection of any person who may wish to examine the same, and when they shall make proof before the treasurer of the Western District, that they have completed said plans, they shall each receive for their services the sum of fifty dollars.

Robert Weir to make copy of the general plan of the Hiwassee district, now in the office of the entry taker of said district, and when completed, shall deposit the same in the office of the register of the Hiwassee district, for the inspection of the public, and when he shall make proof before the treasurer of East Tennessee, that he has complied with the provisions of this act, he shall receive for his said services the sum of fifty dollars; and the receipts of said surveyors and Weir, shall be a good voucher in the hands of said treasurers in the settlement of their accounts.

EPHRAIM H. FOSTER,

Speaker of the House of Representatives,

JOEL WALKER,

Speaker of the Senate.

January 7, 1830.

CHAPTER CCXLVIII.

AN ACT to alter the names of the illegitimate children of Jacob Haun.

Wm. D. Cavanaugh and Alfred Cobb.

SEC. 1. Be it enacted by the General Assembly of the State of Tennessee, That William Dixon Cavanaugh, and Alfred Cobb, illegitimate children of Jacob Haun, of the county of Jefferson, be and are hereby changed to the names of William Dixon Haun, and Alfred Carter Haun, and by such names, they shall be hereafter called, and known, and by such names they may and shall, sue and be sued, plead and be impleaded, receive, convey and hold estate and property.

SEC. 2. Be it enacted, That said William Dixon

Haun, and Alfred Carter Haun, shall be, and considered, the lawful heirs of said Jacob Haun, their father, and shall inherit his estate in the same manner, as they or either of them, would, or may by the laws of this state, if they had been born in lawful wedlock.

Lawful heirs of Jacob Haun

EPHRAIM H. FOSTER,

Speaker of the House of Representatives,

JOEL WALKER,

Speaker of the Senate.

January 9, 1830.

CHAPTER CCXLIX.

AN ACT for the benefit of George Blaze of Wilson county.

SEC. 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 Wilson county, at their next or any subsequent term of their court, a majority of the acting magistrates being present, to make an allowance to George Blaze of said county, any sum of money, they may think reasonable, not exceeding fifty dollars to be paid as other county claims, for his attention to Carter Walton, a travelling stranger who was mortally wounded and died at his house, any law to the contrary notwithstanding.

EPHRAIM H. FOSTER,

Speaker of the House of Representatives,

JOEL WALKER,

Speaker of the Senate,

January 9, 1830.

CHAPTER CCL.

AN ACT for the benefit of Francis Shaw.

WHEREAS Francis Shaw of Blount county, entered one hundred acres of land in the office of the entry taker of said county, at twelve and one half cents per acre, which land had been condemned for the use of Iron Works—Therefore,

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SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That on satisfactory proof being made to the treasurer of East Tennessee, that the entry money has been actually paid, and that the said land had been previously condemned for the use of Iron Works and thereby lost by the said Shaw, that then, and in that case, the said treasurer, be, and he is hereby required to refund to said Shaw the entry money paid for said land, with the interest thereon, whose receipt shall be a good voucher to the treasurer in settlement of his accounts.

EPHRAIM H. FOSTER,
Speaker of the House of Representatives.
JOEL WALKER,
Speaker of the Senate.

January 9, 1830.

CHAPTER CCLI.

AN ACT to authorize John Brown to keep up and open a turnpike road.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That John Brown, is hereby authorized and empowered to open, move and keep in repair a turnpike road leading from Sparta in White county, intersecting the old Cumberland road at Kinner's stand, to alter and streighten the same, in any manner which he may think proper, so that he does not turn the same so as to leave the town of Sparta.

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

SEC. 3. *Be it enacted*, That William Glenn and John Kinner, are hereby appointed commissioners of said road, and shall remain the same and shall be subject to the same regulations, rules, and duties as the commissioners of said Lincoln's road are subject to, and shall be allowed the same pay for their services, to be paid by said proprietor.

Authority granted.

Regulations about keeping the road in repair.

Commissioners appointed.

SEC. 4. *Be it enacted*, That when said road is completed and the commissioners certify to that effect, it shall be lawful for said proprietor to erect one toll gate, and he is authorized to demand and receive the same rates of toll that said Lincoln, by said act is authorized to receive, and be under the same rules and regulations, and subject to the same penalties, and have the same actions, benefits, privileges and emoluments that by said act, said Lincoln is entitled to.

Toll gate—
rates of toll &c

SEC. 5. *Be it enacted*, That said proprietor, his heirs or assigns, shall be entitled to all the rights and emolument of said road for thirty years: Provided he keep the same in repair as required by this act.

Extent of the charter.

SEC. 6. *Be it enacted*, That if said proprietor refuses to accept of the said road, in manner pointed out in this act, within six months from the passage of this act; then any person may accept thereof, and become the proprietor, by petitioning the county court of White county, setting forth that said Brown has refused, and that he had been notified of the intention of petitioner to make the application; nothing in this act shall prevent said road from being kept up as other county roads until the same is accepted by said proprietor or some other person.

In case Proprietor refuses to accept said road.

EPHRAIM H. FOSTER,
Speaker of the House of Representatives.
JOEL WALKER,
Speaker of the Senate.

January 9, 1830.

CHAPTER CCLII.

AN ACT to authorize the circuit court of the county of Giles, Lincoln, Rutherford and Bledsoe, to divorce the persons therein named.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That it shall and may be lawful for Amelia B. Formwalt, by her next friend to file her petition before the next, or any succeeding circuit court to be holden for the county of Giles, praying to be divorced from her husband William B. Formwalt, and it shall be the duty of the court to hear and determine the same, at the term at which

Amelia B. Formwalt.

the same shall be filed, upon oral testimony, and if upon proof being made, it shall appear to said court, that her husband has abandoned her, and has failed and neglected to extend protection and support to his said wife, it shall be the duty of said court to dissolve the marriage contract now existing between the said Amelia Formwalt and her said husband William B. Formwalt: Provided ten days notice shall be given to the said William B. Formwalt, previous to the setting of said court, or proof made that said notice was left at his usual place of residence, or proof made that said William B. is not a resident of this state.

Elizabeth Isaacs.

SEC. 2. *Be it enacted*, That Elizabeth Isaacs wife of John W. Isaacs, may proceed in the circuit court of Lincoln county, to apply for a divorce from her said husband in the manner pointed out in the foregoing section of this act, and the benefits of the same are hereby extended to her, and it shall be lawful for said court at its first or any succeeding term to decree her a divorce from the bonds of wedlock, on satisfactory proof being made, that her said husband has personally abused, and chastised her, and has wholly ceased to extend support and protection to her.

Name may be changed.

SEC. 3. *Be it enacted*, That if the court should decree in her favour, the name of the said Elizabeth Isaacs, shall from and after the date of such decree, be altered and changed to her maiden name, that of Elizabeth Gattis.

Rebecca Owens.

SEC. 4. *Be it enacted*, That the Judge who shall hold the next or any succeeding circuit court, for the county of Rutherford, commencing the first Monday in April next, may entertain jurisdiction of the petition of Rebecca Owens, for a divorce from her husband Thomas Owens, and if it shall appear in proof before said judge, that the said Thomas has abandoned his said wife, or that they have not lived together for the space of two years, before the passage of this act, it shall be the duty of said judge to decree a divorce between the said parties.

Dicy Vitits.

SEC. 5. *Be it enacted*, That the judge who shall hold the next or any succeeding term of the circuit court for Bledsoe county, may entertain jurisdiction of the petition of Dicy Vitits, for a divorce from her husband John Vitits, and if it shall appear from the testimony that said John Vitits has abandoned his

said wife, or that they have not lived together for the space of two years, before the passage of this act, it shall be the duty of said court to decree a divorce between the parties.

EPHRAIM H. FOSTER,
Speaker of the House of Representatives.
JOEL WALKER,
Speaker of the Senate.

January 9, 1830.

CHAPTER CCLIII.

AN ACT concerning the collectors of the public tax in Bedford and Greene counties.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That it shall not be lawful after the expiration of the present term of the sheriff of Bedford county, for any sheriff to collect the state and county taxes in said county, but it shall be the duty of the Justices of the county court of Bedford, at the same time they shall hereafter elect their sheriff, to elect a collector of the public taxes in said county, if they should think proper, who shall be subject to the same rules, regulations and restrictions, and entitled to the same rights, privileges and emoluments, that county collectors are now subject and entitled to under the laws of this state.

Collector of taxes to be elected in Bedford county.

SEC. 2. *Be it enacted*, That it shall and may be lawful for the county court of Greene county, if they think proper, a majority of the acting Justices being present, at the time of their next election for sheriff, to elect some suitable person, other than the sheriff, whose duty it shall be to collect the state and county taxes in said county, who shall be subject to the same rules, regulations and restrictions, and entitled to the same rights, privileges and emoluments that county collectors are now subject and entitled to under the laws of this state.

County court of Greene may elect a tax collector.

EPHRAIM H. FOSTER,
Speaker of the House of Representatives.
JOEL WALKER,
Speaker of the Senate.

January 9, 1830.

CHAPTER CCLIV.

AN ACT to incorporate the Clarksville and Russellville turnpike road company.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee,* That John H. Poston, James McClure, James B. Reynolds, Eli Lochert, William F. Gray, William S. White, Robert G. Johnson, Edward Walton, Charles Minor and Brearly, be, and they are hereby appointed commissioners to open books for the purpose of receiving subscriptions to the amount of thirty thousand dollars, to be applied to the making of a turnpike road from Clarksville acrossing Red river at the bridge now building near Barker's ferry, leading towards Russellville and to where said road will intersect the Kentucky line, which sum of thirty thousand dollars, shall be divided into shares of fifty dollars each, and the subscription shall be made by attorney or in person, and as soon as ten thousand dollars are subscribed, a meeting of the subscribers shall be held at Clarksville, of which the managers of the subscription shall give thirty days notice in some one or more public newspapers, and said subscribers after the first meeting, shall be, and are hereby constituted a body politic and corporate by the name of the Clarksville and Russellville turnpike company, and shall so continue until the first day of January one thousand eight hundred and ninety nine, and as such may sue and be sued, plead and be impleaded, answer and be answered, and have a common seal.

SEC. 2. *Be it enacted,* That the subscribers or a majority of them, who shall be present at the first meeting, shall elect nine directors, being share holders, who shall elect one of their body president of the board of directors, and the president and directors thus chosen, shall continue in office one year, and until another election shall take place—The president and directors thus chosen, shall have power to receive subscriptions for the residue of said sum of thirty thousand dollars, until the whole or so much as is necessary to complete said road is subscribed for; to make contracts with any person or persons for clearing, opening and making the said road, along the route which shall have been marked out by the commissioners hereinafter appointed, and

Commissioners appointed to open books.

Subscribers to elect directors, and to pay such calls as are made.

for performing such other work thereon as they may think proper and necessary; to require from time to time of the subscribers, such advances on their respective shares as the wants of the company may demand, until the whole of the subscription shall be advanced; Provided that no call shall be made for more than five dollars on each share, at any one time, of which thirty days notice shall be given in some public newspaper or papers;—said directors shall have power on all emergencies, to call a general meeting of the subscribers, giving thirty days public previous notice of such meeting to appoint a treasurer, clerk and such other officers and servants as may be necessary, to sign and settle all accounts, and to transact all the business of the company during the interval between the general meetings.

SEC. 3. *Be it enacted,* That if any subscriber should fail to pay the sum of five dollars on each share, within thirty days after the same shall have been advertised, as required by the first section, it shall be lawful for the president and directors to sell at public auction, and convey to the purchaser, the share or shares of such subscriber, thus failing or refusing to pay, and after retaining the sum due, with costs of sale, to pay over the surplus to the former owner or owners of such share or shares; and if such sale does not produced the sum required to be advanced, with interest and incidental charges, in that case it shall be lawful for the company to recover the balance from the original proprietor, on motion, before any court having jurisdiction thereof, in the county where such delinquent resides, ten days previous notice being given, or by warrant before any Justice of the Peace of the county, where the same does not exceed fifty dollars; and every person purchasing under the sale of the president and directors, shall be subject to the same rules, penalties and regulations as the original proprietor.

SEC. 4. *Be it enacted,* That the president and directors, or a majority of them, shall be sufficient to transact all ordinary business; and all vacancies which may happen in the office of president or directors, between the usual meetings of the share holders, shall be supplied by a meeting of the directors, of not less than two thirds of their whole number. The clerk shall keep a regular journal of all proceedings had, and all motions made at the several meet-

Where subscribers fail to meet the calls.

President and Directors to fill vacancies—to elect a clerk &c.

ings, and each director shall be at liberty to call for the ayes and noes on any question, and it shall moreover be the duty of the president and directors to furnish printed certificates, stating the number of shares held by each subscriber, which certificate shall be transferable by deed, which shall be recorded in the books of the company, acknowledged by the vender or proved by two or more witnesses; which assignment thus recorded, shall to all intents and purposes constitute the assignee a member of said company, subject to all the rules and regulations thereof.

Sec. 5. *Be it enacted*, That William B. Nelson, Samuel P. McFall, John Henderson, John Hampton, Benjamin Henning, James Ross, Isham L. Watkins, Samuel Grant, Thomas W. Frazier, John Barker, Matthew Liggen, Frederick W. Huling, Constant H. P. Marr and Alfred Johnson, be, and they are hereby appointed commissioners, who, or a majority of whom, shall be, and they are hereby authorized and requested to proceed forthwith after the first meeting of said company, to make out the most convenient and fit route for said road; and each of said commissioners shall be allowed the sum of one dollar for each day that he may be necessarily engaged in performing the duty hereby prescribed, to be paid by the president and directors out of the funds of the company.

Sec. 6. *Be it enacted*, That it shall be lawful for any persons over whose land or lands the said road may be opened, to apply to the court of the county in which the land lies, to award a writ of *ad quod damnum*, to ascertain the damages which he, she or they, may sustain from the said road, which said writ shall be directed to the sheriff of Montgomery county, commanding him to summon and empanel a jury of twelve fit and disinterested freeholders, to meet on the premises, who, being sworn for that purpose, shall view the land over which said road passes, and assess the damage done the same in consequence of said road, which inquest, so made and signed by said jurors, shall be by the sheriff or his deputy, returned to the next county court to be holden for said county, which court, shall open said inquest enter a judgment against said company, for the sum so assessed by motion; Provided always, ten days notice shall be given to the president of the

board of directors, of such intended application for a writ of *ad quod damnum*.

Sec. 7. *Be it enacted*, That it shall be lawful for the president and directors to purchase for the use of the company, any quantity of land not exceeding twenty acres, adjacent to each toll gate, which may be established on said road, and take the conveyance in fee simple from the proprietor of said land; and for the purpose of making said road and keeping it in repair, the president and directors and their agents and servants, may cut, dig, quarry or take, from the lands of any person or persons adjoining said road, such, and so much timber, gravel, stone or earth, as may be necessary; and if any person or persons, from whose lands such timber, gravel, stone or earth, shall have been cut, dug, quarried or taken, shall desire compensation therefor, he, she or they, or his or her, or their agent, may apply to any justice of the peace of the county, notice of five days being first given to the president and directors or their agent, to appoint three discreet and disinterested freeholders, for the purpose of valuing such timber, gravel, stone or earth, whose duty it shall be upon their own view and inspection, upon oath, to ascertain the fair and reasonable value of such timber, stone, gravel or earth, and to grant a certificate thereof to each party if requested; and it shall be lawful for such person or persons, his, her or agent to demand and recover, before any court or before any justice of the peace; Provided, the same does not exceed fifty dollars, the sum so assigned from said company.

Sec. 8. *Be it enacted*, That an annual meeting of the shareholders, shall be held in the town of Clarksville, on the first Monday in January of each year to elect nine directors, to be represented by at least one hundred and fifty shares of stock, before said meeting is competent for the transaction of business. In counting votes, each member shall be allowed one vote for each share as far as five shares, and one vote for each five shares above five, by him held at the time in said company. The directors shall render fair and distinct accounts of their proceedings, and of all disbursements of money, to each annual meeting of the subscribers, previous to the election of directors by said meeting for the ensuing year.

The said road shall be opened at least thirty feet

Commissioners appointed to mark out the road.

Of damages sustained by owners of land from the road.

Power of the Directors in purchasing land and materials.

Annual meeting of the stockholders—construction of the road—number of toll gates—rates of toll, &c

wide, with sufficient ditches on each side, at all times to carry off the water, and drain the same; shall gradually descend from the middle to said ditches; shall be substantially paved with broken stone or gravel, at least twenty feet wide; shall have substantial and sufficient bridges, when necessary, and in all respects shall be completed in a faithful and substantial turnpike road like manner; and when said road shall be thus finished and completed for five miles from Clarksville, the president and directors may apply to the Governor of this state for the time being, whose duty it shall be to appoint three honest, discreet and disinterested persons, who shall not be stockholders, to view and examine said road, and on the report of said reviewers, or any two of them, that the road has been finished and completed, for the distance aforesaid, according to the true intent and meaning of this act, it shall be the duty of the Governor, and he is hereby requested to issue his certificate or warrant, under the seal of the State, authorizing the president and directors to erect a toll gate, within two miles of Clarksville, and appoint a toll gatherer thereat; and when the residue of said road is finished and received as the first portion, an additional toll gate may be erected and established, to be five or more miles beyond the first one, at which a toll gatherer shall be appointed in like manner as at the first gate, each of whom may collect and receive for said company at each gate, the following tolls, to wit: for every twenty head of sheep ten cents; for every twenty head of hogs ten cents; for every ten head of horned cattle, twelve and a half cents; for every horse or mule not employed in drawing a carriage three cents; and so in proportion for any larger or less number of the above animals; for every four wheeled carriage twenty-five cents; for every two wheeled carriage, twelve and a half cents; for every cart twelve and one half cents; for every loaded waggon twenty-five cents; for every empty waggon twelve and a half cents; for every hogshhead of tobacco, six and one fourth cents including the above sum for oxen, horses, mules or cattle drawing such waggon, or cart and tobacco; for every man and horse, or mule, six and one fourth cents.

The tolls when received at the first gate, shall be applied by the president and directors, towards fin-

ishing and completing the residue of said road; and when the whole is finished, the president and directors may make quarterly or half yearly dividends among the proprietors of said company, in proportion to their respective shares, and should any person refuse or neglect to pay the tolls hereby granted, at the time of offering to pass, the toll gatherer may lawfully refuse a passage to such person, article or thing, liable and subject to toll, shall by any ways, pass without payment thereof on demand made and refusal to pay, the toll gatherer, may by warrant from any justice of the peace recover from the owner or occupier, or person in possession of such article, or subject to toll, five dollars for each and every offence.

9. *Be it enacted*, That if the said company shall fail to keep the said road in repair for the space of twenty days, and information thereof shall be given to any justice of the peace in the neighborhood, he shall issue a warrant to a constable, commanding him to summon three freeholders, to meet at a certain time and at the place complained of, both of which shall be named in the warrant, reasonable previous notice having been given to the person interested in the case, and repair of that part of the road, and if any injury by said freeholders or any two of them in the presence of the magistrate, the said road shall be found to be out of repair, according to the intent and meaning of this act, the tolls hereby granted, shall cease to be demanded, at the nearest gate, until such defective part of said road shall be put in good repair; and the person interested with the repair of the road shall be subject to a fine of ten dollars, to be recovered with costs, by warrant, before any justice, who is hereby required to take into view all the circumstances of the case; which fine, if assessed, shall be applied, one moiety to the use of the county, and the other moiety to the use of person prosecuting for the same.

10. *Be it enacted*, That if the said company shall not begin said work within three years after said company shall have been formed, or shall not have completed said road in ten years thereafter, then and in that case, all rights and interest in the said road and tolls aforesaid, hereby vested in said company, shall forever cease and determine;

Where the road remains out of repair 20 days.

Time of beginning & completing the said road.

Elevation and
graduation of
the road, bridg-
es, &c.

11. *Be it enacted*, That the commissioners, when they view and make out said road, shall determine what elevation shall be allowed in making said road, on different uneven parts thereof; and in no part, shall more than five degrees be allowed. They shall also designate the place where bridges are to be erected, and the kind thereof; they shall also decide on the depth and width of the stone or gravel pavement on said road, and the different parts thereof; they shall make written statements of all the foregoing matters and things, and shall preserve one copy thereof, and deliver another copy to said company; and the said road shall be made to conform to the requisitions of said commissioners in the foregoing particulars.

EPHRAIM H. FOSTER,

Speaker of the House of Representatives.

JOEL WALKER,

Speaker of the Senate.

CHAPTER CCLV.

AN ACT to incorporate a company for opening a turnpike road from Nashville to Murfreesboro'.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Charles I. Love, James H. Foster, William H. McLaughlin, David Wendell, James Morton, Robert Jetton, David W. Dickinson, Zachariah Posey, William Bowman, George Thompson, John McGrigor, Martin Clark, Henry Ridley, Moses Norvell, George Shall, Robert Weakley and Beverly Nelson, or any six of them, be, and they are hereby constituted a body politic and corporate, to be known and distinguished by the name of the Nashville and Murfreesboro' turnpike company, (and shall so continue,) and as such may sue and be sued, plead and be impleaded, answer and be answered, and have a common seal; and may elect one of their own body president of said company, and shall have power, and are hereby authorized to open and establish a turnpike road from Nashville, in the county of Davidson, to Murfreesboro', in the county of Rutherford, and may proceed forthwith to mark out the most fit and convenient route for said road.

Company in-
corporated,—
their power &
authority.

SEC. 2. *Be it enacted*, That for the purpose of making said road, and keeping it in repair, the president and company, and their agents may cut, dig, quarry and take from the lands of any person adjoining said road, such, and so much timber, gravel, stone or earth, as may be necessary, and if any person or persons, from whose lands such timber, gravel, stone or earth, shall have been cut, dug, quarried, or taken, shall desire compensation therefor, he, she or they, or his, her or their agents, may apply to any Justice of the Peace of the county in which the lands may be, notice of the time and place being given to said president and company or their agent, to appoint three discreet and disinterested freeholders for the purpose of valuing such timber, ground, stone or earth, whose duty it shall be upon their own view, and upon oath, to ascertain the fair and reasonable value of said timber, gravel, stone, or earth, and grant a certificate thereof to each party, if required, and it shall be lawful for such person to recover the amount of damages, before any tribunal having cognizance thereof.

Power of the
company as to
the materials
for constructi-
on.

SEC. 3. *Be it enacted*, That said road shall be opened at least thirty feet wide, with sufficient ditches on each side, to convey off the water and drain the same, shall gradually descend from the middle to said ditches, shall be substantially paved or gravelled, shall have substantial and sufficient bridges, where necessary, and in all respects, shall be completed in a faithful and substantial turnpike road like manner, and when the said road shall be thus finished and completed for the distance of five miles, (beginning at Nashville,) the said president and company may apply to the Governor of this state for the time being, whose duty it shall be forthwith to appoint three discreet and disinterested freeholders to view and examine said road, and on the report of the said reviewers or any two of them, that the road has been finished and completed for the distance aforesaid, according to the true intent and meaning of this act, it shall be the duty of the Governor to issue his certificate, under the seal of the state, authorizing the president and company to erect one toll gate and appoint a toll gatherer, to demand and receive the tolls hereinafter named, which tolls are hereby declared to be as follows, (to wit) for every twenty head of sheep, 20 cents; for every twenty head

Width of the
construction of
the road—rates
of toll &c.

of hogs, 20 cents; for every twenty horned or neat cattle, 50 cents; for every horse or mule, not in a drove, 64 cents; if in a drove, 3 cents; and so in proportion for any lesser or smaller number of said animals; for every four wheel pleasure carriage, 25 cents; for every two wheel riding carriage, 25 cents; for every loaded waggon, 25 cents; and for every empty waggon, 12 1/2 cents; and for a man and horse, 64 cents; for every cart, 12 1/2 cents; for every hog-head of tobacco, including the above sum for oxen, mules or horses drawing the said carriage or waggon, cart or tobacco, 12 1/2 cents.

Sec. 4. *Be it enacted*, That when the president and company aforesaid, shall in like manner, have finished and completed five miles more of said road, they shall be entitled to an additional gate, and be entitled to demand and receive the same toll as allowed for the first gate, and so on for every five miles, until the whole shall be completed and finished; Provided no gate shall be erected nearer than one mile to Nashville or Murfreesboro', and provided also, that five miles of said road shall be made and completed in each and every year, commencing on the first day of January 1830, until the whole is finished.

Sec. 5. *Be it enacted*, That if any person shall refuse or neglect to pay the toll hereby granted, at the time of offering to pass, the toll gatherer may lawfully refuse a passage to such person or persons or things, subject to toll aforesaid, or if any article or things liable to toll, shall, by any means pass without payment, when demanded by the toll gatherer, the company may by warrant from any justice of the peace, recover from the owner or person in possession of such article or subject of toll, five dollars for each offence.

Sec. 6. *Be it enacted*, That if the said company shall fail to keep the road in good repair for the space of ten days, and information thereof, shall be given to any justice of the peace in the neighborhood, he shall issue his warrant to a constable, commanding him to summons three freeholders to meet at a certain time, and at the place complained of, reasonable previous notice having been given to the president or some one of said company, and if on report of said freeholders or any two of them, it shall be found in presence of said magistrate, that said

road is out of repair according to the intent and meaning of this act, the toll hereby granted, shall cease to be demanded at the nearest gate, until such defective part of said road shall be put in good repair, and the company shall moreover be subject to a fine of ten dollars, to be recovered before any justice of the peace, which justice shall take into view all the circumstances of the case, which fine shall be applied to the use of common schools forever.

Sec. 7. *Be it enacted*, That it shall not be lawful to open or establish any other road, so near as to injure or prejudice the interest of the said Nashville and Murfreesboro' turnpike company. No other road to be opened

Sec. 8. *Be it enacted*, That the members of the company heretofore named, shall have power to increase their members as often and to as great an extent; as they or a majority of them may from time to time agree, and shall have power to transfer the stock thereof, on the books of said company, in such manner as they may provide by the bye-laws thereof, and the assignee or assignees of said stock so transferred, shall be entitled to all the rights, privileges and immunities, as the original members of said company, and be liable to all the responsibilities or liabilities of the said original members of said company. Powers, privileges and immunities of the company.

Sec. 9. *Be it enacted*, That Christopher Shaw, Jacob Hoover, Joel Smith, Joseph Carney, Moses Hart, John Hilton, James Arnold, T. L. DeW. Shaw and William S. Watterson, or any three of them, be, and they are hereby constituted a body politic and corporate, to be known and distinguished by the name of the Hoover's Gap turnpike company, (and shall so continue,) and as such, may sue and be sued, plead and be impleaded, answer and be answered, and have a common seal, and may elect one of their own body president of said company, and shall have power, and are hereby authorized to open and establish a turnpike road from Murfreesboro', in the county of Rutherford, by the way of Hoovers' Gap, and from thence to Thomas Power's, in the county of Bedford, and may, if they think proper, extend said road to the town of Winchester, in the county of Franklin, or so much of the way last named, as they may think necessary, and may forthwith proceed to mark out the most fit and convenient route for said road.

Sec. 10. *Be it enacted*, That the said company

Hoover's Gap Turnpike company.

Concerning the gates.

Of refusal to pay toll.

Failure of company to keep the road in repair.

Rates of toll,
&c.

may demand and receive the same tolls, shall have all the powers, rights and privileges, and be subject to the same rules, regulations, restrictions and penalties relative to said road, as is hereby pointed out for the Nashville and Murfreesboro' turnpike company, except as herein after provided for.

Length and
construction of
the road.

Sec. 11. *Be it enacted*, That the Hoovers' Gap turnpike company, shall form said road at least twenty feet wide; they shall pave and make the same on the same plan in every respect, directed by this act for the Nashville and Murfreesboro' turnpike road, and shall (as to distance) arrange the gates thereon in like manner, they shall commence said road by the first of January 1831, and shall in every two years thereafter complete five miles of the same, until extended to Noah's fork of Duck river.

May extend
the road to
Winchester.

Sec. 12. *Be it enacted*, That it shall and may be lawful for said company to open the remaining part of said road to Winchester, or so much thereof as they may think proper, agreeable to the second section of an act entitled an act to authorize Jesse Lincoln to open and establish a turnpike, passed December 5th 1825, and for every ten miles completed agreeable to the provisions of this section, said company may erect a gate thereon, and demand and receive the same tolls directed by this act; Provided that nothing herein contained, shall be so construed as to deprive said company of the full benefits of the 7th section of this act.

EPHRAIM H. FOSTER,

Speaker of the House of Representatives.

JOEL WALKER,

Speaker of the Senate.

January 4, 1830.

CHAPTER CCLVI.

AN ACT to repeal an act passed at the present session of General Assembly, entitled an act for the benefit of John E. Holdin.

May build a
mill.

Sec. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That John E. Holdin, be, and he is hereby authorized to build a dam across Richland creek, between the mouth of Pleasant Run,

and the bridge near the town of Pulaski, not to exceed one foot in height, for the purpose of conveying part of the water into a race, which he is also permitted to make, on the east side of said creek, with the privilege of building a wall down the eastern bank of said creek in or near the edge of the water, from the dam to the mouth of Pleasant Run, at or near which place he is authorized to build a mill.

Sec. 2. *Be it enacted*, That an act passed at the present General Assembly for the benefit of John E. Holdin, be and the same is hereby repealed.

Repealing
clause.

EPHRAIM H. FOSTER,

Speaker of the House of Representatives.

JOEL WALKER,

Speaker of the Senate.

January 9, 1830.

CHAPTER CCLVII.

AN ACT to provide for running and establishing a part of the dividing line between the counties of White and Jackson.

Sec. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That it shall be the duty of the surveyor of Jackson county to run and mark a line beginning at the south east corner of Smith county, and running thence a direct line to the place where the county line of Jackson, run by William W. Woodfork, crosses Cane creek, which line, when so run shall be and constitute a part of the dividing line between the counties of White and Jackson, and all entries of land, which may have been made in either of said counties, and which may by the establishment of said line, be ascertained to lie in the county other than that in which the entry was made, shall be as good and valid as if the same had been made in the proper county; and all such entries are hereby directed to be surveyed by the surveyor of the county in which the land may have been entered, which survey shall be good and valid in law, although the land so surveyed may not lie in the county of which he is surveyor.

Duty of the
Surveyor of
Jackson coun-

Sec. 2. *Be it enacted*, That the operations of the 5th section of an act passed 30th December 1829, is

Suspension of the 9th section of the act of 1829. hereby suspended until the 4th section of said act, shall be carried into effect, and the surveyor appointed in said act, shall be allowed one hundred and sixty dollars in lieu of the per diem pay therein stated, and he shall appoint his chain carriers from Wilson county.

EPHRAIM H. FOSTER

Speaker of the House of Representatives

JOEL WALKER,

Speaker of the Senate.

January 9, 1830.

CHAPTER CCLVIII.

AN ACT for the benefit of Margaret Thomas, of Davidson county and others.

SEC. 1. Be it enacted by the General Assembly of the State of Tennessee, That Margaret Thomas of Davidson county, a married woman, be and she is hereby authorized to have, hold and enjoy property as a feme sole, and as such, to bargain and sell, sue and be sued upon all contracts heretofore made or hereafter to be made by her.

Margaret Thomas

SEC. 2. Be it enacted, That Milley Hearn wife of George Hearn jun'r. of Wilson county, is entitled to all the privileges and benefits, provided for Margaret Thomas in the first section of this act.

Milly Hearn

EPHRAIM H. FOSTER,

Speaker of the House of Representatives.

JOEL WALKER,

Speaker of the Senate.

January 9, 1830.

CHAPTER CCLIX.

AN ACT for the benefit of Martin Adams and David Hazle.

SEC. 1. Be it enacted by the General Assembly of the State of Tennessee, That Martin Adams of the county of Bedford, be, and he is hereby authorized to keep a grocery and retail store in said county, without

Privilege conferred.

paying tax therefor, the capital of which shall not at any time exceed one thousand dollars; Provided the said Adams shall first give bond and security in the same manner that tavern keepers do for keeping an orderly house.

SEC. 2. Be it enacted, That said Adams shall before some justice of the peace take and subscribe an oath that the goods which he may sell is, and shall be for his benefit, and not that of another.

Oath to be taken.

SEC. 3. Be it enacted, That David Hazle, be, and hereby authorized to keep a retail store in the county of M'Minn, without paying any tax therefor, the capital of which, shall not exceed two thousand dollars, under the same rules, regulations and restrictions, that Martin Adams is subject to in the first and second sections of this act.

David Hazle.

EPHRAIM H. FOSTER,

Speaker of the House of Representatives.

JOEL WALKER,

Speaker of the Senate.

January 11, 1830.

CHAPTER CCLX.

AN ACT to establish a turnpike road from the forks of the Murfreesboro' and Lebanon road at Harris' to Stones river, at the Clover Bottom, on said Lebanon road.

SEC. 1. Be it enacted by the General Assembly of the State of Tennessee, That John Hardin, William Hardin, sen'r. Thomas Hardin, J. W. Clay, Graves Pennington, Leonard Keeling, Doctor James Hoggett, John Buchanan, Wm. W. Marry, Walter Sims and Timothy Dotson, they or any four of them, be, and they are hereby constituted a company, to be known by the Lebanon turnpike company, and shall so continue.

Company constituted.

SEC. 2. Be it enacted, That the said company shall be entitled to all the privileges and immunities, and subject to all the fines and penalties of the Nashville and Murfreesboro' turnpike company passed 1828, and shall open, clear out and turnpike said road in the same way and under the same rules and regulations.

Privileges and immunities.

Toll gate and rates of toll.
Sec. 3. *Be it enacted,* That when the said company shall have finished said road, the distance aforesaid, they shall be entitled to erect one gate to be fixed somewhere between Stones river and the forks aforesaid, and shall be entitled to the same toll, as allowed to said Nashville and Murfreesboro' turnpike company.

Murfreesboro' Turnpike.
Sec. 4. *Be it enacted,* That it shall not be lawful for the owners of the Nashville and Murfreesboro' turnpike road to exact or receive from any person travelling the Lebanon road more than half toll, at their gate to be established between Nashville and the forks of the Lebanon road at, or near Harris's.

EPHRAIM H. FOSTER,
 Speaker of the House of Representatives.
JOEL WALKER,
 Speaker of the Senate.

January 11, 1830.

CHAPTER CCLXI.

AN ACT to exempt certain persons from militia duty.

Fire companies of Knoxville, Columbia, &c.
Sec. 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the members of any fire company which is established or may hereafter be established, in the town of Franklin, Columbia, in the town of Knoxville, and the town of Athens, be, and they are hereby exempted from the performance of militia duty during the existence of peace, and so long as they may continue members of said fire company or companies.

Duty of members to procure exemption.
Sec. 2. *Be it enacted,* That in order to procure such exemption, it shall be necessary for the members of said company or companies, to procure from the president or captain of said company or companies, certificates that they are regular members of said fire company or companies, and that they conform to the constitution and bye-laws thereof, which certificate being exhibited to the officers commanding the militia within their respective limits, shall be deemed and held sufficient to exempt said members from militia duty as aforesaid; Provided, the said fire company or companies shall not contain more than fifty men each.

Sec. 3. *Be it enacted,* That nothing contained in an act passed at the present session of this General Assembly, exempting the members of the fire companies in the town of Nashville from militia duty in time of peace, shall be so construed as to authorize said companies or either of them to have more than one hundred men subject to militia duty, enrolled in said companies respectively.

EPHRAIM H. FOSTER,
 Speaker of the House of Representatives.
JOEL WALKER,
 Speaker of the Senate.

January 9, 1830.

CHAPTER CCLXII.

AN ACT for the relief of Rachel Moyers.

Sec. 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Rachel Moyers a free woman of colour, in the third degree, and who has been emancipated in the Davidson county court, by her former master John Overton, is hereby entitled to all the privileges of a free born white citizen of her sex; Provided said Rachel, shall not by virtue of this act, be a legal witness against any white person in any court whatever.

EPHRAIM H. FOSTER,
 Speaker of the House of Representatives.
JOEL WALKER,
 Speaker of the Senate.

January 9, 1830.

CHAPTER CCLXIII.

AN ACT declaring Sequachy river navigable.

Sec. 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Sequachy river from its junction with the Tennessee river, as high up as old Madison in Bledsoe county, shall be deemed a navigable stream, free and open to all persons, for navigation with boats, rafts and other means of conveyance.

ance by water, without interruption or obstruction.

Navigation not
to be obstructed.

Sec. 2. *Be it enacted*, That if any person or persons shall hereafter erect a dam for any purpose whatever, in that part of said river declared navigable by this act, such person so offending shall forfeit and pay the sum of five hundred dollars, to be recovered in the name of the State of Tennessee, before any jurisdiction having cognizance thereof, one half to the use of the informer and the half to the use of the state, and that this act may be enforced every three months till said dam is removed out of said stream.

Penalty for
obstructing.

Sec. 3. *Be it enacted*, That if any person or persons shall obstruct said river by falling timber or placing obstructions therein, he shall be indicted in the circuit court, and on conviction, shall be fined in the sum of not less than fifty, and a sum not exceeding five hundred dollars, to be applied to clearing out the obstructions to the navigation of said river; Provided that no person shall be deprived of any liberty heretofore granted by act of Assembly.

EPHRAIM H. FOSTER,

Speaker of the House of Representatives.

JOEL WALKER,

Speaker of the Senate.

January 9, 1830.

CHAPTER CCLXIV.

AN ACT to regulate the county courts of Bledsoe and Marion counties.

Sec. 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 Bledsoe and Marion counties, nine, or 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 by ballot three of their own body to hold the said courts for that year, and shall have the same powers, and be under the same rules, regulations and restrictions that are given to and prescribed for the county court of Rutherford by an act of the General Assembly,

passed at Murfreesboro', November the 11th, 1823, entitled an act to regulate the county courts of Rutherford and other counties.

EPHRAIM H. FOSTER,

Speaker of the House of Representatives.

JOEL WALKER,

Speaker of the Senate.

January 9, 1830.

CHAPTER CCLXV.

AN ACT appointing additional trustees to Bolivar, Brownsville and Lagrange Academies.

Sec. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That James Axley, John O. Cannon, George Hicks, Charles Riley, Charles Hicks, John Griffith, John B. Tipton, Charles Kelsoe, Enoch Moore, Robert M'Keynolds and James A. Hair, be, and they hereby are appointed additional trustees to Bolivar academy in the county of Monroe.

Additional
Trustees for
Bolivar Academy
appointed.

Sec. 2. *Be it enacted*, That the trustees of said academy, shall convene at the court house in the town of Tellico, or in some other house in said town, on the first Friday after the first Monday in March next, and organize themselves for the transaction of the business appertaining to said academy, and elect a chairman, treasurer and secretary, who shall be governed by the same rules, regulations and restrictions as are prescribed for the trustees and officers, of the Forrest Hill academy in McMinn county.

Their duty.

Sec. 3. *Be it enacted*, That five or a majority of the trustees of said academy, shall constitute a board to do and transact any business matter or thing, appertaining to said academy, under the provisions of this act, in as full and ample a manner as if all said trustees were personally present.

Majority to constitute a Board

Sec. 4. *Be it enacted*, That Richard Nixon, Herndon Harelson, Hiram Bradford, Francis S. Coxe, David Hay, N. T. Perkins, sen'r. Turner Blackman, Charles S. D. Hays, be, and they are hereby appointed trustees for the academy at Brownsville, any five of whom shall constitute a board to do business.

Additional
Trustees for
Brownsville
Academy.

Sec. 5. *Be it enacted*, That Robert Cotton and

William Irons, be, and they are hereby appointed additional trustees for the Lagrange academy, with all the powers and privileges of other trustees.

EPHRAIM H. FOSTER,

Speaker of the House of Representatives.

JOEL WALKER,

Speaker of the Senate.

January 9, 1830.

CHAPTER CCLXVI.

AN ACT for the benefit of a volunteer militia company to be denominated the Rutherford Patriots, and for other purposes.

Be it enacted by the General Assembly of the State of Tennessee, That the company denominated the Rutherford Patriots, may be composed of the number of forty-five privates, and not more than one hundred privates, and that said company be exempt from all duty in all other companies, and that said company shall be attached to, and constitute a part of the 22d regiment of Tennessee militia.

Sec. 2. Be it enacted, That the officers of said Rutherford Patriots, may assess fines, under their own bye-laws and regulations, and such fines when collected, shall be for the exclusive benefit of said company; and said company shall have power to elect one Captain, three lieutenants and an Ensign.

Sec. 3. Be it enacted, That the house and lot lying, situate and being, on the east boundary of the town of Murfreesboro' known as the academy lot, now the property of Robert Z. Hawkins, be, and the same is hereby included within the bounds of the corporation of said town of Murfreesboro', and shall hereafter be subject to the bye-laws and ordinances of said corporation; Provided, that the owner of said lot, shall not be compelled at any time to alter his enclosure from the situation in which it now stands.

EPHRAIM H. FOSTER,

Speaker of the House of Representatives.

JOEL WALKER,

Speaker of the Senate.

January 9, 1830.

CHAPTER COLXVII.

AN ACT for the relief of Robert Elder and Nathaniel Brittain.

SEC. 1. Be it enacted by the General Assembly of the State of Tennessee, That the treasurer of East Tennessee, be, and he hereby is authorized and directed to refund the sum of five dollars with interest thereon, from the 29th day of December 1826, to Robert Elder, the amount by him paid to the entry taker of the Hiwassee district, for forty acres of land, in the south east corner, of the south east quarter of section thirty two, fractional township three, and range three, west of the meridian.

Robert Elder

Sec. 2. Be it enacted, That said treasurer, be, and he hereby is authorized and directed to pay to Nathaniel Brittain, the sum of five dollars, with interest thereon, from December 29th, 1826, the amount by him paid the entry taker of the Hiwassee district, for forty acres, in the north east corner of the south east quarter of section 32, fractional township three, and range three, west of the meridian; which said several sums were wrongfully paid by said Elder, and said Brittain, as appears by the certificate of the entry taker aforesaid.

Nathaniel Brittain

EPHRAIM H. FOSTER,

Speaker of the House of Representatives.

JOEL WALKER,

Speaker of the Senate.

January 9, 1830.

CHAPTER CCXXVIII.

AN ACT to establish a precinct election in Claiborne county.

SEC. 1. Be it enacted by the General Assembly of the State of Tennessee, That a precinct election, be, and is hereby established at the house of Abraham Vanderpoole, in Claiborne county, for the election of Governor, member to Congress, and members of the General Assembly, under the same rules and regulations as other elections in this state.

Precinct election at Abraham Vanderpoole's.

SEC. 2. Be it enacted, That hereafter, there shall

Be.

At Samuel Bogart's, in the county of Carter, under the same restrictions as all elections are now held by law.

EPHRAIM H. FOSTER,

Speaker of the House of Representatives.

JOEL WALKER,

Speaker of the Senate.

January 9, 1830.

CHAPTER CCLXIX.

AN ACT to authorize Robert Jetton to open and establish a toll bridge and turnpike road across Sandy river and bottom.

Authority granted to open a road.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Robert Jetton be, and he is hereby authorized to open and establish a toll bridge and turnpike road across Sandy river and bottom, at the place on said river, where the mail road leading from the town of Huntingdon to Nashville now crosses said river, which said road and toll bridge, shall be built and constructed upon the plan and in similar manner, of the toll bridge lately built on the Forked Deer river near Jackson.

Road to be kept in good repair.

SEC. 2. *Be it enacted,* That said toll bridge and road shall be kept in good and complete repair by said proprietor, and if the same should at any time be permitted to remain out of repair, for the space of one month, after the same has been received by the commissioners hereafter to be appointed, said commissioners are hereby directed and required to open the gate, hereafter allowed to be kept on said road, and all persons shall be permitted to pass upon said road and bridge toll free, so long as the said road remain out of repair.

Commissioners appointed; rates of toll.

SEC. 3. *Be it enacted,* That Samuel Ingram, Joel R. Smith and Stephen Terry, are hereby appointed commissioners, whose duty it shall be, when said road proprietor shall notify them that said road has been completed according to the provisions of this act; It shall be their duty to proceed to examine said road and toll bridge, and if in their opinion it has been constructed and completed in a good and substantial manner, as is contemplated in this act,

they shall license said proprietor in writing to open and keep a toll gate on the most convenient part of said toll bridge for said proprietor, and he shall then be permitted and entitled to the following rates of toll: For each man and horse, twelve and one half cents; for each waggon and team, seventy-five cents; for each led or loose horse, six and one fourth cents; for each cart and horse or horses, thirty-seven and a half cents; for each two wheeled pleasure carriage, fifty cents; for each four wheeled pleasure carriage, one dollar; for each carryall, twenty-five cents; for each head of cattle, hogs or sheep, one cent; for each foot passenger six and a quarter cents.

Commissioners to take oath

SEC. 4. *Be it enacted,* That the commissioners appointed by this act, shall before they enter into the duties of their appointment, before some justice of the peace for Carroll county, take and subscribe the following oath: I do solemnly swear that I will well and truly execute the duties of commissioner to said road, to the best of my skill and ability—so help me God—and said commissioners shall be entitled to receive from said proprietor the sum of two dollars per day each, for their services as commissioners.

When to be completed.

SEC. 5. *Be it enacted,* That said bridge shall be completed by the first of October 1832, and said proprietor shall be entitled to keep the gate on said toll bridge for the term of fifty years, after the same has been received by said commissioners, unless said proprietor suffer and permit the same to remain out of order for the space of one year at any one time, in which event this charter shall be forfeited.

Persons exempted from paying toll.

SEC. 6. *Be it enacted,* That the citizens of the county of Carroll, shall at all times be permitted to pass said toll bridge and road toll free, and that if any person, not authorized by this act, shall arbitrarily pass said toll bridge and gate, for the purpose of evading the payment of the toll, at such gate such person or persons, shall forfeit and pay said proprietor the sum of twenty dollars, to be recovered by any jurisdiction having cognizance thereof.

Repealing clause.

SEC. 7. *Be it enacted,* That an act passed at the last General Assembly of this state, entitled an act to authorize the county court of Carroll, to establish toll bridges on Sandy river and Beaver creek, be, and the same shall be repealed so soon as said proprietor, shall enter into bond and security in the

county court of Carroll, that he will build and complete the same at the time specified in this act.

SEC. 8. *Be it enacted*, That whenever any person or persons, or body politic and corporate or the assignees of either of them, for opening a turnpike road in the counties of Davidson, Williamson, Rutherford and Bedford, shall make known in writing to the court of pleas and quarter sessions for the county or counties, through which said road or roads may pass, that they will not proceed to open said road or roads agreeable to their charter or charters, then and in that case, it shall and may be lawful for said court or courts, a majority of the acting justices of the peace being present, to grant upon the terms of the original charter, all or any part of said road or roads not completed to any person or persons applying for the same; Provided that no grant shall be allowed for less distance than five miles.

SEC. 9. *Be it enacted*, That nothing in this act contained, shall be so construed as to take from the original proprietor or proprietors, or the assignees any part of said road or roads, which he or they may have finished, which said part or parts, are hereby reserved to the original proprietors or their assignees to all intents and purposes.

EPHRAIM H. FOSTER,
Speaker of the House of Representatives.
JOEL WALKER,
Speaker of the Senate.

January 9, 1830.

CHAPTER CCLXX.

AN ACT for the benefit of Mary Ford.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That hereafter Mary Ford, who was by a decree of the Judge of the circuit court for Madison county, at the March term 1827, divorced from the bed and board of her husband Loyd Ford, do, and she is hereby authorized to have and to hold real and personal property in her own name, and in all respects act as feme sole, except interfering with another man during the lifetime of her said husband; and all property which she

Mary Ford
entitled to the
privileges of a
feme sole.

may hereafter acquire by descent, gift, purchase or otherwise, shall not be liable in any manner whatever, to the payment of debts of her said husband, nor in any manner subject to his control; nothing in this act contained shall be so construed as to relieve the said Loyd Ford from the payment of any alimony, which may have been, or may hereafter be decreed to be paid by him to the said Mary Ford.

SEC. 2. *Be it enacted*, That Lucy W. Allen, wife of John W. Allen, a citizen of White county, be, and she is hereby entitled to all the rights, privileges and emoluments of, as feme sole, which by this act are conferred on Mary Ford.

EPHRAIM H. FOSTER,
Speaker of the House of Representatives.
JOEL WALKER,
Speaker of the Senate.

January 9, 1830.

CHAPTER CCLXXI.

AN ACT for the benefit of Blackmore H. Mayo.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That an act passed at Murfreesboro', on the 22d day of November 1823, entitled an act supplementary to an act entitled an act prescribing the manner of listing of land for the payment of taxes in certain districts and for other purposes, be and the same is hereby revived.

EPHRAIM H. FOSTER,
Speaker of the House of Representatives.
JOEL WALKER,
Speaker of the Senate.

January 11, 1830.

CHAPTER CCLXXII.

AN ACT for the benefit of Jacob Brown.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the register of said State be authorized to issue a certificate to Jacob Brown, for twenty acres, the balance of an unlocated land.

fied certificate, issue to Joseph Brown for 68 acres, of No. 482, dated the 23rd of December 1814, upon his producing to the register, the certificate of the register of Washington county (who has charge of the books and papers of the late surveyor of the south district, where the original certificate was filed) setting forth the facts.

SEC. 2. *Be it enacted*, That such certificate when issued, may be laid on any vacant, and unappropriated land lying south and west of the Congressional reservation line.

EPHRAIM H. FOSTER,

Speaker of the House of Representatives.

JOEL WALKER,

Speaker of the Senate.

January 11, 1830.

CHAPTER CCLXXIII.

AN ACT to amend the act of 1827, incorporating the bridge on Red river and other purposes.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the managers of the Red river bridge company, to be build near Merriweather's, now Barker's ferry, in addition to the powers granted to said managers by the act of 1827, shall have power, should they deem it advisable to change and divide the subscriptions and donations heretofore made, into stock of fifty shares each, to sell more shares, to fix rates of tolls for crossing said bridge at any rates not exceeding the ferry rates heretofore on said river, to superintend and direct the expenditure of moneys for building and repairing the bridge, to fix a gate at the bridge, and employ a gate keeper, and shall have, possess and enjoy all and every necessary powers to make rules and by-laws for the interest and protection, and of said bridge and company they may deem proper, and the good of said bridge may require.

SEC. 2. *Be it enacted*, That said managers may also make contracts for, and open any road or roads connected to, and necessary to enable waggons or horses and passengers to cross said bridge.

SEC. 3. *Be it enacted*, That Asa Hill, be, and he

is hereby authorized to erect a good and substantial bridge over Collins' river, in the county of Warren, at or near where the road commonly called Hill's road, crossing the said river at Hill's ferry, and when said bridge is completed, he may erect a gate thereon and demand and receive such rates of toll as the county court of Warren county, not less than nine of the acting justices being present may direct, and it shall be the duty of the said court, at their first term after the said bridge shall be completed, or any succeeding session thereof, to fix the rates of toll as aforesaid, and the said Asa Hill, shall have the exclusive right and benefit of said bridge; Provided he keeps the same in good repair, and shall be answerable for all damages that may be sustained by any person crossing the same, if it shall be made appear that the said bridge being out of repair was the cause thereof.

SEC. 4. *Be it enacted*, That all and every person or persons who shall become subscribers to a company to be established in the town of Clarksville, in this state, under the style and name of mouth of Red river bridge company, and who shall be proprietors of the capital stock of said company, shall be, and they and their successors and assignees are hereby created and directed to be one body politic and corporate, by the name, style and title of the mouth of Red river bridge company, upon the conditions hereinafter specified, and by the same shall so continue until the year 1899, or so long as said bridge shall be kept in good repair, not exceeding said time, and shall be liable to sue and be sued, implead and be impleaded in all courts of record or elsewhere, and to purchase, have and to hold, receive, possess, enjoy and retain, to them, their successors and assigns, lands, rents, goods, chattels and effects of any kind, not exceeding their capital, and the same from time to time to sell, grant or demise or dispose of, also to make, have and use a common seal, and the same to break, alter and renew at pleasure, also to ordain and put in execution, such bye-laws, ordinances and regulations from time to time, as shall appear necessary and convenient for the government of said corporation, not being contrary to the fundamental articles thereof, or the constitution and laws of this state, and generally to do and execute all acts, matters and things consistent with the provisions of this act, which a

corporation or body politic can and may lawfully do.

SEC. 5. *Be it enacted,* That the capital stock of said company shall consist of a sum not exceeding twenty five thousand dollars, to be divided into shares of fifty dollars each.

SEC. 6. *Be it enacted,* That James M'Clure, Thomas W. Atkinson, William F. Gray, Joshua Elder, C. H. P. Marr, Walter H. Drane, Manoh Bostic, Douglass Merrieweather, Isaac Dennison, Tate Bryarly, shall be directors of said company, until the first of January 1831, and said directors from and after that period, shall be elected by the stockholders at the court house in Clarksville.

SEC. 7. *Be it enacted,* That the fundamental articles of said company, shall be the same so far as consistent with the provisions of this act, as the first, second, 3d, 4th, 5-6-7-8-9-10-11-12-13-15-16-17-18-articles of an act passed in the year 1812 chap. 63, entitled an act to build a bridge across the Cumberland river at Nashville, and to incorporate all the subscribers thereto.

SEC. 8. *Be it enacted,* That the tolls of said bridge, may be fixed by said company, but at no time shall exceed the present rates of ferriage over Red river, as now fixed by the county court of Montgomery county.

SEC. 9. *Be it enacted,* That said company shall be allowed to build said bridge over said river, at any point within half a mile of the mouth thereof, which to said board shall appear most eligible; Provided that in building said bridge the navigation of the said river shall in no wise be obstructed.

SEC. 10. *Be it enacted,* That said company shall have five years from the passage hereof to finish said bridge, and when completed may erect three toll gate, and fix the rates of toll not exceeding as aforesaid, the ferry rates as now fixed by law, and the court of the county.

EPHRAIM H. FOSTER,
Speaker of the House of Representatives.
JOEL WALKER,
Speaker of the Senate.

January 6, 1830.

CHAPTER CCLXXIV.

AN ACT for the benefit of Isaac L. Moody.

WHEREAS it is represented to this General Assembly, that Isaac L. Moody is desirous of making an entry of certain land claimed by him under the occupant law of 1826, for the benefit of the Methodist Episcopal Church—Therefore,

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the surveyor of the tenth surveyors district, be authorised and required to receive an entry on a valid warrant in the name of Isaac L. Moody or his assignees, for any quantity of land, not exceeding ten acres, including the Methodist meeting house and camp ground, on Clear creek in Henderson county, known by the name of Ebenezer, in range 4 and section 4.

SEC. 2. *Be it enacted,* That the register of the Western District, be authorized and required to issue a grant on such entry according to the law now in force and use; Provided, that the same shall not interfere with the claim or claims of any other person or persons at present subsisting.

EPHRAIM H. FOSTER,
Speaker of the House of Representatives.
JOEL WALKER,
Speaker of the Senate.

January 11, 1830.

CHAPTER CCLXXV.

AN ACT for the relief of the securities of John Purris, deceased, late agent of the Bank of the State of Tennessee, for Roane county.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the directors of the branch bank of the State of Tennessee, at Knoxville, are hereby authorized to allow a credit of three years to the securities of John Purris, deceased, late agent of said bank for Roane county, for any sum of money which may be due and owing from said agent, on said securities executing, their note and power

of attorney with good and sufficient security, as borrowers of money from said bank are required by law to do, and to be subject to the same rules and regulations; which said sum of money shall be paid in such proportions at each discount day, by said securities, as the said bank directors may require.

EPHRAIM H. FOSTER,

Speaker of the House of Representatives.

JOEL WALKER,

Speaker of the Senate.

January 11, 1830.

CHAPTER CCLXXVI.

AN ACT for the benefit of John Dougherty.

Duty of the surveyor of the 10th District.
 SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the surveyor of the tenth surveyors District, be authorized and required to receive an entry on a valid warrant in the name of John Dougherty or his assignees, for any quantity of land not exceeding two hundred acres, including the cotton gin of said John Dougherty, on Cub creek in Hardeman county.

Of the Register of the Western district.
 SEC. 2. *Be it enacted,* That the register of the Western District, be authorized and required to issue a grant on such entry, according to the laws now in force and use; Provided, that the same shall not interfere with the claim or claims of any other person or persons now subsisting.

EPHRAIM H. FOSTER,

Speaker of the House of Representatives.

JOEL WALKER,

Speaker of the Senate.

January 7, 1830.

CHAPTER CCLXXVII.

AN ACT concerning a section of school land in the county of Rhea.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the treasurer of East Ten-

nessee, be, and he is hereby authorized to employ Hu. L. White, to attend to, and prosecute a suit instituted by sundry citizens of Rhea county against an Indian reservee, or the lessee of an Indian reservee, for the recovery of the possession of the sixteenth section of land, in the third fractional township, in the third range, west of the meridian, in the Hiwassee district, Rhea county, which was by the surveyor of said district, surveyed and designated as a school section; and the said Hu. L. White, when employed by said treasurer shall have the same powers, and be authorized to manage the said suit, in the same way as he is by law authorized to manage other reservation suits.

EPHRAIM H. FOSTER,

Speaker of the House of Representatives.

JOEL WALKER,

Speaker of the Senate.

January 7, 1830.

CHAPTER CCLXXVIII.

AN ACT for the benefit of the heirs of James Allen, Sen'r. deceased.

Power of the Executors of James Allen.
 SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the executors of the last will and testament of James Allen sen'r. deceased, late of Maury county, be, and they are hereby authorized to sell the lands and slaves of the said testators and make distribution of the proceeds thereof, in conformity with the last will and testament of said testator.

To make distribution of the estate.
 SEC. 2. *Be it enacted,* That it shall be lawful for the executors to pay over to the heirs of the deceased, their distributive shares, agreeably to the provisions of the will, and their receipt shall be good in their settlements of said estate.

Legatees not to give bond.
 SEC. 3. *Be it enacted,* That the legatees as guardians to their children, shall not be bound to give bond and security as in other cases of guardianship.

EPHRAIM H. FOSTER,

Speaker of the House of Representatives.

JOEL WALKER,

Speaker of the Senate.

January 8, 1830.