

be of public utility, and that a majority of the acting justices of the peace be present.

Tolls.

Sec. 2. *Be it enacted*, That said court shall, if they allow said bridge and cause-way to be built, regulate the tolls which said M'Kinney may charge, and the length of time he may be allowed to keep up said bridge and cause-way.

James Hudson
& Patrick Potts.

Sec. 3. *Be it enacted*, That James Hudson and Patrick Potts & Co. of the county of White, be and they are hereby authorized to build a dam for a powder mill across the Calf Killer river, between Samuel Johnson's and John Settles; provided they build it above Mr Spark's Spring.

F. W. HULING,

Speaker of the House of Representatives.

BURCHET DOUGLASS,

Passed October 22, 1832.

Speaker of the Senate.

CHAPTER CXLII.

An Act to change the name of Temperance M'Millan.

Name changed

Sec. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the name of Temperance M'Millan, be and is hereby changed to the name of Temperance Y. Blood.

Legitimated.

Sec. 2. *Be it enacted*, That the said Temperance shall enjoy all the rights and privileges as heir of Thomas Y. Blood of Rutherford county, in as full and ample a manner as if she had been born in lawful wedlock.

F. W. HULING,

Speaker of the House of Representatives.

BURCHET DOUGLASS,

Passed Oct. 22, 1832.

Speaker of the Senate.

CHAPTER CXLIII.

An Act for the benefit of Wm. B. Sorrells.

Money to be
paid to.

Sec. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the Treasurer of Middle Tennessee, pay to William B. Sorrells, of Hardin county, the sum of twenty-one dollars fourteen cents, the amount of his claim as a witness in a suit, wherein the State was plaintiff and Joseph Bairden defendant, and that

the receipt of said Sorrells shall be a good voucher for the Treasurer in the settlement of his accounts.

John Torbet.

Sec. 2. *Be it enacted*, That if any person or persons shall enter as general enterer, the north east quarter of section No. one, in fractional township No. 5, and range No. three, west of the meridian in the county of M'Minn, on which John Torbet now lives, he, she or they so entering said land, without the consent in writing, of the aforesaid John Torbet, shall first pay to the entry taker, the valuation of said Torbet's improvements; provided, however, that this act shall not be construed so as to release the said Torbet from the payment of the amount due and owing to the State as provided by law for entering the forfeited lands in the Hiwassee District.

F. W. HULING,

Speaker of the House of Representatives.

BURCHET DOUGLASS,

Passed October 22, 1832.

Speaker of the Senate.

CHAPTER XLIV.

An Act granting certain powers to the Mayor and Aldermen of the corporation of the town of Jonesborough.

Sec. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That hereafter it shall not be lawful for any person or persons within forty poles of the present limits of the corporation of the town of Jonesborough in the county of Washington, to sell distilled liquors in a less quantity than one quart, unless he, she or they shall first have obtained a license therefor, under the authority of the Mayor and Aldermen of said town, under the same rules, regulations, restrictions and penalties to which persons residing within the limits of said corporation are liable.

Sale of spirit-
uous liquors.

Sec. 2. *Be it enacted*, That the town constable shall have the same power to execute process, issued by the Mayor for violations of the law within the aforesaid limits, as he now has within the limits of the corporation.

Town Constable.

F. W. HULING,

Speaker of the House of Representatives.

BURCHET DOUGLASS,

Passed, Oct. 22, 1832.

Speaker of the Senate.

CHAPTER CXLV.

An Act making an appropriation of money to defray the expenses of the second session of the 19th General Assembly.

Members, Clerks, and Door-keepers. SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the Speaker of the Senate and the Speaker of the House of Representatives, each, be allowed the sum of five dollars for each day they may attend this session, and the sum of four dollars for each twenty-five miles they may travel to and from the same—and that the members of the General Assembly be allowed, each, the sum of four dollars per day, for each day they may attend this session, and the like sum for each twenty-five miles they may travel to and from the same—and that the clerks both principal and assistant, the sum of six dollars per day. And the door keepers each the sum of four dollars per day, for each day they may attend this session. And the further sum of fifty dollars to James M'Dowel, and the further sum of twenty-five dollars to James Hickey for extra service as door keepers of the two houses.

Miscellaneous expenses. SEC. 2. *Be it enacted,* That the Treasurer of West Tennessee, pay to Duncan Robertson & Son, the sum of one hundred and sixty dollars and twenty-five cents, for stationery and other articles furnished this session of the General Assembly.

That he pay to James Robinson & Co. twenty-one dollars and nine cents.

That he pay to John Austin the sum of thirteen dollars and eighty-seven and a half cents.

That he pay to Thomas J. Foster seventeen dollars and fifty cents for wood furnished.

That he pay to servant Isaac forty dollars for services rendered.

That he pay to Scott Terry twenty-four dollars and to David F. Dzier twelve dollars for engrossing for the House of Representatives.

That he pay to the commissioners of the Penitentiary four hundred and fifty dollars, on account of a balance due from the state for the lot of ground on which the Penitentiary stands.

That he pay to Duncan Robertson & Son ninety-two dollars and eight cents for stationery furnished the Senate.

That he pay to Allen A. Hall six hundred and eleven dollars and forty-nine cents for printing done for the House of Representatives, and to Hunt, Tardiff & Co. the sum of three hundred and sixty-four dollars and six-

ty-seven cents for printing done for the use of the Senate.

That he pay to Henry C. Walker the sum of twenty-four dollars for four days services as an assistant clerk, and to William B. Campbell eighteen dollars for three days services as an assistant clerk.

That he pay to Isaac the sum of ten dollars and twenty-five cents for furnishing the two houses with water during the present session, out of any money in the Treasury not otherwise appropriated.

F. W. HULING,

Speaker of the House of Representatives,
BURCHET DOUGLASS,

Passed Oct. 22, 1832.

Speaker of the Senate.

CHAPTER CXLVI.

An Act to incorporate the Porter Female Academy in Williamson county.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee,* That John S. Russwurm, Bailey Har-
Academy incorporated. deman, Hartwell B. Hyde, Willford H. Raine, Thomas D. Porter and Josiah Fleming, be and they are hereby constituted a body politic and corporate by the name of the Porter Female Academy, with all the privileges, immunities and liabilities prescribed in an act to incorporate the Trenton Female Academy in the county of Gibson, passed October 17, 1831.

SEC. 2. *Be it enacted,* That the county court of Hardin county are hereby authorized to appoint five trustees of the county academy of Hardin county, and when so appointed they shall have all the power and privileges of other trustees of county academies, and said academy shall be known by the name of Hardin academy.

SEC. 3. *Be it enacted,* That the Governor be and he is hereby authorized to subscribe the amount of money belonging to the academy in Davidson county to the turnpike road from Nashville to Murfreesborough and Shelbyville (there being no trustees of said academy now in office,) upon the commissioners of said road executing an obligation to pay six per cent. per annum to said academy upon the amount so subscribed, and that upon the subscription being made, it shall be the duty of the

Governor may subscribe to a certain turnpike road.

cashier of the State Bank upon the order of said commissioners to pay the accounts.

F. W. HULING,

Speaker of the House of Representatives.

BURCHET DOUGLASS,

Passed October 22, 1832.

Speaker of the Senate.

CHAPTER CXLVII.

An Act to amend an Act, entitled an Act to incorporate the Franklin and Columbia Turnpike Company, passed 18th Nov. 1831.

Additional
Commissioners
appointed.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Christopher E. M'Ewen, Gilbert Marshall, Joseph Crockett, John S. Russworm, William White and John Watson, of Williamson county and James Patterson and Spencer Clack, of Giles county, Col. William Pillow, Allen Ramsey, Thomas Mahon, John Miller, David Craig and Abram Looney, of Maury county, be, and they are hereby appointed additional Commissioners to lay off and designate the route along which the road authorized to be constructed by the above recited act, shall run; provided, that it be the shortest and best route between the towns of Franklin and Columbia, passing through the town of Spring Hill in Maury county, unless, in the opinion of said Commissioners, it would be too great a deviation from the best and shortest route.

M'Minnville
turnpike.

SEC. 2. *Be it enacted*, That the company chartered by the act of the present General Assembly, passed on the day of for building and constructing a turnpike road, from Murfreesborough to the ridge in the direction of M'Minnville, be required to finish it upon the M'Adam plan.

Savage's turn
pike.

SEC. 3. *Be it enacted*, That Thomas Brown, Jr. and Charles Cagle, Sen. be appointed Commissioners on Savage's turnpike road, in the room of Absalom Brown and Charles Cagle, Jr. and have the same powers and fees.

F. W. HULING,

Speaker of the House of Representatives.

BURCHET DOUGLASS,

Passed October 22, 1832.

Speaker of the Senate.

I have carefully examined the foregoing Private Acts, and find them to be true copies of the originals now on file in my office.

SAM. G. SMITH,

Dec. 3, 1832.

Secretary of State.

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THE FIRST SESSION

OF THE

THIRTIETH GENERAL ASSEMBLY

OF THE

STATE OF TENNESSEE.

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PRIVATE ACTS

OF THE

STATE OF TENNESSEE,

PASSED AT THE FIRST SESSION OF THE TWENTIETH GENERAL ASSEMBLY,
WHICH WAS BEGUN AND HELD AT NASHVILLE, ON MONDAY THE
SIXTEENTH DAY OF SEPTEMBER, IN THE YEAR ONE THOU-
SAND EIGHT HUNDRED AND THIRTY-THREE.

WILLIAM CARROLL, Governor; SAM G. SMITH, Secretary of
State; DAVID BURFORD, Speaker of the Senate; F. W. HU-
LING, Speaker of the House of Representatives.

CHAPTER I.

An Act for the relief of Clement Strickland.

Whereas, Richard A. M'Ree and James A. Hazlett, entered eighty acres of land in the 9th district, 4th range and 9th section, by entry No. 1803, founded on a part of Register of West Tennessee warrant No. 4939, and that Clement Strickland became the rightful owner of said entry, as assignee of said M'Ree and Hazlett, by an assignment made on the back of the plat and certificate of survey, which plat and certificate has been lost or mislaid, so that a grant cannot be obtained thereon: For remedy whereof,

Be it enacted by the General Assembly of the State of Tennessee, That the Register of West Tennessee, or the Register in whose office the warrant on which said entry is founded, is deposited, on the production of a copy of the original plat and certificate, and satisfactory proof being made to him that the original has been lost, and that said Clement Strickland is entitled to said entry as assignee of said M'Ree and Hazlett, said Register, as the case may be,

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CHAPTER I.

An Act for the relief of Clement Strickland.

Whereas, Richard A. McRee and James A. Hazlett, entered eighty acres of land in the 9th district, 4th range and 9th section, by entry No. 1803, founded on a part of Register of West Tennessee warrant No. 4939, and that Clement Strickland became the rightful owner of said entry, as assignee of said McRee and Hazlett, by an assignment made on the back of the plat and certificate of survey, which plat and certificate has been lost or mislaid, so that a grant cannot be obtained thereon: For remedy whereof,

Be it enacted by the General Assembly of the State of Tennessee, That the Register of West Tennessee, or the Register in whose office the warrant on which said entry is founded, is deposited, on the production of a copy of the original plat and certificate, and satisfactory proof being made to him that the original has been lost, and that said Clement Strickland is entitled to said entry as assignee of said McRee and Hazlett, said Register, as the case may be,

is hereby authorized and required to issue a grant for the same, in the name of said Clement Strickland, in the same manner as if the original plat and certificate of survey had been produced: *Provided*, said entry is founded on a good and valid warrant.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

CHAPTER II.

An Act for the benefit of Radford Butts.

Be it enacted by the General Assembly of the State of Tennessee, That Radford Butts be allowed to trade upon his own account, and for his own exclusive benefit, in the Grocery business, in the county of Maury, without paying license therefor.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed 25th September, 1833.

CHAPTER III.

An Act to extend the provisions of an act passed December 17, 1831, entitled "an act for the benefit of John Walters, of Smith county, and for other purposes," and also an act to amend the same, passed September 18, 1832.

Be it enacted by the General Assembly of the State of Tennessee, That it shall be the duty of the Treasurer of West Tennessee to refund to William B. Moore, of Smith county, the sum of fifty dollars, it being one half of the sum collected by the clerk of Smith county court from him for selling goods in said county: *Provided, however*, That he shall first produce to the Treasurer aforesaid, the certificate of the clerk of Smith county court, showing that he collected one hundred dollars from said Moore, and that no part of the same has been refunded; and his receipt shall be a good voucher with the Treasurer in the settlement of his accounts.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed September 27, 1833.

CHAPTER IV.

An Act for the relief of Elizabeth Davis, of Wilson county.

Be it enacted by the General Assembly of the State of Tennessee, That hereafter Elizabeth Davis, of Wilson county, and wife of Robert C. Davis, be, and she is hereby, authorized to sue and be sued, contract and be contracted with, in her own name, and on 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 full and ample a manner as if she had never been married to the said Robert C. Davis; and that all the property that she may hereafter acquire by her industry, inheritance, gift or otherwise, shall not be subject to the payment of the debts and contracts of her said husband heretofore made, or hereafter to be made by him, 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 Robert C. Davis, except that of intermarrying with another man during the natural life of her said husband.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed 25th September, 1833.

CHAPTER V.

An Act for the relief of Abram M'Gee.

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 to Abram M'Gee, a grant on entry No. 921, for sixteen acres of land, in the 9th district, 5th range and 9th section, upon the production of a plat and certificate of said survey, and satisfactory proof being made that the said survey is founded on a good and valid warrant, which warrant has been lost or mislaid after being taken out of the office, and that said warrant has been endorsed appropriated in said district.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed 26th September, 1833.

CHAPTER VI.

An Act to compel the officers of the Grassy Cove Companies, in Bledsoe county, to return delinquents, and judge advocates to issue executions, as in other cases.

Officers to return delinquents.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That it is hereby made the duty of the officers of the Grassy Cove and Cumberland Mountain Companies, in Bledsoe county, to return delinquents, and the judge advocate is hereby authorized to issue executions as in other cases.

Companies exempt from regimental musters.

SEC. 2. *Be it enacted*, That it shall be the duty of the several Captain's companies on the top of Cumberland mountain, in White county, to hold company musters, and do and perform all other military duty: *Provided*, nothing herein contained shall compel them to attend regimental or battalion musters.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed September 27, 1833.

CHAPTER VII.

An Act to divorce Cynthia Barton, of Monroe county, from her husband Anderson Barton.

Be it enacted by the General Assembly of the State of Tennessee, That the bonds of matrimony heretofore and now existing between Cynthia Barton and her husband Anderson Barton, be, and the same are hereby, dissolved, and that she be restored to all the rights and privileges of a *feme sole*.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed September 30, 1833.

CHAPTER VIII.

An Act to enable the citizens of Monroe county to erect a court house in the town of Madisonville, in said county.

Preamble:

Whereas, on the ——— day of ——— 1833, the court house in the town of Madisonville, in Monroe county, together with all the records, books and papers belonging to

the office of the clerk of the county court of said county, and many private papers of value, were destroyed by fire: And whereas, the good citizens of said Monroe county, have long labored under a heavy debt and accruing interest for their lands purchased at the Hiwassee land sales, which, together with other causes, have produced great embarrassment and scarcity of money amongst them, so that the levying and collecting a tax for the erection of a court house would be very oppressive: Therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the entire state tax for the years 1833 and 1834, that may be collected by the sheriff or collector, and the clerks of the county, circuit and chancery courts, respectively, of the county of Monroe, levied for and received during the years aforesaid, be, and the same are hereby, remitted to said county, to enable the citizens thereof to build a court house as aforesaid, in said county. Taxes remitted to county.

SEC. 2. *Be it enacted*, That the sheriff and collector, and the clerks of the above named courts respectively, are hereby authorized and directed to pay over to the commissioners that are or may be appointed for the purpose of superintending the erection of said court house, the amount of state tax levied and accruing, and hereafter to be collected and received by them, for and during the years 1833 and 1834, and their receipt shall be a good voucher for him or them in a settlement with the Treasurer of E. Tennessee. Sheriff to pay over tax to commissioners.

SEC. 3. *Be it enacted*, That said sheriff or collector, and the clerks of said courts, shall collect, make returns, and pay over, the amount of said taxes, at the same times, and under the same rules and regulations now in force for making returns and payments to the Treasurer of East Tennessee; and should any or either of them fail or make default in making their returns and payments to the commissioners as aforesaid, they shall be liable to judgment, on motion by, and in the name of said commissioners, in the county or circuit court of said Monroe county, both of which said courts are hereby authorized and required to render judgments and issue executions in favor of said commissioners against said delinquent sheriff, collector or clerk, and their securities, in the same manner, and under the same rules, regulations and restrictions that the Treasurer of East Tennessee is authorized by the laws now in force and use to take judgments and issue executions against clerks or sheriffs or collectors, who may be in arrears, or may fail to pay over taxes by them collected. Duty of sheriff and clerk.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed 3d October 1833.

CHAPTER IX.

An Act to appropriate the interest arising upon the internal improvement fund of Wayne county, to the building of a jail for said county, and for other purposes.

Board to pay over to commissioners of jail.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the board of internal improvement of Wayne county, be, and they are hereby, authorized and required to pay over to the commissioners appointed to superintend the building of a jail in said county, all the interest arising upon said internal improvement fund, and that the same be paid over semi-annually, and applied to the building of said jail.

Judgment against commissioners for refusal.

SEC. 2. *Be it enacted*, That if said board of internal improvement shall at any time fail or refuse to pay over the interest as required by the first section of this act, it shall be lawful for the commissioners for building a jail as aforesaid, by motion in the county or circuit court of Wayne county, to take judgment against said board of internal improvement and their securities, for the amount of interest that may be due and unpaid: *Provided*, that the president of said board of internal improvement shall have five days notice of such motion.

Old jail lot to be sold.

SEC. 3. *Be it enacted*, That the commissioners of the town of Waynesboro', in the county of Wayne, be, and they are hereby, authorized to sell to the highest bidder, upon twelve months credit, the lot upon which the old jail of said county now stands, and make title to the purchaser therefor, and that the money arising from such sale be paid over and applied as directed in the first section of this act; and for failure to pay over said money, said commissioners may be proceeded against in the same manner as pointed out in the second section of this act.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed 30th September, 1833.

CHAPTER X.

An Act to change the name of Frances Ann Bailey, an orphan, and for other purposes.

Whereas, John P. Gunter, of Maury county, has made application to this General Assembly to change the name of Frances Ann Bailey, an orphan child of four years of age, who has been bound to him by the county court of Maury county, to that of Frances Ann Gunter, and wishes

to adopt her as his daughter, and confer upon her the same rights of succession and inheritance, and other privileges, as if she were his own child: Therefore,

Be it enacted by the General Assembly of the State of Tennessee, That the name of Frances Ann Bailey be changed to that of Frances Ann Gunter, and by this latter name she shall hereafter be known and called, and shall be entitled to the same rights of inheritance and succession to the real and personal estate and property of said John P. Gunter, and other privileges, as if she were his own child.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed October 4, 1833.

CHAPTER XI.

An Act for the benefit of William Thornton.

Be it enacted by the General Assembly of the State of Tennessee, That William Thornton, of Wayne county, be, and he is hereby, authorized to hawk and peddle in the counties of Giles, Lawrence, Wayne and Hardin, without paying any tax therefor.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed October 4, 1833.

CHAPTER XII.

An Act for the relief of Moses Ray and Henry Burge.

SECTION 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. 20060, in the name of Moses Ray, for thirty-four acres, so as to read, "Beginning at the north west corner," instead of north east corner of Jacob Biffle's occupant entry: *Provided*, that said alteration does not interfere with any other claim or claims.

Register of West Tennessee to alter grant to Moses Ray.

SEC. 2. *Be it enacted*, That the Register of West Tennessee be, and he is hereby, authorized and required to issue to Henry Burge, or his agent, a grant for twelve acres of land, upon the production of a plat and certificate of

said survey, and satisfactory proof being made that said survey was founded on a good and valid warrant, and that said warrant has been lost or mislaid after being taken out of the office of the seventh surveyor's district for the purpose of getting a grant: *Provided*, said warrant is not already satisfied.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed October 4, 1833.

CHAPTER XIII.

An Act directory to the internal improvement commissioners of Perry county, and for other purposes.

Authority to commissioners for Perry county.
SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the internal improvement commissioners of Perry county, be authorized to apply the fund set apart for said county, to any object of internal improvement that they may think the good of the country requires.

Duty of John B. Rogers of Pentress county.
SEC. 2. *Be it enacted*, That it shall be the duty of John B. Rogers, chairman of the board of internal improvement for Pentress county, to pay out of the funds in his hands, all debts owing by the said board for contracts made previous to his being chairman thereof, and on failure it shall be lawful for any person aggrieved to move against said Rogers, as chairman aforesaid, before the circuit or county court, giving him ten days notice of the time and place; and if it shall appear that the board is indebted to the person making such motion, and that the said chairman has funds in his hands wherewith to pay the same, judgment shall be entered against him as chairman, for such debt, and all cost, which cost shall not be chargeable to the fund in his hands, but paid by him in proper person.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed October 3, 1833.

CHAPTER XIV.

An Act for the relief of Harriet P. Crenshaw.

Be it enacted by the General Assembly of the State of Tennessee, That the bonds of matrimony now subsisting be-

tween Harriet P. Crenshaw, of Franklin county, and her husband, Daniel W. Crenshaw, of said county, be, and the same are hereby, dissolved, and rendered utterly null and void; and that the name of the said Harriet P. Crenshaw, be changed to that of Harriet P. Whitney.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed October 4, 1833.

CHAPTER XV.

An Act to incorporate the town of Perryville, in Perry county.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the town of Perryville, in Perry county, and the inhabitants thereof, are hereby constituted a body politic and corporate, by the name of the Mayor and Aldermen of the town of Perryville, 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 Carthage, in the county of Smith, by an act of the General Assembly passed the 29th day of October, 1819, chapter 111.

SEC. 2. *Be it enacted*, That the sheriff of the county of Perry be, and he is hereby, authorized and required, in each and every year, to open and hold an election in said town, on the first Monday in February, for the purpose of electing five aldermen and a mayor for the said town of Perryville; and all persons being entitled to vote for members to the legislature, shall be entitled to vote for a mayor and aldermen for said town.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed October 3, 1833.

CHAPTER XVI.

An Act providing for the establishment of a new Regiment in the county of Haywood.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That a new regiment be, and the same is hereby, established in that portion of the county of

Haywood north of the south fork of Forked Deer river, and that the qualified voters in said bounds shall be authorized to vote for the necessary field officers, as required by law for other regiments, at such time and place or places as the Brigadier General of the 14th brigade may direct, by his writ of election to be issued therefor.

Musters.

SEC. 2. *Be it enacted,* That the said regiment shall hold its regular regimental muster at the house of Jesse Embury, and their battalion musters at such place as a majority of the officers may designate, and shall have and possess all the rights and privileges granted by law to all other regiments in this State, and shall hold their regimental musters on the 3d Saturday in October annually.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed October 3, 1833.

CHAPTER XVII.

An Act to change the name of Jefferson Farmer.

Be it enacted by the General Assembly of the State of Tennessee, That the name of Jefferson Farmer, be and is hereby, changed to the name of John Jefferson Hoover.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed October 3, 1833.

CHAPTER XVIII.

An Act to change the name of Thomas Gilbert Hester, to Thomas Gilbert Stockstill.

Be it enacted by the General Assembly of the State of Tennessee, That Thomas Gilbert Hester, of Warren county, shall hereafter be known by the name of Thomas Gilbert Stockstill, and shall be joint heir of his natural father, Elisha Stockstill, as if born in lawful wedlock.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed October 3, 1833.

CHAPTER XIX.

An Act to repeal the second section of an act, entitled "an act for the relief of William P. Stegald," passed December 20, 1831.

Be it enacted by the General Assembly of the State of Tennessee, That the second section of the above recited act, giving to Daniel J. McGuire, of Hickman county, the privilege of retailing such goods, wares and merchandize, free of license, as he may barter stone ware for, be, and the same is hereby repealed.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed October 4, 1833.

CHAPTER XX.

An Act to incorporate Clinton College, in Smith county.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the institution of literature recently founded in the county of Smith, by Francis H. Gordon, James B. Moores and Willie B. Gordon, shall hereafter be known and called by the name of "Clinton College." College established.

SEC. 2. *Be it enacted,* That the said Francis H. Gordon, James B. Moores and Willie B. Gordon, and their successors and assigns, shall be, and they are hereby, created and constituted a body corporate and politic, in law and in fact, by the name and style of the President and Professors of Clinton College; and by the name and style aforesaid, they shall be, and are hereby, made able and capable, in law, to make and establish by-laws for the government of said institution, grant Diplomas, and do all other acts and things necessary to be done for the furtherance and promotion of said college, not inconsistent with the laws and constitution of this State. Trustees appointed and their powers.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed October 4, 1833.

CHAPTER XXI.

An Act for the benefit of George Wallace.

Be it enacted by the General Assembly of the State of Ten-

nesses, That George Wallace, of Overton county, be, and he is hereby, authorized to hawk and peddle in the county of Overton, without paying taxes therefor.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed October 7, 1833.

CHAPTER XXII.

An Act for the benefit of Samuel Keller.

Whereas, a grant dated July 1st, 1830, issued to Samuel Keller, by the name of Samuel Kelly, founded upon an entry made in the entry-taker's office of Greene county, of number three hundred and six, dated the third day of July 1824, by Edward Casteel, the plat of survey being assigned by said Casteel to Samuel Keller, for ten acres of land, surveyed September the 4th, 1824, situate in the county aforesaid: And whereas, a mistake occurred in issuing the grant in the name of the grantee, styled Samuel Kelly in place of Samuel Keller: For remedy whereof,

Be it enacted by the General Assembly of the State of Tennessee, That the Register of East Tennessee be authorized and required to rectify the error in the name of the grantee, so as to read Samuel Keller instead of Samuel Kelly, and register the same so corrected.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed October 8, 1833.

CHAPTER XXIII.

An Act for the benefit of David Barnhill, of Blount county.

Be it enacted by the General Assembly of the State of Tennessee, That David Barnhill, of Blount county, be, and he is hereby, authorized to hawk and peddle within the congressional district where he resides, without a license therefor, except in the counties of Monroe, Anderson and Knox: *Provided*, the said Barnhill take an oath before some justice of the peace that the goods and articles he

sells or vends shall be his own, and not for the benefit of any other.

THO. J. CAMPBELL,
Speaker of the House of Representatives, pro tem.
D. BURFORD,
Speaker of the Senate.

Passed October 9, 1833.

CHAPTER XXIV.

An Act to refund money to Miller Francis, Treasurer of East Tennessee.

Whereas, it appears to the satisfaction of this General Assembly, that Miller Francis, Treasurer for East Tennessee, has paid for the use of the State the sum of four hundred and twenty-three dollars, over and above his receipt for taxes for the years 1831 and 1832: Therefore,

Be it enacted by the General Assembly of the State of Tennessee, That the Cashier of the Bank of the State of Tennessee, pay to Miller Francis, Treasurer for East Tennessee, the sum of four hundred and twenty-three dollars, out of any money belonging to the State not otherwise appropriated.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed October 12, 1833.

CHAPTER XXV.

An Act for the benefit of Samuel Ratliff.

Be it enacted by the General Assembly of the State of Tennessee, That Samuel Ratliff, of Hickman county, be, and he is hereby, authorized to hawk and peddle in the county of Hickman, without paying for license therefor.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed October 9, 1833.

CHAPTER XXVI.

An Act to divorce Rebecca Cahal from her husband, James Cahal.

Be it enacted by the General Assembly of the State of Ten-

nessee, That the bonds of matrimony heretofore entered into, and now existing, between Rebecca Cahal, of Rhea county, and James Cahal, be, and the same are hereby, dissolved, and that the said Rebecca, from and after the passage of this act shall be restored to her maiden name, Rebecca Bidwell.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed October 12, 1833.

CHAPTER XXVII.

An Act to repeal the fourth section of an act, entitled "an act to establish a turnpike road from the town of Murfreesborough to the top of the ridge, in the direction to M'Minnville," passed the 13th of October, 1832.

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

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed October 12, 1833.

CHAPTER XXVIII.

An Act to incorporate a female academy on the land of James Cowan, in Henry county, by the name of Well Grove Academy.

Trustees appointed.

SECTION 1. Be it enacted by the General Assembly of the State of Tennessee, That William Alexander, Duke A. Gwynn, James Barton, Benjamin Cheers, John D. Love and James Cowan, be, and they are hereby, constituted a body politic and corporate, by the name of the trustees of the Well Grove Female Academy, and by that name, shall have perpetual succession and a common seal; and the trustees and their successors, by the name aforesaid, shall be capable in law, to purchase, receive and hold to themselves and their successors forever, or for any less estate, any lands, tenements, goods or chattels, which shall be given, granted or devised to them, or purchased by them, to the use of said academy, and to use and dispose of the same, in such manner as to them shall seem most advantageous for the use of said academy; and the said trustees and their successors by the name aforesaid, may sue or be sued,

plead and be impleaded, in any court of law or equity in this state or elsewhere.

SEC. 2. Be it enacted, That the said trustees and their successors shall have power to hold a meeting whenever convened by any two of said trustees, at any place said trustees may appoint, but not less than four 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 by-laws, rules or regulations, which shall be inconsistent with the laws of the United States, or of the State of Tennessee.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed October 14, 1833.

CHAPTER XXIX.

An Act for the benefit of John N. Smith, of Knox county.

SECTION 1. Be it enacted by the General Assembly of the State of Tennessee, That John N. Smith, of Knox county, is hereby authorized to hawk and peddle in the county of Knox without obtaining any license therefor: *Provided,* however, that nothing in this act shall be so construed as to authorize him to sell the property of any other person but his own, and for his own benefit.

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

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed October 12, 1833.

CHAPTER XXX.

An Act to divorce Susan L. Thompson from her husband, Thomas A. Thompson.

Be it enacted by the General Assembly of the State of Tennessee, That the bonds of matrimony now existing, and heretofore solemnized, by and between Thomas A. Thomp-

son and Susan L. Thompson, of the county of Williamson, be, and the same are hereby, dissolved, and that the said Susan L. Thompson be restored to all the rights, immunities, privileges and liberties of a *feme sole*.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed October 12, 1833.

CHAPTER XXXI.

An Act for the benefit of Washington Isham, of White county, and others.

W. Isham.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Washington Isham, of White county, be authorized to hawk and peddle in the county in which he resides, without a license.

John Popejoy. SEC. 2. *Be it enacted*, That John Popejoy, of Grainger county, be authorized to hawk and peddle in Grainger county, without a license.

John Mallard. SEC. 3. *Be it enacted*, That John Mallard, of Henderson county, be authorized to hawk and peddle goods in the congressional district in which he lives, without paying for license.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed October 12, 1833.

CHAPTER XXXII.

An Act to divorce Samuel Crawford from his wife Mary.

Be it enacted by the General Assembly of the State of Tennessee, That the bonds of matrimony heretofore solemnized, and now subsisting, between Samuel Crawford, of Maury county, and Mary his wife, be, and the same are hereby, dissolved.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed October 14, 1833.

CHAPTER XXXIII.

An Act to divorce Eliza Jane Tate from her husband John Tate.

Be it enacted by the General Assembly of the State of Tennessee, That the bonds of matrimony heretofore solemnized, and now existing, between Eliza Jane Tate, of M'Minn county, and her husband John Tate, be, and the same are hereby, dissolved, and that the said Eliza Jane Tate be restored to, and have and enjoy all the rights and privileges belonging to a *feme sole*.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed October 14, 1833.

CHAPTER XXXIV.

An Act for the relief of George Washington Rawlings, of the county of Sumner.

Whereas, George Washington Rawlings, of the county of Sumner, an infant, under the age of twenty-one years, now lies dangerously ill, and has manifested a desire to dispose of his real estate to his only sister: Therefore,

Be it enacted by the General Assembly of the State of Tennessee, That George Washington Rawlings, an infant, under the age of twenty-one years, be, and he is hereby, authorized and empowered, to dispose of his real estate by devise or deed, to such person or persons, as he may think fit, and such instrument as he may execute, shall be as valid and binding as if he was of the age of twenty-one years, any usage or law to the contrary notwithstanding.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed October 14, 1833.

CHAPTER XXXV.

An Act to divorce John Chesney, from his wife Sarah Chesney.

Be it enacted by the General Assembly of the State of Tennessee, That the bonds of matrimony heretofore solemnized, and now existing between John Chesney and his wife

Sarah Chesney, of Grainger county, be, and the same are hereby, dissolved.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed October 11, 1833.

CHAPTER XXXVI.

An Act to authorize James H. Hornback to raise a mill dam across Sequachee river, in Marion county.

J. H. Hornback. SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That James H. Hornback be, and he is hereby, authorized to raise his mill dam across Sequachee river, in Marion county, four feet above low water mark on said river: *Provided*, he does not thereby obstruct the navigation of said river: *And provided*, further, that he shall be liable in an action at law, for any injury which any person may sustain in consequence of the erection of said mill dam.

Henry Yarnell. SEC. 2. *Be it enacted*, That Henry Yarnell, of the county of Anderson, be, and he is hereby, authorized to build a fish trap dam across the north sluice of Clinch river, on his own land, on both sides of the sluice or river: *Provided*, however, That neither the dam nor trap shall in any way interfere with the navigation of said river, or the rights or privileges of any other person whatever.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed October 14, 1833.

CHAPTER XXXVII.

An Act to authorize the Executors of Edward Holmes, deceased, to emancipate Lydia, a slave, according to the last will and testament of said Holmes.

Be it enacted by the General Assembly of the State of Tennessee, That it shall be lawful for the Executors of Edward Holmes, deceased, late of White county, to file their petition at any term of the county court for White county, when it shall be the duty of the court, to order and emancipate a certain negro girl named Lydia, late the property of Edward Holmes deceased: *Provided*, the said Edward Holmes authorized or directed that said Lydia

should be set free, in and by his last will and testament, upon their executing bond and security to the chairman of the county court, that she shall not become chargeable to any county in this State, without removing her out of this State.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed October 14, 1833.

CHAPTER XXXVIII.

An Act to divorce Sarah Rodgers, of Hickman county, from her husband George Rodgers.

Be it enacted by the General Assembly of the State of Tennessee, That the bonds of matrimony now subsisting between Sarah Rodgers, of the county of Hickman, and her husband George Rodgers, be, and the same are hereby, dissolved, and that the said Sarah be restored to all the privileges of a *feme sole*.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed October 14, 1833.

CHAPTER XXXIX.

An Act for the benefit of John J. Williams.

Be it enacted by the General Assembly of the State of Tennessee, That John J. Williams, of Hardin county, be, and he is hereby, allowed to hawk and peddle in the counties of Hickman, Lawrence, Wayne, Hardin and McNairy, without obtaining any license therefor; and that he be allowed to keep a grocery in the town of Savannah only, without license: *Provided*, the said John J. Williams shall make oath before some justice of the peace, in the county of Hardin, that the goods he offers to sell under the provisions of this act, shall be for his own benefit, and not for the benefit of others.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed October 15, 1833.

CHAPTER XL.

An Act to divorce Rhody Murphy, of Carroll county, from her husband Nimrod Murphy.

Be it enacted by the General Assembly of the State of Tennessee, That the bonds of matrimony heretofore entered into, and now existing, between said Rhody Murphey, of Carroll county, and her said husband Nimrod Murphy, be, and the same are hereby, dissolved, and that the said Rhody be restored to all the privileges of a *feme sole*.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
**Speaker of the Senate.*

Passed October 16, 1833.

CHAPTER XLI.

An Act to divorce Ashley Johnson from his wife Sophronia.

Be it enacted by the General Assembly of the State of Tennessee, That Ashley Johnson, of Blount county, be, and he is hereby, divorced from his wife Sophronia, formerly Sophronia Wrinkle.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed October 15, 1833.

CHAPTER XLII.

An Act to authorize the Circuit Court of Carter county to divorce Samuel Lusk from his wife, Hannah Lusk.

Be it enacted by the General Assembly of the State of Tennessee, That it shall and may be lawful for Samuel Lusk, of Carter county, to file his petition before the circuit court of Carter county, at the first or any subsequent term thereof, praying to be divorced from his wife Hannah Lusk, and it shall be the duty of the court to hear and determine the same, at the same term, and if upon proof being made, it shall appear to said court, that the said Hannah is deranged, and has been so for many years, and that said derangement is not imputable to the conduct of said Samuel, it shall be the duty of said court to dissolve the marriage contract now existing between the said Samuel Lusk and his wife Hannah: *Provided, however,* that the said court shall require the said Samuel to give bond and

security to be executed to a trustee to be appointed by the court, for the support of the said Hannah during her life.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed October 15, 1833.

CHAPTER XLIII.

An Act for the relief of Rowland Newsom.

Be it enacted by the General Assembly of the State of Tennessee, That Rowland Newsom, of Franklin county, is hereby authorized to keep a house of private entertainment, and to retail spirituous liquors, without obtaining a license therefor.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed October 16, 1833.

CHAPTER XLIV.

An Act for the benefit of Thomas Anderson Jr. of Knox county.

Be it enacted by the General Assembly of the State of Tennessee, That Thomas Anderson Jr. of Knox county, in the State of Tennessee, be, and he is hereby, authorized to hawk and peddle in dry goods, in the counties of Knox and Anderson, for the term of four years, from the first day of January, in the year of our Lord one thousand eight hundred and thirty-four, without paying any tax therefor.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed October 22, 1833.

CHAPTER XLV.

An Act for the relief of Samuel H. Grigby.

Be it enacted by the General Assembly of the State of Tennessee, That Samuel H. Grigby, be, and he is hereby, released and forever discharged from the payment of a

judgment which was rendered against him at the August term of the circuit court of Giles county in the year 1832, which said judgment was taken against him on a forfeited recognizance as the appearance bail of Luther Grigsby: *Provided*, that nothing herein contained, shall be so construed as to release the said Samuel H. from the payment of all costs which may have accrued in said cause.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed October 18, 1833.

CHAPTER XLVI.

An Act designating the time of holding regimental musters in the one hundred and thirtieth and sixteenth regiments.

130th regiment. SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the one hundred and thirtieth regiment of the militia of this State, shall hold their regimental musters annually on the third Thursday in October, at any place within the county of Washington that a majority of the officers may direct.

16th regiment. SEC. 2. *Be it further enacted*, That the sixteenth regiment of Tennessee Militia, shall hold their regimental muster at any place within the bounds of said regiment, in Smith county, which a majority of the officers of said regiment may direct, on the second Thursday in September annually.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed October 18, 1833.

CHAPTER XLVII.

An Act to authorize the commissioners of the tract of school lands in the county of Maury, to divide the township in which said land lies into four school districts.

Commissioners to divide township. SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the commissioners of the tract of school land lying in Maury county, be, and they are hereby, authorized to divide the township in which said land lies, into four equal parts, and each of said portions when so laid off, is hereby constituted a school district, with all the rights, privileges and duties of school districts under

the act of January 14, 1830, entitled an act to establish a system of common schools and to appropriate the school funds of this State, and the various acts since passed in addition to and amendment of the same.

SEC. 2. *And be it enacted*, That when the trustees in the above mentioned new districts, shall have complied with all the requisitions of the above mentioned laws, establishing a system of common schools, then the commissioners of the above tract of school land, are hereby authorized to distribute among the trustees of the several school districts, the money which they now have in their hands, or which may hereafter come into their hands from the rents of said tract of land: *Provided*, said distribution shall be made in proportion to the number of children residing in each district, who are entitled to the benefit of the common school system of education.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed October 22, 1833.

CHAPTER XLVIII.

An Act for the benefit of Jesse R. Faulkner.

Be it enacted by the General Assembly of the State of Tennessee, That Jesse R. Faulkner, be, and he is hereby, permitted to hawk and peddle without paying a tax therefor, in all the counties of this State.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed October 22, 1833.

CHAPTER XLIX.

An Act for the relief of John F. Henderson, late sheriff of Monroe county, and Robert E. Gilleland, late sheriff of Roane county.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That John F. Henderson, late sheriff of Monroe county, shall have the further time of two years, from and after the first day of January next, within which to collect all taxes, costs and sums due him, accruing during his term of service as sheriff, and as collector of public taxes of Monroe county; and that he have, and be entitled to the same fees, powers and privileges, and sub-

ject to the same rules and restrictions as he was entitled, or subject to, during the term of his sheriffalty.

R. S. Gilleland.

SEC. 2. *Be it enacted*, That Robert S. Gilleland, late sheriff of Roane county, shall have the same rights, powers and privileges granted to John F. Henderson, late sheriff of Monroe county, in the first section of this act, and for the same period of time.

F. W. HULING,

Speaker of the House of Representatives.

D. BURFORD,

Speaker of the Senate.

Passed October 23, 1833.

CHAPTER L.

An Act for the relief of Zachariah Robinson, a free man of color, of Gibson county.

Z. Robinson permitted to bring his children to this state.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Zachariah Robinson, a free man of color, of Gibson county, be, and he is hereby, authorized and permitted to remove his children from the State of North Carolina to the State of Tennessee, to reside therein.

To give bond for their good behaviour.

SEC. 2. *Be it enacted*, That the said Zachariah Robinson shall give bond and good security, to the chairman of the county court of Gibson county, and his successors in office, for the good behaviour of said children, and that they shall not become chargeable to the county or state; said bond to be given at the next county court after said children arrive in said county of Gibson.

J. Bradbury authorized to emancipate his slave Benjamin

SEC. 3. *Be it enacted*, That Jacob Bradbury, of the county of Gibson, be, and he is hereby, authorized and empowered to emancipate a certain negro man slave by the name of Benjamin, the property of said Bradbury; and that the said Bradbury, before emancipating said slave, shall give bond and satisfactory security to the chairman of the county court of Gibson county, in a sum double the value of said slave, conditioned to indemnify each and every county in this state against his maintainance, and for his good behaviour, and upon the express condition that the above named Benjamin, shall not at any time become a charge either to the state or either of the counties in this State.

F. W. HULING,

Speaker of the House of Representatives.

D. BURFORD,

Speaker of the Senate.

Passed October 28, 1833.

CHAPTER LI.

An Act for the benefit of George W. Street.

Be it enacted by the General Assembly of the State of Tennessee, That George W. Street, of the county of Lincoln, be, and he is hereby, authorized to cut a canal through a part of the land laid off for the use of common schools on Shelton's creek: *Provided*, he first obtains the consent of a majority of the inhabitants living on the township, to which said school land belongs, and the approbation of the commissioners for said school lands, which canal shall be laid off by the said commissioners, so as not to injure the land fit for cultivation.

F. W. HULING,

Speaker of the House of Representatives.

D. BURFORD,

Speaker of the Senate.

Passed October 26, 1833.

CHAPTER LII.

An Act to authorize John C. Haley to open a turnpike road.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That John C. Haley is authorized to open, establish and keep in repair, a turnpike road across Walden's ridge, in Marion county, commencing at or near two poplars and a black oak, marked with the letter H, on the north side of said ridge near Johnson's, passing through Prigmore's gap, crossing Mullin's creek a short distance below where Edward Francis now lives, also passing through a gap known by the name of the "Cut Off Gap," thence down the south side of said mountain to a point on Tennessee river, between the boiling pot and suck, and to intersect the main road leading to Ross' ferry, and to Dallas, in Hamilton county. Authority given.

SEC. 2. *Be it enacted*, That the said John C. Haley shall open said road at least twenty feet wide, clear of all timber and undergrowth, and clear fourteen feet in the centre of said road, of all rocks, stumps and every other obstruction to the passage of carriages and horses, where the ground over which said road passes will admit it to be done with reasonable exertions, in no case to be less than twelve feet wide, and to erect bridges and causeways where necessary, at least twelve feet wide. Description of road.

SEC. 3. *Be it enacted*, That George W. Williams, of Hamilton county, and Archibald Lewis, of Marion county, are hereby appointed commissioners to view said road, and whenever the said John C. Haley shall give them no Commission-are appointed, and their duty.

ties that said road is opened, it shall be the duty of said commissioners to attend and view said road, and if they find it opened in the manner prescribed by this act, the said commissioners shall, and they are hereby, authorized and required to issue a license under their hands and seals, to the said John C. Haley, to erect a gate on said road at any place he may think proper; and it shall be the duty of the said commissioners by this act appointed, to examine and view said road once in six months at least, and oftener if from satisfactory information on oath, that said road is out of repair, and if at any time said commissioners shall find said road not in the repair contemplated by this act, it shall be their duty to open said proprietor's gate, and keep the same open while such road remains out of repair, and until the proprietor shall notify the commissioners that said road is in the repair contemplated by this act; and on receiving such notice, it shall be the duty of such commissioners to examine said road, and should it be found in the repair required by this act, it shall be the duty of the commissioners to shut the gate for receiving toll, and should the proprietor directly or indirectly receive any toll at said gate while the same is directed to be kept open by the commissioners as aforesaid, such proprietor shall forfeit and pay the sum of fifty dollars, to be recovered by action of debt before any justice of the peace in this State, in the name of the person who will sue for the same; and should said commissioners from their own view, or other satisfactory information on oath, find that said road has been out of repair for two months together, at any one time, it shall be their duty to make report thereof, to the county court of Marion county, under their hands and seals, if it should be six months before the sitting of the General Assembly, and when such court shall receive said report, they shall direct it to be recorded in the clerk's office, and it shall be the duty of such clerk to transmit a certified copy of said report under his hand and seal to the next General Assembly; and if the road should be permitted to be and remain out of repair, for the space of two months at any one 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, who shall then have power to alter or rescind this charter, or make any additional provision thereto, which they may deem advisable, and for the public good.

Of gates and toll.

Sec. 4. *Be it enacted*, That the said proprietor shall be, and is hereby, authorized to erect a toll gate on said road at any point which he may think proper, and shall be entitled to receive the following rates of toll, to wit: for each wagon and team, seventy-five cents; cart and driver, thirty-seven and a half cents; four wheeled carriages of pleasure,

sure, one dollar; two wheeled carriages of pleasure, fifty cents; for each carryall or dearborn wagon, fifty cents; each man and horse or mule, twelve and a half cents; loose or led horse or mule not in a drove, six and a fourth cents; loose horses or mules in a drove, three cents; each head of cattle, two cents; and each head of hogs or sheep, one cent.

Sec. 5. *Be it enacted*, That the commissioners appointed by this act shall, before they enter upon the duties of their appointment, take and subscribe before some justice of the peace, the following oath, to wit: "I 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 said commissioners shall be entitled to receive at the rate of one dollar and fifty cents per day, for every day they may be necessarily engaged in performing the duties enjoined on them by this act, to be paid by the proprietor of said turnpike.

Commissioners to be sworn.

Sec. 6. *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 shall sustain any damage in person or property, such person may have and sustain an action on the case against said proprietor for such damage.

Proprietor liable to damages.

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

Penalty for evading toll.

Sec. 8. *Be it enacted*, That no person shall cut or open any other road into, or across, the said turnpike road, so as to prejudice the interest of the said proprietor, without his consent.

No other road to be cut or opened.

Sec. 9. *Be it enacted*, That this charter is hereby given to the said John C. Haley, his heirs, and assigns, for the term of fifty years.

Term of charter.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed October 28, 1833.

CHAPTER LIII.

An Act to encourage Iron Works in this State.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Solomon Brents, of Perry county, may enter and lay down on the general plan of the 8th

Privileges of Solomon Brents.

Surveyor's district, in one or more tracts, any quantity of vacant and unappropriated land, unfit for cultivation, including any bank or banks of iron ore, east and north of the Tennessee river, in the county of Perry, not exceeding in all five thousand acres.

Conditions of
his pre-leases.

SEC. 2. *Be it enacted*, That said entries may be so made to include any occupant claim or claims, which shall belong to the said Solomon Brents at the passage of this act, but in no wise to interfere with preferences already granted to other persons; and the said Brents shall enjoy and have all the rights and privileges that other occupants have and enjoy, south and west of the congressional reservation line: *Provided, however*, that the said Brents shall only have, and be entitled to the benefit and privileges of this act, on condition that he shall within three years from the first day of January next, erect and put into operation in the said county of Perry, works for the manufacture of iron; but should he fail so to do, then, and in that case, all and every entry made under the provisions of this act shall be null and void to all intents and purposes, as if the same had not been made.

Zachariah Wy-
att's privileges.

SEC. 3. *Be it enacted*, That Zachariah Wyatt, of Henry county, be, and he is hereby, authorized to enter and lay down on the general plan of the 12th Surveyor's district, in one or more tracts, not exceeding five, any quantity of vacant and unappropriated land unfit for cultivation, including any bank or banks of iron ore, west of the Tennessee river, in the counties of Humphreys and Henry, not exceeding in all five thousand acres.

SEC. 4. *Be it enacted*, That the said Zachariah Wyatt shall be entitled to all the privileges and benefits of the second section of this act.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 1, 1833.

CHAPTER LIV.

An Act for the benefit of Joseph Smith, of M'Nairy county.

Be it enacted by the General Assembly of the State of Tennessee, That Joseph Smith, of M'Nairy county, be, and he is hereby, authorized to sell dry goods and spirituous liquors at his own house without paying license therefor: *Provided*, he first make oath before the county court of M'Nairy county, that he will not directly or indirectly use

the privilege hereby granted him, for the benefit of any other person but himself.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 1, 1833.

CHAPTER LV.

An Act to enable the commissioners of the navigation of Wolf river, in Fayette county, to comply with their contracts.

Be it enacted by the General Assembly of the State of Tennessee, That the commissioners of the navigation of Wolf river, be, and they are hereby, authorized to draw out of the internal improvement fund of Fayette county, a sum sufficient to enable them to pay the balance due to undertakers, that have completed their work agreeably to contract: *Provided*, the same does not exceed three hundred dollars: *And provided, also*, that the internal improvement fund for Fayette county, has not been otherwise appropriated; and the said commissioners shall give a receipt for the same, which receipt shall be a good voucher for the Cashier of the Bank of the State of Tennessee, or the commissioners of the internal improvement fund for Fayette county, as the case may be.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed October 28, 1833.

CHAPTER LVI.

An Act for the benefit of Alphonso and Mary Ann Pageot.

Be it enacted by the General Assembly of the State of Tennessee, That it shall be lawful for Alphonso Pageot and Mary Ann, his wife, formerly Mary Ann Lewis, to sell, dispose of, and convey any real estate they may own and possess within the limits of this State, to an amount not exceeding five thousand dollars: *Provided*, the privy examination of said Mary Ann (being a minor) be taken after the forms prescribed in this State for *feme covert* to make titles to real estate.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 1, 1833.

CHAPTER LVII.

An Act to authorize William P. Gillet to open a turnpike road.

William P.
Gillet may
open road.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That William P. Gillet is hereby authorized to open a turnpike road, commencing at Newport in the county of Cocke, and running up the south side of French Broad river to Holland's ferry, which road, when the situation of the ground will permit, shall be cut eighteen feet wide, clear of stumps and other obstructions, and where said 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.

Road to be kept
in repair.

SEC. 2. *Be it enacted*, That said road shall always be kept in repair, and in case of failure, the said proprietor or 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 23, 1822.

To give bond,

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

Commission-
ers appointed.

SEC. 4. *Be it enacted*, That James Allen and James Carson, of the county of Cocke, be, and are hereby 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 fourth and fifth sections of the before recited act.

Duty of com-
missioners and
gates of toll.

SEC. 5. *Be it enacted*, That when the proprietor shall notify the said commissioners, that said road is cut out and completed for use, it shall be the duty of said commissioners to examine said road, and if in their opinion it is in the order contemplated by this act, they shall license said proprietor to keep a toll gate, and upon license being granted as aforesaid to said proprietor, he may and shall be authorized to erect a toll gate on the most convenient part of said road, provided said gate shall not be erected above where Joseph Huff now lives, 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 fifty cents; for each two wheeled carriage of burthen if drawn by two horses, mules or oxen, fifty cents; if drawn by one, twenty-five cents; for each four wheeled carriage of pleasure with its

passengers and driver, if drawn by two horses, one dollar; and if drawn by one horse, fifty cents; for a man and horse or mule, twelve and a half cents; for each led horse or mule not in a drove, four cents; if in a drove, one cent; for each slave, six and a fourth cents; for each head of cattle, sheep or hogs, one cent.

Proprietor lia-
ble to damages.

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 proprietor.

Penalty for e-
vading toll.

SEC. 7. *Be it further 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.

Term of char-
ter.

SEC. 8. *Be it enacted*, That the said charter shall continue to the said William P. Gillet, his heirs and assigns, for the term of fifty years.

Isaac Easterly
may open turn-
pike.

SEC. 9. *Be it enacted*, That Isaac Easterly, of Marion county, is hereby authorized to open a turnpike road across Cumberland Mountain, commencing near Ephraim Therman's and William Holaway's, at the foot of the mountain in Sequachee Valley, thence across the mountain by where said Isaac Easterly and James Tate now live, to intersect a road near Griswell's in Warren county; and that the said Isaac Easterly shall be under the same rules, and have the same privileges extended to him in every way as are allowed to William P. Gillet in the above act, and that he shall erect a toll gate at any place on said road that he may choose.

Commission-
ers of Easter-
ly's road.

SEC. 10. *Be it enacted*, That Ephraim Therman and Richard W. Stone, be appointed commissioners over said road, who shall take the same oath, and perform the same duties, as the commissioners on the aforesaid road: *Provided*, that the citizens of Warren county shall be exempt from the payment of toll on said road.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 1, 1833.

CHAPTER LVIII.

An Act to make legitimate and change the name of Margaret A. Cash, to that of Margaret A. Haley.

Be it enacted by the General Assembly of the State of Ten-

nessee, That Margaret A. Cash, an illegitimate child of Allen S. Haley of Roane county, shall hereafter be known by the name of Margaret A. Haley, and by that name shall be capable of inheriting the property of the said Allen S. Haley, in as full a manner as if she had been born in lawful wedlock.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 5, 1833.

CHAPTER LIX.

An Act to amend an act entitled "an act to establish boards of internal improvement in the several counties of this State, lying west of the Tennessee river, and for other purposes," passed at Nashville, December — 1831.

County court
of Tipton to
appoint com-
missioners.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the county court for the county of Tipton, shall at the first court after the first day of January in each and every year, not less than nine of the justices of the peace for said county being present, proceed to elect three fit and suitable persons resident in said county, who shall constitute a board of commissioners for internal improvement in said county of Tipton; and said court shall have power at any term thereof, to fill any vacancies that may happen in said board, by death, removal, resignation or otherwise.

Powers of com-
missioners.

SEC. 2. *Be it enacted*, That said board of commissioners shall in all things be governed by the same provisions, rules, regulations and restrictions, and entitled to all the powers and privileges prescribed for other boards of internal improvement west of Tennessee river, as set forth and declared in the act hereby intended to be amended.

Repealing
clause.

SEC. 3. *Be it enacted*, That so much of said act as comes within the purview and meaning of this act, be and the same is hereby, repealed.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 4, 1833.

CHAPTER LX.

An Act for the benefit of Isaac Atkins, of Overton county.

Whereas, it is represented to this General Assembly, that Isaac Atkins, while in the employ of the commissioners of internal improvement of Overton county, in clearing out the obstructions in Obed's river, was severely wounded in the prosecution of said work: Therefore,

Be it enacted by the General Assembly of the State of Tennessee, That William Dale, George W. Sevier and Alvan Cullom, commissioners of internal improvement for Overton county, be, and they are hereby, authorised and required to pay to said Isaac Atkins, any sum of money not exceeding seventy five dollars, out of the internal improvement fund in their hands, not otherwise expended; and the receipt of the said Atkins shall be a good voucher for them in the settlement of their accounts.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 5, 1833.

CHAPTER LXI.

An Act to divorce George Wilson from his wife Mary Ann Wilson.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That George Wilson be, and he is divorced. hereby, divorced from his wife Mary Ann Wilson, and that the marriage heretofore existing between them, be, and the same is hereby, dissolved.

SEC. 2. *Be it enacted*, That the said Mary Ann Wilson be, and she shall hereafter, be known by the name of Mary Ann Richardson, and she is hereby restored to all the rights of a *feme sole*, and to all property and money, of every kind and description which she had, or was entitled to, upon the day of her marriage with said George Wilson: *Provided*, nothing herein shall prevent the said Mary Ann from recovering alimony from the said George Wilson, in any suit which she has or may bring for the same, if she may be entitled thereto by the existing laws.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 5, 1833.

CHAPTER LXII.

An Act for the relief of Lucinda Bishop.

Be it enacted by the General Assembly of the State of Tennessee, That Lucinda Bishop, wife of James Bishop, of the county of Maury, be, and she is hereby, declared to be entitled to all the rights and privileges of a *feme sole*, notwithstanding her marriage with said James Bishop; and all property which may hereafter descend, or vest in her by purchase, or which she may hereafter acquire by her own labor, she shall enjoy free from the control of her husband, and it shall not be subject to the satisfaction of her said husband's debts: *Provided*, that nothing herein contained shall be so construed as to authorise her to marry whilst her present husband is living.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 5, 1833.

CHAPTER LXIII.

An Act for the relief of James H. Hagar.

Be it enacted by the General Assembly of the State of Tennessee, That James H. Hagar, be, and he is hereby, authorised to retail goods, wares and merchandise, in Davidson county, and to hawk and peddle in said county without a license therefor.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 5, 1833.

CHAPTER LXIV.

An Act for the benefit of the citizens residing in the township which includes the school land on Shelton's creek, in the county of Lincoln.

Be it enacted by the General Assembly of the State of Tennessee, That the commissioners for the tract of land laid off for the use of common schools on Shelton's creek, in the county of Lincoln, be, and they are hereby, authorised to divide the township to which said school land belongs, into districts not exceeding four in number, and it shall be

the duty of said commissioners to divide and pay over to each district an equal portion of the funds arising from the rents of said school land, agreeable to the number of inhabitants entitled to the same.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 5, 1833.

CHAPTER LXV.

An Act to encourage the manufacture of iron in this State.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That John Duncan and William S. Duncan, may jointly enter and lay down on the general plan of the seventh surveyor's district, in the county of Lawrence, in one or more tracts not exceeding four, any quantity of vacant and unappropriated land unfit for cultivation, not exceeding two thousand acres, and the said John Duncan and William S. Duncan, shall and may enjoy all the rights and privileges which are secured to other occupants of the Western District.

SEC. 2. *Be it enacted,* That the surveyor of the seventh surveyor's district shall receive the entry or entries of the said John Duncan and William S. Duncan, and survey the same; and upon the plat and certificate of said surveyor so made out, it shall be the duty of the register of the district in which the land lies, upon satisfactory proof being made to him that valuable works for the manufacture of iron have been erected, and are in full and complete operation, to issue a grant or grants for the tract or tracts of land: *Provided*, said entry or entries be founded on a good and valid warrant or warrants.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 4, 1833.

CHAPTER LXVI.

An Act to divorce Daniel Green from his wife Mary Green.

Be it enacted by the General Assembly of the State of Tennessee, That the bonds of matrimony heretofore entered into, and now existing between Daniel Green of the county

of Hawkins, and Mary Green his wife, be, and the same are hereby dissolved.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 4, 1833.

CHAPTER LXVII.

An Act to authorise the county court of Overton to appoint a surveyor to resurvey the several tracts of school lands in said county.

Court to appoint surveyor. SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That it shall be the duty of the county court of Overton county, twelve, or a majority of the acting justices of the peace being present, to appoint some skilful surveyor to identify, survey and plainly mark the several tracts of school lands in said county.

Duty of surveyor or. SEC. 2. *Be it enacted,* That it shall be the duty of the surveyor to survey said tracts and to make out a fair plat of each tract of school land as aforesaid, laying down the water courses and other objects of notoriety, and report the same to the first term of the county court, after he shall have finished said surveys, which plat and report shall be by the clerk filed in his office.

Court to make compensation. SEC. 3. *Be it enacted,* That the county court shall make said surveyor a reasonable compensation for his services, which shall be paid out of the common school fund of said county: *Provided,* said surveyor shall have completed the surveys and make return thereof within six months from and after his appointment as aforesaid.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 4, 1833.

CHAPTER LXVIII.

An Act to make legitimate John, Henry and David Spoon.

Be it enacted by the General Assembly of the State of Tennessee, That John Spoon, Henry Spoon and David Spoon, illegitimate children of David Counts, of Grainger county, be, and they hereby are, made capable in law, of taking by descent the real and personal estate of the said David Counts, as fully as if they and each of them had been born in lawful

wedlock; and the said John, Henry and David, from and after the passage of this act, shall be called and known by the names severally of John Counts, Henry Counts and David Counts.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 4, 1833.

CHAPTER LXIX.

An Act to divorce Elizabeth Roberts from her husband Thomas Roberts, of Anderson county.

Be it enacted by the General Assembly of the State of Tennessee, That the bonds of matrimony now existing between the said Elizabeth Roberts and her husband Thomas Roberts, be dissolved, and that the said Elizabeth Roberts be, and she is hereby, restored to all the rights and privileges of a *feme sole*.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 4, 1833.

CHAPTER LXX.

An Act for the relief of John Jett and others, securities of Joel D. Mitchell, late entry taker of White county.

Be it enacted by the General Assembly of the State of Tennessee, That John Jett, John Chism and Thomas Bounds, securities of Joel Mitchell, late entry taker for White county, be released from the payment of the interest upon a decree entered against them as securities aforesaid, in the chancery court at McMinnville, at December term, 1832, in favor of the Governor and Bank of the State of Tennessee, for about the sum of thirteen hundred dollars: *Provided,* nothing in this act shall extend to release them from the payment of the principal and the interest upon said decree, from the time said decree was entered, and all other interest except for the time said suit was pending in said suit of chancery.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 4, 1833.

CHAPTER LXXI.

An Act for the benefit of Elihu C. Crisp, surveyor general of the 10th district.

Location of office. **SECTION 1.** *Be it enacted by the General Assembly of the State of Tennessee,* That Elihu C. Crisp, surveyor general of the tenth district, be, and he is hereby, permitted to keep his office at any place within three miles of the town of Bolivar, in Hardeman county.

Repealing clause. **SEC. 2.** *Be it enacted,* That all laws requiring said office to be kept at or in the town of Bolivar, be, and the same are hereby, repealed.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 4, 1833.

CHAPTER LXXII.

An Act for the relief of Florinda Clements.

Be it enacted by the General Assembly of the State of Tennessee, That Florinda Clements, wife of Luther M. Clements, may contract and be contracted with, sue and be sued, hold and enjoy property, real and personal, and enjoy all the privileges of a *feme sole*: *Provided,* that nothing herein contained, shall be construed as dissolving the bonds of matrimony between her and her said husband, and that all the property hereafter given to or acquired by the said Florinda, by descent, devise, or otherwise, or which she may obtain by contract or by labor, shall be the separate property of the said Florinda, and not in any wise subject to the debts or contracts of her husband.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 5, 1833.

CHAPTER LXXIII.

An Act to incorporate the town of Savannah, in Hardin county.

Savannah incorporated. **SECTION 1.** *Be it enacted by the General Assembly of the State of Tennessee,* That the town of Savannah, in the county of Hardin, and the inhabitants thereof, are hereby

constituted a body politic and corporate, by the name of the Mayor and Aldermen of the town of Savannah, and shall have succession for the term of fifty years, and by their corporate name may sue and be sued, plead and be impleaded, grant, receive, purchase and hold real, mixed and personal property or estate of any kind whatever, and dispose of the same for the benefit of said town, and may have and use a town seal.

SEC. 2. *Be it further enacted,* That it shall be the duty of the sheriff of the county of Hardin, to open and hold an election at the court house in the town of Savannah aforesaid, on the first Thursday in each and every year, for the purpose of electing seven persons to serve as Aldermen of said corporation for the term of one year after their election and qualification into office, and no person shall be eligible to the appointment of Alderman unless he be a citizen and freeholder in said corporation, who would be qualified to vote for members to the General Assembly or militia officers, shall be permitted to vote in such election for Aldermen; and the seven persons having the highest number of votes at any election held as aforesaid, and being qualified as aforesaid, shall be considered as duly elected, and the sheriff holding said election shall within two days thereafter, give each of the persons so elected a certificate of their election.

SEC. 3. *Be it enacted,* That the seven persons elected and qualified as aforesaid, shall meet at the court house in the said town of Savannah, on Saturday after their election, and said Aldermen when so assembled, shall appoint one of their own body to serve as Mayor of said corporation during their time of service; and said Mayor and Aldermen shall then take an oath before the clerk of the court of pleas and quarter sessions of said county, or before some justice of the peace for the same, to faithfully and impartially demean themselves, and discharge their several duties as Mayor and Aldermen of said corporation during their continuance in office, a copy of which oath, certified by the clerk or justice of the peace administering the same, shall be filed in said clerk's office; and said Mayor and Aldermen shall then proceed to appoint a recorder and high constable, each of which officers shall, before entering on the discharge of the duties of their offices, take an oath of office as prescribed for by said corporation; and the high constable appointed as aforesaid, shall also enter into bond with approved security to said corporation, for the faithful discharge of his duty as constable, for the collection and paying over to the said corporation all fines and forfeitures collected by him, and the collection and paying over all taxes that may become due to said corporation. It shall be the duty of the recorder to keep a fair record,

Duty of sheriff of Hardin co.

Qualification of officers and electors

Aldermen to take oath, and their duty.

in a well bound book, of the proceedings of said corporation. And the said recorder and constable shall be elected annually, and hold their offices for the term of one year, at the expiration of which time, or as soon thereafter as circumstances will permit, shall return over all papers and records in their hands to their successor in office.

Power of Aldermen.

Sec. 4. *Be it enacted*, That the corporation aforesaid, shall have power and authority to enact and pass such laws or ordinances, and to prevent all profane or disorderly conduct; to ascertain the boundary and location of all streets, lanes and alleys; to alter and enlarge streets or alleys, by the consent of the proprietors of lots and houses adjoining the same; to pave and keep in repair the streets and public square of said town; to establish and regulate markets and inspections in said corporation; to convey water from the vicinity, through pipes or otherwise, into said town; to erect pumps, &c.; to impose fines, penalties and forfeitures, and to appropriate the same; to lay and collect taxes for the purpose of carrying the necessary measures into operation or effect, agreeably to the true intent and meaning of this act; *Provided*, they are not incompatible with the constitution or laws of this State.

Of fines and their recovery.

Sec. 5. *Be it enacted*, That all fines, penalties and forfeitures imposed by the by-laws or ordinances of said corporation, not exceeding fifty dollars, may be recovered by action of debt before any single magistrate, but if exceeding that sum, then to be recovered by action of debt in the county court, in the name of said corporation for the use of said town, subject to an appeal as in other cases.

To fill vacancies.

Sec. 6. *Be it enacted*, That when any vacancy may happen by resignation or otherwise, for an Alderman or Aldermen, it shall be the duty of the sheriff of said county, after giving ten days notice by advertising the same, to hold an election to fill said vacancy, as prescribed by the second section of this act, and when any vacancy may happen for the office of Mayor, recorder or high constable, such vacancy shall be filled *pro tem.* by the corporation as aforesaid; and a majority of said Aldermen shall in all cases form a quorum, and be competent to do business, but shall not pass or enact any law or ordinance, unless the Mayor and at least four Aldermen shall be present.

County court to bound the corporation.

Sec. 7. *Be it enacted*, That the bounds of said corporation shall be laid off by the county court, at the first court after the first day of December; and when laid off, shall be considered the bounds of the corporation of the town of Savannah.

Lynchburg incorporated.

Sec. 8. *Be it enacted*, That the town of Lynchburg, in the county of Lincoln, and the inhabitants thereof, are hereby constituted a body corporate, by the name of the Mayor and Aldermen of the town of Lynchburg, and shall

have succession for the term of fifty years; and by their corporate name may sue, and be sued, plead and be impleaded, grant, receive, purchase, and hold real and personal property, for the use and benefit of said town.

Of election of Aldermen and their powers.

Sec. 9. *Be it enacted*, That a justice of the peace in the bounds of the captain's company which includes said town, after giving fifteen days notice, shall hold an election on the first Friday in January in each and every year, for the purpose of electing five persons as Aldermen for said corporation, who shall elect a Mayor of the town; and said Mayor and Aldermen shall be under the same rules, regulations and restrictions, and have the same powers as are granted to the Mayor and Aldermen of the town of Savannah, except in laying off the town, that shall be done by the Aldermen, and the elections shall be held by a justice of the peace, and no fines shall be imposed by the corporation for more than twenty-five dollars.

Sec. 10. *Be it enacted*, That this act shall be in force from the first day of January next.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 6, 1833.

CHAPTER LXXIV,

An Act to prolong the session of the county court of Davidson county.

Be it enacted by the General Assembly of the State of Tennessee, That the county court of Davidson county, be, and is hereby authorized to continue its present session for one week in addition to the time authorized for its sitting by the existing laws.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 8, 1833.

CHAPTER LXXV,

An Act for the relief of David Russell, Arthur H. Hanly and Nicholas Byars.

SECTION 1. *Be it enacted, by the General Assembly of the State of Tennessee*, That David Russell, Arthur H. Hanly and Nicholas Byars, proprietors of the Linsey Township

Road, be permitted to enter in the office of the entry-taker of the Hiwassee District, eight hundred and sixteen acres of land occupied by them on Tennessee river, in Monroe county, reserved to the use of the Unacoy Turnpike Company during the term of the lease for the Unacoy road, and that the principal surveyor of the said district together with Andrew Cowan of Blount county, John McGhee, Nicholas S. Peck and Thomas Calloway, or a majority of them, shall ascertain the value of said land, taking into view all the circumstances of the case, quantity, quality, &c. and the certificate of the said principal surveyor and other valuers of the estimate shall be necessary for obtaining the entry; and shall be entered in the office of the entry-taker of the Hiwassee District. And the said Russell, Henly and Byers be allowed the term of two years from and after the passage of this act, for entering, making payment and obtaining a grant for the said tract of land; and that no grant shall issue until the payment of the aforesaid valuation of said land be made.

Of valuation.

Valuers to be sworn.

Conditions.

Sec. 2. *Be it enacted*, That the persons appointed under this act to value the tract of land, shall before proceeding to make such valuation, first take an oath before any justice of the peace for Monroe county, to assess the true value thereof, to the best of their knowledge.

Sec. 3. *Be it enacted*, That if the said Russell, Henly and Byers shall not pay for said land according to the provisions of this act, by the end of the time given for such payment by this act, it shall then be lawful for any other citizen of this State by paying to the entry-taker of the Hiwassee District, the sum to which it shall be assessed under the provisions of this act, to enter the said tract of land and to acquire the title thereto, for which money the entry-taker shall account as for other public money.

F. W. HULING,

Speaker of the House of Representatives.

D. BURFORD,

Speaker of the Senate.

Passed November 7, 1833.

CHAPTER LXXVI.

An Act for the benefit of William Irwin, of Hickman county.

Be it enacted by the General Assembly of the State of Tennessee, That William Irwin, of Hickman county, be, and he is hereby, authorized to hawk and peddle in the counties of Hickman and Wayne, without paying a tax therefor: *Provided*, that before he exercises the privilege hereby granted, he shall take an oath before some justice of

the peace, in one of said counties, that the profits arising from said pursuit are for his exclusive benefit.

F. W. HULING,

Speaker of the House of Representatives.

D. BURFORD,

Speaker of the Senate.

Passed November 7, 1833.

CHAPTER LXXVII.

An Act for the benefit of John T. Burtwell, of McNairy county, and for the encouragement of Salt Works in this State.

Be it enacted by the General Assembly of the State of Tennessee, That John T. Burtwell shall have a preference of entry of a tract of land not exceeding two thousand acres, near or within five miles of the site where he may commence erecting Salt Works in Hardin county, and the said Burtwell may have the same surveyed and designated on the general plan of the 9th Surveyor's district, and shall be entitled to all the benefits and privileges of the occupant law of 1829, 1831 and 1832, provided he shall not interfere with any resident occupant claim: *Provided*, that the said Burtwell shall succeed in making Salt within five years from the passage of this act: *And provided*, also, that the land intended to be entered shall be unfit for cultivation.

F. W. HULING,

Speaker of the House of Representatives.

D. BURFORD,

Speaker of the Senate.

Passed November 7, 1833.

CHAPTER LXXVIII.

An Act for the benefit of William Vinson.

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 William Vinson, of Cocke county, the sum of eighteen dollars, out of any money in the Treasury not otherwise appropriated, in full compensation for a gun lost by said William Vinson, in the public service during the late war with the Creek Indians.

F. W. HULING,

Speaker of the House of Representatives.

D. BURFORD,

Speaker of the Senate.

Passed November 7, 1833.

CHAPTER LXXIX.

An Act for the benefit of Nancy Hallum, of Carroll county.

Be it enacted by the General Assembly of the State of Tennessee, That Nancy Hallum, wife of Morris Hallum of Carroll county, be, and she is hereby, entitled to all the rights and privileges of a *feme sole*, and as such, shall hold independent of her said husband or his creditors, all property of every kind and description, which may hereafter be given, or devised to or purchased by her, and to all property of every kind and description, which she now has a right to, or may hereafter acquire by gift, purchase or devise: *Provided*, that nothing herein contained shall be so construed as to authorize the said Nancy to intermarry with any other person during the natural life of her said husband.

F. W. HULING,

Speaker of the House of Representatives.

D. BURFORD,

Speaker of the Senate.

Passed November 7, 1833.

CHAPTER LXXX.

An Act for the relief of Miles Vernon and Joseph M'Korkle.

Be it enacted by the General Assembly of the State of Tennessee, That the Treasurer of East Tennessee, pay to Miles Vernon and Joseph M'Korkle, of Rhea county, the sum of one hundred and seventy-one dollars and twenty-six and a fourth cents, out of any money in the Treasury not otherwise appropriated, for costs of suit and fees of counsel in prosecuting a suit in defence of the school section of land in the third township and third range, west of the meridian in the Hiwassee District, against the claim and title of Chocta, a Cherokee reservee under the treaty of 1817.

F. W. HULING,

Speaker of the House of Representatives.

D. BURFORD,

Speaker of the Senate.

Passed November 7, 1833.

CHAPTER LXXXI.

An Act for the relief of Thomas Lockhart, of Sumner county.

Be it enacted by the General Assembly of the State of Ten-

nessee, That Thomas Lockhart, of the county of Sumner, be, and he is hereby, authorized to hawk and peddle in the county of Sumner, without obtaining a license therefor.

F. W. HULING,

Speaker of the House of Representatives.

D. BURFORD,

Speaker of the Senate.

Passed November 7, 1833.

CHAPTER LXXXII.

An Act to incorporate Female Academies in the counties of Rutherford and Lincoln.

SECTION 1. Be it enacted by the General Assembly of the State of Tennessee, That William Ledbetter, Jonathan Currin, Henry D. Jamison, Charles Niles, Charles Ready, Varner D. Cowan and William F. Lytle, be, and they are hereby, constituted a body politic and corporate by the name of the Trustees of the Murfreesborough Female Academy, and shall have perpetual succession, and be capable in law or otherwise, to purchase, receive and hold to themselves and their successors, any lands, tenements, goods or chattels, which shall be given, granted, devised to them or purchased by them, for the use and benefit of said Academy, and to appropriate, use and dispose of the same in such manner as to them may seem fit and proper, for the use and benefit of the Academy aforesaid, and the said trustees and their successors by the name aforesaid, may sue and be sued, plead and be impleaded, in any court of law and equity in this State or elsewhere.

Trustees of
Murfreesboro'
Academy.

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

SEC. 3. Be it enacted, That said board of trustees, together with their Secretary and Treasurer, shall have power to make such by-laws, rules and regulations relative to said Academy, and the government thereof, and their own proceedings, as a majority of said board may deem right and proper: *Provided*, they are not inconsistent with the constitution and laws of the United States and of the State of Tennessee.

may enact by
laws.

Trustees of
Mulberry Female
Academy.

Sec. 4. *Be it enacted*, That William F. Smith, John J. Whitaker, James S. Holman, William F. Long, Drury M. Connally, James Hague, Charles Bright, Joseph Whitaker and William Moore, be, and they are hereby, constituted a body politic and corporate, by the name of the Trustees of the Mulberry Female Academy, who shall have all the powers and privileges that are granted to the Trustees of the Murfreesborough Female Academy, and that a majority of the Trustees above named, or their successors in office, shall have power to transact all business for the benefit of the Mulberry Female Academy.

F. W. HULING,

Speaker of the House of Representatives.

D. BURFORD,

Speaker of the Senate.

Passed November 8, 1833.

CHAPTER LXXXIII.

An Act authorizing Solomon Charles to build a bridge across the Caney Fork, in White county.

Be it enacted by the General Assembly of the State of Tennessee, That Solomon Charles, of White county, be authorized to build a toll bridge across the Caney Fork at or near the mouth of his spring branch, and shall have the same toll, subject to the same rules and regulations, that the toll bridge across the Caney Fork at Rock Island is subject.

F. W. HULING,

Speaker of the House of Representatives.

D. BURFORD,

Speaker of the Senate.

Passed November 8, 1833.

CHAPTER LXXXIV.

An Act to repeal the first section of an act, entitled "an act to extend the town of Sparta, in White county, and for other purposes," passed November 21, 1829.

Be it enacted by the General Assembly of the State of Tennessee, That the first section of an act passed November 1829, entitled an act to extend the town of Sparta, in White county, and for other purposes, be, and the same is hereby, repealed, and that the town of Sparta shall not be extended so as to cross the river.

F. W. HULING,

Speaker of the House of Representatives.

D. BURFORD,

Passed November 8, 1833. *Speaker of the Senate.*

CHAPTER LXXXV.

An Act to appropriate five hundred dollars to the survey of a Rail Way in Tennessee, to connect with the Charleston Rail Road.

Be it enacted by the General Assembly of the State of Tennessee, That the Treasurer of East Tennessee pay to Dr. James G. M. Ramsey, Drury P. Armstrong and James King, five hundred dollars out of any money in his office not otherwise appropriated, to be paid to them when required, to commence the survey of a contemplated Rail Way in East Tennessee, to connect with the Charleston Rail Road; the receipt of said Ramsey, Armstrong and King, shall entitle said Treasurer to a credit in the settlement of his accounts: *Provided*, that the Treasurer of East Tennessee shall not pay the aforesaid amount, until he shall be satisfied that the legislature of the State of North Carolina have made an appropriation for the same purpose, and that the Engineers who may be detailed to make the survey are ready to perform the service.

F. W. HULING,

Speaker of the House of Representatives.

D. BURFORD,

Speaker of the Senate.

Passed November 8, 1833.

CHAPTER LXXXVI.

An Act providing for the preservation of the Records of the county court of Washington county.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the county court of Washington county, is hereby authorized at their discretion to direct their clerk or some other person under their direction, to collect and have securely bound in one or more books, all the records of said court that may be found to be in a loose or deranged state, and if in the opinion of the court, it should be necessary to have any portion of said records transcribed, they may so direct their clerk, which transcript when examined and approved by the court shall be as good and as valid as the original records were.

SEC. 2. *Be it enacted*, That the said court may allow a reasonable compensation for said services, and order the same to be paid out of any money in the hands of the county trustee not otherwise appropriated.

F. W. HULING,

Speaker of the House of Representatives.

D. BURFORD,

Speaker of the Senate.

Passed November 7, 1833.

CHAPTER LXXXVII.

An Act for the relief of Anderson Hodge, of M'Minn county.

Be it enacted by the General Assembly of the State of Tennessee, That John Shelby, the infant son of Jane Hodge, late the wife of Anderson Hodge, of M'Minn county, from and after the passage of this act, shall not be considered and taken to be the lawful heir of the said Anderson Hodge, any law to the contrary notwithstanding.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 8, 1833.

CHAPTER LXXXVIII.

An Act for the benefit of Hudson Davidson, of Humphreys county.

Be it enacted by the General Assembly of the State of Tennessee, That Hudson Davidson, of Humphreys county, be, and he is hereby, permitted to remove an entry of three acres of land made in the 12th Surveyor's district, range 8, section 3, in the name of Meredith Holcome, forty or fifty poles, so the said entry may cover a mill seat on Bird Song Creek: Provided, the said Hudson Davidson make proof to the satisfaction of the Surveyor of the 12th district, that the legal title of said land is in him, and that by removing the entry it does not interfere with any other entry or occupant claim.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 8, 1833.

CHAPTER LXXXIX.

An Act to alter the time of holding the court martial in the 127th regiment.

SECTION 1. Be it enacted by the General Assembly of the State of Tennessee, That the regimental court martial in the 127th regiment, shall hereafter be held on the fourth Friday in October in each and every year.

Sac. 2. Be it enacted, That the law authorizing the court martial in said regiment to be holden on the first

Friday after each regimental muster, shall be, and the same is hereby, repealed.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 7, 1833.

CHAPTER XC.

An Act for the relief of James Williams.

Be it enacted by the General Assembly of the State of Tennessee, That James Williams, of Lawrence county, be restored to all the rights and privileges of a citizen of this State, in as full and ample a manner as any others.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 8, 1833.

CHAPTER XCL.

An Act to appoint additional trustees for the Bolivar Male Academy, in Hardeman county.

Be it enacted by the General Assembly of the State of Tennessee, That Sylvester Bailey, Edward R. Belcher, David Pentress, John C. M'Kean, Levi Jay, William B. Turley and Calvin Jones, be, and they are hereby, appointed additional trustees for the Bolivar Male Academy, in Hardeman county, with the same powers and privileges, and under the same rules, regulations and restrictions that the former trustees are.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed October 29, 1833.

CHAPTER XCII.

An Act to authorize the county court of the county of Davidson to order certain slaves to be sold.

Be it enacted by the General Assembly of the State of Tennessee, That the county court of Davidson county, is here-

by authorized upon the petition of William G. Harding, guardian of the minor heirs of William Harding, deceased, to sell upon such terms as the said court may think best for the interest of said minor heirs, the following slaves, to wit: Maria, a negro woman 35 or 40 years of age, and her six children, named Tom, Eliza, Patsy, Robert, Major and Lucy, provided said court shall be of opinion, that it would be promotive of the interest of said minor heirs to sell said slaves.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 12, 1833.

CHAPTER XCIII.

An Act for the benefit of Madison C. Napier, of Dickson county.

Additional
time granted.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the third section of an act entitled an act to encourage the manufacture of iron in this State, which passed on the 28th September 1832, be, and the same is hereby, extended so that Madison C. Napier, be, and is hereby entitled to the additional time of two years to perform and complete the requisitions of said act, or the parts thereof which passed for the benefit of Madison C. Napier and Epps Jackson, jointly.

Sole proprietor

SAC. 2. *Be it enacted*, That said Napier (having purchased all the right, title and interest of the aforesaid Jackson, in and to the benefit of said act) may and shall enjoy, and be entitled solely, to all the benefits and privileges therein and hereby conferred.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed October 20, 1833.

CHAPTER XCIV.

An Act to divorce Elizabeth Harper from her husband Joseph Harper, and for other purposes.

Elizabeth Har-
per divorced.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the bonds of matrimony heretofore entered into between Joseph Harper and Elizabeth Harper of this State, be, and the same are hereby, dissol-

ved and forever annulled, and that she have all the rights and privileges of a single woman, as fully as if she had never been married to the said Joseph Harper.

SAC. 2. *Be it enacted*, That the names of Sophia, Harriet N. Zelda, John M. James L. Tabitha, Mary and Alexander T. Harper, be, and are hereby changed to Sophia Cotton, Harriet N. Cotton, Zelda Cotton, John M. Cotton, James L. Cotton, Tabitha Cotton, Mary Cotton and Alexander T. Cotton, and that they shall enjoy all the rights and privileges as heirs of Noah Cotton, of Sumner county, in as full and ample a manner as if they had been born in lawful wedlock.

Sophia and
other Harpers
changed to
Cotton.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 11, 1833.

CHAPTER XCV.

An Act to divorce Edward Denton from his wife Susannah.

Be it enacted by the General Assembly of the State of Tennessee, That the bonds of matrimony heretofore entered into between Edward Denton, of Wilson county in this State, and his wife Susannah, be, and the same are hereby, dissolved and forever annulled.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 8, 1833.

CHAPTER XCVI.

An Act to extend the corporation of the town of Bolivar, in Hardeman county.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the bounds of the corporation of the town of Bolivar, be, and hereby are extended as follows, to wit: from the present line of the said town west to the line of Sophia Polk's tract of land, thence south to the line of Thomas J. Hardeman's tract of land, so as to include Henry J. Lea's brick house, thence east so as to include Bright and Crisp to William Ramsey's line, thence north to General Robertson's and Ramsey's line: Provided, nevertheless, that no one lot or piece of ground exceeding one acre, shall be taxed more than a lot.

Bounds of Murfreesboro' extended.

Soc. 2. Be it enacted, That the bounds of the corporation of the town of Murfreesborough, in the county of Rutherford, be, and hereby are extended on the west boundary line so as to include the lot of James Manning.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 11, 1833.

CHAPTER XCVII.

An Act to divorce Gilley Harmon, of Dickson county, from her husband Lewis Harmon.

Be it enacted by the General Assembly of the State of Tennessee, That the bonds of matrimony heretofore entered into, and now existing, between said Gilley Harmon, of Dickson county, and her said husband Lewis Harmon, be, and the same are hereby, dissolved, and the said Gilley restored to all the privileges of a *feme sole*.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 12, 1833.

CHAPTER XCVIII.

An Act to encourage the manufacture of Iron in this State.

May enter land.

SECTION 1. Be it enacted by the General Assembly of the State of Tennessee, That Isaac G. Grimes may enter and lay down on the plan of the seventh Surveyor's district, any quantity of land not exceeding five thousand acres, and in not more than five tracts; and the said Isaac G. Grimes may enjoy the same rights and privileges of other occupants or persons who have had land set apart for iron works.

To erect iron works.

Soc. 2. Be it further enacted, That if said Grimes should take in any partner in the building of iron works, or sell out his interest to any other person, his assignment on the plats and certificates shall be sufficient for him or them, to hold said land the same as the said Grimes: *Provided*, the same does not interfere with any resident occupant, and that the land so taken is not fit for cultivation: *And provided, also*, that the said Grimes shall within three years, from the first day of January next, erect and put into operation,

works for the manufacture of iron, but should he fail so to do, then and in that case, any entry or entries made under the provisions of this act, shall be null and void to all intents and purposes, as though they never had been made.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 13, 1833.

CHAPTER XCIX.

An Act for the benefit of Hardy, a man of color, of Blount county.

Be it enacted by the General Assembly of the State of Tennessee, That the county or circuit court of Blount county, be, and is hereby authorized to emancipate Hardy, formerly the slave of William Boyd, deceased, late of Blount county, under the rules and regulations of the law as it existed before the passage of the act of 1831, chapter 102, any law to the contrary notwithstanding.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 13, 1833.

CHAPTER C.

An Act to divorce Benoni Medley from his wife Milly.

Be it enacted by the General Assembly of the State of Tennessee, That the bonds of matrimony now existing between Benoni Medley and his wife Milly, of the county of White, be, and the same are hereby, dissolved.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 13, 1833.

CHAPTER CI.

An Act for the relief of the heirs of Robert H. Dyer, deceased.

Whereas, it is represented to this General Assembly, *Preamble*, that the late Col. Robert H. Dyer, of Madison county,

died in the year 1826, indebted to the State of Tennessee, in the sum of three thousand dollars, and that the executor for the payment of the same, gave a deed in trust on the whole of the estate of the said Robert H. Dyer, excepting what was consumed in the payment of individual debts, amounting to about a sufficiency to pay this debt, and that the collection of this debt would deprive the widow and several daughters, of the means of support, and take from them almost all the comforts of life: Therefore,

Lottery granted.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Joel Henry Dyer, executor of the last will and testament of the said Robert H. Dyer, deceased, be, and he is hereby, authorized to prepare and draft a scheme of a Lottery in any manner he may think best, in order to raise the sum of six thousand dollars, for the benefit of the heirs of the said Robert H. Dyer, to be applied to the payment of the expenses of drawing this Lottery, and of the debt, interest and cost now owing by said executor of the said Robert H. Dyer, to the State of Tennessee.

Bond required.

SEC. 2. *Be it enacted*, That before the said Joel H. Dyer proceed with said Lottery, he shall enter into bond with sufficient security in the sum of twelve thousand dollars, payable to the Governor and his successors in office, conditioned for the faithful payment of all prizes when drawn, or in case of failure to draw said Lottery, for the repayment to such persons as may have purchased tickets, of the sum by them advanced, which bond when executed, shall be filed in the office of the Secretary of State, and upon breach of which, suit may be brought to recover for the use of any person or persons aggrieved, from time to time, until the penalty be paid.

To be completed in three years.

SEC. 3. *Be it further enacted*, That the said Lottery be drawn and completed in the space of three years, from the first day of January 1834, and that the collection of the said debt, be, and the same is hereby, suspended for the period of three years, from the said first day of Jan. 1834: *Provided*, nothing in this act shall be so construed as to affect a lien given on certain [property] by the executor of the said Robert H. Dyer, deceased, to secure the payment of the above mentioned debt.

May transfer privilege.

SEC. 4. *Be it enacted*, That the said Joel Henry Dyer, is hereby authorized and empowered, (if in his opinion it would be most beneficial to the estate,) to sell the right of drawing this Lottery to any person or persons, he first taking bond and security from such person or persons to pay the prizes, and also such part or portion of the money as he by his contract with said person or persons may be en-

filed to: *Provided*, that nothing in this act contained shall authorize more than two classes to be drawn in said Lottery.

F. W. HULING,

Speaker of the House of Representatives.

D. BURFORD,

Speaker of the Senate.

Passed November 11, 1833.

CHAPTER CII.

An Act to provide for the health of the citizens of the town of Knoxville.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That it shall not be lawful for any person or persons to keep and retain a slaughter house, or pen, or slaughter beeves within one mile of the town of Knoxville. Slaughter house-see forbid.

SEC. 2. *Be it enacted*, That if any person shall violate the first section of this act, the person or persons so offending, shall forfeit and pay the sum of twenty dollars for each and every such offence, to be recovered by warrant in the name of the State or Mayor of the town of Knoxville, before any justice of the peace for Knox county, the one half to be applied to the use of common schools in Knox county, and the other half for the use and support of the poor of said county, and that suit may be brought by any person that may see proper to sue, and the money to be paid over as provided for.

F. W. HULING,

Speaker of the House of Representatives.

D. BURFORD,

Speaker of the Senate.

Passed November 8, 1833.

CHAPTER CIII.

An Act for the benefit of John A. Gardner and Thomas C. Jones.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That John A. Gardner and Thomas C. Jones, of Weakley county, be, and they are hereby, authorized to build a mill on the north fork of Obion river, in the county of Weakley; and whereas the land on which said Gardner and Jones intend to build said mill, is now vacant and unappropriated. May erect mill on vacant land.

SEC. 2. *Be it enacted*, That the said John A. Gardner and Thomas C. Jones, shall have an exclusive right to enter and perfect a title to two hundred acres of land adjoin-

ing and including the place whereon said mill is to be erected, to be located in a square or oblong so as not to be more than twice as long as broad: *Provided*, their said location may not interfere with any lands which may be already appropriated or claimed by any resident occupant in said bounds, and that the said Gardner and Jones may erect said mill within two years from the passage of this act; but if not erected within said time, then and in that case they shall not be entitled to any preference right.

Jno. Dunn may
enter land.

SEC. 3. *Be it enacted*, That John Dunn, of the county of Weakley, is hereby empowered and entitled to have surveyed and located, and a grant issued, for two hundred acres of land lying upon the middle fork of Obion river, in said county of Weakley, south of a tract of land granted to the president and trustees of the University of North Carolina, containing twenty-five hundred and sixty acres, and upon the north of J. Craven's land, to be located in a square or oblong: *Provided*, said location and grant shall not interfere with any land now appropriated or claimed by any resident occupant within said bounds, and upon which said land the said John Dunn shall within two years from the passage of this act, erect and establish a mill, and in default thereof, all the rights and titles herein secured to the said John Dunn, of, in and to said land, shall be forfeited and revert to the State: *Provided*, he procure a land warrant for that amount on which said grant shall issue.

Must erect mill

F. W. HULING,

Speaker of the House of Representatives.

D. BURFORD,

Speaker of the Senate.

Passed November 13, 1833.

CHAPTER CIV.

An Act for the benefit of Jackson Wharrey and John L. Smith.

Be it enacted by the General Assembly of the State of Tennessee, That Jackson Wharrey, of Warren county, and John L. Smith, of White county, be, and they are hereby, authorized to hawk and peddle in the counties of White, Franklin, Warren and Fentress, without paying a tax therefor: *Provided*, that nothing herein contained shall authorize them to hawk and peddle upon the goods or effects of any other person.

F. W. HULING,

Speaker of the House of Representatives.

D. BURFORD,

Speaker of the Senate.

Passed November 14, 1833.

CHAPTER CV.

An Act for the benefit of William Bishop, jailer of Dickson county.

Be it enacted by the General Assembly of the State of Tennessee, That William Bishop, jailer of Dickson county, be, and he is hereby, allowed the sum of sixty-two dollars, eighty-seven and a half cents, for the keeping of James Hales in the common jail of said county, on an indictment for grand larceny, and that the Treasurer of Middle Tennessee be, and he is hereby, authorized to pay the same out of any money in the treasury not otherwise appropriated.

F. W. HULING,

Speaker of the House of Representatives.

D. BURFORD,

Speaker of the Senate.

Passed November 13, 1833.

CHAPTER CVI.

An Act for the relief of James, a slave.

Be it enacted by the General Assembly of the State of Tennessee, That the county court of Davidson county, be authorized and directed to emancipate James, a slave, late the property of James Wilcox, deceased: *Provided*, it appears to said court, that said James Wilcox, by his will, authorized or directed said slave to be set free: *And provided also*, that bond and security be given according to the provisions of the act of 1801.

F. W. HULING,

Speaker of the House of Representatives.

D. BURFORD,

Speaker of the Senate.

Passed November 16, 1833.

CHAPTER CVII.

An Act to erect the Manual Labor Academy of Maury county into a College, to be denominated Jackson College.

Be it enacted by the General Assembly of the State of Tennessee, That the Manual Labor Academy of Maury county, ^{Jackson col- lege establish- ed.} be, and the same is hereby, declared to be erected into a College, and the same is hereafter known by the name of Jackson College, and that the corporate name of the trustees of the Manual Labor Academy be no longer used, and that all the privileges, claims, rights and property of every description belonging to said Academy, be, and they are

hereby, vested in said college; and the trustees of said Academy, by the name of President and Trustees of Jackson college, may do and perform all acts that they could lawfully have done prior to the passage of this act as trustees of said Academy, and that all acts done or to be done, and all proceedings had and to be had in the former name, shall enure to their benefit in the latter, and all acts and proceedings commenced by the former name, may be carried on in the latter name for the benefit of said College, so that no injury can result from the change of name. And that all moneys due, or which may hereafter fall due to said College as the Manual Labor Academy, shall be paid to the President and Directors of Jackson College, and that said trustees select out of their body some suitable person as President of the board of trustees, and establish such rules and regulations for the government of said institution, and for their own convenience as they shall deem expedient, which shall not be inconsistent with the law of the land.

Powers granted.
 SEC. 2. And be it further enacted, That Jackson College is hereby vested with all the rights, powers, privileges, franchises and emoluments of other colleges in this State, and to confer the same degrees and honors upon students and others.

F. W. HULING,
Speaker of the House of Representatives.
 D. BURFORD,
Speaker of the Senate.

Passed November 16, 1833.

CHAPTER CVIII.

An Act to amend an act, entitled "an act for the relief of Charles A. Houser and others, heirs and devisees of John G. [Houser,] deceased," and for other purposes, passed October 7, 1824,

Whereas, it appears to the satisfaction of this General Assembly, that the said Charles Augustus Houser, mentioned in the above recited statute, departed this life in October, 1826, in Maury county, intestate, and without lawful issue of his body; and that his brother, Henry David Houser, who is also the brother of the said John Godfrey Houser, (in said statute mentioned,) came to the United States and settled in Maury county, in this State, in December, 1825, where he has continued to reside ever since, and has been duly and legally naturalized, and thereby became, and is now, a citizen of the United States: And whereas, doubts exist as to the sufficiency of the title of the said Henry

David Houser to the estate of his said deceased brother, John Godfrey Houser: For remedy whereof,

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the said Henry David Houser, who now resides in Maury county, in this State, shall have, hold and enjoy, all and singular the goods and chattels, rights and credits, and all and singular the real estate, and personal property, and the title thereto in law and equity, which were of his said deceased brother, John Godfrey Houser, in the same manner, and to the same extent, that the same were had and held by the said John Godfrey Houser in his life time, and as they would have been had and held by him the said John G. if he had been a citizen of the United States, to have and to hold to him the said Henry David Houser, and his heirs forever, in fee simple, in trust to, and for the use and benefit of, himself, and such of his brothers and sisters only, and their legitimate issue, who are devisees in the will of the said John G. and who shall, within five years from the first day of January next, come to this State with the intention to reside therein, and shall become citizens thereof as soon after their arrival as may be consistent with the laws of the United States.

SEC. 2. *Be it enacted,* That the said Henry David Houser shall not sell or dispose of in fee simple, any portion of the realty of said estate, until after the expiration of five years from the first day of January next, nor shall he grant any lease of the same beyond the said term of five years, until the expiration thereof.

SEC. 3. *Be it enacted,* That nothing in this statute shall be construed so as to give to the said Henry David Houser, or any other person, any part of that portion of said estate which, by the before recited statute, was exempted and reserved for the trustees of Woodward Academy, in Maury county, for the use and benefit of said Academy.

F. W. HULING,
Speaker of the House of Representatives.
 D. BURFORD,
Speaker of the Senate.

Passed November 16, 1833.

CHAPTER CIX.

An Act to change and alter an alley in the town of Sparta.

Be it enacted by the General Assembly of the State of Tennessee, That the alley that now runs on the north end of lots No. 11 and 12, and on the south end of lot No. 13, in

the town of Sparta, be changed so as to run between lots No. 13 and 14, to be of the same width of the alley now changed by this act.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 16, 1833.

CHAPTER CX.

An Act to incorporate the inhabitants of the town of New Market, in the county of Jefferson.

Commissioners
appointed.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Jacob C. Smith, Patton Howell, T. D. Knight, William Dick, William H. Moffett, John Dailey, and Cyrus M. Goodlin, are hereby appointed commissioners to lay off and mark the limits of the town of New Market, in the county of Jefferson, and shall make out a plan and plat of the same, a certified copy of which they shall deposit in the county court clerk's office for said county, and all streets, lanes and alleys, designated as such upon said plan, shall inure to, and remain for the use of, said town.

Town incor-
porated.

SEC. 2. *Be it enacted*, That the said town of New Market, and the inhabitants thereof, are hereby constituted a body politic and corporate, by the name of the Mayor and Aldermen of the town of New Market, 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 an act, entitled "an act to amend an act, entitled an act to incorporate the town of Knoxville, in the county of Knox," passed November 4, 1817; and every article, clause and section of the acts aforesaid, incorporating the town of Knoxville, shall have as full force, operation and effect, in the government of the town of New Market and the inhabitants thereof, and all other persons concerned therein, as if herein again specially enacted.

Sheriff to hold
election for
Mayor and
Aldermen.

SEC. 3. *Be it enacted*, That the sheriff, or deputy sheriff of Jefferson county, shall open and hold an election on the first Monday of January in each and every year, 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 he was chosen as Alderman. They shall also elect a treasurer, recorder and town constable, who shall perform all the duties appertaining to their respective offices; and the said constable shall execute all process which by the acts of incorporation aforesaid, he is bound and of right should do.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 16, 1833.

CHAPTER CXI.

An Act to authorize the sheriff of Sullivan county to appoint a deputy for the purposes therein mentioned.

Be it enacted by the General Assembly of the State of Tennessee, That the sheriff of Sullivan county be, and he is hereby, authorized to appoint some suitable person to collect the moneys which are due to the estate of Samuel W. Netherland, deceased, who was the former deputy sheriff in said county: *Provided*, that this act shall not be so construed as to authorize the person appointed, to collect any other moneys than those which may be due to said estate, in consequence of the business which said Netherland left unsettled in his character of deputy sheriff of said county; *And provided*, that the person who is appointed, shall enter into bond and security for the due performance of his duty as deputy sheriff, and that he be governed by the same rules, regulations and restrictions as other deputy sheriffs of this State.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 16, 1833.

CHAPTER CXII.

An Act to divorce Helkies Burleson from his wife Celia, and Nancy Vandyke from her husband Israel A. Vandyke.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the bonds of matrimony heretofore and now existing between Helkies Burleson and Celia Burleson, be, and they are hereby, dissolved. H. Burleson.

Nancy Vandyke. Sec. 2. *Be it enacted*, That the bonds of matrimony heretofore entered into, and now existing between Nancy Vandyke, formerly Nancy Eves, of Rhea county, and Israel A. Vandyke, be, and the same are hereby, dissolved.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 14, 1833.

CHAPTER CXIII.

An Act to divorce John Davenport from his wife Jane.

Be it enacted by the General Assembly of the State of Tennessee, That the bonds of matrimony heretofore solemnized and entered into between John Davenport and his wife Jane, be, and the same are hereby, dissolved.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 16, 1833.

CHAPTER CXIV.

An Act for the relief of Harriet Parkman.

Whereas, William Bryant hath petitioned this General Assembly to change the name of his illegitimate daughter, Harriet Parkman, and to legitimize said Harriet, so as to enable her, as heir or co-heir, to inherit his estate: Therefore,

Be it enacted by the General Assembly of the State of Tennessee, That the name of Harriet Parkman be, and the same is hereby, changed to Harriet Bryant, and that she is hereby, according to the petition and prayer of said William Bryant, made legitimate, and hereby declared capable of inheriting real and personal property, belonging to her said father, in the same manner, and to the same extent, as if she had been born in lawful wedlock.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 16, 1833.

CHAPTER CXV.

An Act to authorize Caleb Low to build a fish trap on the north sluice of Clinch river.

Be it enacted by the General Assembly of the State of Tennessee, That Caleb Low, of Knox county, is hereby authorized to build a dam and fish trap on the north sluice of Clinch river, near Low's ferry: *Provided*, that said dam or trap does not interfere with the navigation of said river.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 16, 1833.

CHAPTER CXVI.

An Act to authorize York Freeman, a free man of color, to emancipate his wife Judy.

Be it enacted by the General Assembly of the State of Tennessee, That the county court of Davidson, be, and hereby is, authorized to emancipate Judy, the wife of York Freeman, a free man of color, of the county of Davidson, without requiring the said Judy to remove from this State: *Provided*, the said York Freeman shall give bond and security for the good behavior of the said Judy, and that she shall not become a county charge.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 16, 1833.

CHAPTER CXVII.

An Act regulating a cavalry company in Montgomery county, and for other purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the company of cavalry in Montgomery county, now commanded by captain John Tyler, is hereby made an independent company, or troop, to be called the Red River company: that said company shall have and possess power to make their own by-laws for the government of said company, to assess and collect fines for any violation of said laws, to appoint and fix their uniform,

their times and place of muster, to receive new members or recruits and enrol them in said troop; a certificate of such emolument to such recruit shall be a sufficient excuse to exempt him from mustering in any other company than said Red River company or troop: *Provided*, it shall be the duty of said company, or the company of Montgomery Rangers, to attend the regimental musters, if required by the commanding officer of their respective regiments.

Division line
between 24th
and 50th regi-
ments.

SEC. 2. *Be it enacted*, That part of the line of division between the 24th and 50th regiments of militia, in the county of Montgomery, be as follows: beginning at the mouth of Conrad's creek at Cumberland river, thence up said creek to the Palmyra road, thence with said road to near Charles Fort's plantation, thence north west, leaving said Fort's in the lower regiment, to the Dover road, near Robert Shepherd's, leaving said Shepherd's in the fifteenth regiment; and all the citizens living north east of said line may and shall muster in said upper or fifteenth regiment.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 16, 1833.

CHAPTER CXVII.

An Act for the benefit of Samuel Garland, of Lincoln county, and for other purposes.

Be it enacted by the General Assembly of the State of Tennessee, That Samuel Garland and Bartlett Huckabee, be, and they are hereby, authorized to hawk and peddle in the tenth congressional district, composed of the counties of Lincoln, Giles, Lawrence, Wayne and Hardin, without paying for a license therefor: *Provided*, that they shall, previous to using such privilege, take and subscribe an oath that they will not so hawk and peddle for the use and benefit of any other person or persons whatsoever, but for themselves only; and that Andrew Shell be authorized to hawk and peddle in the counties of Carter and Sullivan on the same terms; Allen L. Mitchell and John Taylor, in the county of White; James Cross and Simpson Organ, in the county of Wilson; and Thomas Champlin in the county of Grainger.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 14, 1833.

CHAPTER CXIX.

An Act to divorce Rebecca Kelly from her husband Jesse Kelly.

Be it enacted by the General Assembly of the State of Tennessee, That the bonds of matrimony heretofore entered into, and now existing, between Rebecca Kelly, of the county of Washington, and her husband Jesse Kelly, be, and the same are hereby, dissolved.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 16, 1833.

CHAPTER CXX.

An Act to authorize the Treasurer of West Tennessee to pay and refund money to Matthew M'Clanahan.

Be it enacted by the General Assembly of the State of Tennessee, That the Treasurer of West Tennessee be, and he is hereby, authorized to pay and refund to Matthew M'Clanahan, the sum of fifty-one dollars and seventy-five cents, which was overpaid by him while acting as sheriff of Rutherford county, and that the receipt of the said Matthew M'Clanahan shall be a sufficient voucher for the money so refunded.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 16, 1833.

CHAPTER CXXI.

An Act to amend an act, entitled an act to amend an act, "entitled an act to authorize Allen M'Donald to open a turnpike road," passed December 8, 1831.

Be it enacted by the General Assembly of the State of Tennessee, That Michael Robbins be allowed the further term of one year from the passage of this act, to open and complete a turnpike road granted to Allen M'Donald, by an act passed December 25, 1829; and upon completion of the same at any time within the year to the satisfaction of the commissioners named in the last recited act, he shall have the right to erect a toll gate upon any point that he may select upon said road, and take the same, and no

other toll, as is prescribed in said last mentioned act, passed for the benefit of Allen McDonald.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 16, 1833.

CHAPTER CXXII.

An Act for the benefit of Sarah Groves.

Be it enacted by the General Assembly of the State of Tennessee, That Sarah Groves, wife of Hiram Groves, of the county of Sumner, shall, from and after passing of this act, possess and enjoy all the rights and privileges and immunities of a *feme sole*, except that of intermarrying with another man; and the property that she may now possess, or may hereafter acquire by inheritance, devise, gift, contract, or in any other way, shall not be subject to the sale or control, or to the payment of the debts of the said Hiram Groves.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 16, 1833.

CHAPTER CXXIII.

An Act for the relief of Thomas P. Davidson, of the Western District.

Be it enacted by the General Assembly of the State of Tennessee, That Thomas P. Davidson be, and he is hereby, authorized to hawk and peddle in the 12th congressional district, without obtaining a license therefor.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 16, 1833.

CHAPTER CXXIV.

An Act for the relief of Ezekiel Walthrope.

Be it enacted by the General Assembly of the State of Ten-

nessee, That the Register of the Western District shall issue to Ezekiel Walthrope and his heirs, a grant for twenty-one and a half acres, in the 12th Surveyor's district, founded upon entry No. 347, dated the 9th day of February 1821, in the name of John B. Parks, assignee of Peter Couts, upon certificate warrant No. 1006, dated the 26th of September 1820, issued by the board of commissioners of West Tennessee to said Couts: *Provided,* said Walthrope shall file with said Register said warrant and a copy of the plat and certificate of survey, certified by the Surveyor General of said district, and also the affidavit of said Walthrope, or other evidence satisfactory to said Register, that the original plat and certificate is lost or mislaid, and cannot be found, and that said Parks had, for a valuable consideration, assigned the same to said Walthrope, and that said Parks is not an inhabitant of this State.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 16, 1833.

CHAPTER CXXV.

An Act to fix permanently the county seat of Humphreys county.

Whereas, it is represented to this General Assembly, that a majority of the citizens of Humphreys county are desirous to locate their county seat at some other and more healthy situation than where it now is: For remedy whereof,

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the sheriff of Humphreys county is hereby directed to open and hold an election at all the precincts in the county of Humphreys, on the first Monday in March next, for the purpose of receiving votes for or against the removal of the county seat of said county; and the sheriff aforesaid, is hereby required to do and perform all things necessary to carry said election into effect and operation, in the same way that is prescribed now by law for carrying on elections. Sheriff to hold election.

SEC. 2. *And be it further enacted,* That the present county seat shall be put in nomination, and an eligible situation in the vicinity of Kirkman's ferry; and if a majority of the citizens of said county shall vote for the removal of the county seat, from the place where it is now located, Mitchell Childress, Isaac Lucas, Edmund F. Wells, Solomon Copeland, James S. Sayle and Allen Box, shall, and Commissioners to lay off town.

they are hereby, appointed commissioners for the purpose of laying off a town, at the place where a majority of the citizens aforesaid shall designate, or in the opinion of the commissioners (a majority acting) shall be best for the interest of the county.

Their duty and powers.

Sec. 3. *And be it further enacted*, That so soon as it shall appear that a majority of the citizens of said county are in favor of moving the county seat, it shall be the duty of the commissioners to designate the place for said town, and proceed immediately to lay off said town, on the lands of any individual they can make the best contract with for the situation of said town; and the commissioners aforesaid, are hereby empowered with all the rights and privileges that the commissioners of Reynoldsburgh were originally empowered with, and shall have the same powers of suing and being sued, contracting and being contracted with, to sell and dispose of all the present public buildings and public square, to lay off said town, under the same rules, regulations and size that Reynoldsburgh is now incorporated under, and possess the same power of contracting for public buildings, and do and perform all things necessary to sell and dispose of the lots and perfect titles to the same, in as full and ample a manner as any other commissioners in laying off county towns are entitled to.

Seat of justice to be removed.

Sec. 4. *And be it further enacted*, That if the county seat of said county shall be moved as contemplated by this act, from and after the first day of June next, the place so designated by the commissioners, shall be, and is hereby, known as the county seat of Humphreys county, and shall be called Waverly. All writs, process, and other legal proceedings, shall be returned at said town, from and after the first day of June next; and all courts now holden for said county at Reynoldsburgh, shall, from and after the first day of June next, be held at Waverly, at the same time that is now prescribed for holding courts in said county.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 16, 1833.

CHAPTER CXXVI.

An Act for the benefit of Harriet and her infant daughter Sarah.

Whereas, it is represented to this General Assembly, that Aleck Trimble has purchased his wife Harriet, and infant daughter named Sarah, from their owners, and paid therefor a valuable consideration, and that he is anxious to

have them emancipated and permitted to remain in this State: Therefore,

Be it enacted by the General Assembly of the State of Tennessee, That the said Harriet and her daughter Sarah, be, and they are hereby, emancipated, and permitted to remain in this State, any law to the contrary notwithstanding: *Provided*, that said Aleck give bond and security to the county court of Davidson, according to an act of the General Assembly of this State, passed 13th November 1801.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 19, 1833.

CHAPTER CXXVII.

An Act to attach the Island in Tennessee river, near the mouth of Beech creek, to Wayne county.

Be it enacted by the General Assembly of the State of Tennessee, That the Island in the Tennessee river near the mouth of Beech creek, be attached to, and become a part of, Wayne county.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 19, 1833.

CHAPTER CXXVIII.

An Act to appropriate a part of the internal improvement fund of Hardin county, to the building of a court house in said county.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the sum of one thousand dollars of the internal improvement fund set apart for the county of Hardin, be, and the same is hereby, appropriated to the building of a court house in the town of Savannah, in the said county of Hardin; and it is hereby made the duty of the board of internal improvement commissioners for said county, to pay over the said sum of one thousand dollars, to the commissioners of the said town of Savannah.

One thousand dollars appropriated.

Sec. 2. *And be it enacted*, That to raise this sum of one thousand dollars, the commissioners of the internal improvement fund shall pay over to the commissioners for

How and when paid.

building the court house, the whole amount of interest which they may receive on the loan of said fund, and the balance which may be deficient, shall not be payable until it can be raised by the regular calls of 10 per cent on the bonds of individuals in the hands of the internal improvement commissioners.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 19, 1833.

CHAPTER CXXIX.

An Act to provide for the payment of the costs in the case of the State against Thomas Brandon and others.

Be it enacted by the General Assembly of the State of Tennessee, That the Treasurer of East Tennessee pay to the several persons entitled to the same, out of any money in the Treasury not otherwise appropriated, the amount of costs that accrued on behalf of the State in the case of the State against Thomas Brandon, Farmer Brandon, Frederick Wyrick and William Wyrick, tried in the circuit court of Rhea county on a charge for an assault with an attempt to commit murder: *Provided, however,* the said Treasurer, before paying the said costs, shall examine the same, and ascertain that the several items therein claimed are truly and legally charged.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 16, 1833.

CHAPTER CXXX.

An Act for the benefit of Elizabeth Anderson.

SECTION 1. Be it enacted by the General Assembly of the State of Tennessee, That Elizabeth Anderson, of the county of Bedford, be, and she is hereby, authorized to do and transact all the business of her husband, William Anderson, relative to the transaction of his pecuniary matters; and that by virtue of this act she may sue and be sued, contract and be contracted with, in her own name, and have all the rights and privileges for the purposes aforesaid, as fully and as completely as though she was a single woman.

Sec. 2. Be it enacted, That nothing in this act shall be so construed as to interfere with the rights of matrimony now existing between the said Elizabeth, and her said husband William Anderson.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 16, 1833.

CHAPTER CXXXI.

An Act for the benefit of Catharine Hale, widow of James Hale, deceased, and guardian of his infant children.

Be it enacted by the General Assembly of the State of Tennessee, That Catharine Hale, of Greene county, be, and she is hereby, authorized to execute a deed of conveyance to Daniel Lowry, for eighty acres of land in M'Minn county, it being the north half of the north east quarter of section eight, township fourth, range first, east of the meridian in the Hiwassee District, which deed, when made and executed by her, for herself and as guardian for said heirs, shall be as good and effectual in law, to pass the title to said land, as if it had been made by James Hale in his lifetime, in order that she may comply with her bond with Casper Easterly, her security to said Lowry, dated 18th of May, 1831.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 16, 1833.

CHAPTER CXXXII.

An Act for the benefit of John Boyd.

SECTION 1. Be it enacted by the General Assembly of the State of Tennessee, That the Surveyor of the tenth district, is hereby authorized to issue to John Boyd a plat and certificate for a tract of land containing fifteen acres, and for a tract of land containing nineteen and one half acres, the said fifteen acres entered by John Murray, entry No. 1031, and the 19 1/2 acres entered by S. C. Brooks, entry No. 2367, all in the same county and district, which said plat and certificates have been transferred by the enterers to the said John Boyd; and that the Register of the Western District shall be authorized to issue to the said John Boyd, a grant for the before described tracts of land.

Grants not to
issue to any o-
ther person.

Sec. 2. Be it enacted, That nothing herein contained shall authorize the Register of the Western District to issue grants to any other person for the above described tracts of land but to the said John Boyd, and that the certificates and plats, and the grants issued thereon, shall be as good as though the same had issued on the original plats and certificates: *Provided*, that the said John Boyd shall make it appear that the said warrants and plats and certificates were lost, and that he shall also make it appear to said Surveyor or Register, that the same are transferred to him, said Boyd, and that he is entitled thereto.

F. W. HULING,

Speaker of the House of Representatives.

D. BURFORD,

Speaker of the Senate.

Passed November 19, 1833.

CHAPTER CXXXIII.

An Act to divorce Samuel Hall from his wife Polly.

Be it enacted by the General Assembly of the State of Tennessee, That the bonds of matrimony heretofore entered into, and now subsisting, between Samuel Hall, of the county of Weakley, and his wife Polly, be, and the same are hereby, dissolved.

F. W. HULING,

Speaker of the House of Representatives.

D. BURFORD,

Speaker of the Senate.

Passed November 19, 1833.

CHAPTER CXXXIV.

An Act for the relief of Moses F. White.

To hawk and
peddle.

SECTION 1. Be it enacted by the General Assembly of the State of Tennessee, That Moses F. White, of Bedford county, is hereby authorized to hawk and peddle in the county of Bedford, without obtaining a license or paying a tax therefor, any law to the contrary notwithstanding.

To take oath.

Sac. 2. Be it enacted, That previous to the said Moses F. White's exercising the privileges extended to him by this act, he shall take and subscribe the following oath, before either the county or circuit court of Bedford county, or some justice of the peace for Bedford county, to wit: "I, Moses F. White, do solemnly swear, that the object that I have in view in retailing goods, is for my own benefit, and

not for the purpose of benefitting any other person under my name. So help me God."

F. W. HULING,

Speaker of the House of Representatives.

D. BURFORD,

Speaker of the Senate.

Passed November 19, 1833.

CHAPTER CXXXV.

An Act for the relief of Robert I. Gullett, of Maury county.

Be it enacted by the General Assembly of the State of Tennessee, That Robert I. Gullett be permitted to hawk and peddle and vend goods, wares and merchandize in the ninth congressional district, without obtaining license therefor: *Provided*, the said Gullett shall first take an oath before some justice of the peace, that he will not vend the goods, wares or merchandize of any other than himself, or for the benefit of any other person than himself.

F. W. HULING,

Speaker of the House of Representatives.

D. BURFORD,

Speaker of the Senate.

Passed November 18, 1833.

CHAPTER CXXXVI.

An Act for the benefit of Felix A. Catron and George F. Napier.

Whereas, Felix A. Catron and George F. Napier, are about making valuable improvements on Buffalo and Chelf creeks, in the county of Lawrence, by erecting a furnace and forges for the manufacture of iron, and needing timber, building stone, &c. for the purpose: Therefore,

SECTION 1. Be it enacted by the General Assembly of the State of Tennessee, That the said Felix A. Catron and George F. Napier, are hereby authorized to enter in said county of Lawrence, on the waters of Buffalo creek, two thousand acres of land, in not more than five tracts, which entries shall be made in the 8th surveyor's district, on vacant and unappropriated lands, and such as are not claimed by occupants other than such occupant claims as said Napier and Catron may have purchased in previous to said entries being made, and said entries shall vest in said Napier and Catron the same title that is vested in the occupant claimants south and west of the congressional

reservation line; and said Catron and Napier may enter and cause to be granted any part of said two thousand acres by any good and valid land warrant.

John G. M'Donald may enter land.

Sec. 2. *Be it enacted*, That John G. M'Donald be, and he is hereby, authorized to enter any quantity of land near his furnace in Lawrence county, not exceeding one thousand acres, on the same terms and under the same restrictions as are granted to Felix A. Catron and George F. Napier.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 19, 1833.

CHAPTER CXXXVII.

An Act for the benefit of Allen C. Nimmo, of Gibson county.

Be it enacted by the General Assembly of the State of Tennessee, That Allen C. Nimmo, of Gibson county, who was authorized by an act of the legislature of this State to hawk and peddle in the 9th congressional district, be, and he is hereby, authorized and empowered to employ some person to hawk and peddle under said act for the benefit of said Nimmo, and not for the benefit of another; and that such person, so employed by said Nimmo, take an oath before some justice of the peace of Gibson county, that he will not sell goods or wares for any other person than said Nimmo, during his continuance under said Nimmo's employment.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed October 29, 1833.

CHAPTER CXXXVIII.

An Act for the benefit of Common Schools in Humphreys county.

Managers of Cypress bridge lottery to pay over money.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the managers for a lottery that was authorized to be drawn in Humphreys county, by an act of the General Assembly passed at Nashville on the 9th day of December, 1833, chapter 44, for the purpose of building a bridge across Cypress creek in said county, be, and they are hereby, authorized to pay over to the com-

mon school commissioners, or their clerk, the sum of money they have received for the sale of the scheme of said lottery.

Sec. 2. *Be it enacted*, That it shall be the duty of the common school commissioners in said county, to receive said sum of money, and appropriate the same in the same manner, and under the same rules and restrictions, that other common school moneys are authorized to be appropriated in said county.

Commissioners to appropriate money.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed October 29, 1833.

CHAPTER CXXXIX.

An Act for the relief of a part of the second battalion of the thirty third regiment of Tennessee militia.

Be it enacted by the General Assembly of the State of Tennessee, That the companies at present commanded by captains Joshua Drenken and Robert Jeffers, in the bounds of the second battalion of the thirty third regiment, in Campbell county, be, and they are hereby, exempt from attending regimental musters in said county, any law, usage or custom to the contrary notwithstanding.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed October 29, 1833.

CHAPTER CXL.

An Act providing to lay off a town in Perry county, on Buffalo river.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Jeremiah Wood, Richard D. Murray, Isaac W. Stanley, John Welburn, John C. Lewis, West Wood, and George W. Beard, citizens of Perry county, be, and they are hereby, created a body politic and corporate, for the purpose of establishing and laying off a town on Buffalo river, at the ford where the road crosses said river, just below Beard's store, leading from Perryville to Centreville, to be called Beardstown, which commissioners shall have the power and authority to purchase a situation for the laying off of said town, at or near

Commissioners appointed.

the aforesaid described place, and shall have power to lay off lots in a suitable size, and to perfect titles to the same, to sue and be sued, in the name and style of the commissioners of Beardstown, and shall have power to donate and make such disposition of the surplus money arising from the sale of the lots, in any manner they think proper.

Duty of commissioners.
 SEC. 2. *Be it enacted*, That the commissioners mentioned in the first section of this act, so soon after the passage thereof as they may deem expedient, shall proceed to lay off said town, and advertise the sale of the lots: a majority of said commissioners at all times shall have power to fill vacancies, and do the business necessary to be done under the first section of this act.

F. W. HULING,
Speaker of the House of Representatives.
 D. BURFORD,
Speaker of the Senate.

Passed October 29, 1833.

CHAPTER CXLII

An Act to alter the times of holding Regimental Musters in the eleventh brigade.

Time of muster in sundry regiments.
 SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the regimental musters of the different regiments of infantry composing the eleventh brigade, shall hereafter be holden annually at the following times, to wit: the sixty eighth regiment, on the second Friday in September; the one hundred and eleventh regiment, on the following Saturday; the thirty eighth regiment, on the first Wednesday after the second Friday in September; the one hundred and sixteenth regiment, on Friday following; the eightieth regiment, on the second Wednesday after the second Friday in September; the one hundred and twenty first regiment, the Friday following; the sixty fifth regiment, on the first Saturday in October; the one hundred and seventeenth regiment, on the second Saturday in October; and the sixty first regiment, on the Friday following.

Repealing clause.
 SEC. 2. *Be it enacted*, That all laws and parts of laws now in force, prescribing the times of holding regimental musters in the eleventh brigade, be, and the same are hereby, repealed.

Officers drill musters.
 SEC. 3. *Be it enacted*, That the officers of each regiment of said brigade, shall meet at the regimental muster ground of their respective regiments, on the day preceding their regimental muster, armed and equipped according to law,

to be drilled by the brigade major of the brigade, or other person appointed by the commandant of the brigade.

F. W. HULING,
Speaker of the House of Representatives.
 D. BURFORD,
Speaker of the Senate.

Passed November 18, 1833.

CHAPTER CXLIII

An Act authorizing the regimental court martial of the 130th regiment, to exempt certain persons from attending regimental and battalion musters.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the regimental court martial of the 130th regiment, in the county of Washington, are hereby authorized at their discretion to exempt the citizens of the Cove company, residing south of the first fork of Indian creek, from attending regimental and battalion musters, any law to the contrary notwithstanding.

Cove company exempted.

SEC. 2. *Be it enacted*, That a majority of the commissioned officers in Bledsoe county, may have power to exempt the company on Cumberland mountain, formerly commanded by captain Carkmacks, from attending musters in said county.

Carkmack's company exempted.

F. W. HULING,
Speaker of the House of Representatives.
 D. BURFORD,
Speaker of the Senate.

Passed November 19, 1833.

CHAPTER CXLIII

An Act to divorce Phebe Cox from her husband John Cox, and Polly Guttry from her husband Peyton H. Guttry.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Phebe Cox be, and she is hereby, divorced from her husband John Cox, of Anderson county.

Phebe Cox divorced.

SEC. 2. *Be it enacted*, That Polly Guttry be, and she is hereby, divorced from her husband Peyton H. Guttry; and that the bonds of matrimony heretofore existing between the said parties, are hereby dissolved.

Polly Guttry divorced.

F. W. HULING,
Speaker of the House of Representatives.
 D. BURFORD,
Speaker of the Senate.

Passed November 19, 1833.

CHAPTER CXLIV.

An Act to lay off and establish a town to be called Bartonsville, in the county of Wilson.

Benj. Graves may lay off Bartonsville.
SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Benjamin Graves be, and he is hereby, authorized to lay off in town lots, any number of acres of his lands whereon he now lives, on the waters of Stoner's Lick creek, in the county of Wilson, at the Big Spring, not exceeding fifty acres, for the purpose of establishing a town, to be denominated Bartonsville; and when laid off, shall be under the same rules and regulations as other towns in this State.

M'Lemoresville incorporated.
SEC. 2. *Be it enacted,* That the town of M'Lemoresville, in the county of Carroll, and the inhabitants thereof, are hereby constituted a body politic and corporate, by the name of the Mayor and Aldermen of the town of M'Lemoresville.

Powers and privileges.
SEC. 3. *Be it enacted,* That the said town of M'Lemoresville, and the inhabitants thereof, shall be under the same rules, regulations and restrictions, and be entitled to all the rights and privileges that are extended to the corporation of the town of Huntingdon, in the said county of Carroll.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 16, 1833.

CHAPTER CXLV.

An Act to provide for the payment of the costs in the case of the State against Willis Mullins.

Be it enacted by the General Assembly of the State of Tennessee, That the bills of cost that have accrued in the case of the State of Tennessee against Willis Mullins, late of Jackson county, may be collected and disposed of under the same provisions, and in all respects in the same manner, as they might have been collected and disposed of in case the judgment of the circuit court of Jackson county had been executed upon the body of the said Willis Mullins in the year 1832.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 21, 1833.

CHAPTER CXLVI.

An Act for the relief of David and Elizabeth Leuty.

SECTION 1. Be it enacted by the General Assembly of the State of Tennessee, That the marriage heretofore entered into and solemnized in Rhea county, between David Leuty, of said county, and Elizabeth McClure, now called Elizabeth Leuty, at that time of the State of Alabama, but originally of the State of Tennessee, be, and the same is hereby, made valid; and neither the said David Leuty, nor the said Elizabeth McClure, now called Elizabeth Leuty, shall incur any pain or penalty inflicted by the laws of the State of Tennessee, for and on account of said marriage.

SEC. 2. And be it further enacted, That the said Elizabeth Leuty be, and she is hereby, divorced from her first husband, Charles C. McClure.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 19, 1833.

CHAPTER CXLVII.

An Act for the relief of China Whalin and Phebe McCubbin.

SECTION 1. Be it enacted by the General Assembly of the State of Tennessee, That China Whalin, of Franklin county, wife of John Whalin, may contract and be contracted with, sue and be sued, plead and be impleaded, in the name of China Whalin, and that all the estate she may hereafter acquire, both real and personal, by descent, purchase, devise or otherwise, shall not be liable nor subject to the debts, contracts, forfeitures, or incumbrances of her husband, John Whalin, but that she may enjoy the same in the same manner as if she had never intermarried with said Whalin.

SEC. 2. Be it enacted, That all the privileges and benefits extended by the provisions of the first section of this act to China Whalin, be, and the same are hereby, extended to Phebe McCubbin's, of Grainger county.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed October 18, 1833.

CHAPTER CXLVIII.

An Act for the benefit of Daniel Slavens and James Baker.

Daughter of Jesse Martin legitimated.
SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the name of Polly Ann Martin, the daughter of Jesse Martin, formerly of Claiborne county, be changed from Polly Ann Martin to that of Polly Ann Slavens, and by that name hereafter to be known; and that said Polly Ann, by that name, shall be, and is hereby, made able and capable, both in law and equity, to take and receive any part of the estate, real and personal, of Daniel Slavens, of the county of Claiborne, in as full and ample a manner as if she had been born in lawful wedlock, and was the legitimate daughter of said Slavens.

Son of James Baker legitimated.
SEC. 2. *Be it enacted,* That the name of James Madron, the illegitimate son of James Baker, of Campbell county, be, and the same is hereby, changed to that of James Baker, and forever hereafter to be known by that name; and that he shall be made able and capable, both in law and equity, of inheriting the estate of his father, James Baker, real and personal, in as full and ample a manner as he could have done by the laws of this State, had he been born in the bonds of wedlock; any law to the contrary notwithstanding.

F. W. HULING,
Speaker of the House of Representatives.
 D. BURFORD,
Speaker of the Senate.

Passed November 21, 1833.

CHAPTER CXLIX.

An Act to authorize Lindsey J. Mann and Archibald Cannon to hawk and peddle without license.

Be it enacted by the General Assembly of the State of Tennessee, That Lindsey J. Mann and Archibald Cannon, of Smith county, be authorized to hawk and peddle in the counties of Smith and Sumner, without obtaining a license therefor.

F. W. HULING,
Speaker of the House of Representatives.
 D. BURFORD,
Speaker of the Senate.

Passed November 21, 1833.

CHAPTER CL.

An Act for the benefit of Hiram Long, of Overton county.

Be it enacted by the General Assembly of the State of Tennessee, That Hiram Long, of Overton county, be authorized to retail spirituous liquors, without paying any tax therefor.

F. W. HULING,
Speaker of the House of Representatives.
 D. BURFORD,
Speaker of the Senate.

Passed November 21, 1833.

CHAPTER CL.

An Act to authorize the county court of Washington county, to emancipate the slaves of the estate of John Gates, deceased, late of said county.

Be it enacted by the General Assembly of the State of Tennessee, That the county court of Washington county, is hereby authorized to emancipate two slaves belonging to the estate of John Gates, deceased, late of said county, named Moses and China, agreeably to the provisions of the last will and testament of the said John, without requiring the removal of the said negroes out of the State: *Provided,* the Executors of said will shall give bond with sufficient security to be adjudged by the court, conditioned for the maintenance of said slaves, and that they shall not become chargeable upon any of the counties of this State; and that the executors of the last will and testament of Isaac Newman, deceased, in the county of McMinn, shall be authorized to free the slaves mentioned in his will according to the provisions of this act.

F. W. HULING,
Speaker of the House of Representatives.
 D. BURFORD,
Speaker of the Senate.

Passed November 21, 1833.

CHAPTER CL.

An Act to authorize Thomas Suggatt to emancipate his slave Caesar.

Be it enacted by the General Assembly of the State of Tennessee, That it shall and may be lawful for the county court of Davidson county, nine or a majority of said justices being present, to emancipate Caesar, the slave of

Thomas Suggett, upon his presenting his petition to the county court aforesaid, praying for the same, and said negro man, when so emancipated, shall not be compelled to go out of the limits of this State: *Provided*, said Suggett shall give good and sufficient security to the chairman of said court, that said slave shall not become chargeable to said county of Davidson, or to any other county in this State.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 21, 1833.

CHAPTER CLIII.

An Act for the benefit of a Cavalry Company in Wilson county.

Be it enacted by the General Assembly of the State of Tennessee, That the Cavalry Company raised and organized in the 72d regiment of Tennessee Militia, be, and they are hereby, constituted a legal company, and shall be received as such, without having holsters and swords as required by law in this State, and that they are hereby authorized and required to do and perform military service at the battalion and regimental musters in said regiment: *Provided*, that the said Cavalry Company shall be armed and equipped in all other particulars as is required by law.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 21, 1833.

CHAPTER CLIV.

An Act for the relief of Joseph Hicks, jailer of Hawkins county.

Be it enacted by the General Assembly of the State of Tennessee, That it shall be the duty of the Treasurer of East Tennessee, to pay Joseph Hicks, jailer of Hawkins county, forty-two dollars in full of his account against the State, for keeping James Hanna in the jail of said county, under a charge of stabbing, and the receipt of said Hicks shall be a good voucher for said Treasurer, in the settlement of his accounts.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 21, 1833.

CHAPTER CLV.

An Act to change the names of Catharine, Jemima and Nancy Twopence

SECTION 1. Be it enacted by the General Assembly of the State of Tennessee, That the names of Catharine Twopence, Jemima Twopence and Nancy Twopence, be, and the same are hereby, changed to the name of Catharine Richardson, Jemima Richardson and Nancy Richardson. Names changed.

SEC. 2. Be it enacted, That the said Catharine, Jemima and Nancy, shall enjoy all the rights and privileges as heirs of David Richardson, of the county of Sumner, in as full and ample a manner as if they had been born in lawful wedlock. Privileges granted.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 21, 1833.

CHAPTER CLVI.

An Act to authorize Ansel Carden to build a bridge.

SECTION 1. Be it enacted by the General Assembly of the State of Tennessee, That it shall and may be lawful for Ansel Carden, his heirs, executors, administrators or assigns, to erect and build a bridge in the edge of Watuga river, at the end of Smith's Hill, in the county of Carter, and, after building the bridge it shall and may be lawful for the said Ansel Carden, his heirs, executors, administrators or assigns, to keep a sufficient gate thereon, and take and receive from all persons that pass over the same, the following rates of toll, to wit: for each wagon and team, fifty cents; for each four wheeled pleasure carriage, twenty-five cents; for each carryall, twenty-five cents; for each gig and horse and other two wheeled pleasure carriage, twenty-five cents; for each man and horse, twelve and a half cents; for each footman, six and a fourth cents; for each led or loose horse, three cents; for each head of cattle, one cent; for each sheep or hog, one cent. May build bridge.

SEC. 2. Be it enacted, That the said Ansel Carden, his heirs, executors, administrators or assigns, shall have the exclusive right and benefit of said bridge, for thirty-five years from the passage of this act: *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 is made appear that the aforesaid bridge was the cause thereof. Term of charter.

Privileges.

SEC. 3. *Be it enacted,* That the said Ansel Carden, his heirs, executors, administrators or assigns, from and after the passing of this act, for thirty-five years, shall be entitled to the above rates of toll, for the crossing of the bridge heretofore built by the said Carden at the place before described: *Provided, however,* that he shall keep the same in good repair, and be liable for damages as pointed out in the second section of this act.

Citizens of
Carter exempt
from toll.

SEC. 4. *Be it enacted,* That the citizens of Carter county during the time aforesaid, shall have the right to cross on the present bridge, or the one hereafter to be built, whenever they may see proper, and be exempt from paying toll therefor.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 21, 1833.

CHAPTER CLVII.

An Act for the benefit of Ann Walsh, of Davidson county.

Be it enacted by the General Assembly of the State of Tennessee, That Ann Walsh wife of — Walsh, of the county of Davidson, be, and she is hereby, made *feme sole*, and thereby authorized and empowered to contract and be contracted with, and to have, hold and enjoy real and personal property which she may acquire by purchase, descent, gift or otherwise, free from execution to satisfy the contracts of her said husband heretofore or hereafter made, and that she have all the rights and privileges of a *feme sole* as fully as if she had never intermarried with her said husband, except that of intermarrying with another man during the natural life of her said husband.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 21, 1833.

CHAPTER CLVIII.

An Act for the benefit of Hezekiah Ray.

Be it enacted by the General Assembly of the State of Tennessee, That Hezekiah Ray, of Bedford county, and his successors residing on the premises, be, and they are here-

by, authorized to send his or their children to any free school that now is, or hereafter may be taught under the superintendence of the board of common school commissioners, for a tract of school land in Bedford county, in range 6, and section 4: *Provided,* that a majority of the trustees or common school commissioners for said tract of school land consent thereto; and when so attached, he or they shall be deemed and considered as belonging to said range and section, although he or they may not reside within the true boundary of said range and section, any law to the contrary notwithstanding.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 22, 1833.

CHAPTER CLIX.

An Act to divorce James Rogers, of Sumner county, from his wife Polly.

Be it enacted by the General Assembly of the State of Tennessee, That the bonds of matrimony heretofore solemnized, and now subsisting between James Rogers and his wife Polly Rogers, be, and the same are hereby, dissolved.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 26, 1833.

CHAPTER CLX.

An Act for the benefit of George Glascock.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That George Glascock, of the county of Bedford, be, and he hereby is, authorized to hawk and peddle in the county of Bedford, without paying any tax therefor.

SEC. 2. *Be it enacted,* That Hartwell Miles, of Williamson county, be authorized to hawk and peddle within the bounds of the congressional district composed of the counties of Williamson and Rutherford, without obtaining license therefor.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 22, 1833.

CHAPTER CLXI.

An Act to amend an act, entitled an act to authorize Thomas Wheeler to open a turnpike road, passed December 13, 1837.

Toll not to be exacted.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That it shall not be lawful for Thomas Wheeler, the proprietor of said turnpike road, or any one for him, to exact or receive any toll or compensation from any person or persons for travelling or passing that part of said turnpike road from the place where the main [road] at present leading from Jacksborough crossing the mountain opposite the same, and passing by the house of James Sharp, intersects said turnpike road, to a point in the Elk Fork Gap, where said road from Jacksborough leaves said turnpike road, in a direction to the house of Thomas Chambers on the waters of Buffalo creek.

Owners subject to indictment when road is out of repair.

SEC. 2. *Be it enacted*, That whenever the Unacoy turnpike road, or any part of the same within the limits of the State of Tennessee, shall be out of repair and not in such order for travelling as required by the charter of said Unacoy Turnpike Company, or by the laws of the land on the subject of roads of the first class, then the owners or proprietors of said Unacoy turnpike road, shall be liable and subject to presentment and indictment in the county court of Monroe county, in the same way and manner, and to be punished in the same way that overseers of public roads are liable to be indicted and punished.

F. W. HULING,

Speaker of the House of Representatives.

D. BURFORD,

Speaker of the Senate.

Passed November 22, 1833.

CHAPTER CLXII.

An Act to encourage the manufacture of Iron in this State.

Wallis Dixon may enter land. SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the provisions of an act passed at Nashville, on the 10th of December, 1831, chap. 94, be, and the same is hereby, extended to Wallis Dixon, so as to authorize him to lay down on the general plan of the 8th Surveyor's district, one thousand acres more of land unfit for cultivation, not exceeding two tracts of land, convenient to a furnace, erected in the county of Perry by him for the manufactory of iron.

Privileges limited.

SEC. 2. *Be it enacted*, That the provisions of this act shall not be so construed as to give the said Wallis Dixon any further privileges than are granted to him by the

above recited act: *Provided*, he shall save said land by a good and valid warrant, within five years from this date.

F. W. HULING,

Speaker of the House of Representatives.

D. BURFORD,

Speaker of the Senate.

Passed November 22, 1833.

CHAPTER CLXIII.

An Act authorizing Joseph Hunter to emancipate a slave.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the county court of Washington county, is hereby authorized and empowered, upon the application of Joseph Hunter, executor of the last will and testament of John Hunter, deceased, late of said county, to emancipate a woman of color, named Bet, a slave, the property of the said John at the time of his death, according to the terms and conditions expressed in said will: *Provided*, the said executor enter into bond with approved security, to the chairman of the court, that she shall not become a charge to any of the counties of this State, without being required to remove her without the limits of the State.

May emancipate Bet.

SEC. 2. *Be it enacted*, That the county court of Dickson county, is hereby authorized and empowered, upon the petition of Samuel Smith, to emancipate a certain slave named Jack, the property of the said Smith, upon the said Smith entering into bond and security, to be approved of by the said court, that he shall not become a charge to any county in this State, and also for his good behaviour, without removing him without the limits of this State.

Dickson county court may emancipate Jack

F. W. HULING,

Speaker of the House of Representatives.

D. BURFORD,

Speaker of the Senate.

Passed November 21, 1833.

CHAPTER CLXIV.

An Act for the benefit of Eli A. Seay.

Be it enacted by the General Assembly of the State of Tennessee, That Eli A. Seay, of Williamson county, be, and he is hereby, permitted to hawk and peddle in Rutherford and Williamson counties, without obtaining license therefor: *Provided*, he take an oath before some one justice of

the peace, in one of said counties, that the capital employed is his own, and that he will not hawk and peddle for the benefit of any other.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 22, 1833.

CHAPTER CLXV.

An Act for the relief of the citizens of Stewart county.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the county court of Stewart county may, and it is hereby made lawful for them, a majority of the justices of said county being present, at any term of said court after the passage of this act, to appoint seven common school commissioners for said county, who shall have all the rights and privileges, and are hereby invested with the same authority and power to receive their portion of the common school money for said county, in as full and ample a manner as if they had been appointed in the mode now provided by law: *Provided,* nothing in this act contained shall be so construed, as to prevent the trustees of the county from appointing common school commissioners, in the same way that is now provided by law, after they shall become organized.

SAC. 2. *Be it enacted,* That it shall be the duty of the Cashier of the Bank of the State of Tennessee, so soon as it shall appear by the certificate of the clerk of said county court, that common school commissioners are appointed for said county, and that said commissioners have organized themselves into a board, and have appointed a chairman and clerk in pursuance of the laws heretofore passed for that purpose, it shall be the duty of the Cashier of said Bank, to pay over to the clerk and treasurer of said board of common school commissioners, or to his order, the amount of moneys coming to said county for common school purposes.

SAC. 3. *Be it enacted,* That the common school commissioners of said county, are hereby invested with the same power and authority, to sue for the moneys arising to said county, that may be in the hand of the county agent, or as any other person or persons, if they had been appointed by the rules and regulations now prescribed by law.

SAC. 4. *Be it enacted,* That if the county court of the said county of Stewart, shall at their February term in

1834, think it advisable and to the interest of the county, to appropriate the internal improvement money for said county, to common school purposes, they are hereby authorized and admitted to do so, and the sum so set apart for internal improvements in said county, shall be applied to the purposes of common schools.

SAC. 5. *Be it enacted,* That if the county court of Stewart county, a majority of the justices being present, shall order and vote for the internal improvement fund, to be set apart for common school purposes, and it shall be made known to the Cashier of the said State Bank, that such order is made by the certificate of the clerk of said county court, it shall be the duty of the Cashier of said Bank to pay over to the clerk of the said common school commissioners, the internal improvement money for said county.

SAC. 6. *Be it enacted,* That if the internal improvement fund for said county, shall be set apart by said county court for common school purposes, it shall be the duty of said commissioners and their clerk and treasurer, to account for the same, under the same provisions that other common school funds are accounted for, and be subject to the same penalties that are prescribed to other common school commissioners and their clerk in this State, which clerk and commissioners shall take the same oath and give a like bond for the faithful discharge of their duty.

SAC. 7. *Be it enacted,* That the provisions of the first and second sections of this act be extended to the county of Franklin.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 7, 1833.

CHAPTER CLXVI.

An Act for the relief of James Goodwin, of Davidson county.

Be it enacted by the General Assembly of the State of Tennessee, That the county court of Davidson county, be, and they are hereby authorized and directed to license James Goodwin to keep a house of entertainment, and retail liquors in Nashville, without paying any tax therefor: *Provided,* said Goodwin gives bond and security to said court, conditioned to keep an orderly house.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

CHAPTER CLXVII.

An Act for the benefit of John B. Rodgers, of Fentress county.

Be it enacted by the General Assembly of the State of Tennessee, That John B. Rodgers be, and he is hereby, authorized to construct a rail road or roads, a turnpike or turnpikes, from any of his stone coal banks to the nearest and best point on Obed's river, and if other persons shall wish to erect the same, he shall be entitled to the same compensation and privileges extended to Jesse Lincoln, by the fourth and fifth sections of an act passed the fifth day of December, 1825, chapter 311: *Provided,* he shall pay all damages to individuals over whose land said road may run, if such individuals shall conceive themselves injured.

F. W. HULING,

Speaker of the House of Representatives.

D. BURFORD,

Speaker of the Senate.

Passed November 23, 1833.

CHAPTER CLXVIII.

An Act to authorize Jackson Vernon to hawk and peddle without paying a tax therefor.

Be it enacted by the General Assembly of the State of Tennessee, That Jackson Vernon be, and he is hereby, authorized to hawk and peddle in the counties of Rhea, M'Minn and Monroe, without paying a tax therefor.

F. W. HULING,

Speaker of the House of Representatives.

D. BURFORD,

Speaker of the Senate.

Passed November 23, 1833.

CHAPTER CLXIX.

An Act for the benefit of the cavalry of Lincoln county, attached to the 10th brigade.

Be it enacted by the General Assembly of the State of Tennessee, That it shall be the duty of the cavalry of Lincoln county, attached to the 10th brigade of Tennessee militia, to hold a squadron or battalion muster in the town of Fayetteville, on the first Friday in May annually, at which time and place it shall be the duty of all the field and staff officers of the cavalry attached to the 10th brigade, except the officers of Bedford county, to appear armed and

equipped as the law directs; the commissioned officers shall hold court martial on the 1st Saturday in June, with the power and privileges given for holding regimental court martial.

F. W. HULING,

Speaker of the House of Representatives.

D. BURFORD,

Speaker of the Senate.

Passed November 23, 1833.

CHAPTER CLXX.

An Act to authorize Thomas Hankins and John Large, Executors of the estate of William Hankins, deceased, of Grainger county, to emancipate a negro man, Samuel.

SECTION 1. Be it enacted by the General Assembly of the State of Tennessee, That it shall be lawful for the county court of Grainger county, at any time hereafter, upon the petition of Thomas Hankins and John Large, executors of the estate of William Hankins, deceased, of said county, setting forth that they are desirous that the said slave Samuel, may be emancipated, to order the same to be done accordingly: *Provided,* that before the emancipation of said slave, said executors shall give bond and sufficient security payable to the chairman of said court, in a sum equal to the value of said slave, conditioned to indemnify each and every county in this State, against the maintenance of said slave so emancipated, and also for his good behavior: *And provided also,* that the will of said William Hankins has authorized or requested the said executors to have said slave Samuel set free.

SEC. 2. Be it enacted, That said slave, when so emancipated, shall have the liberty of residing in this State.

May reside in the State.

F. W. HULING,

Speaker of the House of Representatives.

D. BURFORD,

Speaker of the Senate.

Passed November 23, 1833.

CHAPTER CLXXI.

An Act for the relief of James Campbell and John Goodwin.

Whereas, it appears to this General Assembly, that by an agreement entered into in the year 1827, between the Nashville Bank and the Bank of the State of Tennessee, it was provided that the Nashville Bank should be at liber-

ty to discharge its debt due the State Bank, by transferring debts due the Nashville Bank to the State Bank; that in pursuance of said agreement, a large portion of the debtors of the Nashville Bank at Winchester, transferred their debts to the State Bank, and have since that time paid the sums which they respectively undertook to pay; that the debt which has thus been collected and paid into the State Bank amounted to upwards of thirty eight thousand dollars; that the notes thus transferred, were payable in six instalments, renewable semi annually and payable at the mother Bank at Nashville, so that the same should be paid in three years; that all of the above business of transferring the debts, renewing the notes, and collecting and transmitting the money to the mother Bank, has been done by the said Campbell and Goodwin, but they received no compensation therefor: Wherefore,

Be it enacted by the General Assembly of the State of Tennessee, That the sum of two hundred and fifty dollars be allowed the said Campbell and Goodwin, out of the funds belonging to the Bank of the State of Tennessee, in full compensation for the above recited services; and the Bank of the State of Tennessee at Nashville, is hereby required to pay the same to the said Campbell and Goodwin, on application made by them or either of them, or to their order.

F. W. HULING,
Speaker of the House of Representatives,
D. BURFORD,
Speaker of the Senate.

Passed November 23, 1833.

CHAPTER CLXXII.

An Act to divorce Thomas S. Clevinger from his wife Sarah Clevinger.

Be it enacted by the General Assembly of the State of Tennessee, That the bonds of matrimony now existing, between Thomas S. Clevinger and Sarah Clevinger his wife, be, and the same are hereby, dissolved.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 25, 1833.

CHAPTER CLXXIII.

An Act for the benefit of Charles, a slave, at present the property of John Beatty, of the county of Davidson.

Be it enacted by the General Assembly of the State of Tennessee, That the county court of Davidson county, a majority of the acting justices of the peace of said county being present, shall be, and hereby is, authorized upon the petition of John Beatty or his representative, a citizen of said county, to emancipate a negro man named Charles, a slave, the property of said Beatty: *Provided,* the said Charles shall give bond and security, to be approved by said court, that the said Charles shall not become chargeable upon any county of this State, and also for his good behavior.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 23, 1833.

CHAPTER CLXXIV.

An Act to appropriate the Internal Improvement funds of Wayne county to the use of common schools.

Section 1. Be it enacted by the General Assembly of the State of Tennessee, That the internal improvement fund for Wayne county, be, and the same is hereby, appropriated to the use of common schools in said county, and the commissioners of internal improvement are hereby required to pay over to the board of common school commissioners all the money in their hands.

Sec. 2. Be it enacted, That the board of internal improvement for Wayne county, are authorized and required to hand over to the board of common school commissioners, all the bonds in their hands that have been taken for the loan of the funds appropriated to internal improvement, and said board of common school commissioners shall at the time said notes fall due, renew the notes or bonds under the direction of said board of common school commissioners, and take notes and powers of attorney in the same way that other moneys have been loaned by the said board of common school commissioners.

Sec. 3. Be it enacted, That nothing in this act shall be so construed as to affect a law passed the present session of the General Assembly, appropriating the interest arising on the internal improvement funds of Wayne county, to the building of a jail in said county, and said common school commissioners shall pay over the interest arising on

Duty of board of internal improvement.

Exception of funds to build jail.

said internal improvement funds in the same manner that is directed in the before mentioned act.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 25, 1833.

CHAPTER CLXXV.

An Act for the relief of Cupid and Major, slaves, the property of Robert I. Moore and David M. Harding.

Be it enacted by the General Assembly of the State of Tennessee, That the county court of Davidson county, is hereby authorized and directed to emancipate Major, a slave, the property of David M. Harding, and Cupid, a slave, formerly the property of Robert I. Moore: *Provided,* that the provisions of the act of 1801, chapter 27, requiring security to indemnify the county and State, be in all things complied with.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

CHAPTER CLXXVI.

An Act to establish the 16th brigade.

Bedford county constituted a brigade.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That a separate brigade be, and is hereby, established, which shall be composed of the county of Bedford, and shall be known as the 16th brigade of Tennessee militia; that it shall be the duty of the major general of the second division, to issue a writ of election for the purpose of electing a brigadier general in said brigade, which election shall be held agreeable to the laws now in force on that subject.

Lincoln county constituted a brigade.

SEC. 2. *Be it enacted,* That the county of Lincoln shall constitute the 10th brigade, and that so much of this act as establishes the 16th brigade, shall take effect from and after the passage of this act.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 28, 1833.

CHAPTER CLXXVII.

An Act for the relief of William Scandland and others.

Whereas, it appears to this General Assembly, that John Wilson was appointed entry taker for Jackson county, and William Scandland, John Graham, Amos Kirkpatrick and David Rose, became his securities, and that when the entry taker received the most of the money wherewith he stands charged, there was no agent for said county to receive the same, and they have been sued on said bond and a judgment rendered against said John Wilson for the full amount of principal and interest, and the said securities were in no fault: Therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That any tribunal before whom said securities may litigate their rights in said cause or suit on said bonds, shall not give judgment for interest on said moneys for which suit may be brought, or is now pending in said court: *Provided,* nevertheless, they shall not be released from the payment of any part of the principal or money actually received by said entry taker.

Authority of court limited.

SEC. 2. *Be it enacted,* That the said securities shall be at liberty to give their notes to the common school commissioners for Jackson county for said principal or money actually received, and the same shall be a good discharge of the securities for any judgment or judgments recovered against said securities on said bond.

Securities may give their notes to school commissioners for Jackson county.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 23, 1833.

CHAPTER CLXXVIII.

An Act for the benefit of William T. Roberts, of Maury county.

Be it enacted by the General Assembly of the State of Tennessee, That the circuit court of Maury county, be, and is hereby, authorized at any subsequent term of said court, to appoint a trustee to carry into effect a deed of trust heretofore executed by Mary Stephens, formerly Mary Roberts, to Garner M'Conico, of Williamson county, who has since departed his life intestate, upon its being made appear to said court, that a court of chancery on a bill filed, ought to appoint such trustee, and if said court shall appoint a trustee, such trustee shall be governed by the deed of trust executed to said Garner M'Conico, and be

required to give such security as said court may direct, and in the manner directed.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 23, 1833.

CHAPTER CLXXIX.

An Act to legalize the appointment and make good and valid the acts and proceedings of the board of common school commissioners for the county of Robertson.

Be it enacted by the General Assembly of the State of Tennessee, That the appointment of the board of common school commissioners for the county of Robertson, and all the acts and proceedings of said commissioners, done by virtue of their appointment, shall be as good and valid to all intents and purposes as if they had been elected at the time prescribed by law, any law to the contrary notwithstanding.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 23, 1833.

CHAPTER CLXXX.

An Act for the relief of Edmond W. Tipton.

E. W. Tipton
may keep his
office at his
own house.

SECTION 1. Be it enacted by the General Assembly of the State of Tennessee, That Edmond W. Tipton, surveyor of the eleventh district, be, and he is hereby, authorized to keep the land office of the eleventh surveyor's district at his own house in Fayette county.

Directions to
treasurer of W.
district.

SEC. 2. Be it enacted, That the treasurer of the Western District is hereby required to pay to William B. Jones, surveyor general of the 13th district, the sum of fifty dollars for making a new general plan and alphabet for said district, upon said Jones producing satisfactory evidence to said treasurer, that he has finished said plan, and the receipt of said Jones shall be a good voucher to said treasurer in the settlement of his accounts.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 23, 1833.

CHAPTER CLXXXI.

An Act for the relief of John Brazel's family.

Whereas, it is represented to this General Assembly, that John Brazel has been convicted in the circuit of Henderson county, for an assault with an intent to kill and murder, and has been sentenced to confinement in the penitentiary for twenty one years; and whereas, it is represented, that said Brazel has a large family now left helpless, and dependent for support on the little property left by said Brazel: Therefore,

Be it enacted by the General Assembly of the State of Tennessee, That the property of the said Brazel, be, and the same is hereby, declared to be exempt from levy and sale by virtue of the judgment rendered against said Brazel for the costs of the said prosecution.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 23, 1833.

CHAPTER CLXXXII.

An Act for the benefit of of James W. Herron, of the county of Wilson.

SECTION 1. Be it enacted by the General Assembly of the State of Tennessee, That James W. Herron, be, and he is hereby, authorized to hawk and peddle in the county of Wilson, without obtaining a license therefor: *Provided,* he will take an oath that he will not sell or dispose of the goods, wares and merchandize of any other person, but such as he shall acquire by purchase, gift or otherwise, himself.

James W. Herron
may peddle
without license.

SEC. 2. Be it enacted, That Joseph H. Hoos, be permitted to hawk and peddle in Warren county, without paying for a license therefor.

Joseph H. Hoos
may peddle
without license.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 23, 1833.

CHAPTER CLXXXIII.

As Act to divorce Susan Doelin from her husband Thomas J. Doelin.

Be it enacted by the General Assembly of the State of Tennessee, That the bonds of matrimony now existing between Thomas J. Doelin, and his wife Susan, be, and they are hereby, forever dissolved; and that the said Susan shall hereafter be known by the name of Susan Whitehead.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 29, 1833.

CHAPTER CLXXXIV.

As Act for the benefit of Charles H. Dorean.

Be it enacted by the General Assembly of the State of Tennessee, That the Treasurer of the Western District is hereby authorized and directed to pay Charles H. Dorean, the sum of twelve dollars for apprehending and conveying to the common jail of McMinn county, a certain James Jones, for petit larceny; and the receipt of the said Dorean shall be a good voucher to the said Treasurer in the settlement of his accounts.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 29, 1833.

CHAPTER CLXXXV.

As Act to refund the account of money therein mentioned to Lany Moore, the former sheriff and ex collector for Henry county.

Be it enacted by the General Assembly of the State of Tennessee, That the Treasurer of the Western District is hereby authorized and directed to pay to Lany Moore, the sum of fifty-four dollars and twenty cents; and the receipt of the said Moore shall be a good voucher to the said Treasurer in the settlement of his accounts.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 29, 1833.

CHAPTER CLXXXVI.

As Act to divorce Calvary Allen from his wife Riggs.

Be it enacted by the General Assembly of the State of Tennessee, That the bonds of matrimony heretofore entered into, and now existing, between Calvary Allen, of the county of Cooks, and his wife Sarah Allen, be, and they are hereby, dissolved.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 29, 1833.

CHAPTER CLXXXVII.

As Act for the benefit of Lloyd Rowland.

Be it enacted by the General Assembly of the State of Tennessee, That Lloyd Rowland of the county of Carroll, be, and he is hereby, authorized to have laid down on the plat of the 18th Sarreys's district, two hundred acres of vacant and unappropriated land and eight for cultivation near his mill on Big Sandy river in said county: Provided, such preference does not interfere with any other occupant claim.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 29, 1833.

CHAPTER CLXXXVIII.

As Act for the benefit of Richard Cook and Claiborne Harpe.

Section 1. Be it enacted by the General Assembly of the State of Tennessee, That Richard Cook of Dickson county is hereby authorized to hawk and peddle goods, wares and merchandise, in the counties of Hickman and Dickson, without obtaining a license therefor.

Sec. 2. Be it enacted, That Claiborne Harpe, of Warren county, be, and he is authorized to hawk and peddle in the counties of Warren and Smith's, without obtaining a license therefor: Provided, nothing herein contained shall authorize the said Harpe to hawk and peddle for the benefit of any other persons.

Sec. 3. Be it enacted, That John Melnard, of Henderson J. Melnard.

county, be authorized to hawk and peddle in the congressional district in which he now lives, without obtaining a license therefor.

F. W. HULLING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 26, 1833.

CHAPTER CLXXXIX.

An Act for the benefit of John Briggs, &c, of Hickman county.

Be it enacted by the General Assembly of the State of Tennessee, That John Briggs, Sen'r, be, and he is hereby, authorized to enter and lay down on the general plan of the 8th Surveyor's district, in the county of Hickman, on Fall branch of Swan, any quantity of vacant and unappropriated land, not exceeding two hundred acres, for the purpose of building a grist and saw mill thereon, and the said Briggs is hereby authorized to enter the same, by virtue of occupancy, on a good and valid warrant: Provided, that in so doing he does not interfere with any pre-existing claim or claims: And provided, he enters the same by a good and valid warrant within two years.

F. W. HULLING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 26, 1833.

CHAPTER CXC.

An Act for the benefit of Amos Holloway, of Washington county.

A. Holloway
attested to
stamp and seal
necessary.

SECTION 1. Be it enacted by the General Assembly of the State of Tennessee, That Amos Holloway, of the county of Washington, be, and he is hereby, authorized to seal and stamp all bushels, half bushels, pecks and half pecks, made or manufactured in his shop, agreeably to the proper standard of the county of Washington, and if there be no such standard in said county, then agreeably to the proper standard of the county of Greene, and said measures when sealed and branded by the said Amos Holloway, shall be considered as good as if branded by the proper standard keepers.

To take oath.
Sec. 2. Be it enacted, That the said Amos Holloway, shall take and subscribe the following oath, before some

justice of the peace in Washington county, to wit: I do solemnly swear or affirm, (as the case may be,) that I will not stamp or seal any measure, but such as shall so conform to possible usage with the standard directed by the first section of this act.

F. W. HULLING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 26, 1833.

CHAPTER CXCI.

An Act for the benefit of Samuel Ross.

Be it enacted by the General Assembly of the State of Tennessee, That it shall be lawful for Samuel Ross, of the county of Carroll, to have surveyed (if the same has not already been done,) and laid down on the general plan of the twelfth Surveyor's district, two hundred acres of vacant and unappropriated land, used for cultivation, including a mill site on the western of Cotton's creek, near where said creek crosses the line of Humphreys and Carroll counties, and shall enjoy all the privileges and immunities of an occupant in securing the same: Provided, he shall in no wise interfere with any bona fide resident occupant without his, her or their consent in writing: And provided, further, that the said Ross shall put said mill or mills into operation within two years from and after the first day of January next: And provided, that he enter the same within two years by a good and valid warrant.

F. W. HULLING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 26, 1833.

CHAPTER CXCLII.

An Act to authorize Ashby M. Coffey to open a turnpike road.

SECTION 1. Be it enacted by the General Assembly of the State of Tennessee, That Ashby M. Coffey is hereby authorized to open and cut out a turnpike road, commencing on the east side of Hiwassee river, at the foot of Calhoun's mountain, on the north side of said mountain in the county of McMinn, at the point where said river passes through said mountain, thence to the State line on the most direct

route of which the ground will admit, to the seat of justice in Lumpkin county, in Georgia, which road, where the situation of the county will admit of it, shall be cut eighteen feet wide, clear of stumps and other obstructions; and where the road has to be causewayed, when the nature of the ground is such that it cannot be extended, it shall be at least twelve feet wide, clear of stumps, roots or other obstructions, and if there should be any creek or creeks that from their nature shall require it, there shall be good, sufficient and substantial bridges built, and if there be any swamps over which said road may be taken, it shall be the duty of the proprietor of said road to causeway said road, with either stone or wood, to be made over said swamp at least twelve feet wide, clear of obstructions.

Conditions.

SEC. 2. *Be it enacted*, That said road shall be always 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 the commissioners hereafter appointed by this act, said commissioners shall immediately make report thereof, to the county court of M'Ninn county, if it should be three 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 the 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 proprietor, to shut said gate for the purpose of exacting toll; and if said proprietor shall either directly or indirectly exact, take or receive any toll during the time said commissioners set said gate open, said proprietor shall forfeit and pay for every such offence, the sum of thirty dollars, to be recovered before any justice in this State, by any person that will sue for the same; and if the road should be permitted to be and remain out of repair at any time within three 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 a new proprietor or proprietors, and when so elected shall be entitled to receive all the toll rated in this act, and shall be bound to the same duties, regulations, restrictions and penalties as are prescribed by this act, for the original proprietor to do and perform.

Proprietor to give security.

SEC. 3. *Be it enacted*, That the proprietor shall give bond with sufficient security, in the sum of two thousand dollars, to the Governor for the time being and his successors in office, conditioned for the true and faithful performance of all the duties enjoined on him by this act, which bond shall be lodged in the Secretary's office, and the legislature may direct the attorney general for the district

wherein said proprietor lives, to commence suit against said proprietor on said bond, if satisfactory proof, either by report of said commissioners or otherwise, should be given to them that the said road has been one month out of repair at any one time.

SEC. 4. *Be it enacted*, That Nathaniel Smith, Augustine P. Fore and Onslow G. Marrell, of M'Minn county, shall be, and they are hereby, appointed commissioners, whose duty it shall be, at any time when called on by said proprietor, to proceed to view and mark out said road agreeable to the provisions of this act, and they or any two of them shall be competent at all times to do and perform all the acts and duties required of them by this act; and when the proprietor shall notify the said commissioners that the said road is cut and completed for use, said commissioners shall proceed to examine said road, and if in their opinion the road is in the order contemplated by this act, they shall proceed to license said proprietor to keep a toll gate, which license shall be under their hands and seals, and said proprietor 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 wagon and team, seventy-five cents; for each cart and driver, fifty cents; for each four wheeled carriage, one dollar; for each two wheeled carriage of pleasure, fifty cents; for each man and horse or mule, twelve and a half cents; for each taxable poll, six and a fourth cents; for each led horse or mule not in a drove, six and a fourth cents; for each horse or mule in a drove, three cents; for each head of cattle, two cents; for each head of hogs or sheep, one cent: *Provided*, that no Cherokee Indian or native citizen of the Cherokee country, shall be liable or compelled to pay any toll for travelling or passing along said turnpike road.

Commissioners appointed.

Rates of toll.

SEC. 5. *Be it enacted*, That the commissioners herein appointed shall before they enter into the duties of their appointment, take and subscribe the following oath before some justice of the peace, viz: I 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 ability. So help me God. And the aforesaid commissioners shall be entitled to receive at the rate of one dollar and fifty cents each per day, for every day they may be necessarily engaged in performing the duties enjoined by this act, to be paid by the proprietor.

Commissioners to take oath.

SEC. 6. *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 sustain an action on the case against said proprietor.

Proprietor liable for damage

SEC. 7. *Be it enacted,* That if any person or persons shall pass arbitrarily said gate, or within a mile thereof, for the purpose of evading the toll, such person or persons shall forfeit and pay for every such offence to said proprietor, the sum of twenty-five dollars, to be recovered by action of debt, before any justice of the peace in the State: *Provided,* that the mail stage and the mail carrier on horse back shall at all times pass free from toll.

SEC. 8. *Be it enacted,* That this charter to A. M. Coffey, shall continue and be in force, for thirty years after its passage: *Provided,* that the assent of a majority of the chiefs of the Cherokee tribe of Indians residing within the limits of the State of Tennessee, be first obtained for the making of said road.

SEC. 9. *Be it enacted,* That William Hixon is hereby authorized to open and cut out a turnpike road commencing at the foot of the mountain, near Alexander Johnson's in Bledsoe county, crossing Walden's ridge and terminating at the foot of said mountain between Oppossum creek and Jeremiah Jones' in Hamilton county.

SEC. 10. *Be it enacted,* That the charter for said road is given to the said William Hixon for the same length of time, upon the same conditions, and he is required to perform the same duties, and is authorized to receive the same toll, and in all respects entitled to the same powers, privileges, immunities and emoluments, and to be under the same rules, regulations and restrictions that are extended to and imposed on John C. Haley, by an act of the General Assembly of the State of Tennessee, passed at Nashville the 28th October 1833, entitled "an act to authorize John C. Haley to open a turnpike road."

SEC. 11. *Be it enacted,* That Benjamin Cannon and Adam Lamb, of — county, shall be, and they are hereby, appointed commissioners of said turnpike road, who shall perform the same duties, and be entitled to the same powers, privileges, immunities and emoluments, and be under the same rules, regulations that are extended to and imposed on the commissioners of said Haley's turnpike road, except that said commissioners shall, when said road is out of repair, make report to the county court of Bledsoe county, instead of to the county court of Marion county.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 19, 1833.

CHAPTER CXCHIL

An Act for the relief of Dawson Grady.

Be it enacted by the General Assembly of the State of Tennessee, That it shall and may be lawful for Dawson Grady to endorse on grant No. 1812, issued to him for two hundred acres, from the State of Tennessee, dated 25th August, 1831, a disclaimer to any and all the land called for in such grant, and then return the same to the office of the register from which it issued, upon which it shall be the duty of said register to move such grant and disclaimer, and to give to the said Dawson Grady a copy of such grant and disclaimer, upon producing which to the surveyor of the 13th surveyor's district, it shall be, and is hereby, made the duty of said surveyor to make void the entry upon which said grant No. 1812 is founded, and permit the said Dawson Grady to make an entry by virtue thereof, and in consideration of the same warrant, which shall include the mills he is now erecting on the middle fork of the Forked Deer river, in Gibson county; upon such entry a survey shall be made and grant issued thereon as in other cases.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 26, 1833.

CHAPTER CXCV.

An Act for the benefit of the jurors in Carter and Lincoln county.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the county court of Carter and the county court of Lincoln counties, at the first court to be held in each and every year, nine or a majority of the acting justices being present, shall allow the jurors who are summoned to attend the circuit and county courts, and talisman jurors, when they have to attend more than one day, a sum of not less than fifty cents, nor more than one dollar per day for their services.

SEC. 2. *Be it enacted,* That the county court shall, and they are hereby, authorized and required to levy and collect a tax that shall be sufficient to pay said jurors.

SEC. 3. *Be it enacted,* That it shall be lawful for the tallisman jurors to prove their attendance before the clerk of the court in which they may serve, and it is hereby made the duty of the clerk of the circuit court to certify the same to the clerk of the county court as now required

by law, and said county court clerk shall issue to them a certificate of their attendance, free of charge, and also to the jurors of the original pannel.

Certificates to
be received for
taxes.

Sec. 4. *Be it enacted*, That the jurors' certificates shall be received by the sheriffs of said counties, in payment of the county tax or other county dues, for the full amount expressed in them.

Duty of county
trustees.

Sec. 5. *Be it enacted*, That the trustees of said counties are hereby respectively authorized and required to receive jurors' certificates of the sheriff or other holder thereof, in payment of the county tax, and they shall be good vouchers in the settlement of their accounts.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 26, 1833.

CHAPTER CXCV.

An Act for the benefit of Alpha Gilman.

Be it enacted by the General Assembly of the State of Tennessee, That Alpha Gilman be, and he is hereby, authorized to hawk and peddle throughout the county of Davidson, without paying tax therefor: *Provided*, he first take and subscribe an oath before some justice of the peace, that the capital he trades on is his own, and the goods, wares and merchandize which he may offer for sale, are for his own benefit, and for no other person.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 26, 1833.

CHAPTER CXCVI.

An Act for the benefit of Lucy Bullard, of the county of Giles.

Be it enacted by the General Assembly of the State of Tennessee, That the bonds of matrimony heretofore entered into between Lucy Bullard, of the county of Giles, and her husband Joseph Bullard, be, and the same are hereby, dissolved; and that the marriage heretofore solemnized between the said Lucy and Richard Jamar, be, and the same is hereby, made valid, and that the said

Lucy, nor the said Richard Jamar, shall incur any pain or penalty inflicted by the laws of this State for and on account of said marriage.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 27, 1833.

CHAPTER CXCVII.

An Act for the relief of the heirs of Daniel M'Intyre, deceased.

Be it enacted by the General Assembly of the State of Tennessee, That the heirs of Daniel M'Intyre shall have the privilege of making void entry No. 1087, for five acres, entered in the seventh surveyor's district, and may enter the same on any vacant and unappropriated land in the seventh surveyor's district.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 7, 1833.

CHAPTER CXCVIII.

An Act for the benefit of the jailers of Maury and Williamson counties.

Be it enacted by the General Assembly of the State of Tennessee, That the judge of the circuit court of Maury county be authorized and required to order the costs of the jailer to be taxed in the case of the State against John Coffee, so far as the same had accrued on the 1st day of November, 1833, and that the same when taxed, shall be paid in the same manner as if the said Coffee had been tried and acquitted: *Provided*, if the said Coffee shall be hereafter found guilty, and the jailer's costs shall be made out of the property of the said Coffee, then the same so far as is hereby ordered to be taxed, shall be paid into the treasury of the State; and that the judge of the Williamson circuit court shall make a similar order in favor of the jailer of Williamson county, in the case of the State against James Short, subject to the same provisions and conditions.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

CHAPTER CXCIX.

An Act for the relief of the citizens of Blount county.

Be it enacted by the General Assembly of the State of Tennessee, That from and after the passage of this act, the citizens of the county of Blount shall have the privilege and right to bring their suits in chancery, either in the chancery court held at Knoxville, or in the chancery court held at Madisonville, as they may choose.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 26, 1833.

CHAPTER CC.

An Act to amend an act, entitled "an act to authorize Amos Marney to open and keep up a turnpike road," passed November 18, 1831.

Turnpike extended. SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the above mentioned road, which by the above recited act terminates at the point where it intersects Scott's turnpike road, be extended to the south side of Walden's ridge, passing by Dearman's mill, and taking the best and nearest route.

How to make road. SEC. 2. *Be it enacted,* That this new portion of the road shall be cleared in the same manner as that part of the road which was authorized to be made, by the act which this is intended to amend.

Further time granted. SEC. 3. *Be it enacted,* That the second section of the above recited act shall apply to the extended portion of the road, in the same manner as it applied to the original road, with this exception, that a further time of three years from the passage of this act, shall be allowed the proprietor to open the same and put it in complete order.

May erect one gate. SEC. 4. *Be it enacted,* That the proprietor of this road, his heirs or assigns, are hereby authorized to erect a toll gate thereon at any point north of Scott's road, and that nothing in this act or the act which this amends, shall be construed so as to authorize the erection of more than one gate upon the whole line of the road; and the said proprietor, his heirs or assigns, shall have and enjoy the interest in the whole road, for the term of thirty years, and may demand and receive the following rates of toll, in lieu of the toll prescribed by the act of November 18, 1831, to wit: for each four wheeled carriage of burthen with its driver, if drawn by four or more horses, mules or oxen, one dollar; if drawn by three, seventy five cents; if drawn by

two, sixty two and a half cents; if drawn by one, fifty cents; for each two wheeled carriage of burthen, if drawn by four horses, mules or oxen, sixty two and a half cents; if by three, fifty cents; if by two, thirty seven and a half cents; and if by one, twenty five cents; for each four wheeled pleasure carriage with its driver and passengers, if drawn by four horses or mules, one dollar; if by three, seventy five cents; if by two, fifty cents; and if by one, thirty seven and a half cents; for each two wheeled pleasure carriage with its driver and passengers, if drawn by two horses or mules, thirty seven and a half cents; if by one, twenty five cents; for each single man and horse, twelve and a half cents; for each led horse or loose horse, or mule, not in a drove, six and a fourth cents; if in a drove, three cents; for each head of cattle, two cents; and for each head of hogs or sheep, one cent: *Provided,* that no moving family or individual travelling, shall be delayed in their journey, if the head of such family or such individual will make oath that he or she is without money and unable to pay said toll: *And provided further,* that no person going to or returning from mill, blacksmith's shop, muster, court or preaching, shall be liable to pay toll.

Commissioners appointed. SEC. 5. *Be it enacted,* That Robert Brashears and William Walker, be hereby appointed commissioners for said road in the place of the commissioners appointed by the act of November, 1831, and shall be entitled to receive two dollars per day each, for each day that they are necessarily engaged in the examination of said road, as is required in the fourth section of the above mentioned act.

J. G. Smith and W. B. Skillern may open road. SEC. 6. *Be it enacted,* That Joseph G. Smith and Willie B. Skillern, be authorized to open and establish a turnpike road commencing at the foot of Walden's ridge, near Finley's mill, in Bledsoe county, crossing said ridge the nearest and best way, and descending said ridge on the south side at or near William Roger's or Robert Patterson's, and terminating at the Tennessee Valley road, leading to Dallas, in Hamilton county, and that the said proprietors have the charter for said road for the same length of time and upon the same terms and conditions in all respects, that a charter for a turnpike road was given to John C. Haley, by an act passed at the present session of the General Assembly, entitled "an act to authorize John C. Haley to open a turnpike road," and that Elisha Thomas Smith and Skillern's turnpike road, who shall take the same oath, perform the same duties, and be entitled to the same privileges and emoluments, that are enjoined upon and extended to the commissioners of said John C. Haley's turnpike road, by the act aforesaid; the charter hereby

Rates of toll.

Commissioners appointed.

J. G. Smith and W. B. Skillern may open road.

Commissioners appointed.

granted to be void, unless the said road shall be opened and completed, within four years from the passage of this act.

David Ragsdale's road.

SEC. 7. *Be it enacted*, That William M'Donough, of Bledsoe county, is hereby appointed a commissioner on David Ragsdale's turnpike road leading across Walden's ridge, who shall take the same oath, perform the same duties, and be entitled to the same compensation which may have been prescribed for any former commissioner of said road.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 25, 1833.

CHAPTER CCL.

An Act to provide for the payment of the costs in the case of the State against Thomas D. Allen.

Be it enacted by the General Assembly of the State of Tennessee, That it is hereby made the duty of the attorney general and the judge of the circuit court of the second judicial circuit, to examine, certify and allow according to the existing laws, the bills of cost that the State is liable to pay in the case of the State against Thomas D. Allen, determined at the court house in Sevier county, in the year 1828.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 26, 1833.

CHAPTER CCII.

An Act to authorize Thomas T. Bailey to lay off lots and establish a town on his own land in Henry county.

May lay off town.
SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That it shall be lawful for Thomas T. Bailey, of Henry county, to cause a town to be laid off on his own land, on the road leading from Paris to Huntingdon.

How regulated.
SEC. 2. *Be it enacted*, That said town shall be laid off, and in all respects be regulated by an act authorizing the town of Naples, in said county of Henry, and shall be called and known by the name of Baileysville.

SEC. 3. *Be it enacted*, That James Carter, Benjamin Peoples, Nelson Anderson, Doctr. T. Travis, and James Dinwoody, be, and they are hereby, appointed commissioners to lay off said town of Baileysville, under the aforesaid provisions for laying off the town of Naples, in the county of Henry.

SEC. 4. *Be it enacted*, That Abner Boyd be, and he is hereby, authorized and empowered to lay off on his own off. land in the northwest corner of Henry county, adjoining the Kentucky line, a town to be known by the name of Boydsville.

SEC. 5. *Be it enacted*, That said Boyd may appoint as many commissioners for said town as he may think fit, who shall lay off said town into such lots, streets and alleys as they may think fit, and said Boyd and said commissioners are hereby authorized to make such by-laws as they may think best for the government of said town. *Provided*, they are not inconsistent with the laws and constitution of this State.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 26, 1833.

CHAPTER CCIII.

An Act for the relief of William Corbit.

Be it enacted by the General Assembly of the State of Tennessee, That the treasurer of West Tennessee, be authorized to pay to William Corbit the sum of fourteen dollars, for services rendered in the year 1819, as one of the guard in conveying John York from the jail of Nashville to Sparta, out of any moneys in the treasury not otherwise appropriated.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 26, 1833.

CHAPTER CCIV.

An Act for the benefit of John Page.

Be it enacted by the General Assembly of the State of Tennessee, That John Page, of the county of Gibson, be, and

he is hereby, authorized to erect a mill dam on the little north fork of Forked Deer river, at such a distance below the mill of William W. Lea, that the back water shall not injure the same; *And provided*, said Page shall build a lock at the same, of sufficient length and width for boats and water craft to descend with safety: *And provided furthermore*, that said Page shall be liable for any damage sustained by any person or persons descending said stream for the want of a sufficient lock on said mill dam.

F. W. HULING,

Speaker of the House of Representatives.

D. BURFORD,

Speaker of the Senate.

Passed November 26, 1833.

CHAPTER CCV.

An Act for the benefit of the heirs of William Locke, deceased, late of Jackson county.

Be it enacted by the General Assembly of the State of Tennessee, That the county court of Jackson county shall entertain jurisdiction, and if said court shall be of opinion that it would be to the interest of the heirs of William Locke, deceased, the said court shall order a sale of all the real estate of the said William Locke, deceased, lying in Jackson county, except one tract of three hundred and thirty acres, lying on the north side of Cumberland river in said county, opposite the mouth of Roaring river, known by the name of the Home tract, upon such terms, limitations and conditions as the said court may order and prescribe: *Provided*, such order shall be made upon the petition of the administrator of said estate, setting forth the reasons of the application, a copy of which shall be served upon said heirs, or their guardian, at least ten days before the sitting of said court.

F. W. HULING,

Speaker of the House of Representatives.

D. BURFORD,

Speaker of the Senate.

CHAPTER CCVI.

An Act for the relief of Ann Quarles.

Be it enacted by the General Assembly of the State of Tennessee, That the house and plantation of Ann Quarles, adjoining to the county of Jackson, be, and the same are

hereby, attached to the county of Jackson, from and after the first day of January next, any law to the contrary notwithstanding.

F. W. HULING,

Speaker of the House of Representatives.

D. BURFORD,

Speaker of the Senate.

Passed November 27, 1833.

CHAPTER CCVII.

An Act for the benefit of Elisha Reynolds.

Be it enacted by the General Assembly of the State of Tennessee, That Elisha Reynolds, of Warren county, be, and he is hereby, authorized to hawk and peddle in the congressional district in which he lives, except Overton county, without paying for a license therefor.

F. W. HULING,

Speaker of the House of Representatives.

D. BURFORD,

Speaker of the Senate.

Passed November 27, 1833.

CHAPTER CCVIII.

An Act for the benefit of John O'Neal, of Anderson county.

Be it enacted by the General Assembly of the State of Tennessee, That John O'Neal, of Anderson county, be, and he is hereby, authorized to hawk and peddle in the county of Anderson without paying any license therefor: *Provided*, that said John O'Neal take an oath before some justice of the peace, in the county of Anderson, that the goods which he may offer to sell or vend, are for his own benefit and not for the benefit of any other person or persons.

F. W. HULING,

Speaker of the House of Representatives.

D. BURFORD,

Speaker of the Senate.

Passed November 29, 1833.

CHAPTER CCIX.

An Act to revive the laws heretofore passed incorporating the town of Kingsport, in Sullivan county.

Be it enacted by the General Assembly of the State of Ten-

Resolved, That the corporation of the town of Kingsport, in Sullivan county, be revived, and that the citizens of said town shall have all the privileges and advantages created by the laws heretofore passed incorporating said town.

F. W. HULING,

Speaker of the House of Representatives.

D. BURFORD,

Speaker of the Senate.

Passed November 29, 1833.

CHAPTER CCX.

An Act to amend an act entitled an act to incorporate a company to open a turnpike road from Sparta, in White county, to Liberty, in Smith county.

Road extended

SECTION 1. Be it enacted by the General Assembly of the State of Tennessee, That the turnpike road granted by the act which this is intended to amend, to Jesse Lincoln and William Urray, leading from the Knotty Oak, in White county, to Kennedy's old place towards Liberty, in Smith county, be vested in Jesse Lincoln, and that the said Lincoln is authorized to extend said road westwardly, to the foot of Snow's Hill in Smith county.

May unite with Jesse Allen.

SEC. 2. Be it enacted, That provided Jesse Allen shall see proper to clear out his road as chartered, and also pay his proportion for the performing and clearing out that part of the road hereby granted in extending said road, then the said Lincoln and Allen, shall both keep their toll gates at the Caney fork river; and it shall be the duty of the said Allen within three months from the first day of January next, to notify the said Lincoln and also the county court of White county of his acceptance, and on failure be ever after precluded.

Lincoln to proceed if Allen fails to comply.

SEC. 3. Be it enacted, That should the said Allen fail to accept, or fail to comply after accepting for six months, as prescribed in the 5th section of this act, the said Lincoln shall clear out said road in this act specified, in the manner required by the act which this is intended to amend, and at least twenty feet wide, and shall be entitled to erect his gate at any place he may see proper, and shall have the term of twelve months, from the first day of January next to complete the same: *Provided*, nothing in this act shall prevent said Lincoln from receiving toll upon that portion of his road already finished, should he be entitled thereto, in the manner declared in this act.

Persons exempt from toll.

SEC. 4. Be it enacted, That the citizens residing in Alexandria, and from thence to the Caney fork, and within ten miles of the said road between said places, shall pass said road toll free: *Provided*, they do not cross the river.

SEC. 5. Be it enacted, That should said Allen accept according to this act, and thereafter fail or refuse for six months to perform the same, he shall be liable to an action at the suit of said Lincoln, in any court in this State having jurisdiction thereof, and shall pay all such damage as may have incurred in consequence of his failure, and the said Lincoln shall proceed to open said road, and do all things as though said Allen had complied.

Liability of Allen.

SEC. 6. Be it enacted, That all persons travelling the road leading through Warren county, by Farrington's Mill and intersecting said turnpike road west of the Caney fork river, shall not be liable to pay toll at said gate, but shall when travelling said road to or from Liberty through Warren county as aforesaid, pass toll free.

Persons exempt from toll.

F. W. HULING,

Speaker of the House of Representatives.

D. BURFORD,

Speaker of the Senate.

Passed November 27, 1833.

CHAPTER CCXI.

An Act for the benefit of David Hay.

Be it enacted by the General Assembly of the State of Tennessee, That David Hay, of Haywood county, is hereby authorized to lay down and spread upon the general plan of the — Surveyor's district, two hundred acres of vacant and unappropriated land in said county, unfit for cultivation, adjoining his turnpike across the Hatchie bottom, and shall have all the rights, and placed upon the same footing that all bona fide resident occupants are entitled to.

F. W. HULING,

Speaker of the House of Representatives.

D. BURFORD,

Speaker of the Senate.

Passed November 28, 1833.

CHAPTER CCXII.

An Act to appropriate the internal improvement fund belonging to the county of Lawrence, to the common school funds of said county.

SECTION 1. Be it enacted by the General Assembly of the State of Tennessee, That the internal improvement funds now in the Bank of the State of Tennessee, belonging to the county of Lawrence, be, and the same is hereby, attached to and made part of the common school fund of said county.

Internal improvement fund attached to school fund.

Bank to pay to
school commis-
sioners.

SEC. 2. *Be it enacted*, That the Cashier of the Bank of the State of Tennessee, is hereby required to pay to the chairman of the common school commissioners of Lawrence county, the amount of internal improvement funds that said county is entitled to, and the receipt of said chairman shall be a good voucher in the settlement of the accounts of the Bank of the State of Tennessee.

Duty of com-
missioners.

SEC. 3. *Be it enacted*, That the commissioners of the common school funds shall have the power to manage the moneys appropriated by this act, in the same manner that other common school moneys are disposed of in said county.

F. W. HULING,

Speaker of the House of Representatives.

D. BURFORD,

Speaker of the Senate.

Passed November 28, 1833.

CHAPTER CCXIII.

An Act to emancipate Loo, a man of colour, Caroline his wife and Martha Ann his daughter.

Act of libera-
tion.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Loo, a man of colour, his wife Caroline, and his daughter Martha Ann, be, and they are hereby, liberated and set free.

May reside in
the State.

SEC. 2. *Be it further enacted*, That the said Loo, Caroline and Martha Ann, are hereby permitted to reside within the limits of the State of Tennessee, to be governed by the same laws, rules and regulations, that other free people of color are, in this State.

F. W. HULING,

Speaker of the House of Representatives.

D. BURFORD,

Speaker of the Senate.

Passed November 28, 1833.

CHAPTER CCXIV.

An Act to change, and permanently establish the line dividing the counties of Rhea and M'Minn.

Be it enacted by the General Assembly of the State of Tennessee, That the line dividing the counties of Rhea and M'Minn, shall continue from the south bank of Hiwassee river, crossing said river opposite to the foot of the first large ridge, above the mouth of Price's creek, thence along the extreme height or top of said ridge, as it mean-

ders until it strikes the south line on the top of said ridge, which runs from the eight mile tree or stake from the mouth of White's creek, as established by the act of 1819, fixing the lines between the counties of Rhea and Roane, leaving John Igon's plantation, William Moore's plantation, Matlock's Mills, and the whole of the back valley so called and its meanders on the north side in Rhea county: *Provided, however*, nothing herein contained shall prevent the county court of Rhea from levying a county tax on the persons and property of such citizens as reside within the territory hereby annexed to the county of M'Minn, for the year 1834, or the collecting officer of Rhea county from collecting the State and county tax in said territory for the year 1834, in such manner as he might or could have done if this act had not passed: *And provided, further*, the citizens residing in the territory aforesaid, shall not be subject to the payment of tax of any kind, in the county of M'Minn for the said year of 1834, nor shall the county court of M'Minn be authorized to levy any jail or court house tax, upon real property, actually settled at the passage of this act, lying within the territory aforesaid, for and during the term of ten years: *And provided, also*, the dividing line as designated in this act, shall be run and marked by John Locke of Rhea county, at the proper expense of M'Minn county, should the county court of M'Minn require the same to be done by an order of court, and a copy thereof duly served upon the said John Locke.

F. W. HULING,

Speaker of the House of Representatives.

D. BURFORD,

Speaker of the Senate.

Passed November 28, 1833.

CHAPTER CCXV.

An Act to divorce Nancy Adams from her husband, Todd R. Adams.

Be it enacted by the General Assembly of the State of Tennessee, That Nancy Adams, be, and she is hereby, divorced from her husband Todd R. Adams, and that the bonds of matrimony heretofore existing between them, be, and the same are hereby, dissolved, and that the said Nancy shall hereafter be known by the name of Nancy Faris.

F. W. HULING,

Speaker of the House of Representatives.

D. BURFORD,

Speaker of the Senate.

Passed November 26, 1833.

CHAPTER CCXVI.

An Act for the relief of Samuel M'Connell.

Be it enacted by the General Assembly of the State of Tennessee, That Samuel M'Connell, be, and he is hereby, entitled to a credit of two hundred and sixty-six dollars, upon the debt of six hundred dollars, which debt was created by a loan to him from the State of Tennessee, in pursuance of an act passed in the year 1826, entitled "an act for the benefit of Samuel M'Connell," and all interest in the aforesaid sum of two hundred and sixty-six dollars: *Provided,* said M'Connell execute to the State of Tennessee, a release against all future claim or demand touching the Hildebrand's reservation against the State by the said M'Connell.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 26, 1833.

CHAPTER CCXVII.

An Act for the benefit of Joseph Black, of Anderson county.

Be it enacted by the General Assembly of the State of Tennessee, That Joseph Black, of the county of Anderson, be, and he is hereby, authorized to build a mill and mill dam on the south sluice of Clinch river, on his own land on both sides of said sluice, and opposite his Island, known as Herndon's Island, now Black's Island: *Provided,* that said mill nor dam does not obstruct the navigation of said river, nor overflow and damage the adjoining lands of any other person.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 26, 1833.

CHAPTER CCXVIII.

An Act to divorce Sally Moore from her husband, Nimrod Moore.

Be it enacted by the General Assembly of the State of Tennessee, That the bonds of matrimony heretofore entered into, and now existing, between Sally Moore, of the coun-

ty of Bledsoe, and her husband Nimrod Moore, be, and they are hereby, dissolved.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 28, 1833.

CHAPTER CCXIX.

An Act to authorize Henry T. Brassell of Sumner, to hawk and peddle.

Be it enacted by the General Assembly of the State of Tennessee, That Henry T. Brassell, of the county of Sumner, be, and he is hereby, authorized to hawk and peddle in the county of Sumner, without having obtained a license therefor.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 28, 1833.

CHAPTER CCXX.

An Act for the benefit of James Brown and others.

Be it enacted by the General Assembly of the State of Tennessee, That James Brown, Robert Brown, James Brown, Jr. James Vann, Charles Reese, Jr. Henry D. Reese, Geo. Fields, John Fields, Ezekiel Fields, Moses Fields, James V. Fields, Nancy Blythe, John R. Blythe, Patsy Clinghan, William Blythe, Jr. Betsy Gothara, Polly Blythe, Elijah Blythe, James C. Blythe, Absalom E. Blythe, Nancy Ann Blythe, William Wilson, Elizabeth Wilson, Archibald Wilson, Alexander Wilson, George Wilson, Jr. Mary Wilson, Rebecca Wilson, Lucy B. Wilson, John Wilson, Anderson Wilson, Deilah M'Nair, James M'Nair, Nicholas M'Nair, Clement M'Nair and Johnson Foreman, natives of the Cherokee tribe of Indians, and residing within the chartered limits of the State of Tennessee, shall, and hereby have extended to them, all the rights, privileges and immunities of citizens of the State of Tennessee, in as full and ample a manner as may be exercised and enjoyed by any other citizens of said State, any law, usage or custom, to the contrary notwithstanding: *Provided,* that the persons herein named shall accept the same by having

their assent entered upon the records of the court of the county in which they reside, and in case of minors their parents shall have such assent entered for them.

F. W. HULING,

Speaker of the House of Representatives.

D. BURFORD,

Speaker of the Senate.

Passed November 28, 1833.

CHAPTER CCXXI.

An Act to authorize the common school fund of Sevier county, to be vested in the Smoky mountain turnpike road.

Be it enacted by the General Assembly of the State of Tennessee, That the commissioners of common schools in Sevier county, be, and they hereby are, authorized to vest the common school fund of said county, in stock of the Smoky mountain turnpike road, in such manner and upon such terms, as the said commissioners shall deem most advisable for the interest of said common school fund: *Provided,* that before making such investment, a majority of the said common school commissioners shall consent thereto in writing, and have the same recorded in the county court clerk's office of said county of Sevier.

F. W. HULING,

Speaker of the House of Representatives.

D. BURFORD,

Speaker of the Senate.

Passed November 28, 1833.

CHAPTER CCXXII.

An Act to extend the limits of the third township of school lands, in Lincoln county.

SECTION 1. Be it enacted by the General Assembly of the State of Tennessee, That the citizens residing between the northern boundary of the third section, third township and third range of school land in Lincoln county, and the Bedford county line, be, and are hereby included in the township aforesaid, to the Bedford county line, and shall be considered as citizens within the said township, and entitled to all the benefits arising from the proceeds of the said school tract of land in educating their children, as those heretofore residing within the limits of the said township.

School boundary extended.

SEC. 2. Be it enacted, That that portion of common school fund which would be allowed, and going to the citizens who are intended to be included in the township aforesaid,

Funds appropriated.

to the Bedford county line, shall be drawn by the school commissioners of the said school tract of land, and applied by said commissioners to the use of the citizens in the township aforesaid, in common.

F. W. HULING,

Speaker of the House of Representatives.

D. BURFORD,

Speaker of the Senate.

Passed November 28, 1833.

CHAPTER CCXXIII.

An Act to divorce Mary Elizabeth Hardeman from her husband John Hardeman.

SECTION 1. Be it enacted by the General Assembly of the State of Tennessee, That the bonds of matrimony heretofore entered into between Mary Elizabeth Hardeman and her husband John Hardeman, be, and the same are hereby, dissolved and forever annulled.

SEC. 2. Be it enacted, That the bonds of matrimony heretofore entered into and now subsisting between William R. Lawrence and his wife Rebecca Lawrence, be, and the same are hereby, dissolved.

F. W. HULING,

Speaker of the House of Representatives.

D. BURFORD,

Speaker of the Senate.

Passed November 27, 1833.

CHAPTER CCXXIV.

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

Be it enacted by the General Assembly of the State of Tennessee, That the inhabitants of the town of Burguinesville, in the county of Hawkins, are hereby constituted a body politic and corporate, by the name of the chairman and commissioners of the town of Burguinesville, with all the rights, powers, privileges and capacities that are extended to the inhabitants of the town of Newport, by an act entitled an act to incorporate the inhabitants of the town of Newport, passed October 9, 1832, as far as the same are consistent with the provisions of this act: *Provided,* any magistrate of Hawkins county shall be authorized to hold elections for said officers, instead of the sheriff of said county, and said elections for chairman and commissioners of said town, shall be held on the first Saturday in

January of every year: *Provided, also*, that in addition to the resident inhabitants, each owner of real estate in said town shall be entitled to vote for said officers, whether resident in said town or not: *And provided also*, the powers of said corporation shall not extend beyond the lands embraced in the plan of said town: *And provided further*, that the powers of said corporation shall not extend to the infliction of any additional penalties upon crimes punishable by the statute or common law of the State.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 28, 1833.

CHAPTER CCXXV.

An Act for the relief of William H. Cook.

Be it enacted by the General Assembly of the State of Tennessee, That the bank agent for the county of McMinn, is hereby authorized and directed to pay to William H. Cook, the sum of one hundred and twenty six dollars for his services as agent for the school lands in the county of McMinn, in the year 1831, and the receipt of the said Cook shall be a good voucher to the said agent, in the settlement of the amount that came to his hands as agent, as aforesaid.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 28, 1833.

CHAPTER CCXXVI.

An Act to authorize the county court of Blount county to emancipate George, a slave.

George emancipated.

SECTION 1. Be it enacted by the General Assembly of the State of Tennessee, That the county court of Blount county, be, and is hereby, authorized to emancipate George, a slave, late the property of David Caldwell, deceased, upon the petition of the executor of David Caldwell, deceased, or either of them, with the consent of the heirs and distributees of the estate of the said deceased; and that the said George shall hereafter be known and distinguished by the name of George Caldwell, and shall have all the

rights and privileges of other free colored persons in this State: *Provided*, that the said slave shall first give bond with good and sufficient security that he will not become a county charge.

SEC. 2. Be it enacted, That John Weems be, and he is hereby, authorized to emancipate his slave ———: *Provided*, he shall file his petition in the county court of Greene, and upon his giving bond with approved security that the said ——— shall not become a public charge to any county in this State, and the said ——— shall not be required to leave the State, but shall be entitled to all the rights and privileges of other free persons of color in this State.

John Weems may emancipate his slave.

F. W. HULING,
Speaker of the House of Representatives,
D. BURFORD,
Speaker of the Senate.

Passed November 28, 1833.

CHAPTER CCXXVII.

An Act for the benefit of Joab Wilson.

Be it enacted by the General Assembly of the State of Tennessee, That Joab Wilson is hereby authorized to spread upon the general plan of the tenth surveyor's district, two hundred acres of vacant and unappropriated land, adjoining his turnpike across the Hatchie bottom, and shall have all the rights, and be placed upon the same footing that all bona fide occupant settlers are placed.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 29, 1833.

CHAPTER CCXXVIII.

An Act to authorize Anthony Foster to emancipate certain slaves.

Be it enacted by the General Assembly of the State of Tennessee, That Anthony Foster, of Hardeman county, be, and he is hereby, authorized to emancipate the following slaves, to wit: one woman, by the name of Mildred, and her eight children, named as follows: Mary Ann, Richard, Mildred, William Henry, Elizabeth, John, James, and Francis, without being compelled to remove them out of this State: *Provided*, that he, the said Foster, shall give

bond and approved security that the above named slaves shall not become a public charge upon any county in this State.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 29, 1833.

CHAPTER CCXXIX.

An Act authorizing H. R. W. Hill to emancipate a negro woman named Penelope, a slave, and her child.

Be it enacted by the General Assembly of the State of Tennessee, That H. R. W. Hill, be, and he is hereby, permitted to emancipate a negro woman, a slave, named Penelope, and her child named —, according to the existing laws, except that when said slaves are emancipated, they shall not be compelled to leave the State.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 29, 1833.

CHAPTER CCXXX.

An Act for the benefit of Logan Jones, of Fentress county.

Whereas, an old man by the name of Absalom Roseberry was lately indicted in the circuit court of Fentress county, and gave his recognizance for his appearance with security; that some time thereafter he sold his land to Logan Jones and moved to another State, and forfeited his recognizance: and whereas, said Jones has no power to bring him to justice, or can he have relief in said court; and to the end, therefore,

SECTION 1. Be it enacted by the General Assembly of the State of Tennessee, That the lien of a judgment upon a scire facias of the State against Absalom Roseberry, shall not extend to a tract of land which said Logan Jones purchased from said Roseberry, in said county of Fentress, but said land shall be, and is hereby, released from the same: *Provided*, said Jones will pay all costs of said judgment on said scire facias: *And provided also*, nothing in this

act shall extend to release said Roseberry and his securities from said judgment.

SEC. 2. Be it enacted, That it shall be the duty of the circuit court for the county of Fentress, to set aside a forfeiture at the instance of the State against Jacob Cooper, as the bail of Absalom Roseberry: *Provided*, the said Jacob Cooper shall make it satisfactorily to appear to said court, that his principal is beyond the limits of the State of Tennessee, and likely to remain so: *Provided also*, that the said Cooper shall pay the cost of the said scire facias.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 29, 1833.

CHAPTER CCXXXI.

An Act for the relief of Henry Bradford.

Be it enacted by the General Assembly of the State of Tennessee, That the cashier of the branch Bank of the Bank of the State of Tennessee at Knoxville, be authorized, and he is hereby directed, to pay to Henry Bradford, the sum of three hundred and twenty dollars, the amount of money paid by the said Bradford to the treasurer of East Tennessee, for the north west quarter of section four, first fractional township south, west of the meridian in the Hiwassee district.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 29, 1833.

CHAPTER CCXXXII.

An Act for the benefit of James Bradley, sheriff of Hawkins county.

Be it enacted by the General Assembly of the State of Tennessee, That it shall be the duty of the treasurer of East Tennessee, to pay to James Bradley, sheriff of Hawkins county, thirteen dollars and fifty cents, the amount of the expenses and pay of himself and guard, in conveying William Crutchfield under a charge of bigamy, from Hawkins county to Blountville: *Provided*, he first make oath before some justice of the peace in this State, that he has never before received pay for said account, or any part thereof;

and the receipt of said Bradley for that amount shall be a good voucher for said treasurer in the settlement of his accounts.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 28, 1833.

CHAPTER CCXXXIII.

An Act to authorize Thomas N. Clark, of Roane county, to emancipate a slave, named Peter Hawkins.

Be it enacted by the General Assembly of the State of Tennessee, That Thomas N. Clark, of Roane county, be, and he is hereby, authorized to emancipate a negro slave, named Peter Hawkins, without being compelled to remove him out of the State: *Provided*, that the said Thomas N. Clark shall give bond and approved security that the above named slave shall not become a public charge to any county in this State.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 28, 1833.

CHAPTER CCXXXIV.

An Act for the benefit of Alfred Pursel, of Jackson county.

Be it enacted by the General Assembly of the State of Tennessee, That Alfred Pursel, of Jackson county, be, and he is hereby, authorized to hawk and peddle in said county of Jackson, without paying any tax therefor: *Provided*, said Alfred Pursel make an affidavit before some justice of the peace in said county, stating that the goods, wares and merchandize so proposed to be vended by him, are his own, and for his own benefit, and not for the benefit of any other person.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 28, 1833.

CHAPTER CCXXXV.

An Act authorizing the County court of Henry county, to appoint additional Internal Improvement Commissioners for said county.

SECTION 1. Be it enacted by the General Assembly of the State of Tennessee, That it shall be the duty of the county court of Henry county at the first term after the first day of January, in each and every year, to elect five internal improvement commissioners for said county, who shall be under the same rules, restrictions and liabilities, that the different internal improvement commissioners in the several counties lying west of the Tennessee river, are subject to, and that any three of said commissioners shall be a quorum sufficient to transact the necessary business relating thereto.

SEC. 2. Be it enacted, That the law authorizing the county court of Henry county, to elect but three internal improvement commissioners in and for said county, be, and the same is hereby, repealed.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 28, 1833.

CHAPTER CCXXXVI.

An Act better to provide for the government of the corporation of the town of Elkton, in Giles county.

SECTION 1. Be it enacted by the General Assembly of the State of Tennessee, That the corporation of the town of Elkton shall consist of a mayor and aldermen, who shall constitute the body corporate of said town.

SEC. 2. Be it enacted, That there shall be an election annually in the town of Elkton, of seven aldermen, all of whom shall be citizens of said town, who shall elect a mayor out of their own body, which body shall in like manner elect a town constable, who shall perform all duties, and possess the same powers, that any other constable may have, under the constitution of the State within the limits of said corporation.

SEC. 3. Be it enacted, That the mayor shall have power to issue warrants, give judgments, issue executions and do all other things that properly belong to his station, or that may come under the by-laws that may hereafter be enacted.

SEC. 4. Be it enacted, That it shall be the duty of the mayor and aldermen to levy annually a tax on each and

every lot within the corporation, which may be regulated as they may deem expedient; also to levy and collect a poll tax on each and every white male over eighteen and under fifty years old, and on each and every black male, over fifteen and under sixty years old, to be appropriated to the use and benefit of said corporation.

Tax on shows
&c.

SEC. 5. *Be it enacted*, That it shall be the duty of the mayor and aldermen to levy and collect a tax from every master or proprietor of a caravan of animals, puppet show, handycraftmanship and public exhibitions of all sorts, which tax shall be regulated as a majority of the board may deem expedient.

Duty to open
streets.

SEC. 6. *Be it enacted*, That it shall be the duty of the mayor and aldermen to open or cause to be opened, all or any street or alley, their full width or any part of their width that they may deem proper for the benefit and convenience of the citizens, and any person or persons refusing to open such street or alley, shall be fined at the discretion of the mayor.

Streets may be
improved.

SEC. 7. *Be it enacted*, That the mayor and aldermen may from time to time have the square, streets and alleys worked on and improved, and make such public improvements as they may deem necessary for the use and benefit of the corporation, and may from time to time call on the treasurer of said corporation and draw from him such moneys as may be in his hands, as shall be necessary for said expenditures.

Of secretary
and treasurer.

SEC. 8. *Be it enacted*, That the mayor and aldermen shall elect annually a secretary and treasurer out of their own body, whose duty it shall be to keep a regular account of all the transactions of the corporation, and to receive and pay out all moneys of the same, and to receive his compensation from, and be answerable to the said mayor and aldermen.

To make by-
laws.

SEC. 9. *Be it enacted*, That it shall be the duty of the mayor and aldermen from time to time to make such by-laws or pass such resolutions as they may think proper for the use and benefit of the corporation: *Provided*, they shall not be inconsistent with the constitution and laws of this State.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 28, 1833.

CHAPTER CCXXXVII.

An Act to authorize Joshua Thurman to emancipate his sister Harriet.

Be it enacted by the General Assembly of the State of Tennessee, That Joshua Thurman, a free man of color, of Hardeman county, be, and he is hereby, authorized to emancipate his sister Harriet, now the slave of said Joshua, without being compelled to send her out of the State: *Provided*, he gives bond and approved security that she shall not become a public charge.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 28, 1833.

CHAPTER CCXXXVIII.

An Act for the relief of the estate of Jno. Seabourn, deceased, of Marion county.

Be it enacted by the General Assembly of the State of Tennessee, That the executors of John Seabourn, have the terms of one, two and three years, to pay the debt due from said estate to the Bank of the State of Tennessee, to fall due and be payable in three equal annual instalments, with interest: *Provided*, however, the said executors do execute bond with good and sufficient security for the payment of said debt.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 28, 1833.

CHAPTER CCXXXIX.

An Act to amend an act, entitled "an act to extend the limits of the corporation of the town of Memphis, and for other purposes," passed October 19, 1832.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the corporation of the town of Memphis shall be extended down the Mississippi river to a point opposite the end of Union street, thence with said street to a point opposite the south eastern corner of said corporation, thence on a straight line to said corner.

Hartsville in-
corporated.

SEC. 2. *Be it further enacted*, That the town of Hartsville, in the county of Sumner, be incorporated under the name and style of the mayor and aldermen of the town of Hartsville, under the same rules and regulations prescribed in the incorporation of the town of Gallatin, and the sheriff of Sumner shall proceed and hold an election for aldermen for said town, upon the first Saturday in January next, in the town of Hartsville, and ever afterwards at the time prescribed in the act of incorporation for the said town of Gallatin.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 28, 1833.

CHAPTER CCXL.

An Act for the benefit of John Witt and David Ragsdale:

Be it enacted by the General Assembly of the State of Tennessee, That the turnpike roads of which John Witt, William Walker and David Ragsdale, are proprietors, across Walden's ridge, be, and the same are hereby, released and discharged from the payment of tax, from and after the passage of this act.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 28, 1833.

CHAPTER CCXLI.

An Act for the benefit of James B. Moore.

Be it enacted by the General Assembly of the State of Tennessee, That James B. Moore be authorized to hawk and peddle within the limits of Davidson county, without obtaining license therefor: *Provided*, he first take an oath that the capital he will trade on is his own, and for his own benefit, and for no other person.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 28, 1833.

CHAPTER CCXLII.

An Act to alter the time of holding the regimental court martial in the 62d regiment of Tennessee militia.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That so much of the militia law as provides for the holding of regimental court martial in the sixty second regiment, on the fourth Thursday in November in each and every year, be, and the same is hereby, repealed, and that hereafter the regimental court martial shall be held in said regiment on the second Thursday in October in each and every year.

SEC. 2. *Be it enacted*, That hereafter the regimental courts martial of the eighteenth regiment, in the county of Jackson, shall be held on the first Thursday in November, in each and every year, any law to the contrary notwithstanding.

SEC. 3. *Be it enacted*, That the regimental court martial in Marion county, shall be held on the fourth Saturday in November.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 28, 1833.

CHAPTER CCXLIII.

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

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the inhabitants of the town of Independence, in the county of Henderson, are hereby constituted a body politic and corporate, by the name of the chairman and commissioners of the town of Independence, with all the rights, powers, privileges and capacities that are extended to the inhabitants of the town of Jackson, by an act entitled "an act to incorporate the inhabitants of the town of Jackson," as far as the same are consistent with the provision of this act: *Provided*, any magistrate of Henderson county shall be authorized to hold elections for said officers, instead of the sheriff of said county, and said elections for chairman and commissioners of said town, shall be held on the first Saturday in January, of every year: *Provided also*, in addition to the resident inhabitants, each owner of real estate in said town shall be entitled to vote for said officers, whether residents in said town or not: *And provided also*, the powers of said corpo-

ration shall not extend beyond the land embraced in the plan of said town: *And provided further*, that the power of said corporation shall not extend to the infliction of any additional penalties upon crimes punishable by the statute or common law of this State.

Incorporation
of Loveville re-
pealed.

SEC. 2. *Be it further enacted*, That all laws and parts of laws incorporating the town of Loveville, in the county of Knox, and requiring the citizens of said town to pay a tax on said town lots, be, and the same is hereby, repealed.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 28, 1833.

CHAPTER CCXLIV.

An Act making it the duty of the county court of Rutherford county to levy a tax to pay the talismen jurors.

Be it enacted by the General Assembly of the State of Tennessee, That it shall be the duty of the county court of Rutherford county, at their first session in each and every year, to levy a tax sufficient to pay talismen jurors, who may be compelled to serve according to the acts of the General Assembly heretofore passed.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 28, 1833.

CHAPTER CCXLV.

An Act to amend the laws in relation to the poor house of the county of Wilson, and for other purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the poor house commissioners of the county of Wilson, be, and they are hereby, authorized and directed to contract for the management of the said poor house at their discretion, and that the law directing the justices of the peace of the said county to elect a keeper of the said poor house, be, and the same is hereby, repealed.

Authority of
commissioners.

SEC. 2. *Be it enacted*, That the commissioners of the poor in each and every county in this State, shall keep a correct and regular account of all moneys by them received and expended, and shall annually account to and

Commissioners
generally to
keep accounts.

settle with the commissioners of the revenue, who shall return the same to the county court of the county, and the same be filed of record by the clerk of said court.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 29, 1833.

CHAPTER CCXLVI.

An Act to authorize the sheriff of Grainger county to appoint an additional deputy.

Be it enacted by the General Assembly of the State of Tennessee, That the sheriff of Grainger county be, and he is hereby, authorized to appoint one more deputy in said county, than he is authorized by the present law to appoint, who shall have the same power, privileges and emoluments of other deputy sheriffs legally appointed.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 29, 1833.

CHAPTER CCXLVII.

An Act for the benefit of the proprietors of the Emory turnpike road.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the turnpike road commencing at Poplar creek, in Morgan county, and terminating in two branches, one at Wolf river, in Fentress county, and the other at the old Walton road, near the standing stone, in Overton county, and the proprietors thereof, be, and they are hereby, exempted from the provisions and operations of an act passed December 15, 1831, entitled "an act to compel the owners of turnpike roads and toll bridges to keep the same in repair:" *Provided*, that no obstructions shall have been in said road more than sixty days, and that it shall be the duty of the commissioners of said road to see that said road is opened and put in good repair, and that no toll shall be received until said commissioners shall report that said road is in good order; which report shall be made on oath before some justice of the peace for the county of Morgan, and it shall not be lawful for the own-

Exempt from
certain provisions.

ers of the said turnpike road to receive any toll, unless they produce the report of the commissioners.

Commissioners appointed.
SEC. 2. *Be it enacted,* That Arthur R. Fogg, of Fentress county, Thomas S. Lea, of Morgan county, and Richard Oliver, of Anderson county, be, and they are hereby, appointed commissioners on said road, who shall have the same powers, privileges and emoluments, and be under the same rules, regulations and restrictions, of the commissioners originally appointed on said road, and who shall, before they enter upon the duties of their office, take and subscribe before the county court of Morgan or Fentress county, an oath that they will well and truly perform the duties enjoined upon the commissioners of said road, by the act incorporating the same, without prejudice or partiality, according to the best of their knowledge and ability.

Jno. Witt exempt from tax on his road.
SEC. 3. *Be it enacted,* That John Witt, of Rhea county, be exempted from the payment of the State tax on his road across Walden's ridge.

Time given for repairs.
SEC. 4. *Be it enacted,* That the said proprietors shall have six months to repair the road, and obtain the report of the commissioners, as provided for in this act, and that nothing contained in said act shall deprive them of the benefit or privileges of said road, authorizing the collection of toll, &c. This act shall be in force from and after the first of January, 1834.

F. W. HULING,
Speaker of the House of Representatives.
 D. BURFORD,
Speaker of the Senate.

Passed November 28, 1833.

CHAPTER CCXLVIII.

An Act to divorce Flora M. Todd from Charles W. Todd, of Monroe county.

Be it enacted by the General Assembly of the State of Tennessee, That the bonds of matrimony heretofore solemnized and now subsisting between Flora M. Todd, of Monroe county, and her husband Charles W. Todd, be, and the same are hereby, dissolved; and that the said Flora be restored to all the rights and privileges of a *feme sole*.

F. W. HULING,
Speaker of the House of Representatives.
 D. BURFORD,
Speaker of the Senate.

Passed November 29, 1833.

CHAPTER CCXLIX.

An Act to establish an Academy in the county of Hardin.

Savannah academy established.
SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That there shall be, and is hereby, established for the county of Hardin, at the town of Savannah, an academy, called Savannah Academy, to have and to possess any and all rights, claims, advantages and immunities, which, by any of the existing laws of this State, are allowed and belong to any of the county Academies of this State; and the trustees hereafter appointed, to have all the powers to make rules for the government thereof, to receive their portion of all funds by law apportioned to the several counties in this State for the benefit of Academies.

Trustees incorporated.
SEC. 2. *Be it enacted,* That Orville Harrison, James Irvine, John Houston, Richard Stephens, Arthur B. Campbell, Joseph N. Baker, and Robert Watt, be, and they are hereby, appointed trustees of said Savannah Academy, and that they be constituted a body corporate and politic, may sue and be sued, plead and be impleaded, grant, receive, purchase and hold real, mixed and personal property, and dispose of the same for the use of the Academy, and they, or a majority of them, in case of removal, resignation, or any other accidental vacancy, may fill such vacancy by the appointment of other person or persons in their place.

Trustees to give bond.
SEC. 3. *Be it enacted,* That the trustees of said Academy, before they shall be entitled to draw any money under the provisions of this act, shall enter into bond with good security, in the penalty of two thousand dollars, to the chairman of the county court, which bond shall be approved by the court, and filed in the office of the clerk of said court, conditioned that said trustees shall faithfully and honestly apply said Academy money, or the interest thereof, to the use of said Academy, or in such manner as is pointed out in this act.

Bank to pay over fund.
SEC. 4. *Be it enacted,* That whenever the trustees of said Academy shall produce a certified copy of said bond, to the president and directors of the Bank of the State of Tennessee, at Nashville, it shall be the duty of the president and directors of said Bank to pay over to the trustees herein appointed, the amount of the Academy fund belonging to the county of Hardin.

Trustees may loan funds.
SEC. 5. *Be it enacted,* That the trustees of said Academy or a majority of them, shall have power to loan any moneys in their hands, and take bond to the president of the board, or any one of them they shall so designate, and shall have power to sue for the same, to and for the use of the Academy: *Provided,* that the said trustees shall not

loan for a longer time than twelve months, without requiring a renewal of the note: *And provided, further*, that said trustees may loan said moneys in the same manner that the common school commissioners of said county loan moneys.

Secretary and
treasurer to be
appointed.

SEC. 6. *Be it enacted*, That it shall be the duty of the trustees to appoint a secretary and treasurer, of whom they shall require bond and security for the faithful discharge of their duties, and that said bond shall be made payable to the said trustees and their successors in office.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 26, 1833.

CHAPTER CCL.

An Act to divorce Narcissa from her husband, Kinchen A. Wilbourne.

Be it enacted by the General Assembly of the State of Tennessee, That the bonds of matrimony heretofore solemnized and existing between Narcissa Wilbourne, formerly Narcissa Hess, and her husband, Kinchen A. Wilbourne, be, and the same is hereby, dissolved.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 29, 1833.

CHAPTER CCLI.

An Act to divorce William Mitchell from his wife Jane.

Be it enacted by the General Assembly of the State of Tennessee, That the bonds of matrimony heretofore existing between William Mitchell, of the county of Rutherford, and his wife, Jane Mitchell, be, and the same are hereby, dissolved.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 20, 1833.

CHAPTER CCLII.

An Act for the benefit of John Balch, of Greene county, and Alfred Middleton.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That it is hereby made the duty of the register of East Tennessee, to issue to John Balch, a grant for three hundred acres, founded on an entry, No. 369, made in the entry taker's office of Greene county, on the 5th day of July, 1824, in the name of John Gray, Peter Pitsinbarger, George Rinker, and John Balch. *Provided*, that said Balch shall make it satisfactorily appear to said register, that the interests of the said John Gray, Peter Pitsinbarger and George Rinker, have been legally conveyed to him, and that their assignments to said land have been destroyed, and that owing to the removal of said Gray, Pitsinbarger and Rinker, to distant parts, he cannot conveniently again obtain their conveyance: *And provided, further*, that he makes it appear he is now the equitable owner.

Register to issue grant to J. Balch.

SEC. 2. *Be it enacted*, That the register of West Tennessee issue to Alfred Middleton, executor of the estate of John Middleton, deceased, a grant for ten acres of land lying in Maury county, and upon the waters of Cathey's creek, in the eighth surveyor's district, founded upon R. W. T. warrant No. 5614: *Provided*, that satisfactory proof be made to said register that the entry aforesaid, was made upon a good and valid warrant, and that the plat and certificate had been lost or mislaid so that they cannot be procured: *And provided, also*, that it appear that said warrant has not been removed or entered elsewhere.

Register to issue grant to Alfred Middleton.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 30, 1833.

CHAPTER CCLIII.

An Act to authorize Thomas O. Hunter to build a bridge across Duck river.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Thomas O. Hunter, be, and he is hereby, authorized to build a bridge across Duck river, at or near the fishing ford, in the county of Bedford: *Provided*, such bridge shall not be so built as to obstruct the ford at said place or the free navigation of said river.

Hunter may build a bridge.

Land laid off and provisions for payment for it.

SEC. 2. *Be it enacted*, That John Wortham, John Lane, John M. Lane, Adam Miller, and Abram Mayfield, be, and they are appointed and constituted commissioners for the purpose of going upon the bank of said river, to lay off the quantity of land on the north bank thereof, which will be necessary for the erecting of said bridge, and whenever said commissioners or any three of them, shall have laid off the said land, then it shall be their duty to value the land so laid off, and to require of the said Thomas O. Hunter, bond and security for the payment of the full assessment as aforesaid, within three months from the execution thereof, which bond, together with a plat of the land so laid off, the commissioners shall file with the county clerk of Bedford county, and upon application, the said clerk shall pay over the money on said bond, after it shall have been paid to him, to the proper owners of the land.

Rates of toll.

SEC. 3. *Be it enacted*, That the said Thomas O. Hunter shall be authorized to charge and receive the following rate of tolls, viz: for a loaded wagon and team, seventy five cents; for an empty wagon, fifty cents; for a four wheel pleasure carriage with two horses, fifty cents; for a two wheel pleasure carriage with one horse, twenty five cents; for a carryall or a dearborn with one horse, twenty five cents; and carryall or dearborn, with two horses, thirty seven and a half cents; for a cart with two horses, mules, or oxen, laden, fifty cents, and unladen, thirty seven and a half cents; for every horse and rider, twelve and a half cents; for every loose or led horse, six and a fourth cents, except in a drove, when such horse shall pay four cents; for every footman, six and a fourth cents; for every head of cattle, hogs, sheep or goats, one cent: *Provided, always*, that the said Thomas O. shall be authorized to receive the aforesaid rates of toll only so long as the said bridge shall be in good order and repair: *Provided, further*, if the said bridge shall be neglected, and be suffered to be out of repair for two months at any one time, then said commissioners shall notify the said Thomas O. to repair the same within a reasonable time, and upon his failure to make such repairs, he shall forfeit all claim and title to the land so as aforesaid laid off and valued.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 27, 1833.

CHAPTER CCLIV.

An Act for the benefit of the Sandy rifle company.

Be it enacted by the General Assembly of the State of Tennessee, That a rifle company in the 99th regiment of Tennessee militia, and at present commanded by Greene Rowland, be, and the same is hereby, made a volunteer rifle company, and shall be known by the name of the Sandy Rifle company, and shall be entitled to all the rights and privileges heretofore extended to a company in Carroll county, known by the name of the Carroll Guards, except that it shall be the duty of said Sandy Rifle company to attend one of the battalion and regimental musters in said regiment.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 30, 1833.

CHAPTER CCLV.

An Act to divorce William Hall from his wife Phoebe, and William M'Linn from his wife Ann, and for the benefit of Phoebe M'Cubbins.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the bonds of matrimony heretofore existing between William Hall and his wife Phoebe Hall, be, and the same are hereby, dissolved. Wm. Hall divorced.

SEC. 2. *Be it enacted*, That William C. Walker, of the county of Warren, be dissolved from the bonds of matrimony now existing between him and his wife Sarah, and William M'Linn, of the county of Anderson, from his wife Ann M'Linn. Wm. C. Walker divorced.
Wm M'Linn divorced.

SEC. 3. *Be it enacted*, That the judge of the circuit court of Grainger county, be, and he is hereby, authorized and required on application of Phoebe M'Cubbins upon her filing her petition at least three months previous to any session of said court, to be held in said county, to dissolve the bonds of matrimony which now exists between her and her husband William M'Cubbins: *Provided*, that the said Phoebe M'Cubbins make satisfactory proof that her husband William M'Cubbins has absented himself from her for more than three years, and that he has not contributed any thing to her support during that time. Phoebe M'Cubbins may procure divorce.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 30, 1833.

CHAPTER CCLV.

An Act to establish a turnpike road and bridge across the north fork of Forked Deer River, and for other purposes.

Road & bridge established.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That a turnpike road and bridge are hereby established across the north fork of Forked Deer River, in the county of Madison, at a point between Jackson and Trenton, in Gibson county, which road and bridge shall be constructed under the same rules, regulations and restrictions, as were observed in the construction of the bridge and turnpike at Jackson, the same tolls shall be allowed, and the undertaker or undertakers shall be subject to the same penalties and conditions, as well as liabilities, that are prescribed for said turnpike bridge.

Commissioners appointed to let the work.

SEC. 2. *Be it enacted*, That Matthias Debery, Jacob Perkins and James S. Lyon, are hereby appointed commissioners to let the same to the lowest bidder, after first advertising the time and place, thirty days in some paper printed in Jackson, to any person or persons who will undertake the same for the least number of years, for the toll prescribed, and shall take bond and security for the faithful performance of said work, and shall conform to the plan and principles prescribed for the Jackson bridge and turnpike company, as near as circumstances will permit.

Commissioners appointed to locate the bridge.

SEC. 3. *Be it enacted*, That William P. Seat, John Nelson, Haywood Hicks and James Caruthers, or a majority of them, are hereby appointed commissioners to select the crossing place on the river, and report the same to the commissioners appointed by this act to let out and superintend said work.

Terms of contract.

SEC. 4. *Be it enacted*, That in the construction of said bridge, it shall be sufficiently high to allow all descriptions of boats to pass under the same, and when it shall be completed, the proprietor or proprietors, shall be entitled to receive one half the toll prescribed, until the whole causeway is finished and received by the commissioners, when the full amount shall be allowed.

Compensation to commissioners.

SEC. 5. *Be it enacted*, That all the commissioners appointed under this act, shall be entitled to receive from the proprietors, the sum of two dollars and fifty cents, each day they may be necessarily engaged in said duties.

The Bond and others may build a bridge.

SEC. 6. *Be it enacted*, That Thomas Bond, Ferdinand Stith, ——— Felps, William Wren and Robert C. Foster, Jr. be, and they are hereby, authorized and empowered to build and construct a bridge across the south fork of Forked Deer river, at the most proper and suitable place upon said river, where the road leading from Brownsville to the plantation of said Bond, crosses said river in Hay-

wood county, and that they shall have and take the same toll, as is by law allowed to Daniel Cherry, for toll at the bridge erected by him at Harris' bluffs, and shall have the same rights and privileges as by law is allowed to the said Cherry, in relation to said bridge so erected by him: *Provided*, said bridge shall not obstruct the navigation of said river.

SEC. 7. *Be it enacted*, That Peter Burum be authorized to build a bridge across Collins' river, in Warren county, at Read's old ferry, and have the same toll under the same rules and privileges that the bridge at the Rock Island on the Caney Fork is subject to: *Provided*, he shall not stop the ford on said river, at the place where the road now crosses.

Peter Burum may build a bridge on Collins' river.

SEC. 8. *Be it enacted*, That the time for commencing the work on the Franklin and Columbia turnpike road, shall be extended two years from the passage of this act, and the time for its completion to seven years from the same time, and that H. L. Douglass, James Woods, Anthony Johnson, Samuel Seay and William Nichol, or any three of them, be appointed commissioners to open books and receive subscriptions for stock in said road in the city of Nashville.

Franklin and Columbia turnpike charter amended.

SEC. 9. *Be it enacted*, That no bridge or turnpike shall be erected or constructed, within two miles and a half of Greer's bridge and turnpike road on Sandy river.

Of Greer's bridge on Sandy river.

SEC. 10. *Be it enacted*, That James Carson, of Cocke county, be, and he is hereby, appointed a commissioner for the turnpike road established by an act passed November 4th 1829, ch. 19, in place of John Holland, removed, and that the said commissioners are authorized to move their toll gate to the House of the said Carson: *Provided*, nothing herein contained, shall be construed to affect a charter granted to Wm. P. Gillet, at the present session of the General Assembly, and that James Holland be appointed a commissioner on Gillet's road in the place of the said Carson.

Jas. Carson appointed a commissioner for a certain road.

F. W. HULING,

Speaker of the House of Representatives.

D. BURFORD,

Speaker of the Senate.

Passed November 30, 1833.

CHAPTER CCLVI.

An Act to authorize the building of a Female Academy in the town of Columbia.

Be it enacted by the General Assembly of the State of Tennessee, That the Mayor and Aldermen of the town of Co-

tumbia, be, and they are hereby, authorized to sell certain vacant lots in said town, and pay over the proceeds of such sale to the Trustees of the female Academy in Columbia, by them to be appropriated to the building of a female academy in said town.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 30, 1833.

CHAPTER CCLVII.

An Act for the relief of John May.

Mode of relief
prescribed.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That John May of the county of M^cMinn, shall have until the first day of October 1834, to pay the State for the north west quarter section of land, section three, first fractional township south, range first west of the Meridian in the Hiwassee District; and that he shall have all the discounts, both as to principal and interest, that is extended to purchasers under the act of Assembly, passed December 1, 1831, for the relief of purchasers, or to dispose of the forfeited lands purchased at the Hiwassee land sales in the year 1820.

Land to be sold
on failure to
pay.

SEC. 2. *Be it enacted,* That if the said May should fail or refuse to pay for said land by the first of October 1834, that said land shall be disposed of by the Entry Taker of the Hiwassee District, as is now prescribed by the before recited act.

F. W. HULING,
Speaker of the House of Representatives,
D. BURFORD,
Speaker of the Senate.

Passed November 30, 1833.

CHAPTER CCLVIII.

An Act to emancipate Stephen Lytle, and others.

Stephen Lytle
and family e-
manipated.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Stephen Lytle, a man of color, and his wife Charity and his daughter Mary Shepherd, be, and they are hereby, emancipated without being compelled to leave this State, upon the said Stephen giving bond and sufficient security to the county court of Davidson, for their good behaviour, and also that they will not become a public charge.

SEC. 2. *Be it enacted,* That the lot of ground as heretofore conveyed to said Stephen, by Amos Sawyer, by deed bearing date the 19th April, 1832, be, and the same is hereby, vested in the said Stephen and his heirs.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 30, 1833.

CHAPTER CCLIX.

An Act to appoint additional commissioners of the Lunatic Hospital.

Be it enacted by the General Assembly of the State of Tennessee, That John Shelby and Boyd M^cNairy, are hereby appointed additional commissioners to those appointed by the act, passed 1832, chap. 31, to superintend the erection of a Lunatic Hospital in this State.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 30, 1833.

CHAPTER CCLX.

An Act to amend the common school system in the counties therein mentioned.

Be it enacted by the General Assembly of the State of Tennessee, That in the counties of Smith, Giles and Lincoln, where agents were appointed by the legislature to manage the common school fund, and also a clerk directed to be appointed by the board of common school commissioners, said duties of agent and clerk shall be performed by the agent alone.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 30, 1833.

CHAPTER CCLXI.

An Act to authorize the county court of Roane county, to emancipate Jane, a slave.

Be it enacted by the General Assembly of the State of Ten-

nessee, That the county court of Roane county, on the petition of John M. Walker and Jane P. McKamy, are hereby authorized to emancipate Jane, a slave, belonging to the estate of the late Captain Samuel Walker of said county, as provided in the will of the said Samuel Walker, without requiring the said Jane to remove from this state: *Provided*, the said John M. Walker and Jane P. McKamy, or either of them, or some other suitable person or persons, shall enter into bond and security, to the chairman of Roane county court, that the said Jane shall not become a county charge to any county of this State.

F. W. HULING,

Speaker of the House of Representatives.

D. BURFORD,

Passed November 30, 1833. *Speaker of the Senate.*

CHAPTER CCLXII.

An Act to provide for the completion of the Lunatic Hospital.

Be it enacted by the General Assembly of the State of Tennessee, That the one half of the State tax of the years 1834 and 1835, for the county of Davidson, be, and the same is hereby, appropriated to the erection and completion of the Lunatic Hospital, and that the Treasurer of Middle Tennessee, upon application, pay over to the commissioners of said Hospital, the aforesaid part of the revenue of the State, whose receipt shall for the same be a good voucher in his hands upon settlement.

F. W. HULING,

Speaker of the House of Representatives.

D. BURFORD,

Passed November 29, 1833. *Speaker of the Senate.*

CHAPTER CCLXIII.

An Act to divorce Mary Patterson from her husband Feuton Patterson.

Be it enacted by the General Assembly of the State of Tennessee, That the bonds of matrimony heretofore entered into, and now existing, between Mary Patterson and her husband Feuton Patterson, be, and the same are hereby, dissolved, and the said Mary is hereby restored to all the rights and privileges of a *feme sole*.

F. W. HULING,

Speaker of the House of Representatives.

D. BURFORD,

Passed November 30, 1833. *Speaker of the Senate.*

CHAPTER CCLXIV.

An Act for the benefit of Amanuel Parkerson, of M'Minn county.

Be it enacted by the General Assembly of the State of Tennessee, That the Cashier of the branch bank of the bank of the State of Tennessee, at Knoxville, pay to Amanuel Parkerson the sum of fifty dollars, the amount paid by him to James C. Mitchell, as counsel for attending to a suit, for a reservation, on part of the said Parkerson, who was the defendant in said suit, for land purchased at the Knoxville land sales in the year 1820.

F. W. HULING,

Speaker of the House of Representatives.

D. BURFORD,

Speaker of the Senate.

Passed November 30, 1833.

CHAPTER CCLXV.

An Act for the relief of Samuel T. Smith.

Be it enacted by the General Assembly of the State of Tennessee, That the county court of Davidson county, are hereby authorized to emancipate Jane or Jincy, a woman of color, the wife of Samuel T. Smith, a free man of color, and her children, Elizabeth and Daniel, and any other the said Jane may have, upon the said Samuel or any other person giving bond and security to said county court, according to the laws in force previous to the act of 1831, on that subject; and the said Jane or Jincy, and her children, shall not be compelled to remove without the limits of this State, as required by the said act of 1831.

F. W. HULING,

Speaker of the House of Representatives.

D. BURFORD,

Speaker of the Senate.

Passed November 30, 1833.

CHAPTER CCLXVI.

An Act for the relief of Isaac Boyer.

Whereas, it appears there is a mistake in grant No. 10146, issued by the Register of East Tennessee to Isaac Boyer, which mistake occurs in the omission of one of the calls in said grant.

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

Boyer may void grant and obtain a new one.

State of Tennessee, That the said Boyer be permitted to file said grant in the Register's office of East Tennessee, and it shall be the duty of the Register of said office, to issue another grant or duplicate to the said Boyer, and insert after the second call the following words, "south 36 degrees west 90 poles to a stake," with all the other calls in said grant, and upon the issuance of said grant he shall endorse upon the one first issued, the words "made void," and the said grant as directed to be issued by this act, shall be as good and valid as if issued at the date of the first grant.

Register to issue grants to University of N. Carolina.

SEC. 2. Be it enacted, That the Register of the Western District, issue grants to the President and Trustees of the University of North Carolina, or their assigns, upon entry No. 85, in the thirteenth Surveyor's district, for 940 acres, and entry No. 1070 in said district for 60 acres, upon the production of the plat and certificate of survey, and also the certificate of the surveyor of said district, or affidavit of a disinterested or credible witness, stating that said entry and survey are founded on military warrant No. 431, and upon it appearing to the Register from the records in his office, that no grant has previously issued for land on said warrants.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

CHAPTER CCLXVII.

An Act for the benefit of the citizens of Henry county.

James Bond and others may build a bridge.

SECTION 1. Be it enacted by the General Assembly of the State of Tennessee, That James Bond and Benjamin Boud, is hereby authorized to build a bridge across Big Sandy river, at or near Bond's ferry, under the directions and superintendence of the following named persons, who are hereby appointed to superintend the building the same, to wit: T. L. Darnell, Constantine Frazier and Richard Manley.

Cost of bridge limited.

SEC. 2. Be it enacted, That said bridge shall be built according to a plan laid down by the before named persons, not to exceed in cost more than two hundred dollars, the amount of which shall be paid out of the internal improvement fund of Henry county, and a warrant drawn on the commissioners of said fund, by said bridge commissioners, shall be a good voucher for the commissioners of internal improvement, to pay over the amount said bridge may cost, if said costs amount only to two hundred dollars:

Provided, said bridge shall be a free bridge, and that no pay shall be received from any one that may cross on said bridge.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 30, 1833.

CHAPTER CCLXVIII.

An Act to divorce Sarah Raymond from her husband David B. Raymond.

Be it enacted by the General Assembly of the State of Tennessee, That the bonds of matrimony heretofore solemnized and entered into, between David B. Raymond, and Sarah his wife, of the county of Perry, be, and the same are hereby, dissolved.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 30, 1833.

CHAPTER CCLXIX.

An Act to divorce Samuel Walker, from his wife Elizabeth.

Be it enacted by the General Assembly of the State of Tennessee, That the bonds of matrimony heretofore solemnized, and now existing between Samuel Walker, of Warren county, and his wife Elizabeth, be, and the same are hereby, dissolved.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 29, 1833.

CHAPTER CCLXX.

An Act to extend the corporation of the town of Winchester.

SECTION 1. Be it enacted by the General Assembly of the State of Tennessee, That the bounds of the corporation of the town of Winchester, be extended as follows, to wit: beginning at the south side of the Boiling fork, where

James Robinson's mill dam crosses said creek, and runs thence up the bank of said creek opposite Mary Herndon's, thence by her house so as to include the same, thence by the house of Doctor W. Estill, John Goodwin, M. L. Dixon, Mark Hutchins and James Harris, to the street near Wm. Reave's, so as to include said houses, thence along said street to the house of William Stewart, thence a direct line to the Presbyterian church, thence to the creek, and thence up the creek to the said mill dam.

Provision for election of town officers in Cairo.
 SEC. 2. *Be it further enacted*, That in the event of the sheriff of Sumner county failing to hold an election, and elect aldermen for the town of Cairo, at the time prescribed by law, he shall hold an election at any other time under the rules for the election of aldermen for said corporation.

F. W. HULING,
Speaker of the House of Representatives.
 D. BURFORD,
Speaker of the Senate.

Passed November 29, 1833.

CHAPTER CCLXXI.

An Act to authorize Christopher Jennings to emancipate a certain slave.

Be it enacted by the General Assembly of the State of Tennessee, That the county court of Sullivan county, be, and they are hereby, authorized, nine of the acting justices being present, to emancipate a certain negro woman, slave, named Phillippa, the property of the said Jennings, under the same rules and regulations as if the act of 1831, chapter 102, had never been passed: *And provided*, that the said Jennings shall enter into bond and security that the said slave shall never become chargeable to any county in this State, and for the good behavior of said slave.

F. W. HULING,
Speaker of the House of Representatives.
 D. BURFORD,
Speaker of the Senate.

CHAPTER CCLXXII.

An Act to establish a company of cavalry in the county of Stewart.

Authority for cavalry company.
 SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the citizens of Stewart county be, and they are hereby, authorized to establish a company of

cavalry by voluntary enlistment, not to exceed one hundred rank and file, with all the privileges of any organized company of militia, to have the power of appointing their own times and place of mustering and holding courts martial; that said company be attached to the 6th brigade and subject to the orders of the commander of said brigade, but not compelled to go beyond the limits of their own county to attend musters.

SEC. 2. *Be it enacted*, That it shall be the duty of the colonel commandant having the oldest commission in the 16th brigade of Tennessee militia, to discharge the duties of brigadier general of said brigade, in all respects, till a brigadier for said brigade shall be duly elected according to law. *Duty of the colonel.*

F. W. HULING,
Speaker of the House of Representatives.
 D. BURFORD,
Speaker of the Senate.

CHAPTER CCLXXXIII.

An Act to authorize the circuit court of Davidson county to divorce Elizabeth M'Guire from her husband.

Be it enacted by the General Assembly of the State of Tennessee, That the said court is hereby authorized to take jurisdiction and to proceed in the case of Elizabeth M'Guire, against her husband, Merriman M'Guire, for a divorce, in the same manner as if the marriage had taken place in the State, and proceed in the same manner as if Merriman M'Guire had absconded or left the State.

F. W. HULING,
Speaker of the House of Representatives.
 D. BURFORD,
Speaker of the Senate.

CHAPTER CCLXXIV.

An Act for the relief of Joshua Wimpy, of Monroe county.

Whereas, Mashac Wayman entered in the entry taker's office of the Hiwassee district, the northeast quarter of section No. 16, of township No. 1, range No. 3, east of the meridian, in the Hiwassee district; and whereas, the said enterer assigned the same to Samuel D. Bonham, since deceased; and whereas, said Bonham, in his life time, sold said land, and executed his bond to make title for the same to Joshua

Wimpy, when he should make payment of the purchase money; and whereas, said certificate of entry, assigned as aforesaid, has since been destroyed by fire, in consequence of which a grant cannot issue to any of the parties concerned; for remedy whereof,

Be it enacted by the General Assembly of the State of Tennessee, That the register of the Hiwassee district issue a grant to Joshua Wimpy, for the north east quarter of section sixteen, of township one, of range three, east of the meridian, in the Hiwassee district, in the county of Monroe, at any time when the said Wimpy shall present to said register said title bond of the said Samuel D. Bonham therefor, with the receipt thereon of the administrator of said Bonham's estate, for the full amount of the purchase money.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 29, 1833.

CHAPTER CCLXXV.

An Act to authorize the county court of Greene to emancipate certain slaves therein mentioned.

SECTION 1. Be it enacted by the General Assembly of the State of Tennessee, That it shall be lawful for the county court of Greene to emancipate a certain colored person named Charles, the property of Samuel Robinson; and also, a certain negro woman, named Delpha, formerly the property of John M'Effie, upon the petitioners for said emancipation giving bond with good and sufficient securities, payable to the chairman of said court, in a sum equal to the value of said slaves, conditioned to indemnify each and every county in this State against the maintenance of said slaves so emancipated, and also for their good behavior.

SEC. 2. Be it enacted, That said slaves, when so emancipated, shall have the liberty of residing in any county in this State.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 29, 1833.

CHAPTER CCLXXXVI.

An Act to authorize Joseph Estabrook, Isaac Anderson and others, to open a turnpike road in Blount county.

SECTION 1. Be it enacted by the General Assembly of the State of Tennessee, That John M'Campbell, Richard G. Duplap, William Maury, Samuel Anderson, Joseph Estabrook, Isaac Anderson, Robert M. Anderson, James Quitt, Robert M'Campbell, and James M'Campbell, Jr. be, and they are hereby, authorized to open a turnpike road beginning near Peter Snider's, in Tuckaleechee Cove, in Blount county, thence on as direct a line as the nature of the ground will permit, to the Gap on the top of the Smoky mountain, near what is called Briar Knob.

SEC. 2. Be it enacted, That said road shall be opened at least eighteen feet wide, clear of stumps, roots, rocks and other obstructions, where the same can be done with reasonable labor, leaving at no place a greater elevation than twelve degrees, and all creeks, swamps and marshes to be bridged or causewayed where necessary.

SEC. 3. Be it enacted, That upon said John M'Campbell, Richard G. Dunlap, William Maury, Samuel Anderson, Joseph Estabrook, Isaac Anderson, Robert M. Anderson, James Quitt, Robert M'Campbell, and James M'Campbell, Jr. complying with the foregoing provisions of this act, they shall be entitled to all the profits and emoluments of said road, to them, their heirs or assigns, for the term of thirty years from the first day of January next, 1834.

SEC. 4. Be it enacted, That when said road is completed as required by this act, the said John M'Campbell, Richard G. Dunlap, William Maury, Samuel Anderson, Joseph Estabrook, Isaac Anderson, Robert M. Anderson, James Quitt, Robert M'Campbell, and James M'Campbell, Jr. their heirs or assigns, shall be authorized to erect and keep a gate thereon, at any point they may choose, and be entitled to the following rates of toll: that is to say, for each wagon and team, one dollar; for each four wheeled carriage of pleasure with driver and cargo, one dollar; for each two wheeled carriage, fifty cents; for each carryall, fifty cents; for each led horse, six and one fourth cents; for each man and horse, twelve and one half cents; for each horse in a drove, four cents; for droves of cattle, sheep or hogs, one cent a head; for each mule, jack or jenny in a drove, three cents: *Provided,* that nothing in this act contained, shall authorize said company or any keeper of any gate on said turnpike road, to collect or receive any toll from any citizen of Blount county, who may travel on said road, going to and returning from court, mill, masters, church, or meeting, blacksmith's shop or other neighborhood business.

Penalty for
evading toll.

SEC. 5. *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 proprietors of said road, five dollars, to be recovered by action of debt, before any justice of the peace in any county in this State.

Commissioners
appointed and
their duty.

SEC. 6. *Be it enacted*, That Campbell Wallace and Ab-salom C. Renfro, of Blount county, and Hugh Brown, of Knox county, or any two of them, be, and they are hereby, appointed commissioners of said road, who, before entering upon the duties of their station, shall each take an oath before some justice of the peace, honestly and impartially to discharge said duties; and it shall be the duty of said commissioners, when notified by the proprietors of said road, that the same is completed, to examine and view the same; and if the said road is in the order required by this act, they shall authorize said proprietors or their assigns, to erect and keep a gate on the same, and to receive the toll authorized in this act; and it shall moreover be the duty of said commissioners to view and examine said road every four months, and for their services they are authorized to demand and receive from said proprietors or their assigns, two dollars per day, while engaged in said examinations, and if at any time said commissioners shall not find said road in the repair contemplated by this act, it shall be their duty to open the gate, and the same shall remain open, and all persons be entitled to pass free of toll, till said commissioners shall authorize said gate to be shut.

Peter Looney
may open a
turnpike.

SEC. 7. *Be it enacted*, That Peter Looney be authorized to open and establish a turnpike road from the foot of the mountain and ascending Walden's ridge at Looney's Gap, in Marion county, running southwardly along the mountain to Kelly's ferry, on the Tennessee river, and that the said proprietor have the charter for said road for the same length of time, and upon the same terms and conditions in all respects, that a charter was given for a turnpike to John C. Haley, by an act passed at the present session of the General Assembly, entitled "an act to authorize John C. Haley to open a turnpike road," and that Ephraim Brannum and Thomas Smith, of Marion county, be appointed commissioners on said Looney's turnpike road, who shall take the same oath, perform the same duties and be entitled to the same compensation, that are prescribed for the commissioners on said Haley's turnpike road, by the act aforesaid: *Provided*, that the charter hereby granted shall be forfeited and void, unless the said road shall be

opened and completed within four years from the passage of this act.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 29, 1833.

CHAPTER CCLXXVII.

An Act for the relief of Shadrach Madison, of Gibson county.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Shadrach Madison, a free man of color, of Gibson county, be, and he is hereby, authorized to file his petition in the county court of Gibson county, praying said court to emancipate his wife and four children, and if upon the hearing of said petition the court should be of opinion that said woman and children should be emancipated, said court shall order and decree their freedom: *Provided*, said Shadrach shall give bond and security to the chairman of the said county court, that said woman and children shall not become chargeable to any county of this State.

May emanci-
pate his wife &
children.

SEC. 2. *Be it enacted*, That said woman and children be, and they are hereby, exempt from all the penalties of the act of the General Assembly, chapter 102, passed December 16, 1831.

Privileges
granted.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 29, 1833.

CHAPTER CCLXXVIII.

An Act to authorize Elisha Hammer, of Jefferson county, to emancipate his slave Sally.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That it shall and may be lawful for the county court of Jefferson, upon the petition of Elisha Hammer, of said county, setting forth that he is desirous that his slave Sally may be emancipated, to order the same to be done accordingly: *Provided*, that before the emancipation of said slave, the said Hammer shall give bond with good and sufficient security, payable to the chairman of said

Authorized to
emancipate his
slave Sally.

court, in a sum equal to the value of said slave, conditioned to indemnify each and every county in this State, against the maintenance of said slave so emancipated, and also for her good behavior.

May remain in the State. SEC. 2. *Be it enacted,* That said slave, when so emancipated, shall have the liberty of residing in this State.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 29, 1833.

CHAPTER CCLXXIX.

An Act to provide for perpetuating the substance of records and papers destroyed by fire in the clerk's office of the county court of Monroe county.

Whereas, the books, record and papers of the county court of Monroe county, have lately been destroyed by fire, whereby many person are, or may be, greatly injured: for remedy whereof,

Commissioners appointed. SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That James A. Coffin, Bradley Kimbrough, John Calloway, senior, Preston Starrat and William Bayless, be, and they are hereby, appointed a board of commissioners in and for the county of Monroe, and they are hereby required to meet on the third Monday of March next, in some suitable house or room in the town of Madisonville, and then and there organize themselves, and adopt rules and regulations for proceedings to be had before them for the discharge of the duties imposed on them by this act.

To take oath. SEC. 2. *Be it further enacted,* That before said commissioners enter upon the discharge of their duties, they shall take and subscribe the following oath: "I, ———, do solemnly swear, that I will faithfully and impartially discharge the duties of a commissioner for Monroe county, according to the directions of an act of the General Assembly of the State of Tennessee, passed at Nashville the 30th day of November, 1833, to the best of my skill and ability—SO HELP ME GOD."

Oath to be recorded. SEC. 3. *Be it further enacted,* That the above oath shall be administered by any justice of the peace of Monroe county, and shall be recorded by said commissioners, and subscribed in the records to be kept of their proceedings.

SEC. 4. *Be it further enacted,* That the clerk of the county court of Monroe county, shall act as clerk to said board of commissioners, and shall receive for his services the fees hereinafter provided.

SEC. 5. *Be it further enacted,* That the clerk of said board of commissioners shall, under the order of said board, procure suitable well bound, substantial book or books, in which to enter and record the proceedings of said board of commissioners, and the county court of Monroe county shall order the same to be paid for out of the county treasury of said county, on the production to said court of the certificate of said board of commissioners, stating the cost of such book or books.

SEC. 6. *Be it further enacted,* That said board of commissioners shall and may adjourn from time to time, and from day to day, and at such times as they may think proper, and meet when and as often as they may deem necessary for the discharge of the duties hereby required of them.

SEC. 7. *Be it further enacted,* That all persons who may wish to supply the loss of any judgment, decree, order, sentence or proceedings rendered by, pronounced, made or had in the county court of Monroe county, or of any bill, bond, note, account, deed, bill of sale, or any other instrument of writing whatever, that was deposited or remaining in the clerk's office of said court, either as evidence or otherwise, that was lost and destroyed by fire, such person or persons, his, her or their agent or attorney, may file their petition before said board of commissioners, stating as clearly and distinctly as may be the substance or contents and tenor of the judgment, decree, order, sentence or proceeding, rendered by, pronounced, made or had, in the said county court of Monroe county, or of any bill, bond, note, account, deed, bill of sale, or any other instrument of writing whatever, that may have been destroyed by fire in said county court clerk's office, and thereupon said board shall order their clerk to issue summons, stating the substance of said petition, and its prayer, and requiring the attendance of such person or persons, their executors, administrators or representatives, as may be affected in interest or charged by the establishment of the claim of the petitioner or petitioners, which said summons shall be executed by the sheriff, or any deputy sheriff or constable of said Monroe county, on the person or persons therein named, and the person or persons so summoned, may attend at the time and place required by said summons, and then and there may contest, admit or deny the claim, allegation or charge of the petitioner, or any part thereof.

Claims to be taken as confessed on failure to attend.

Sec. 8. *Be it further enacted,* That where any person or persons may be summoned as herein directed, and such person or persons fail or refuse to attend as required before said board, the allegations, claim or charges of said petition, shall be taken as confessed, and recorded, and where the person or persons so summoned, attend as required by him, her or themselves, or attorney, and contest or deny the claim, charge or allegations, or any part thereof, of the petitioner or petitioners, then said board shall hear evidence and determine as to them may appear just, and record such determination.

Witnesses may be summoned.

Sec. 9. *Be it further enacted,* That the clerk of said board of commissioners shall, on the order of said board, or at the request of any person or persons, his, her or their agent or attorney, issue a subpoena for witnesses, or subpoena *duces tecum*, to bring before said board any paper necessary or proper to be used or examined in the investigation of any question or issue pending before said board.

Liability of witnesses.

Sec. 10. *Be it further enacted,* That all witnesses or persons summoned to give evidence or produce any paper or instrument of writing before said board, shall be entitled to receive the same pay, and shall be subject and liable to the same liabilities, penalties, forfeitures and actions for failure or refusal to attend and give evidence or produce the paper or instrument required, that witnesses summoned in civil cases in courts of justice in this State, are entitled to, or subject or liable to, and to be recovered in the same way, before either the county or circuit court of Monroe county, according to the law in force and use in like cases in said courts.

Parties may have their statements recorded.

Sec. 11. *Be it further enacted,* That the parties to any judgment, decree, order or proceedings that may have been rendered, made or had in said county court, and which may have been destroyed, either in the whole or a part thereof, shall and may by consent make out in writing a statement of the substance of any such judgment, decree, order or proceeding so lost or destroyed, and sign the same, and the said board of commissioners shall have the same recorded, and make such order thereon as may be required by the parties, or may in the opinion of said board be necessary to perpetuate the same and secure or enforce the rights of those interested.

Agreements must be signed before recorded.

Sec. 12. *Be it further enacted,* That the parties to any bill, bond, note, account, deed, bill of sale, or any other instrument of writing whatever, may agree to and reduce to writing the contents or substance of the same, and the said board shall cause the same to be recorded, provided it be signed by the parties.

Duty of the clerk of commissioners.

Sec. 13. *Be it enacted,* That on the application of any person or persons, petitioner or petitioners, his, her or

their agent or attorney, it shall be the duty of the clerk of said board to issue copies of all such papers or proceedings as may be recorded by said board, as the substance or contents of any paper or proceedings that has been lost or destroyed by fire, as aforesaid, the original of which, if in existence, would be required by existing laws to be registered, and such copy certified by said clerk, shall be registered as the original could or should have been, and under the same rules and restrictions, and shall have the same validity and effect that the original would have had in any of the courts of law or equity in this State.

Sec. 14. *Be it enacted,* That any person or persons who may be dissatisfied with any order, judgment or record, made by said board of commissioners, shall by himself, his attorney or agent, have a right to appeal to the circuit court of Monroe county, under the same rules, regulations and restrictions that appeals may be taken from the county to the circuit courts of this State, and said circuit court shall examine and determine the subject matter in controversy, according to law and evidence, and may remand the same to said board, with the judgment or order, and said board of commissioners shall enter of record as their judgment, the judgment or order of said circuit court, wherever the same is made on the main or principal question or claim in dispute between the parties, and shall be governed by said judgment or order of said circuit court, in all matters of practice or questions of evidence or other matters connected with the main or principal question, or claim in dispute between the parties.

Right of appeal granted.

Sec. 15. *Be it further enacted,* That it shall and may be lawful for the sheriff of Monroe county, in all cases wherein he may be satisfied that sales were made by him or his predecessor, of any lands, slaves or other property, in said county, by virtue of any writ of *fiere facias* or execution, or *venditioni exponas*, issued from the county court clerk's office of Monroe county, the record evidence of which sales has been lost or destroyed by fire, to execute deed or deeds of conveyance, or other instrument necessary for the conveying the said land or property to the purchaser or purchasers, or their assignee or assignees, or persons redeeming under the laws of this State, which conveyance when made, shall be as good and valid in law and equity, to pass the title to such purchaser or purchasers, or the assignee or assignees of such purchaser or purchasers, or redeemer or redeemers, as if said record and execution, with the sheriff's endorsement of sale, were regularly produced; and in all suits in law and equity where any deed or deeds, conveyance or other instrument of writing, executed by said sheriff of Monroe county, under the provisions of this act, may be offered in evi-

Duty of sheriff of Monroe county.

dence, or adjudicated upon by said courts, the original record of judgment, the *fiere facias*, execution or *venditioni exponas*, shall not be required to be produced: *Provided*, affidavit be made that the same or either of them had been destroyed by fire in the clerk's office of Monroe county.

Judgment of
county court
validated.

SEC. 16. *Be it further enacted*, That each and every judgment, order, sentence or decree, of said county court of Monroe county, be, and they are hereby, established and declared to be good and valid, to all intents and purposes, as fully as if the same had not been destroyed as aforesaid; and the substance thereof when ascertained and recorded according to the provisions of this act, may be used or given in evidence in all cases where the original, or certified copies of the originals, if in being, would be admissible or required.

Execution to
issue on judg-
ment of court.

SEC. 17. *Be it further enacted*, That whenever the substance of any judgment, decree or order of the said county court of Monroe county, which has been destroyed as aforesaid, shall be ascertained and recorded according to the provisions of this act, it shall be the duty of said clerk, on application of any person or persons, interested to issue execution thereon, for the judgment or decree, or so much thereof as may be due and unpaid, together with all costs, in the same manner, and under the same regulations, that executions are or may be issued by clerks of courts on judgments or decrees; and said executions, when so issued shall have the same effect, and shall be executed by the sheriff of any county in this State, or his deputies, in the same way, and under the same rules, liabilities and restrictions that they are under in the execution of like process issued from a clerk of any county or circuit court, and such sheriff shall be held and bound to account for any moneys collected or received on such execution, and liable for not returning the same, or for negligence or default, and the same proceedings shall be had against said sheriff and his securities, before the county or circuit court of Monroe county, as they would be liable or subject to, if said execution had issued from said county or circuit court.

Substance of
bill &c. when
attested to be
received in evi-
dence.

SEC. 18. *Be it further enacted*, That it shall and may be lawful for the substance contained in any bill, bond, note, account, deed, bill of sale, or any other instrument of writing whatever, that may have been destroyed as aforesaid, to be taken in writing, and the truth thereof being attested on oath in open court, or before any judge of the supreme, or chancery or circuit courts, or justice of the peace, by any credible, and disinterested witness, the same shall be received and recorded by said board of commissioners, and the original, or a certified copy from said record, shall be received as legal testimony in any court in

this State: *Provided*, it shall be lawful for the opposite party to encounter the same by contrary proofs, and to show the same to be false, or to have been fraudulently or illegally obtained, or that the original was forged, cancelled, satisfied, or in any legal way discharged or avoided.

SEC. 19. *Be it further enacted*, That the clerk of said board shall be entitled to ask and receive the same fees for services rendered under the provisions of this act, as the clerks of county courts are allowed for the same or similar services, by the laws regulating and prescribing clerks fees; and said fees shall be collected in the same way and manner that clerk's fees are collected under the laws now in force and use on that subject.

Clerk's fees.

SEC. 20. *Be it further enacted*, That all sheriffs, deputy sheriffs or constables, shall be allowed the same fees for the service of any process issued by order of said Board, or the performance of any duty required by this act, that they are now allowed by law for the same services and duties.

Fees of sheriffs,
constables, &c.

SEC. 21. *Be it further enacted*, That in case of the death, resignation, removal or refusal to act, of any of the commissioners hereby appointed, it shall be the duty of the county court of Monroe county, and they are hereby authorized and required to elect of their own body, or other citizens of Monroe county, the number necessary to fill the vacancy that may happen in said board, and from time to time to fill all vacancies that may happen in said board.

County court
may fill vacan-
cies in board of
commissioners.

SEC. 22. *Be it further enacted*, That the county court of Monroe county, a majority of acting justices of said county being present, may, if they deem it necessary and proper make a suitable allowance to said commissioners, and to the clerk of said board, and such sheriff or officer as may attend on said board while in session, for their services, payable out of any county moneys in the hand of the trustee of Monroe county.

Compensation
to be allowed
to commission-
ers.

SEC. 23. *Be it further enacted*, That any three of the commissioners appointed by this act, or any three elected by the said county court of Monroe county, shall constitute a board for the transaction of all business under this act, and shall have all the powers, and exercise all the jurisdiction hereby conferred on said board of commissioners.

Three to form
a quorum for
business.

SEC. 24. *Be it further enacted*, That the records and papers of the said board of commissioners, shall be kept and remain in the office of the clerk of the county court of Monroe county.

Records of
commissioners
to be preserved.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 30, 1833.

CHAPTER CCLXXX.

An Act for the benefit of John Yates.

Be it enacted by the General Assembly of the State of Tennessee, That the Register of West Tennessee issue a grant to John Yates, or his assignee, for four acres of land, upon the production of the plat and certificate of survey, dated the 28th day of November 1818, as the warrant upon which it is founded, is either lost or he has been improperly deprived of it.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 30, 1833.

CHAPTER CCLXXXI.

An Act to give to the counties West of Tennessee river, their due proportion of the Internal Improvement fund.

Be it enacted by the General Assembly of the State of Tennessee, That the counties lying East of Tennessee river, that have received more than their due proportion of the internal improvement fund, be required to refund it to the Cashier of the Bank of the State, and that he be also required to make an equitable distribution of the same among all the counties lying West of Tennessee river, according to the act of 1832, which requires that the fund appropriated for internal improvement West of Tennessee river, to be legally divided among the counties thereof, without regard to population.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

CHAPTER CCLXXXII.

An Act to amend the several acts relative to common schools in Jefferson county.

Be it enacted by the General Assembly of the State of Tennessee, That the benefits of the 5th section of an act, entitled an act to continue the bank agency in Campbell county, the time therein mentioned, be extended to the clerks and treasurers of the board of common school commissioners of every county in this State, similarly situated,

upon the same terms that they are extended to the said officers, of the counties named in said section, and that the provisions of this act, shall only extend to the counties of East Tennessee: *Provided,* the calls shall not be less than twenty per cent. semi-annually.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 30, 1833.

CHAPTER CCLXXXIII.

An Act for the benefit of David A. Browder.

Be it enacted by the General Assembly of the State of Tennessee, That David A. Browder, of Hardeman county, be, and he is hereby, restored to all the rights and privileges belonging to other citizens of this State.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 30, 1833.

CHAPTER CCLXXXIV.

An Act for the benefit of John D. Love, of the county of Henry.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That so soon as John D. Love, his agent or attorney, shall execute and deliver to the proper officer of the Bank of the State of Tennessee, his bonds or obligations with two good securities, for the amount of debts due from said Love to the Bank, on account of his securityship to said Bank for Francis M'Connell, then said Love shall be discharged from all claims or demands, which the bank now has against said Love and security, on account of that securityship, either by judgment or note.

SEC. 2. *Be it enacted,* That the debts due from said John D. Love to the Bank, shall be made payable in seven equal annual instalments, carrying interest from date.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 30, 1833.

CHAPTER CCLXXXV.

An Act to divorce Elizabeth A. Jarratt from her husband George S. Jarratt.

Be it enacted by the General Assembly of the State of Tennessee, That the bonds of matrimony heretofore entered into, and now existing between Elizabeth A. Jarratt, of Bedford county, and her husband George S. Jarratt, be, and the same are hereby, dissolved.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 30, 1833.

CHAPTER CCLXXXVI.

An Act to provide for the government of the town of Athens.

Athens incorporated.

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

Powers granted.

SEC. 2. Be it enacted, That the corporation aforesaid, shall have full power and authority to enact and pass such laws and ordinances, necessary and proper to preserve the health of the town; prevent and remove nuisances; to establish night watches and patrols; to ascertain when necessary the boundary and location of streets, lots and alleys; to establish new streets, lanes and alleys, with the consent of the proprietors of the lots or houses adjoining such streets, lanes or alleys; to provide for licensing and regulating auctions; to restrain and prohibit gaming; and to provide for the licensing, taxing, regulating or restraining theatrical or other public amusements or shows, within the limits of said town; and to pave and keep in repair the streets; to pass all laws necessary for the same; to establish and regulate markets; to provide for the establishment and regulation of a fire company or companies, and the sweeping of chimneys; to erect and regulate pumps on the public square, streets, lanes and alleys; to prevent

the running of horses, and to prohibit the showing or exhibition of stud horses or jacks, within the limits of said town; to impose and appropriate fines, penalties and forfeitures for the breach of their by-laws or ordinances; to lay and collect taxes for the purpose of carrying the necessary measures and regulations into operation for the benefit of said town; to restrain and regulate tipling houses, and pass all laws and ordinances necessary to carry the intent and meaning of this act into effect: *Provided,* they are not incompatible with the laws and constitution of this State.

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

SEC. 4. Be it enacted, That all fines, penalties and forfeitures imposed by the by-laws and ordinances of said corporation, not exceeding one hundred dollars, shall be recovered before the mayor of said town, or any justice of the peace for said county, and if exceeding that sum to be recovered by action of debt in the county court of M'Minn county, in the name of the corporation, for the use of said town. Of recovery of penalties.

SEC. 5. Be it enacted, That the sheriff of M'Minn county shall hold an election at the court house in the town of Athens, on the 1st Monday in January, 1834, and on the same day in each and every succeeding year, for the purpose of electing seven persons to serve as aldermen of the corporation of the said town of Athens, for one year, commencing on the second Monday of the same month, thence next succeeding the said election: *Provided, always,* that if the sheriff of the said county of M'Minn, shall fail or neglect to hold said election for aldermen as aforesaid, on the first Monday in January, in each and every year, then, and in that case, it shall and may be lawful for such sheriff to hold such election at the court house in the town of Athens, for aldermen as aforesaid, at any subsequent day, under the same rules and regulations as are provided by this act for said elections, giving the inhabitants of said town ten days notice of the day on which said election will be held; and all persons owning a freehold in said town, and also all persons residing in said town, who would be qualified to vote for members of the General Assembly, shall be qualified to vote at the said elections for aldermen; and no person shall be eligible to the appointment of alderman, unless he shall be a citizen and freeholder of said town of Athens. Sheriff of M'Minn county to hold elections.

Of mayor and
aldermen.

SEC. 6. *Be it enacted*, That the seven persons qualified as aforesaid, having the highest number of votes at any election as aforesaid, shall be deemed to be duly elected; and the said sheriff of McMinn county shall, within two days thereafter, give to each of the seven aldermen elect, a certificate of his election; and it shall be the duty of the persons so elected, to meet at the court house in said town, on the Saturday next succeeding the day of their election, and the aldermen then and there met as aforesaid, any number not less than five shall constitute a quorum, and they shall then proceed to elect by ballot one of their own number to be mayor of said corporation, for the same time for which the aldermen were elected as aforesaid; and the said mayor, when so elected, shall have concurrent jurisdiction with justices of the peace in said county, of all causes of action that shall or may arise within the limits of said town under this act, subject to, and regulated in every respect by, the same laws that regulate and direct the proceedings of the justices of the peace for said county; and whenever any mayor shall die, remove out of said town, or resign, another election shall be held by the aldermen, in the manner aforesaid, to fill such vacancy for the time then unexpired, until the next general election of aldermen; and in case of the death, resignation or removal of any alderman, the same being certified to the mayor, it shall be the duty of the said mayor forthwith to appoint some person, a resident freeholder of said town, to fill such vacancy; and the person or persons so appointed, shall hold said appointment until the next general election for aldermen.

To take oath.

SEC. 7. *Be it enacted*, That the Mayor and Aldermen of said town shall, before entering on the duties of their appointments, take an oath before some Justice of the Peace for said county, faithfully, uprightly and honestly to demean themselves as Mayor and Aldermen of said corporation, during their continuance in office.

Town constable
and recorder.

SEC. 8. *Be it enacted*, That at the first meeting of the Aldermen as aforesaid, it shall be their duty to proceed to elect a Town Constable and Recorder to the said Corporation, who shall hold their offices during the term of one year from the date of such appointment; that the Town Constable, before entering on the duties of his appointment, shall enter into bond with sufficient security, payable to the Mayor and Aldermen for the time being, and their successors in office, in the sum of one thousand dollars, for the faithful discharge of the duties of his appointment, and accounting for and paying over all monies by him collected, to such person as may be, by the laws and ordinances of the said Corporation, authorized to receive the same; and the Recorder shall receive for his

services such compensation as the Mayor and Aldermen shall deem reasonable.

SEC. 9. *Be it enacted*, That when any tax or duty shall be imposed upon any real property lying within the limits of said Corporation, and not paid by the owner or occupiers of the same, and there shall be no personal property within the limits of said corporation, upon which the same could be levied, then it shall be the duty of the collector of the said corporation tax to certify the same to the County Court of McMinn, at the term to which the Sheriff of said county is required to report lands in his county on which the State and county tax has not been paid; and upon said report, at said term, it shall be the duty of the County Court to enter judgment for the tax due the said corporation, in the same manner that judgments are required to be entered for the non payment of tax due the State and County upon lands lying in said county, and the same shall be sold at the same time, in the same manner, and subject to the same rules, regulations and restrictions, that are by law required for the sale of lands lying within said county on which the state and county tax has not been paid, which tax, when collected by the Sheriff, as provided for in this section, shall be paid by him into the hands of the town Constable for the use of the said corporation; which sale, when made in the manner aforesaid, shall vest the same right and title in the purchaser or purchasers as if the sale had been made for taxes due the State.

Of collection
of taxes.

SEC. 10. *Be it enacted*, That the money and other property, if any, which has been received for the use of said town, or in the hands of any other person or persons, or in the hands of the Commissioners heretofore appointed by law for the town of Athens, shall belong to, and be vested in, the Mayor and Aldermen of said Corporation, for the use of said town; and the said Commissioners are hereby authorized and required to pay the same to the Mayor and Aldermen of said corporation, within fifteen days after they shall have been elected, whose receipts shall be good to the said Commissioners for the same, and shall exonerate said Commissioners from paying the same to any other person, or in any other manner whatsoever, any law to the contrary notwithstanding: And the said commissioners, the Clerk to the said commissioners and the Treasurer to said Commissioners, and every other person or persons having any public documents or papers appertaining to the public concerns of said town, shall forthwith deliver the same to the Mayor and Aldermen of said town: That all debts due and owing, or which may hereafter become due and owing to or for the use and benefit of said town, shall be paid over to the Mayor and Aldermen of said corporation; and they are hereby authorized and

Funds vested
in mayor and
aldermen.

empowered to sue for and collect the same, before any tribunal having jurisdiction thereof.

Taxes may be levied.

SEC. 11. *Be it enacted*, That the Mayor and Aldermen of the town of Athens shall have power to lay and collect a tax from every person or persons vending any articles not the growth, produce or manufacture of this State, on public days on the public square, or in the streets, lanes or alleys of said town, and shall have the power of laying and collecting all other necessary taxes as specified in the second section of this act: That in case of the death, resignation or removal of the town Constable or Recorder, or either of them, and the same being certified to the Mayor of the corporation of the town of Athens, he shall forthwith appoint some person or persons to fill such vacancy, and the person or persons so appointed, shall hold said appointment until the next general election for Aldermen. This act shall take effect from and after the first day of December next: *Provided*, that nothing in this act shall be so construed as to authorize the Commissioners, or other officers, of said corporation that may be appointed by virtue of this act, to pass any ordinances or by-laws that will operate upon any person or persons residing in the country, or out of the limits of the town of Athens: *Provided, further*, that no white poll tax shall be levied and collected by virtue of this act.

Of vacancies in office of constable or recorder.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 30, 1833.

CHAPTER CCLXXXVII.

An Act to compensate James Woods & Co. for articles furnished in building of the Penitentiary.

Be it enacted by the General Assembly of the State of Tennessee, That the treasurer of West Tennessee, be, and he is hereby, directed to pay James Woods & Co. one hundred and nineteen dollars and forty eight cents, and their receipt to him shall be a good voucher in the settlement of his accounts.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 30, 1833.

CHAPTER CCLXXXVIII.

An Act for the relief of William A. Johnson, of Maury county.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the said William A. Johnson, be, and he is hereby, released from two judgments, for two hundred and fifty dollars each, one rendered in the supreme court at Nashville, and the other in the Maury circuit court, which judgments were rendered against said William A. Johnson, as appearance bail for Edward S. and Samuel Farney: *Provided*, said William A. Johnson pays the costs in said two causes. Released from judgment.

SEC. 2. *Be it enacted*, That an act passed the present session of this General Assembly, for the relief of William Scandland and others released. Scandland and others, be repealed, and that the parties therein named, be released from the payment of three hundred dollars of the judgment so recovered against them, and that they be permitted to give their notes to the bank agent for the balance of said judgment, in three equal instalments, payable in one, two and three years from the first day of January next.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 30, 1833.

CHAPTER CCLXXXIX.

An Act to amend an act to incorporate the town of Sparta.

Be it enacted by the General Assembly of the State of Tennessee, That an act incorporating the town of MMinville, in the county of Warren, is hereby declared in force for the town of Sparta, in White county, and the said town of Sparta, is hereby incorporated with the same privileges and powers, subject to the same rules and regulations as is pointed out by said act, and the sheriff of White county shall hold an election accordingly: *Provided*, that no person shall vote at any election who shall not produce the receipt of the proper officers for taxes required by said act to be paid.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 30, 1833.

CHAPTER CCXC.

An Act for the relief of Comfort, a slave, now the property of the estate of Josiah Nichol, deceased.

Be it enacted by the General Assembly of the State of Tennessee, That the county court of Davidson county, is hereby authorized and directed upon the petition of Eleanor Nichol, executrix of the last will of, and testament of Josiah Nichol, deceased, to set free, with permission to reside in this State, a female slave, named Comfort, now the property of said estate: *Provided*, that said court is satisfied from the will of said Josiah Nichol, deceased, that it was his will and desire that said slave should be free: *And provided*, also, that the act of 1801, chapter 27, be in all things complied with.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 30, 1833.

CHAPTER CCXCI.

An Act for the relief of John M'Gee, of Monroe county.

Be it enacted by the General Assembly of the State of Tennessee, That the register for the Hiwassee district, issue to John M'Gee, a grant for six hundred and forty acres of land in M'Minn county, called the reservation, to Andrew Miller's heirs, and which was ordered to be sold by the treasurer of East Tennessee, by an act passed January 11, 1829, entitled an act providing for the sale of a certain section of land therein named, and which tract has been sold by said treasurer, and purchased by said M'Gee; that the said register, issue the grant as aforesaid, upon said M'Gee producing to him a deed from said treasurer, for said tract of land, and he shall insert in said grant, all and every, the conditions contained in said deed; that said register shall have and receive from said M'Gee, the same fee as he is authorized to receive for issuing grants in other cases.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

CHAPTER CCXCII.

An Act for the relief of Edward P. Latham and others.

SECTION 1. Be it enacted by the General Assembly of the State of Tennessee, That Edward P. Latham, of the county of Weakley, be, and he is hereby, authorized to have surveyed and spread on the general plan of the 12th surveyor's district, five hundred acres of land on the Obion river, in said county, adjoining his saw and grist mill: *Provided*, said land is vacant and unappropriated, and unfit for cultivation. May have land surveyed.

SEC. 2. Be it enacted, That the said Latham is hereby secured in all the rights of an occupant, to the said five hundred acres of land, under all the existing occupant laws of this State. Right of occupancy granted.

SEC. 3. Be it enacted, That Edward L. Travis be, and he is hereby, secured in having surveyed three hundred acres of vacant and unappropriated land, adjoining his mills, on Wolf river, under all the restrictions and privileges of the first and second sections of this act. E. L. Travis to have same rights.

F. W. HULING,
Speaker of the House of Representatives.
D. BURFORD,
Speaker of the Senate.

Passed November 30, 1833.

CHAPTER CCXCIII.

An Act to authorize battalion drills in the 94th regiment Tennessee militia, and for other purposes.

SECTION 1. Be it enacted by the General Assembly of the State of Tennessee, That hereafter, it shall be the duty of the commissioned and staff officers of the 94th regiment of Tennessee militia, in M'Minn county, to attend at the place designated by the majority of said officers or the regimental court martial of said regiment, on the day before the battalion musters, and drill under the senior officer present. Battalion drill.

SEC. 2. Be it further enacted, That the commissioned and staff officers of the respective regiments of M'Minn county, shall meet for the purpose of drilling, on some day previous to the regimental musters of said regiments, and at such place as a majority of said officers may select, and the senior officer who may be present, shall drill the officers as prescribed by law. County drill.

SEC. 3. Be it enacted, That the commissioned and staff officers of M'Minn county, shall be liable to the same