

PUBLIC ACTS

PASSED AT

THE FIRST SESSION

OF THE

WENTY-FIRST GENERAL ASSEMBLY

OF THE

STATE OF TENNESSEE.

+

1835-6.

PUBLISHED BY AUTHORITY.

NASHVILLE:

S. NYE AND CO., PRINTERS—REPUBLICAN OFFICE.

.....
1836.

CONTENTS.

	<i>Page.</i>
CONSTITUTION OF THE STATE OF TENNESSEE.	1
An act to provide for the laying off the several counties in this State into districts of convenient size, within which justices of the peace and constables shall be elected, and for other purposes.	19
An act to provide for the election of a Governor, Representatives in Congress, Members of the General Assembly, Sheriffs, Trustees, Registers, Clerks of the Circuit and County Courts, and for other purposes.	23
An act to establish a Supreme Court in pursuance of the 2nd sec. art. 6, of the Constitution of the State of Tennessee.	26
An act to establish Chancery Courts.	32
An act to establish Circuit Courts.	38
An act to re-organize the County Courts in this State.	45
An act to fix the salaries of the Chancellors and Circuit Court Judges in this State.	50
An act to regulate the practice in the Circuit Courts of the State of Tennessee.	50
An act vesting the County Courts of each county with discretionary power to have the minutes and other records of the Court transcribed into a well bound book, where the same has not heretofore been done.	51
An act, supplemental to an act passed at the present session of the General Assembly, entitled "an act to establish Circuit Courts.	52
An act to provide for the appointment of Notaries Public.	52
An act to provide for electing a Comptroller of the Treasury, and to prescribe his duties.	54
An act setting forth the property, real and personal, and the privileges and occupations liable to taxation in this State.	58
An act to provide for the appointment of Commissioners to take in a list of taxable property and polls, and to define their duties.	67
An act to provide for the appointment of a Collector of the Revenue, and to define his duties.	72
An act to amend the laws of this State regulating the bringing of suits upon Sheriffs' bonds.	79
An act to prescribe the duties and define the jurisdiction of justices of the peace	79
An act supplemental to an act entitled "an act to re-organize the County Courts in this State," passed December 3, 1835.	86

An act supplemental to an act entitled "an act to establish Circuit Courts," passed at the present session of the General Assembly.	89
An act to amend an act entitled "an act to establish Chancery Courts," passed at the present session of the General Assembly.	93
An act to divide the Militia of this State into companies, battalions, regiments, brigades and divisions, and to prescribe the times and modes of electing officers.	97
An act to encourage Internal Improvement in this State.	108
An act to appoint a board of Common School Commissioners, and to secure the common school fund.	110
An act to punish overseers of public roads, or other persons who shall set or cause to be set up, any false sign or label to mislead travellers.	114
An act to amend an act passed the 15th of December 1831, entitled "an act to tax the retailers of spiritous liquors, and to appropriate the moneys arising therefrom to the use of common schools.	115
An act concerning divorces, and to regulate the proceedings in suits which may hereafter be brought in this State in such cases.	117
An act to provide for electing a Treasurer of the State, and to define his duties.	123
An act to lay off the State into solicitorial districts, and for other purposes.	127
An act to authorize the several County Courts which are now or may hereafter be established in this State, to grant the privilege of building bridges, erecting fish dams, and such other private or local improvements, as in their discretion shall be right and proper, and as shall be conformable to the 7th and 8th sections of the 11th article of the Constitution of the State of Tennessee.	128
An act concerning the rents and profits of school lands.	131
An act to amend an act passed the 5th day of November 1833, entitled "an act to regulate ferriages and tolls at ferries kept on the Tennessee river, North of the North boundary line of the State of Alabama.	132
An act giving further time to the purchasers and enterers of land in the Hiwassee District to obtain their grants.	132
An act to authorize the registration of grants for land emanating from the State of Kentucky between Walker's line and Matthews' line, as provided for in the compact of 1820, between this State and the State of Kentucky.	133
An act to authorize the county courts in certain cases to order the sale of sites and materials of jails and public prisons, and to purchase others.	133
An act to amend an act appropriating the school land in the Hiwassee district, and for other purposes.	135
An act to authorise sheriffs to convey persons arrested on a criminal charge in one county to the prison of another county for safe keeping.	135
An act giving the further time of two years for making surveys and obtaining grants on entries made under the act of 1819, chapter 1, and the acts subsequent thereto.	136

An act to amend the existing laws on the subject of new counties.	137
An act prescribing the mode of choosing electors to vote for President and Vice President of the United States.	137
An act to amend and extend the act of 1825, chapter 37.	140
An act to equalize the stay of executions rendered by justices of the peace on all sums.	141
An act to increase the jurisdiction of justices of the peace.	142
An Act more effectually to subject property in this State, belonging to non-resident debtors, to the payment of their debts due citizens of this and other States.	143
An act to prevent the publication or circulation in this State of seditious pamphlets and papers.	145
An act for the relief of occupants South and West of the Congressional reservation line, and North of Winchester's line, and for other purposes.	146
An act to authorize the issuance of grants in certain cases.	151
An act to prohibit the drawing of lotteries and vending lottery tickets.	152
An act to abolish the present Surveyors' offices South and West of the Congressional reservation line, and to establish county offices in lieu thereof.	153
An act to provide for holding elections in the different incorporated towns in this State.	157
An act to fix the rate of interest in this State.	157
An act to appoint an Attorney General for the State, and for other purposes.	159
An act supplemental to an act passed the 30th of January 1836, entitled an act to authorize the several County Courts in this State to grant the privilege of building bridges, mill dams, and such other local and private improvements as are contemplated by the 7th and 8th sections of the 11th article of the Constitution of Tennessee.	160
An act to authorize the clerks of the courts of record in this State, to take the probate or acknowledgment of assignment of plats and certificates of survey and locations.	161
An act to punish the grantees and owners of turnpike roads for demanding toll improperly and contrary to law.	163
An act to prescribe certain duties to be performed by the clerks of the several Courts in this State, and for other purposes.	165
An act to authorize femmes covert to act as femmes sole under certain circumstances.	166
An act to regulate Free Negroes, and for other purposes.	167
An act to amend the penal laws of the State.	168
An act to authorize the taxation of costs in cases wherein persons have been bound to keep the peace.	168
An act to provide for the recovery of debts due upon judgments destroyed by fire.	169
An act for the relief of tax collectors in certain cases.	169
An act to amend an act passed the 13th day of September, 1806,	

PUBLIC ACTS

OF THE

STATE OF TENNESSEE,

PASSED AT THE FIRST SESSION OF THE TWENTY-FIRST GENERAL ASSEMBLY, WHICH WAS BEGUN AND HELD AT NASHVILLE, ON MONDAY THE FIFTH DAY OF OCTOBER, IN THE YEAR ONE THOUSAND EIGHT HUNDRED AND THIRTY-FIVE.

CHAPTER I.

An Act to provide for the laying off the several counties in this State into districts of convenient size, within which justices of the peace and constables shall be elected, and for other purposes.

SECTION 1. *Be it enacted by the General Assembly of* Commrs. to be *the State of Tennessee,* That there shall be appointed by appointed joint resolution of both branches of the General Assembly, five suitable persons as Commissioners in each county in this State, a majority of whom shall be competent to act, to lay off the respective counties into districts of convenient size, regard being had both to territory and population, for the purpose of electing Justices of the Peace and Constables therein; and that said Commissioners shall receive Compensation for their services such compensation as the County Court, in their discretion may allow, to be paid out of any moneys in the county treasury not otherwise appropriated.

SEC. 2. *Be it enacted,* That the commissioners afore- Their duty said, or a majority of them, in each county in this State, shall have full power and authority to lay off their counties into districts for the purposes aforesaid; and in laying off the same shall be governed by the following ratio of population, to wit: Each county which contains three thousand qualified voters or upwards, according to the enumeration of 1833, shall be laid off into twenty-five districts; that each county which contains twenty-five hundred qualified voters and un- Districts according to ratio of population

CHAPTER LVIII.

An Act to amend the penal laws of the State.

Tempting slave
to leave owner
made felony

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That if any person or persons, whatsoever, shall directly or indirectly tempt or persuade any slave or slaves, to leave his, her or their master or mistress' service, with an intent or design to carry him, her or them out of this State, or with the intent or design to deprive the true owner thereof, or shall harbour or conceal such slave or slaves for that intent or purpose, such person or persons shall, upon conviction thereof before any tribunal in this State having jurisdiction thereof, be adjudged guilty of felony, and shall, for every such offence, be confined in the public jail and penitentiary for a term not less than three nor more than ten years.

Of furnishing
slave with arms

Any free person who, without the consent of the owner, shall sell, loan or give to any slave, any gun, pistol, sword, or dirk, shall be guilty of a misdemeanor, and shall, on conviction by presentment or indictment, be fined not less than fifty dollars, and imprisoned not less than ten days.

EPHRAIM H. FOSTER,

Speaker of the House of Representatives.

JONATHAN WEBSTER,

Speaker of the Senate.

Passed February 19, 1836.

CHAPTER LIX.

An Act to authorize the taxation of costs in cases wherein persons have been bound to keep the peace.

Person bound
over liable for
cost

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That in all cases wherein any person or persons shall hereafter be arrested on a warrant to keep the peace, and shall be bound over for his appearance at court, or shall be committed to jail on such warrant, being unable or unwilling to give security for his or her appearance, it shall be the duty of the court to which such person is by law bound to appear, in all cases wherein it shall appear to the court that there was sufficient cause for binding such person over to court and to keep the peace, to render judgment against such person for all the costs that may have accrued in such cause; and if it shall appear to the court that there was not sufficient cause for an arrest and binding over,

Not liable if
discharged